The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

DELEGATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, June 26, 2001

I hereby appoint the Honorable John ABNEY CULBERSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT, Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

PROJECT IMPACT

Mr. BLUMENAUER. Mr. Speaker, numerous natural events of the past few months, including the earthquake in the State of Washington and Tropical Storm Allison of just recent days in Texas and Louisiana, have underscored our need for disaster preparedness.

What we have learned from these events is that we can in fact save lives and money by making investments up front to protect our communities. What we have learned is that what we do in the beginning by hardening the sites, preparing people's responses, moving out of harm's way, has an overwhelming payback, a payback not just in money but in lives saved and injury and human misery avoided.

As was pointed out in yesterday's Washington Post, spending money in disaster mitigation pays off. It has often been cited that in the great flood of 1993, Charles County, Missouri, suffered $26 million in damages. However, the same area, after a significant buyout and a similar flood 2 years later, caused only $300,000 in damage.

Our friends at the Federal Emergency Management Agency believe that in the past 8 years the buyout programs of the Federal government have received a 200 percent rate of return in investment in disaster mitigation. It is frustrating that, in the wake of these tragedies, the Bush administration and its Office of Management and Budget have proposed cutting funds for several of these Federal mitigation programs, including FEMA's Project Impact.

Mr. Speaker, I have had significant opportunity to interact with the men and women working with Project Impact. This was one of the creations of former Director James Lee Witt that has in fact earned him international recognition.

I have seen that, contrary to the administration's assertion that Project Impact has not proven effective, I have seen Project Impact leverage even a modest Federal investment in my own community to be a lynchpin for additional commercial investments, as well as careful planning and consideration by local government.

I had an opportunity last fall to address the Conference of Project Impact Volunteers. One of the most important aspects of this program is the development of the human infrastructure to aid in disaster mitigation. It is hard to imagine a Federal investment doing more than to produce these dedicated volunteers making the difference in making these programs work.

Project Impact is not a grant program. It provides seed money to build disaster-resistant communities. It is a commonsense approach to help communities protect themselves. It offers expertise and technical assistance. It puts the latest technology and mitigation practices into the hands of local communities, and most important, it brings people together to understand how they can solve their own problems.

Started just 5 years ago with seven pilot projects across the country, there are now 2,500 Project Impact business partners, including Federal agencies like NASA, that are working in 250 Project Impact communities.

Mr. Speaker, Joe Allbaugh, a long-time friend and Bush appointee, the new Director of FEMA, has pointed out that he is deeply impressed by the "swift and tangible results," his words, of buy-out programs and other efforts to mitigate the cost of disasters before they strike. I know from the news accounts that he has taken his budget concerns to the bean-counters at OMB who need to understand the potential benefits of continuing this program.

I must commend the Bush administration for understanding the potential of using reform in other contexts. I appreciate and applaud their putting money in the budget that signifies reform of the National Flood Insurance Program.

The gentleman from Nebraska (Mr. BERKUTER) and I for the last 2 years have been working to reform the flood insurance program so it is no longer subsidizing people to live in areas where it is repeatedly shown that it is dangerous and inappropriate.

I hope the administration will build on this notion of reform that they are proposing in flood insurance and carry
peace in our time, O Lord, and give us to be Your will for all mankind. Bring throughout our history and defended by countless patriots until 10 a.m. It is over in Project Impact. We cannot afford to lose it.

RECESS
The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m. Accordingly (at 9 o’clock and 8 minutes a.m.) the House stood in recess until 10 a.m.

1000

AFTER RECESS
The recess having expired, the House was called to order at 10 a.m. The Reverend Lawson Anderson, Canon Pastor, Episcopal Diocese of Arkansas, Little Rock, Arkansas, offered the following prayer:

Let us pray. Gracious God, as we prepare in the week ahead to celebrate the anniversary of the founding of this Republic, we commend this Nation to Your merciful care. We pray that being guided by Your providence we may live securely in Your peace.

Grant to the President of the United States, to the Members of this Congress, and to all in authority wisdom and strength to know and to do Your will. Fill them with the love of truth and righteousness and make them ever mindful of their calling to serve this country in Your fear. Guide them as they shape the laws for maintaining a nation pro...
CONGRESSIONAL RECORD — HOUSE

H3523

June 26, 2001

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a Certificate of Election received from the State Board of Elections, Commonwealth of Virginia, Mr. Linwood M. Cobbs, Chairman, indicating that, on examination of the Official Abstracts of Votes on file in that office for the special election held June 19, 2001, the Honorable J. Randy Forbes was duly elected Representative in Congress for the Fourth Congressional District, Commonwealth of Virginia.

With best wishes, I am,
Sincerely,
JEFF TRANDAHL.

SWARING IN OF THE HONORABLE J. RANDY FORBES, OF VIRGINIA, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Member-elect and the Members of the Virginia delegation present themselves in the well.

Mr. FORBES appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations, you are now a Member of the 107th Congress.

WELCOMING THE HONORABLE J. RANDY FORBES, OF VIRGINIA

(Congressional Record)
Mr. Speaker, last but certainly not least, I am grateful to the Lord for giving me the wonderful gift of living in the greatest Nation on the face of the earth. I will continue to pray that God will give me the wisdom and strength to serve the men and women of the fourth district and that He will continue to bless this great Nation.

REPUBLICANS TRIUMPH IN ANNUAL CONGRESSIONAL BASEBALL GAME

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, today is the day of bragging rights for the congressional baseball game. I am proud to announce that the Republican team won 9 to 1 on Thursday night. I want to thank MARTIN SABO and all the Democrat participants as well as our own team for a wonderful game. We had over 3,000 people come out to the Baysox ballpark for the game and raised over $90,000 for charity, the Boys and Girls Club of Washington.

They were the team stars, Warren Spahn and Johnny Sain. Many of my colleagues may remember this famous poem by Gerald Hern on the old Boston Braves pitching staff, Warren Spahn and Johnny Sain. They were the team’s only two reliable pitchers: First we’ll use Spahn and then we’ll use Sain. Then an off day followed by rain. Back will come Spahn followed by Sain and followed we hope by 2 days of rain.

With apologies to Mr. Hern, I have adapted his poem into an ode to my starting pitcher and MVP, STEVE LARGENT; the gentleman from Oklahoma.

First we’ll use Largent and then we’ll pitch him again. As long as his arm’s good we’ll pitch him in sun or in rain. Sadly, now he’s retired like Spahn and like Sain I probably won’t see his likes again. Auditioning new pitchers will be a big pain because you know from last year that walks drive me insane. There’s just one more honor at which Steve can aim, not Governor but induction in the Roll Call Baseball Hall of Fame.

CITIZENSHIP FOR GAO ZHAN

(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, today I want to discuss the tragic story of Gao Zhan. Gao Zhan is a United States lawful permanent resident on the University of Texas campus. He is a Chinese citizen who is currently being detained in China on charges of espionage. On February 11, 2001, while visiting relatives in China, Dr. Zhan and her family were arrested on espionage charges.

The Chinese government has refused to release Gao Zhan’s husband and child, both United States citizens, after being separated for a month. The child, the little boy, is 5 years old. However, Gao Zhan remains in detention.

There has been no contact with her since she was arrested over 4 months ago. All attempts to locate Gao Zhan have failed. The United States embassy in China and other United States officials as well as attorneys from both the United States and China have tried to locate the whereabouts of Gao Zhan. The Chinese government has refused to share any information.

I have introduced H.R. 1385, which grants Gao Zhan American citizenship in the United States without her being administered the oath of renunciation and allegiance. This bill is critical since Gao Zhan is being held against her will in China and the law provides different treatment to United States citizens than it does to United States lawful permanent residents.

Congress needs to confer this citizenship on Gao Zhan. She is one who needs to be reunited with her family.

TIME TO STOP POINTING FINGERS

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, in the past few weeks Governor Gray Davis has turned up the rhetorical heat while Californians have turned out their lights because of rolling blackouts expected to plague the State all summer long.

The Governor has left no stone unturned in his campaign to point fingers in any direction. He has blamed the Federal Government. He has blamed electric utilities. He has blamed energy companies. He has even blamed President Bush. My God. He is the Energizer bunny of bankrupt ideas. President Bush recognizes that America faces serious energy shortages, so his administration is putting forward a comprehensive plan to protect consumers from fluctuating fuel costs using 21st-century technology to diversify our clean and affordable energy sources.

But what does Gray Davis do? He hires spin doctors at $30,000 a month paid for by the taxpayers to explain why his State is suffering. I am sure Governor Davis realizes this is an inappropriate use of tax dollars, considering he is sitting on $26 million in campaign cash.

This reminds me of another disaster, Mr. Governor, the Exxon Valdez. That is your administration.

MONUMENT NEEDED FOR SOME OF THE BRAVEST AMERICANS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, today is the 125th anniversary of Custer’s last stand, a sad chapter in American history. To make it even worse, there is only one monument at Little Bighorn, to—General Custer!

Unbelievable. As the story goes, Uncle Sam took the whole Indian Nation and put them on a reservation. He took away their native tongue, taught English to their young, took away their way of life, killed their children and their wife. And even the beads they made by hand were then imported from Japan.

Beam me up. Is it any wonder that these brave warriors joined together for one lasting victory to be remembered throughout all of American history?

Now, Mr. Speaker, their descendants fight along with our soldiers to keep America free.

I yield back the need to build a lasting monument in tribute to some of the bravest Americans who ever lived right here in Washington, D.C.

PRICE CONTROLS MAY BE NICE POLITICS BUT THEY ARE LOUSY POLICY

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, day in and day out I hear calls for price controls on electricity, and I wonder were the 1970s that long ago, or are we just suffering from convenient amnesia? Am I the only one who remembers the gas price controls imposed by President Richard Nixon in an effort to ensure an adequate supply of gasoline at reasonable rates? Am I the only one who remembers that the resulting artificial low prices did not lower consumption, but did lower supply?

I guess I am the only one who does not look fondly back on the days of long lines at the local service station and gas rationing. Price controls may be nice politics, but they are lousy policy.

The bottom line is that we are trying to meet today’s energy needs with yesterday’s energy infrastructure, and it is not working.

Our energy demand has increased 47 percent over the last 30 years, and yet we have half as many oil refineries, pipeline miles as well as many mandated gasoline blends. Low energy prices through the 1980s and 1990s have lulled American consumers
and producers into believing that low prices will always be there, but now we know that is not true.

MUHAMMAD ALI
(Ms. CARSON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CARSON of Indiana. Mr. Speaker, I ask 1 week after the 34th anniversary of Muhammad Ali’s conviction for draft evasion. Muhammad Ali sits on anyone’s short list of the greatest athletes of the 20th century. In fact, Time Magazine recently listed Ali among the top 20 heroes and icons of the 20th century.

Perhaps Ali’s greatest testament was the only fight in which he declined to participate. With the war in Vietnam dragging on, the draft call was expanded, and the heavyweight champion of the world was reclassified as 1A, eligible for military service.

Ali was told the news at a training camp in Miami, and, badgered all day by the press, he left the camp and headed to the beach. He would achieve success. By writing a testament to his beliefs, Ali inspired confidence so that he would be released and was given permission to address the House for 1 minute and to revise and extend her remarks.

Mrs. MYRICK. Mr. Speaker, during this current energy situation, there has been a lot of pointing of fingers of blame in this Chamber. That may win political points at home, but it sure does not solve the problem.

President Bush has put forth a very responsible plan to solve our energy problem. He has taken the lead. It is a balanced plan that stresses conservation as well as increased supply. We, of course, want the environment and be responsible with the plan. There is no question in that.

We also need to reduce our dependency on foreign sources of supply. It is time that America is in charge of our supply of energy, not Saddam Hussein.

It is Democrats who have put California into this energy mess.

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am sick and tired of hearing Democrats complain about the energy crisis. The last time I checked, the Democrat Governor Gray Davis was in charge of California. The last time I checked, Democrats also controlled the White House for 8 long years and did nothing. Bill Clinton and Al Gore had plenty of time to examine and solve the energy crisis in California while they were out there visiting Buddhist temples, but they did not. Instead, Democrats like Daschle and Gephardt just play the blame game.

Democrats are blaming George Bush and Dick Cheney for the California energy problem. They must have forgotten this administration just took office, and if they had been wise, they would have been drilling for oil, building new energy plants and building new transmission lines. That is what it takes to solve the problem is finding resources. In short, it is the Democrats who put California into this mess. Americans do not want, need or deserve the California energy problem.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. ISAKSON). The Chair would remind Members that it is not in order to address members of the other Chamber.

PRICE CONTROLS, THE EVIDENCE IS THEY DO NOT WORK
(Mr. PETERTSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERTSON of Pennsylvania. Mr. Speaker, wholesale price controls do not work. What better example of this than California? Leading energy experts have been saying for months that one major reason California is in its current energy mess is because of price controls. Now we have further evidence that the price controls are not the answer.

Last week the Department of Energy released a report indicating that if Governor Davis gets his way and a cost-plus-$25 price cap is implemented, Californians will be literally in the dark.

The Department of Energy report concludes that Governor Davis’ price caps would result in the delay or abandonment of about 1,300 megawatts of capacity scheduled to be constructed in the State. What does this mean to Californians? It means that 90,000 additional households could be affected.

As Pennsylvania learned, deregulation can be implemented with success, but price caps and unnecessary government regulations result in shortages and higher prices. We in Pennsylvania know that. The Department of Energy concurs.

HARD-WORKING AMERICANS DESERVE ANSWERS AND THEY DEMAND A SOUNDER ENERGY POLICY
(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, our economy over the last year has shown signs of slowing. Energy prices are already too high, and they are going higher. Much of our country faces either energy shortages, blackouts or both. Major energy shortages are expected throughout the summer for most of the West. Gas prices there top $2.25 a gallon at the pump. Hard-working Americans deserve answers, and they demand a sound energy policy.

Mr. Speaker, our Nation’s energy problems demand multifaceted solutions, including increased supplies of traditional fossil fuels and alternative sources of energy as well as improving energy conservation and efficiency. It will not be easy, and it will not be created overnight. We have the technology and the resources to meet our energy needs for decades, even centuries, to come, while ensuring a clean environment as a legacy for our children as well.

We need to work with President Bush to create a balanced, comprehensive national energy policy that meets our energy challenges today and provides for our needs well into the future.
ARTISTIC HOMES, A WAY TO CONSERVE OUR ENERGY RESOURCES

(Mrs. WILSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WILSON. Mr. Speaker, on Saturday afternoon I was on the west side of Albuquerque at Artistic Homes. Artistic Homes have changed the way they build homes in order to reduce utility bills. I met a first-time buyer family that is going to buy one of those homes. They were signing the papers that day. They would pay $60 a month for their electric and gas bill, and they expect that bill will be $20 a month when they move into this new home.

That experience reinforces why conservation must be a part of our energy agenda. We have an energy problem in this country. It is toughest in the West, but it affects us all. There are not going to be any quick fixes. We need a balanced, long-term approach to give us the stability and the energy that is needed. This is too important to do anything but the right thing.

We need to start with conservation. We have made tremendous progress in this country over the last 20 years. We are not going back, and nobody wants to. We need a balanced mix of new supplies of energy, and we have to bring on the next generation of new supplies of energy. It is time to pull together and lead, to give us real answers for our energy problems.

THE TIME HAS COME TO CHANGE THE OUTDATED DAVIS-BACON ACT

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, I would like attention to be directed to one of many problems on the outdated Davis-Bacon Act of 1931. As my colleagues know, this law requires the State and local construction projects receiving over $2,000 in Federal aid to adhere to the Federal prevailing wage, which on average is 17 to 22 percent higher than the State level. Because of these higher wages, State and local construction projects can cost up to 38 percent more than they would have without the act.

This enormous waste of taxpayers dollars is proof that the Davis-Bacon Act should be modernized. In the 70 years since its introduction, the act has never been adjusted for inflation and has而导致ed according to current construction standards. Meanwhile, inflated Davis-Bacon costs continually hinder emergency relief efforts and federally-assisted construction projects because of the additional costs communities must pay if they receive Federal aid.

Because this $2,000 minimum was set in 1931 and has never been adjusted, the gentleman from North Carolina (Mr. COBLE) and I have introduced H.R. 2004, the Davis-Bacon Modernization Act, which would increase the threshold from $2,000 to $100,000. While many of my colleagues believe this number is not high enough, I believe it is a good start. Let us make this law more reasonable and affordable. I urge my colleagues to help communities across the country to get more bang for their buck. Cosponsor and support the Davis-Bacon Modernization Act.

THE AGRICULTURAL SUPPLEMENTAL RELIEF ACT

(Mr. POMEROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMEROY. Mr. Speaker, it is another tough year for the farmers of this country. Commodity prices once again are below the cost of producing the crop. Imagine the frustration of investing one's heart and soul and extending virtually everything they own to grow a crop that when it is harvested and it is taken to the elevator, the money that is received does not even cover the costs they had of growing it. That is, of course, if the production season is a good one and a crop is actually gotten.

Yesterday I was in fields in North Dakota that have been totally devastated by hail. There will be no crop for these farmers. There will be no income of any kind at the elevator. I raise this to illustrated attention because in a few minutes we are about to consider the Agricultural Supplemental Relief Act. Unfortunately, the Committee on Agriculture brings forward a proposal that reduces by about 15 percent the amount of relief and support we gave to farmers last year.

Now farmers' inputs have gone up. It is costing more to grow the crop. The prices are still lousy. It is no time to cut relief for our farmers. Reject this and increase assistance.

NORTH KOREA

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I recently met with a German doctor, Dr. Norbert Vollertson, and talked to him about his experiences during his 18 months living in North Korea.

Mr. Vollertson met with a German doctor, Dr. Norbert Vollertson, and talked to him about his experiences during his 18 months living in North Korea.

1100

The story of suffering and the photos of starving children and adults who were deeply moving. Dr. Vollertson made a strong statement that should spur the international community to action.

When comparing the North Korean prison camps to Nazi concentration camps, Dr. Vollertson said, "No journalist, no one wanted to believe that Hitler is so cruel, that the German government is so cruel. I think it is my duty as a German to learn from history, to not make the same mistake twice."

He said what is happening in North Korea in the concentration camps, in his opinion, is as bad as what happened during the Second World War. It is the duty of the international community not to make the same mistake again, to ignore the plight of thousands of people in North Korea who are starving and in terrible prison situations where they are beaten and tortured and executed in horrific ways.

Mr. Speaker, I call on this body and the administration to act on behalf of the people of North Korea, to act to ensure that the regime in North Korea is no longer allowed to continue destroying its people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is subjected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken later today.

RECOGNIZING OUTSTANDING AND INVALUABLE DISASTER RELIEF ASSISTANCE PROVIDED DURING TROPICAL STORM ALLISON

Mr. COOKSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 166) recognizing the outstanding and invaluable disaster relief assistance provided by individuals, organizations, businesses, and other entities to the people of Houston, Texas, and surrounding areas during the devastating flooding caused by tropical storm Allison.

The Clerk read as follows:

H. Res. 166

Whereas during June 2001 tropical storm Allison brought catastrophic flooding to Houston, Texas, and surrounding areas;

Whereas this disaster tragically and suddenly took the lives of 21 people;

Whereas this disaster injured countless other people, uprooted families, and devastated businesses and institutions;

Whereas the State of Texas has been declared a Federal disaster area, and individuals and families in 28 counties are eligible for Federal assistance;

Whereas numerous individuals and entities have selflessly and heroically given of themselves and their resources to aid in the disaster relief efforts; and

Whereas the catastrophic injury, death, and damage in Houston, Texas, and surrounding areas caused by tropical storm Allison would have been even worse in the absence of local relief efforts: Now, therefore, be it

Resolved, That the House of Representatives recognizes, for outstanding and invaluable service during the devastating flooding caused by tropical storm Allison in Houston, Texas, and surrounding areas, including:

(1) the American Red Cross service centers located at Sunnyside Multi-Service Center,
Friendswood Activity Center, Lakewood Church, and Berean Seventh Day Adventist Church, the American Red Cross shelters located at Salvation Army Community Center, Arbor Rights Men’s Shelter, the B.L.O.C.K Oak Village Middle School, Kirby Middle School, and Sweet Home Missionary Church, and the many other voluntary relief sites and services providers, offer invaluable assistance to the victims of the disaster;

(2) the Houston Police Department, the Houston Fire Department, and the Sheriff’s Department of Harris County, Texas, who displayed great bravery and dedication in rendering assistance to the people of Houston, Texas, during the disaster;

(3) Houston Mayor Lee Brown, particularly for his effort in establishing the Adopt-a-Family program and for his collaboration in the disaster relief efforts with Robert Echols;

(4) Texas Governor Rick Perry and all other State and local officials, who provided invaluable support and assistance;

(5) the Federal Emergency Management Agency, who quickly deployed and responded to the disaster;

(6) the United States Coast Guard;

(7) the Texas Army National Guard, who quickly deployed and responded to the disaster;

(8) the employees of Texas Medical Center, Memorial Hermann Hospital, and Houston Veteran’s Hospital, who struggled heroically to perform their jobs amid chaos;

(9) all the volunteers, who are too numerous to name, but who made heroic efforts and special sacrifices and played a crucial role in the disaster relief efforts;

(10) the police, fire, sheriff, and emergency personnel throughout Southeast Texas and Harris County and the ninth congressional district of Texas;

(11) the many media organizations who aided the relief effort by keeping the community closely and extensively informed, requesting volunteers, and providing information regarding dangerous roads; and

(12) all the individuals and organizations who immediately and selflessly helped the people of Texas, and surrounding areas in their time of need, took quick and decisive action for the public good, and demonstrated a ability to work together for a brighter future.

The SPEAKER pro tempore, pursuant to the rule, the gentleman from Louisiana (Mr. COOKSEY) and the gentleman from Texas (Mr. LAMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. COOKSEY).

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

Mr. Speaker, I would first like to note that House Resolution 166 was discharged from committee consideration and expeditiously brought to the floor for immediate consideration. This is not the normal process; but in the interest of time, the committee will occasionally discharge consideration.

House Resolution 166 recognizes the dedication and tireless efforts of all of the individuals and organizations who assisted in relief efforts in Houston, Texas, during and in the aftermath of Tropical Storm Allison.

Hurricanes and tropical storms are among the most devastating and costly natural disasters. Tropical Storm Allison was no exception. Allison was a powerful tropical storm that struck Galveston, Texas, on June 4, 1999, causing widespread damage and loss of life.

The resolution recognizes the invaluable disaster relief of various agencies, organizations, businesses, and individuals who assisted the people of Houston and the surrounding areas during the devastating floods of Tropical Storm Allison. The resolution states that although 21 people died, the casualties and destruction would have been even worse, if not for the disaster response given by American Red Cross shelters, the voluntary donation of money and resources from individuals and private businesses of Texas, the heros of the United States Coast Guard, the Houston police and fire department, and the substantial contributions of many other hospitals and shelters.

Looking back to Monday, June 4, 1999, the most instantaneous task first reported the development of Allison, I realized that the main impact of this storm would not be the wind, but would be the rain. Rain totals throughout Harris County and in other portions of the city measured 30 inches during the week-long period when the remains of Allison brought relentless flooding to the upper Texas Gulf Coast.

In the midst of the disaster and periods of chaos, there were countless individuals and organizations who responded almost instantly to help the victims caught by the flood waters. The plight of one became the concern of many, and people displayed an enormous humanitarian spirit that transcended all barriers.

The American Red Cross placed its disaster relief plans into action and opened numerous service centers throughout Harris County and the Ninth Congressional District of Texas. These centers, the voluntary donation of resources, and the substantial contributions of many other hospitals and shelters were critical to the response efforts.

The media broadcast around the clock to keep the public constantly informed of the dangerous situation by disseminating critical information. Volunteers, many of whom were also suffering, responded to the calls for help from numerous agencies, who were critical to the response efforts.

Our friends at FEMA also did a phenomenal job in a task that was as sobering as it was frustrating. Thousands of people were affected and the recovery and damage assessments still continue.

I toured the devastation firsthand by helicopter and on the ground. The
I watched this past Sunday as the Red Cross team came that we called out to see a senior citizen who had a knee that needed to have surgery, who had not been attended to; and that Red Cross team came like an S.O.S. with an angel standing behind them to help that senior citizen.

Other areas such as Sunnyside in southeast Houston, northwest Houston and around Scarborough High School. Additionally, of course, we all know a very important aspect of our community, the Texas Medical Center, has faced a very uphill battle. But I am very pleased that they are going to have an S.O.S. kind of situation. All of the delegation members of this particular delegation will be supporting them and helping them with the millions and millions of dollars of damage, maybe in the billions of dollars of damage, to come back and be able to serve not only Texas, but to serve the Nation. Ten million gallons of water have inundated the medical center complex, and we are working to make sure that they get back on their feet.

Let me share with you some personal stories, the help that the Red Cross has given, the 46 disaster centers, the Houston Police Department, the Houston Fire Department, the sheriff’s department displayed great bravery and dedication in rendering assistance. Mayor Lee Brown and the Adopt-a-Family program, Judge Robert Eckles, Texas Governor Rick Perry, all of us gathered together, huddled around the Houston TranStar Center that was supposed to deal with traffic; but we determined that it could be an emergency center, and all of us gathered there to design strategy to help those who were stranded.

I believe, Mr. Speaker, that this is an important resolution to be able to acknowledge, as the Houston Chronicle said, most of the countless acts of kindness and compassion, of heroism and self-sacrifice that will go unsung among the heroes that will remain anonymous, even to those they helped.

I believe it is important to mention some of those personal stories. Time will not allow me to talk about Cora Clay, a sandwich shop employee who faced a very uphill battle. But I am very pleased that they are going to have an S.O.S. kind of situation. All of the delegation members of this particular delegation will be supporting them and helping them with the millions and millions of dollars of damage, maybe in the billions of dollars of damage, to come back and be able to serve not only Texas, but to serve the Nation. Ten million gallons of water have inundated the medical center complex, and we are working to make sure that they get back on their feet.

Let me share with you some personal stories, the help that the Red Cross has given, the 46 disaster centers, the Houston Police Department, the Houston Fire Department, the sheriff’s department displayed great bravery and dedication in rendering assistance. Mayor Lee Brown and the Adopt-a-Family program, Judge Robert Eckles, Texas Governor Rick Perry, all of us gathered together, huddled around the Houston TranStar Center that was supposed to deal with traffic; but we determined that it could be an emergency center, and all of us gathered there to design strategy to help those who were stranded.

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Mr. Speaker, I rise today to support H. Res. 166, a resolution I introduced on June 14 to recognize the outstanding and invaluable disaster relief assistance that individuals, organizations, businesses and other entities provided to the people of Houston, Texas and surrounding areas during the devastating floodings caused by Tropical Storm Allison, one of the worst disasters Houston has known. But for the heroic efforts of those invaluable volunteers, the catastrophic death, injury and damage would have been far worse. I commend my fellow colleagues in the House of Representatives, and especially my fellow members of the Texas delegation, for joining me in encouraging these altruistic acts of selflessness and heroism.

Although words cannot even begin to describe the destruction that Houston and its surrounding areas know, I will attempt to paint for you some of havoc that the storm has wreaked. The more than three feet of rain that fell on the Houston area beginning June 6 has caused at least 23 deaths in the Houston area and as many as forty deaths in the surrounding states. Over 20,000 people have been left at least temporarily homeless during the flooding, many with no immediate hope of returning to their homes. More than 56,000 residents in thirty counties have registered for federal disaster assistance. Over 3000 homes have been destroyed, over 43,000 damaged. The damage estimates in Harris County, Texas alone are $4.88 billion and may yet increase.

Some of the most hard hit areas include the University of Houston, Texas Southern University, and the Kashmere Gardens neighborhood, a Houston enclave that has a high number of elderly citizens and possesses the fewest resources needed to bounce back from this once in a lifetime event. Other areas such as Sunnyside and South East Houston—northwest Houston around the Scarborough High School area—also bore the greatest hit.

Additionally I note the damage which occurred at Texas Medical Center, because what has occurred affects us not just locally, or even just in Texas, but nationally. The Texas Medical Center, home to some forty medical schools and most of the Texas delegation, for joining me in encouraging these altruistic acts of selflessness and heroism.

Let me just simply conclude by saying, it gives me a special privilege to be able to thank all of those people who gave of their time, who gave of their heart. We have spirit in Houston and the surrounding areas. We have spirit. We will overcome the effects of Tropical Storm Allison.

The UT Health Science Center has incurred $52 million in physical damage to the facility and $53 million to the equipment. A total of 400 emergency personnel have been required to assist in the clean up thus far. Moreover, preparation must still be made for 825 medical patients to be treated and the floor used for student service functions is estimated to be nine months away from re-opening. Until that point, teaching facilities and services must be dispersed across the city.

Research has been substantially affected, destroying all animal based research due to the death of all 4,000 animals. Some of these losses could take as long as three to four years to recoup, and some of the more senior graduate students may have lost their dissertation research, setting back their careers indefinitely. $105 million in sponsored research has been affected.

Yet the storm has not defeated our spirit. The citizens of Houston are facing the tragedy with the spirit of love and have displayed the true meaning of the biblical phrase the “peace in the midst of the storm.” Untold numbers of individuals and organizations have risen to meet the overwhelming challenges that the storm has presented. Among those who have risen to this challenge is the American Red Cross, which at one time was running 46 disaster centers. Other centers were opened to serve those in need, and who, along with the Salvation Army is serving thousands of meals per day. The Houston Police Department, the Houston Fire Department, and the Sheriff’s Department of Harris County, Texas have displayed great bravery and dedication in rendering assistance to the people of Houston, Texas during the disaster. Houston Mayor Lee Brown, Judge Robert Eckles, Texas Governor Rick Perry and all other State and local officials have provided invaluable support and assistance.

The Federal Emergency Management Agency is once again successfully fulfilling its mission, having quickly deployed and responded to the disaster, and the Small Business Administration has also been on the ground providing much needed disaster assistance to families and small businesses. The United States Coast Guard and the Texas Army National Guard have bravely and rapidly served during this disaster. Houston TransCar Center was an outstanding Storm emergency center where strategy to help the victims was designed.

Many major corporations, other businesses of all sizes, and their employees have who rapidly and voluntarily donated money and other resources to the disaster relief efforts. Many media organizations have aided the relief efforts around the city closely and extensively informed, requesting volunteers, and providing information regarding dangerous roads.

I wish I could recognize every single hero, but time does not permit that. So I will recount for you a few stories that represent the spirit that we have seen.

There have been the ultimate sacrifices of people like Sharon Mateja of Warsaw, Missouri, Sharon was a Red Cross volunteer and member of the Board of Directors who was crushed by a van while helping another volunteer move bags of ice to a Red Cross van. This flood has pushed ordinary people to do extraordinary things. As reported in the Houston Chronicle, "The sense that the state is in a crisis, the need for kindness and compassion, of heroism and self-sacrifice, will go unsung and the heroes will remain anonymous, even to those they helped. Those who are known insist there was nothing exceptional about their actions, that they happened to be in the right place at the right time to help someone in need."

Sgt. C.R. Bean is a Houston Police officer who cannot swim. Yet he and Officers Mike Lumpkin and Matt May plunged into cold, rapidly rising water to attempt to save the lives of three young men whose vehicle had been swept off the road by the torrential waters. They spent at least an hour and a half and were able to save two. They were unable to save Chad Garren, but without the exceptional bravery of the officers, all three would have been lost. Shelters like Oak Village Elememtary School and Kirby Middle School were invaluable in helping the displaced.

There have also been the seemingly simple acts of women like Cora Clay, a sandwich shop employee, who fed an entire shelter from funds from her own pockets. Kathleen Ross, a Houston woman donated two of her rental properties to house families whose houses were uninhabitable due to the flood. Or Richard Hill, who, without being asked to do so, led a friend’s horse for three hours through brackish water to a safe pasture. The list goes on and on.

And businesses in our community have not ignored our needs. The Houston Chronicle newspaper and television station KHOU has raised over $5 million in funds for the Red Cross relief work. Fiesta Market grocery store brought two trailers on eighteen wheelers to feed the shelters. Many other entities have given food, money and other resources quickly and without condition to our community in need.

At two hospitals in the Texas Medical Center, the Memorial Hermann Hospital and Memorial Hermann Children’s Hospital, located in the Texas Medical Center, the flooding caused the loss of all utilities. The hard working employees of the hospitals along with Life Flight, the Coast Guard and the Texas National Guard struggled heroically amid chaos to evacuate successfully and safely 540 patients to other hospitals via helicopters and ambulances, some to hospitals as far away as San Antonio and Austin.

Several houses of worship have opened their doors and hearts to the community to give disaster relief assistance. Use of their buildings for FEMA disaster centers and Red Cross Service Centers. Father Enette of St. Peter Claver Church opened his doors, in the midst of his recovery from a stroke. Father Enette never complained about the sacrifice the church would incur due to the substantially increased use of electricity and water as a result of opening its doors. Pastor Lewis opened the doors of the BLOCK Church for use as a full time FEMA center to provide relief for those located in the Sunnyside South Post Oak area. There is the kindness of Pastor Traci Cornwell from a Church, who made a delivery of clothing and food to one of the shelters within our district. And there is the group known as the Baptist men,
who have prepared more than 62,000 meals. Minister Robert Muhammad and Makeba Muhammed from Mosque #45 in Houston, fed over 3,000 families. Lakewood Church opened its doors to over 2,000 people during the early morning hours after the flood.

Each minute made to help the flood victims has done so not for recognition and public glory, but because it is the right to do.

Mr. Speaker, this resolution attempts to recognize all the individuals and organizations who immediately and unselfishly helped the people of Houston, Texas, and surrounding areas in their time of need, took quick and decisive action for the public good, and demonstrated an ability to work together for a brighter future.

As much as this disaster has torn apart our city and its surrounding areas, it has also bound us together, neighbors, friends and strangers alike. While we cannot personally thank everyone, may all of you know that your courage, hard work, sacrifice and kindness are recognized. And as we recover from this disaster, we have suffered know that their needs are heard, their patients gratefully acknowledged and hopefully answered.

Mr. COOKSEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, I want to thank the gentleman from Louisiana (Mr. COOKSEY), who has been such a friend to Texas in all issues, including his help and response to Tropical Storm Allison. I also want to commend my Democratic colleagues, the gentlewoman from Texas (Ms. JACKSON-LEE), the gentleman from Texas (Mr. GREEN), and the gentleman from Texas (Mr. LAMPSON), for their leadership in this effort as we jointly work together, and to the gentleman from Texas (Mr. DELAY) and the gentleman from Texas (Mr. CULBERSON), who together the delegation have been working to try to recover and restore some sense of getting back on our feet in our region.

This storm was more than just numbers. For many of us who have lived in the area a long time, we have seen a lot of natural disasters in our part of Texas, but Tropical Storm Allison was stunning. While it caught us a bit, it did not look like it was a tough, difficult storm to start with, but the damage was remarkable. It is more than numbers.

When I look at the reports each day on the number of homes in my area, as I continue to ask for requests, and the numbers continue to go up and up. In 26 of my communities in North Harris County, in Montgomery County, in Waller and Washington County, we see now over 3,000 homes that have been flooded and need help. That is not including all of the businesses, small businesses, all the road and infrastructure damage. I look at all of the help that has been given by FEMA, the Disaster Assistance Center at Greens Point and all around our region, those people are working tirelessly. All of the volunteers, the firefighters, the police, the United Way agencies. We have wonderful emergency assistance directors in our counties that have I think been awake since the storm hit us.

For the families that are hurt so bad, this is so important, because being flooded out is a miserable experience. It is so disheartening and disruptive. And the only thing that keeps us going is the prospect of those who are stepping forward to help us through this trying time of our friends, the community, even FEMA workers who I saw in the centers who had been flooded out themselves in other States, who felt the calling to help in the Houston region. It is because of all of those people that we are recovering today.

Mr. Speaker, our region is very strong. We have strong individuals and strong communities; but the assistance that has been provided, both within and without, to all of the volunteers, to all that are helping and continue to help, I wanted to add my “thank you” and sincere appreciation for all that you do and continue to do. We cannot thank you enough.

Mr. Speaker, I yield 2 minutes to the gentleman from Houston, Texas (Mr. BENTSEN), who suffered probably the largest amount of damage there.

Mr. BENTSEN. Mr. Speaker, I rise in strong support of this resolution, and I commend the gentlewoman from Houston, Texas, for offering it.

The flood waters from Tropical Storm Allison may have receded, but the damage remains. As I tour the wreckage in my home district of Harris County, Texas, I am confronted with the many stories of tragedy and loss; but what shines through is the spirit of the people of Harris County, the sense of community that has neighbors reaching out to one another, unselfishly bestowing the ordinary blessings of compassion to less fortunate friends and neighbors. A citizenry summoned to the call of charity.

As torrential rains fell on Harris County, power outages at the Texas Medical Center meant patients had to be evacuated. Nurses, technicians, doctors, and orderlies came to the rescue and physically carried more than 540 patients down dark, wet stairways to safety. A local Boy Scout troop guided the volunteers down corridors to awaiting helicopters. Police and firefighters worked double and triple shifts to ensure public safety, even going days without sleep. These men and women who, without concern for their own flooding homes, but the interest of others ahead of their own and are those whom we recognize today.

In the trying times that have followed Allison, the true colors of the ordinary citizens and community leaders have shined. The Houston area’s response has generously offered to waive check-cashing fees and phone companies have donated cellular phones to disaster-related shelters. More than 600 officials from the Federal Emergency Management Agency have assisted nearly 60,000 victims and the Red Cross has aided thousands more. I applaud the businesses and residents and volunteers for their efforts and commitment to transforming our city into a community.

Mr. Speaker, the devastation in Harris County is unimaginable. Billions of dollars in property have been lost. Years of critical research at the Texas Medical Center was washed away. Millions of dollars were shatting the international medical research grid; and tens of thousands of our fellow citizens have lost their personal property. Including the woman I spoke to last week in the Hiram Clarke section of Houston, who lost her most prized possession, the last letter her great grandmother had written her. Having saved it from the first flooding on Tuesday, June 5, she lost it when her home flooded the second time on June 9. But what is more tragic is that 23 fellow Texans lost their lives as a result of this storm.

No Federal assistance or House resolution will ever make up the loss endured by those families, but we know with a little help from our friends from across the Nation we will be able to rebuild Houston; and with the spirit this the city has, we will endure again.

Mr. COOKSEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Houston, Texas (Mr. CULBERSON).

Mr. CULBERSON of Texas. Mr. Speaker, the physical boundaries of the district I represent in west Houston, district seven, we were very, very blessed and fortunate to have escaped the flooding, in large part. We had a few very small isolated pockets of flooding, but the businesses of many of the people I represent were affected; and the entire city, of course, suffered a devastating blow as a result of the flood.

I was extraordinarily impressed to have seen firsthand the work of the emergency rescue personnel who were staging their operation out of my district in west Houston, out of Tully. The weekend the flooding began, I spent time there at the headquarters where the search and rescue teams were coordinating their efforts, bringing in resources from all over the State of Texas. The Colorado River Authority contributed personnel and equipment; the San Antonio Fire Department contributed personnel and equipment. There were resources from every corner of the State there to help the people of Houston; and it was an extraordinarily impressive operation, to see the ability of these rescue personnel to come in right away, right after the flood, to rescue people from their homes to save them from life-threatening situations.

It was also instructive for me to see the new, grassroots initiatives by the citizens, the Houston Community Foundation and the others that were, immediately after that initial period of rescuing people, a gap in services where the City of Houston, the...
county was unable in many cases to actually get in to some of these neighborhoods that were so devastated to help people clean up their property, take care of the day-to-day essentials of living, which had all been brought to a screeching halt.

What particularly impressed me is that in that gap, between the time the rescue services came in to pluck people off their roofs and get them to hospitals and the time when the city and the county were able to really come into those neighborhoods and help, that gap, which was largely unfilled by local government, was filled spontaneously and almost immediately by the churches of Houston, by the civic associations, by individual Houstonians stepping forward to help their own neighbors and family members.

Therefore, I ask all of my volunteers, all of the people that were gracious enough to help me throughout the last year's election campaign and the people I know throughout west Houston, to contribute their volunteer time, their money and their efforts through their faith-based churches and civic associations, but in particular through their churches, to help relieve the flood victims. I think there is no better example of what President Bush has been talking about; there is no better example of faith-based initiatives than what took place and is taking place today in the City of Houston, with churches like Second Baptist, like our very own memorial drive of the United Methodist Church, which is stepping forward with volunteers, in addition to the people who tear out carpet, to get their homes restructured, rebuilt, their lives restructured where they do not have insurance.

The final phase of the recovery that is going on now, which will go on for months to come, is where the Federal Government can really step forward to help. That is why I am proud to be a cosponsor of this resolution. It is a very, very good example of the kind of thing that is so necessary among the members of the Texas delegation, the Houston congressional delegation, and working together, not only through this resolution to say "thank you" to all of the rescue personnel, but, more importantly, for us all to work together to find ways to ensure that the people who have lost their homes to fill the gap between what private insurance covered and what is not covered; that local government is there to help pay for the reconstruction, the relocation of families, and to do whatever is necessary to provide every available Federal dollar to repair the damage done to homes, to the Texas Medical Center, to all that irreparable research that was damaged as a result of the flood. The Houston area congressional delegation, the congressional delegation from Texas is unified and focused in doing everything that we can to get the damage repaired as fast as humanly possible.

Mr. Speaker, I want to reassure the people of Houston and the people of Texas that the money will be there to rebuild, to repair, and to, for the long term, plan for and prevent future floods of this type because of the unified and focused approach of the Houston and Texas congressional delegations.

Mr. LAMPSON. Mr. Speaker, I yield 2 minutes to the gentleman from Houston, Texas (Mr. GREEN), who toured the devastation with us.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, like my colleagues, I represent an area that tragically succumbed to Tropical Storm Allison in northeast Harris County. I want to thank my Texas colleagues for putting this resolution together, but mainly to the hundreds and even thousands of volunteers and workers who donated their time to help Houston residents clean up.

At the top of the list would be the men and women of FEMA who literally were on the ground before the waters receded, assessing the damage and getting a head start on setting up the disaster recovery centers, three in our congressional district in the Jacinto City Community Building, Sheldon Intermediate School, and also in the Al-dine School District, the M.O. Campbell Center.

To date, FEMA has received 62,000 applications for assistance, and also their recovery centers have played a role and provided a great deal of effort visiting the Red Cross Centers in our district, the FEMA neighborhood centers, and walking the streets in north and east Harris County showed the huge loss, but also the response from seeing literally people helping each other, communities pitching in and banding together; seeing people in the City of Houston, in Al-lindale and northeast Houston, working together to help overcome this loss; seeing the loss at North Forest Independent School District, Sheldon ISD and also Houston Independent School District.

To date, we know that FEMA and the Small Business Administration made literally millions of dollars of loans and grants to assist Houstonians in replacing their belongings and temporary housing. I urge FEMA to keep these disaster centers open as long as necessary so that individuals can continue to have access to vital services on a personal basis.

I would also like to thank the Coast Guard and our National Guard for their effort and the efforts of the City of Houston and Harris County for their efforts to rescue people and as they go through the cleanup effort now, Mr. Speaker. As Houston and southeast Texas and other areas affected continue the long process of recovery, I would like to extend my thanks to everyone and will continue to work to make sure that the Federal funds are there to help people in disasters.

Mr. LAMPSON. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate people coming together to focus on the heroic efforts that have taken place in Houston in the aftermath of this terrible tragedy. I hope we also focus on what we can do to prevent it in the future.

We should as a Congress invest in Project Impact which helps prepare communities before a disaster occurs, rather than to cut it. This has been suggested by the administration. We have to reform the flood insurance program so it no longer subsidizes people live in places where God repeatedly shows that He does not want them.

It is important that we not ignore global climate change, because the scientists tell us if we are not careful, global climate change is going to make these horrible events that occurred in Houston far more frequent and far worse.

Mr. Speaker, this is an opportunity for us in Congress not only to reflect on the heroism that took place and to mourn the loss, but for us to step forward to take our responsibility to make sure that we are doing everything possible so that it does not occur in the future.

Mr. LAMPSON. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I commend the gentlewoman from Texas (Ms. JACKSON-LEE), my colleague, and the other Members of the Texas delegation for introducing the resolution to recognize those who have helped the people of Texas during the recent flooding.

It is so important to take time to express gratitude to those who have brought relief to the people of Houston during the flooding and its aftermath. I know that Missourians who have experienced flooding, particularly the devastating floods of 1993 and 1995, understand what an effort it takes to recover from such a disaster.

Mr. Speaker, we must not take the contributions of volunteers for granted, for their selfless efforts are often asked at a great price. If I can bring to this body's attention one particular Red Cross volunteer who answered the call to help the victims of Tropical Storm Allison, Mrs. Sherry Mateja of Warsaw, Missouri, who was killed in a tragic accident last week while helping another volunteer move bags of ice from a tractor-trailer to a Red Cross van at a church in Humble, Texas. A Red Cross volunteer since 1999, Mateja was an active volunteer with the Pettis County Chapter of the American Red Cross in Sedalia, serving in a leadership role on the chapter's board of directors. She was instrumental in providing Red Cross services in her local community, including the chapter's disaster relief and learn to swim programs.
Her assignment to help relief efforts for Tropical Storm Allison in Texas was her first national disaster assignment. Mrs. Mateja is survived by her husband, John Mateja; three sons, Marc, Nick, and Eric; two grandchildren: her brother, Charles Mardar; and her mother, Margaret Mageed.

While recognizing the work of all the volunteers helping the Houston community, I ask my colleagues to join me today in paying special tribute to Sharone Mateja, expressing our gratitude for her contributions to her community and for her selfless efforts to help the people of Texas. I send my sincere condolences to her family and to her friends.

Mr. LAMPSON. Mr. Speaker, I yield 1 minute to the gentleman from East Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I represent 19 counties in the Second Congressional District in Southeast Texas, all of those counties were declared a disaster area during the recent tragedy of the Tropical Storm Allison. I think we all come to the floor today with a deep sense of gratitude for the many who worked so tirelessly to help in that disaster.

I want to mention three organizations that I know were among the private sector organizations that helped the victims of Tropical Storm Allison, that is the Salvation Army, the American Red Cross, and Texas Baptist Men. Those three private organizations, in addition to literally scores of others, helped so rapidly and so efficiently and effectively, along with our many State and Federal agencies during that time of crisis.

While the greatest damage was in Harris County, there was significant damage in all of the 19 counties that I represent. There have been over 63,000 contacts made to FEMA just in the last few weeks, so we all express our gratitude at this moment to the many who helped during that time of crisis.

Mr. Speaker, I yield 1 minute to the gentleman from Houston, Texas (Ms. JACKSON-LEE), the author of the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Texas (Mr. LAMPSON) for yielding the time to me and for managing the bill.

Mr. Speaker, I also thank the Committee on Transportation and Infrastructure. I also thank the gentleman from Louisiana (Mr. COOKSEY) for managing the bill. Mr. Speaker, I yield the balance of my time to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE), the author of the bill.

Mr. Speaker, I also thank the gentleman from Texas (Mr. LAMPSON) for yielding the time to me and for managing the bill.

Mr. Speaker, I also thank the gentleman from Louisiana (Mr. COOKSEY) for managing the bill. Mr. Speaker, I yield the balance of my time to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE), the author of the bill.

I also thank the gentleman from Louisiana (Mr. COOKSEY), chairman of the Committee on Transportation and Infrastructure, as well as the gentleman from Minnesota (Mr. STARK), the ranking member of the Committee on Transportation and Infrastructure, for their accomodation in moving this legislation to the floor of the House so quickly.

Let me also thank the House leadership and say, Mr. Speaker, that many times in giving comfort in a religious setting, we will say, this, too, will pass.

I very grateful to have authored this legislation to not pass over those whose family members were lost, or to pass over those who sacrificed in helping others.

Mr. Speaker, I again want to mention Sergeant C.R. Beamer, the police officer who, when I indicated earlier, could not swim, and along with officers Mike Lumpkin and Matt May, plunged into cold rapidly rising water to attempt to save three lives. The likes of those individuals who came forward are an expression of the spirit of sacrifice we have in Houston, Texas.

As indicated, many of us were out within 24 hours of the flood, joining the Coast Guard and joining FEMA Director Joe Allbaugh, in surveying the area. I want you to know that the religious community stood tall.

It is very important to note the Sunnyside Multi-Service Center, the Friendswood Activity Center, Lakewood Church, the Berean Seventh Day Adventists, the American Red Cross Centers, the Salvation Army, the Men's Shelter, the B.I.O.C.K., the Oak Village Middle School, Kirby Middle School, Sweet Home Missionary Baptist Church and Lakewood Church that were out helping thousands of people right after the flood.

This was the kind of sacrifice, Mr. Speaker, that was made, Robert Muhammad and Makeba Muhammad from Mosque 45 in Houston who fed over 3,000 families.

Mr. Speaker, I would like to acknowledge the fact that we lost even a Red Cross worker; and the name is Sharon Mateja of Warsaw, Missouri. Sharon was a Red Cross volunteer and a member of the board of directors who was crushed by a van when helping another volunteer move bags of ice to a Red Cross van.

Mr. Speaker, I would like to say that this will not happen again, but we are working diligently with the FEMA resources in restoring them back into the budget and being assured, as I was on the floor of the House, as the gentleman from Florida (Mr. YOUNG), Chairman of the Committee on Appropriations, that we would not let Houston and the surrounding areas not have the dollars it needs to be restored.

We will be fighting for those dollars; and to those who are seeking to be rebuilt and to be recovered, we will continue to work with you. We will also work prospecitively to ensure that we put in place the kind of structures that help us not have such incidents occur or prevent such incidents from occurring again.

Today, what we are doing, Mr. Speaker, is simply thanking all of those who are still standing and rising to the occasion. We are here to thank the volunteers, the churches, the local officials, because the day still continues where they are recovering and seeking to recover.

It will be a long journey, but when someone asks what is going on in Houston, Texas, and the surrounding areas, I am saying great activities are going on, great people are working with others and we are doing the job to get the job done.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H. Res. 166, recognizing the federal government’s统筹 and informal assistance provided by individuals, organizations, and businesses, to the people of Houston, Texas, and surrounding areas during the flooding caused by Tropical Storm Allison.

During the month of June, Tropical Storm Allison brought devastation, floods and damage from debris to Texas, Louisiana, Florida, and many other states. After the President declared the storm that hit Texas a major disaster, 28 counties became eligible for disaster assistance. Tragically, Tropical Storm Allison is responsible for 21 deaths, countless injuries, and major damage to homes and businesses. Yet, through it all, many individuals and groups selflessly gave of themselves and their resources to help in the disaster efforts. From the Red Cross and Salvation Army, to local churches, to the Harris County Police Department, to the Texas Medical Center, to the United States Coast Guard, to the dedicated elected officials, to name just a few; they all made special efforts and sacrifices today, and we honor them for their service and dedication to their fellow citizens.

Today, as we continue to work toward our recent failure to ensure that we will be able to aid victims of Allison and future disasters. Just last week, while the Federal Emergency Management Agency (FEMA) was working diligently to help the victims of Tropical Storm Allison, the House approved the H.R. 2216, the FY2001 Supplemental Appropriations Act, containing a provision, which many of us strongly opposed, to rescind $389 million in disaster relief funds from FEMA.

Currently, FEMA is assessing the impact of Tropical Storm Allison on Texas, Louisiana, and Florida, and it expects to request additional funds to address these pressing needs. More than 25,000 flood insurance claims are expected from that region of the country, and FEMA is projecting the flood insurance claims for Tropical Storm Allison, the Texas Medical Center, to the United States Coast Guard, to the dedicated elected officials, to name just a few; they all made special efforts and sacrifices today, and we honor them for their service and dedication to their fellow citizens.

Today, as we continue to work toward our recent failure to ensure that we will be able to aid victims of Allison and future disasters. Just last week, while the Federal Emergency Management Agency (FEMA) was working diligently to help the victims of Tropical Storm Allison, the House approved the H.R. 2216, the FY2001 Supplemental Appropriations Act, containing a provision, which many of us strongly opposed, to rescind $389 million in disaster relief funds from FEMA.

The proposed rescission could preclude FEMA’s ability to pay these claims and it might limit assistance to future victims of disasters and necessitate another supplemental spending bill. The rescission eliminates much of the funding needed by the agency to provide quick and effective assistance to disaster-stricken communities and victims. The most recent disasters highlight the fact that these funds could be needed by FEMA to pay for natural disasters occurring in FY2001. They should not be rescinded.

Moreover, with the increases in climate change brought on by global warming, we should begin to expect more natural disasters. According to recent data, in 1999, the United States experienced the warmest January-March period since the Historical record breaks the national temperature records 160 years ago. Climate change and these recent warming patterns are costly to the Nation. These temperature changes can lead to more extreme weather events, including droughts, floods, and hurricanes.

Over the past decade, we have seen a marked increase in natural disasters and this trend is expected to continue. FEMA data show that more frequent and severe weather

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calamities and other natural phenomena during the past decade required 460 major disaster declarations, nearly double the 237 declarations from the previous ten-year period, and more than any other decade on record. The increased number and severity of natural disasters has huge economic impacts on the United States. Comparing the three-year periods of 1989 through 1991, and 1997 through 1999, the federal cost of severe weather disasters rose a dramatic 337 percent in less than ten years. Of the $35 billion that FEMA has spent in the last 20 years for disaster relief, $18 billion, or 52 percent, has occurred in the last seven years alone (1993–2000). In addition, the insurance industry has paid more than $63 billion in insured losses in these seven years.

Fortunately, the Senate Appropriations Committee has reported its Supplemental Appropriations bill and it does not contain the $389 million rescission from FEMA’s contingency fund. I am hopeful that the conference report on this bill will not accept the House provision on FEMA’s rescission. We are all aware of the serious and fundamental support that FEMA provides for the victims of natural disasters. It is essential that we do not hinder FEMA’s mission by allowing unwarranted rescissions or cuts to FEMA’s budget.

Again, I commend the numerous individuals, governmental agencies, and groups of people in Texas who heroically gave of themselves and assisted their fellow citizens through a major disaster. They serve as an inspiration to us all and I pledge to work together with FEMA and other agencies on behalf of these victims to help them rebuild their lives and renew their spirits.

I urge all Members to support H. Res. 166.

Mr. CRENshaw. Mr. Speaker, I rise in support of H. Res. 166, which honors the men and women, community organizations and businesses, and the government entities that provided relief and assistance to the people of Texas in the wake of tropical storm Allison. It is truly times like these, when Mother Nature strikes suddenly and strongly, that communities must come together to help people whose homes and businesses are damaged or destroyed and who might have suffered loss of life within their families. It is a true testament to the spirit of community to see neighbors selflessly helping neighbor in these circumstances, and I commend the men and women who lent of their time, energy, money, resources, and friendship to make the flooding in Houston and its suburbs less painful for their neighbors.

While the damage was not nearly so severe, I would be remiss if I did not mention the commendable spirit of Floridians who helped to reduce the pain and suffering that tropical storm Allison brought to the people of Florida. For instance, local fire and rescue workers attempted to save swimmers who regretfully drowned off of Florida Panhandle beaches in the storm-tossed waters of the Gulf. They also worked to save men and women caught off guard by the flooding in Tallahassee and elsewhere in North Florida. Also, electric company and utility employees worked to keep power, water, and information flowing into people’s homes and businesses as North Florida was pelted with heavy rain, 40–55 mile-per-hour winds, and 15-foot waves.

It is in their honor, as well, that I ask my colleagues to support this resolution.

Ms. PELOSi. Mr. Speaker, I rise to speak in support of H. Res. 166 and applaud Ms. JACK-SON-LEE for introducing this resolution. H. Res. 166 commends the many volunteers, public safety officials, agencies, and businesses that rose to the challenge of tropical storm Allison. The storm took 22 lives and caused at least $4.8 billion in uninsured losses. Living in San Francisco, in an area that is prone to natural disasters, I appreciate the commitment and heroism shown by so many people in the wake of a major natural disaster. Thanks to many brave and generous individuals, Houston and the communities around it pulled through the storm and are on the road to recovery.

I came back this morning from Houston, where I had the great pleasure of meeting my 6th grandson, who was born on Sunday. While the damage in the area is clearly visible, so are the signs of healing. For my own family and all the people who call Houston home, I was pleased to see the recovery already under way. I urge my colleagues to support this resolution.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

Mr. LAMPSON. Mr. Speaker, on that point, the Chair has the right to continue to hold the debate. The yeas and nays were ordered.

Mr. LAMPSON. Mr. Speaker, on that point, the Chair has the right to continue to hold the debate.

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

The SPEAKER pro tempore. Pursuant to the rule, the Chair’s prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. COOKsey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to read and make remarks and to include therein extraordinary material on H. Res. 166. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR ON H.R. 2149

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2149.

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

There was no objection.

2001 CROP YEAR ECONOMIC ASSISTANCE ACT

Mr. COMBEST. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2213) to respond to the continuing economic crisis adversely affecting American agricultural producers, as amended.

The Clerk read as follows:

H.R. 2213

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

SECTION 1. MARKET LOSS ASSISTANCE.

(a) ASSISTANCE AUTHORIZED.—The Secretary of Agriculture (referred to in this Act as the “Secretary”) shall, to the maximum extent practicable, use funds of the Commodity Credit Corporation to make a market loss assistance payment to owners and producers on a farm that are eligible for a final payment under section 203 of the Agricultural Risk Protection Act of 2000 under a production flexibility contract for the farm under the Agriculture Market Transition Act (7 U.S.C. 7301 et seq.).

(b) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this section shall be proportionate to the amount of the total contract received by the owners and producers for fiscal year 2001 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

SEC. 2. SUPPLEMENTAL TOBACCO PAYMENTS.

The Secretary shall use $423,510,000 of funds of the Commodity Credit Corporation to make a supplemental payment under section 203 of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 7 U.S.C. 1421 note) to producers of the 2000 crop of oíseeds that previously received a payment under such section.

SEC. 3. SUPPLEMENTAL PEANUT PAYMENT.

The Secretary shall use $54,210,000 of funds of the Commodity Credit Corporation to provide a supplemental payment under section 204 of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 7 U.S.C. 1421 note) to producers of quota peanuts or additional peanuts for the 2000 crop year that previously received a payment under such section.

SEC. 4. SUPPLEMENTAL TOBACCO PAYMENT.

(a) SUPPLEMENTAL PAYMENT.—The Secretary shall use $129,000,000 of funds of the Commodity Credit Corporation to provide a supplemental payment under section 204(b) of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 7 U.S.C. 1421 note) to eligible persons (as defined in such section) that previously received a payment under such section.

(b) SPECIAL RULE FOR GEORGIA.—The Secretary may make payments under this section to eligible persons in Georgia only if the State of Georgia agrees to use the sum of $13,000,000 to make payments at the same time, or subsequently, to the same persons in the same manner as provided for the Federal payments under this section, as required by section 204(b) of the Agricultural Risk Protection Act of 2000.

SEC. 5. SUPPLEMENTAL WOOL AND MOHAIR PAYMENT.

The Secretary shall use $16,940,000 of funds of the Commodity Credit Corporation to provide a supplemental payment under section 814 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106–387), to producers of wool, and producers of mohair, for the 2000 marketing year that previously received a payment under such section. The Secretary shall adjust the payment rate specified in such section to reflect the amount made available for payments under this section.
SEC. 6. SUPPLEMENTAL COTTONSEED ASSISTANCE.

The Secretary shall use $84,700,000 of funds of the Commodity Credit Corporation to provide supplemental assistance under section 204(e) of the Agricultural Risk Protection Act of 2000 (Public Law 106-232; 7 U.S.C. 1421 note) to cotton ginders, processors, and first-handlers of the 2000 crop of cottonseed that previously received assistance under such section.

SEC. 7. SPECIALTY CROPS.

(a) BASE STATE GRANTS.—The Secretary shall use $26,000,000 of funds of the Commodity Credit Corporation to make grants to each of the several States and the Commonwealth of Puerto Rico to be used to support activities that promote agriculture. The amount of the grant shall be—

(1) $500,000 to each of the several States; and

(2) $1,000,000 to the Commonwealth of Puerto Rico.

(b) GRANTS FOR VALUE OF PRODUCTION.—The Secretary shall use $131,400,000 of funds of the Commodity Credit Corporation to make grants to each of the several States in an amount that represents the proportion of the value of specialty crop production in the State in relation to the national value of specialty crop production, as follows:

(1) California, $53,320,000.

(2) Florida, $15,860,000.

(3) Washington, $9,610,000.

(4) Idaho, $3,130,000.

(5) Arizona, $3,430,000.

(6) Michigan, $3,250,000.

(7) Oregon, $3,220,000.

(8) Georgia, $2,730,000.

(9) Texas, $2,660,000.

(10) New York, $2,660,000.

(11) Wisconsin, $2,570,000.

(12) North Carolina, $1,540,000.

(13) Colorado, $1,510,000.

(14) North Dakota, $1,380,000.

(15) Minnesota, $1,320,000.

(16) Hawaii, $1,100,000.

(17) New Jersey, $1,100,000.

(18) Pennsylvania, $980,000.

(19) New Mexico, $900,000.

(20) Maine, $880,000.

(21) Ohio, $800,000.

(22) Indiana, $660,000.

(23) Nebraska, $540,000.

(24) Massachusetts, $540,000.

(25) Virginia, $520,000.

(26) Maryland, $500,000.

(27) Louisiana, $490,000.

(28) South Carolina, $490,000.

(29) Tennessee, $400,000.

(30) Illinois, $400,000.

(31) Oklahoma, $390,000.

(32) Alabama, $300,000.

(33) Delaware, $290,000.

(34) Mississippi, $250,000.

(35) Kansas, $210,000.

(36) Arkansas, $210,000.

(37) Missouri, $210,000.

(38) Connecticut, $180,000.

(39) Utah, $140,000.

(40) Montana, $140,000.

(41) New Hampshire, $120,000.

(42) Nevada, $120,000.

(43) Vermont, $120,000.

(44) Iowa, $100,000.

(45) West Virginia, $90,000.

(46) Wyoming, $70,000.

(47) Kentucky, $60,000.

(48) South Dakota, $40,000.

(49) Rhode Island, $40,000.

(50) Alaska, $20,000.

(c) SPECIALTY CROP PRIORITY.—As a condition on the receipt of a grant under section (a), a State shall agree to give priority to the support of specialty crops in the use of the grant funds.

(d) SPECIALTY CROP DEFINED.—In this section, the term "specialty crop" means any agricultural crop, except wheat, feed grains, oilseeds, cotton, rice, peanuts, and tobacco.

SEC. 8. COMMODITY ASSISTANCE PROGRAM.

The Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to make a grant to each of the several States to cover direct and indirect costs related to the processing, transportation, and distribution of commodities to eligible recipient agencies. The grants shall be allocated to States in the manner provided under section 204(a) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)).

SEC. 9. TECHNICAL CORRECTION REGARDING INDEMNITY PAYMENTS FOR COTTON PRODUCERS.

(a) CONDITIONS ON PAYMENT TO STATE.—Subsection (b) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in section 101(a) of division A of Public Law 105-277 (7 U.S.C. 1421 note), and as amended by section 754 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106-387; 114 Stat. 1594A–42), is amended to read as follows:

(b) CONDITIONS ON PAYMENT TO STATE.—The Secretary shall make the payment to the State of Georgia under subsection (a) only if the State—

(1) contributes $5,000,000 to the indemnity fund created by section 204(e) of the Agricultural Risk Protection Act of 2000 (Public Law 106–28);

(2) agrees to expend funds in the indemnity fund by not later than January 1, 2002 (or as soon as administratively practical thereafter), to provide compensation to cotton producers as provided in such subsection; and

(3) agrees to deposit in the indemnity fund the proceeds of any bond collected by the State for the benefit of recipients of payments from the indemnity fund, to the extent of such payments.

(b) ADDITIONAL DISENHARMONIES FROM THE INDEMNITY FUND.—Subsection (d) of such section is amended to read as follows:

(d) ADDITIONAL DISENHARMONIES TO COTTON GINNERS.—The State of Georgia shall use funds remaining in the indemnity fund, after the provision of compensation to cotton producers in Georgia under subsection (a), to compensate cotton growers (as defined and provided in section 5.1 of chapter 19 of title 2 of the Official Code of Georgia), to compensate cotton ginners (as defined and provided in such section) that—

(1) incurred a loss as the result of—

(A) the business failure of any cotton buyer doing business in Georgia; or

(B) the failure or refusal of any such cotton buyer to purchase any cotton from producers that the ginner had agreed upon by the ginner and the buyer for cotton grown in Georgia on or after January 1, 1997, and had been purchased or contracted by the ginner from cotton producers in Georgia;

(2) paid cotton producers the amount which the cotton ginner had agreed to pay for such cotton received from such cotton producers in Georgia; and

(3) satisfies the procedural requirements and deadlines specified in chapter 19 of title 2 of the Official Code of Georgia applicable to cotton ginner claims.

(c) CONFORMING AMENDMENT.—Subsection (c) of such section is amended by striking "paid" and inserting "paid".

SEC. 10. INCREASE IN PAYMENT LIMITATIONS REGARDING LOAN DEFICIENCY PAYMENTS AND MARKETING LOAN GIFTS.

Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1301b(1)), the total amount of the payments specified in section 1221(b) of such Act that a person shall be entitled to receive for one or more contract commodities and oilseeds under the Agricultural Market Transition Act (7 U.S.C. 1421 note) during the 2001 crop year may not exceed $150,000.

SEC. 11. TIMING OF, AND LIMITATION ON, EXPENDITURES.

(a) DEADLINE FOR EXPENDITURES.—All expenditures required by this Act shall be made not later than September 30, 2001. Any funds made available by this Act and remaining unexpended by October 1, 2001, shall be deemed to be unexpended, and the authority provided by this Act to expend such funds is rescinded effective on that date.

(b) TOTAL AMOUNT OF EXPENDITURES.—The total amount expended under this Act may not exceed $5,500,000,000. If the payments required by this Act would result in expenditures in excess of such amount, the Secretary shall reduce such payments on a pro rata basis as necessary to ensure that such expenditures do not exceed such amount.

SEC. 12. REGULATIONS.

(a) PROMULGATION.—As soon as practicable after the date of the enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this Act and the amendments made by this Act. The promulgation of the regulations and administration of this Act shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) the chapter of title 41, United States Code (commonly known as the "Paperwork Reduction Act")

(b) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. COMBEST).

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

Mr. Speaker, I rise today to advocate passage of H.R. 2213, a bill to provide economic assistance to farmers for the 2001 crop year. The current farm recession, in its 4th year, ranks among the deepest in our Nation’s history, along with the Great Depression, the post-World War I and II recessions and the financial ruin of the 1980s.

There are many factors that contribute to this dismal situation. First, energy prices have skyrocketed, pushing diesel fuel and fertilizer to more than twice last year’s prices. Second, war and market conditions in a supply glut that started with the Asian financial crisis, and that has been compounded by the steady increasing strength of the dollar abroad.
Mr. Speaker, I support this bill even though I, too, wished we could do more. At the outset, let me recognize the work of the gentleman from Texas (Chairman Combest) and state for the record that I agree with him that American agriculture is in need of immediate assistance. Producers of our food and fiber are at risk.

Last year crop prices were at a 27-year low for soybeans, a 25-year low for cotton, a 14-year low for wheat and corn and an 8-year low for rice. Very little profit, little to show for all that time. The need for the $5.5 billion in assistance provided by this bill is so great that a doubling of this amount could easily be utilized.

Because this is the fourth year in a row that we have provided ad hoc assistance to compensate for low commodity prices, however, I consider it crucial that we provide aid with a view toward the long term.

While the budget should provide us the authority to improve our commodity programs, there are a couple of reasons why the amount made available in the budget will soon appear insufficient. First, aside from amounts in the bill before us, the budget provides $73.4 billion to add to our baseline over 10 years. During the course of the Committee on Agriculture’s hearings, however, representatives of agriculture have responsibly argued for several times that amount.

Second, the budget is not ironclad. The Committee on Agriculture has a budget allocation for fiscal year 2002, but not for the succeeding fiscal years. The remaining $66 billion is only available to the extent that the on-budget surplus is greater than the Medicare surplus. Our ability to address agriculture’s long-term need is now very sensitive to any deterioration in the overall budget surplus.

The reality of the tight budget situation we face is clearly made abundantly clear by a letter from the administration. Prior to the markup of this economic assistance, the OMB Director advised that, if the committee surpassed the $5.5 billion, he would recommend the President not sign the bill.

A bare majority of my colleagues on the Committee on Agriculture agreed with the gentleman from Ohio (Mr. Boehner) and me that we needed to save every penny we could to draft a responsible long-term farm bill. I am proud to say that, by adopting our amendment, the Committee on Agriculture has faced its responsibility to prioritize agriculture’s needs within the budget. Our chairman presided over a full debate with the utmost fairness. For those of us who were strong advocates for agriculture, we arrived at a difficult decision.

The bill before the House today provides a reasonable response to our producers who are suffering from the continued slump in the farm economy. Assistance is provided in a very clear way. Take the aid provided for the most recent crop and prorate the payments to equal $5.5 billion. I repeat, assistance is provided in a very clear way. Take the aid provided in the most recent crop and prorate the payments to equal $5.5 billion. Funds will be disbursed to producers quickly and simply.

While I would have preferred alternative ways to deliver this assistance, we are constrained in this manner because the assistance must be provided by September 30.

We also need to analyze all fiscal year 2002 options at the same time in order to provide the right long- and short-term policy mix. Many specialty crops that desire additional assistance over that provided in the bill can only be assisted in fiscal year 2002 money. We can provide this assistance, but it must be provided fairly and consistently in keeping with our long-term strategy.

Mr. Speaker, I cannot disagree with those who say that the $5.5 billion is inadequate; however, this is all we can afford at the moment. As we pass this bill, it is crucial that we move toward an improved and reliable long-term policy that benefits farmers and taxpayers alike.

I urge the passage of the bill. Mr. Speaker, I support this bill even though I wish we could do more.

At the outset, let me recognize the work of Chairman Combest and state for the record that I agree with him that American agriculture is in need of immediate assistance and that the producers of our food and fiber are at risk. Last year, crop prices were at a 27-year low for soybeans, a 25-year low for cotton, a 14-year low for wheat and corn and an 8-year low for rice. Very little recovery has occurred since that time. The need for the $5.5 billion in assistance provided by this bill is so great that a doubling of this amount could easily be utilized.

Because this is the fourth year in a row that we have provided ad hoc assistance to compensate for low commodity prices, however, I consider it crucial that we provide aid with a view toward the long term.

While the budget should provide us the authority to improve our commodity programs, there are a couple of reasons why the amount made available in the budget will soon appear insufficient: First, aside from amounts in the bill before us, the budget provides $73.4 billion to add to our baseline over 10 years. During the course of the Committee on Agriculture’s hearings, however, representatives of agriculture have responsibly argued for several times that amount.

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Mr. Speaker, I cannot disagree with those who say that $5.5 billion is inadequate, however this is all we can afford at the moment. As we pass this bill, it is crucial that we immediately move toward an improved and reliable long-term policy that benefits farmers and taxpayers alike.

I urge the passage of the bill.

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

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. NUNNLE), the chairman of the Committee on the Budget.

Mr. NUNNLE. Mr. Speaker, I rise in strong support of H.R. 2213, the Fiscal Year 2002 Economic Assistance Act. It provides $5.5 billion in markets loss payments and other agriculture assistance.

I am pleased that the Committee on the Budget was able to work hand in hand with the Committee on Agriculture to make this bill possible.

Recognizing the needs of farmers, the Committee on Budget reported and the House passed a budget resolution that revised the allocations and budgetary totals for the current fiscal year to accommodate $5.5 billion in additional emergency agricultural assistance for the crop year of 2001. We budgeted for this emergency. This fits within the budget. It is responsible.

All the Committee on the Budget asked was that the Committee on Agriculture produce a straightforward bill that avoided accounting gimmicks and reserved sufficient funds to meet future crop year needs and permanently reform agricultural assistance programs so we can move away from this Band-Aid approach of the past 3 years. H.R. 2213 more than up holds the Committee on Agriculture’s part of this bargain.

As the chairman of the Committee on the Budget, I have the privilege of reporting to my colleagues that this bill is within the budget. I commend the gentleman from Texas (Chairman COMBEST), the gentleman from Georgia (Chairman CHAMBLISS), the gentleman from Oregon (Mr. BLUMENAUER) and all the members of the Committee on Agriculture.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), ranking member, for their hard work on this and all the members of the Committee on Agriculture.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman’s courtesy in allowing me to speak on this bill.

I know it has been hard for the members of the Committee on Agriculture, but I am personally disappointed that, there appears to be no funding for the conservation programs in the agricultural supplemental. This is especially troubling in light of the fact that it appears that the Committee on Appropriations has sharply reduced funding for our major conservation program in the next fiscal year, including the Wetlands Reserve Program, the Wildlife Habitat Incentives Program and Farmland Protection Program.

Our only concern with the USDA funding rewards voluntary efforts for protecting our drinking water supplies, to provide habitat for wildlife, protect open spaces.

There are many programs where farmers voluntarily want to come forward, but as a result of declining funding levels for conservation programs, three out of four farmers, ranchers and foresters are rejected when they seek cost-sharing to improve the quality of our drinking water supplies; 9 out of 10 are rejected when they offer to sell development rights to help combat sprawl and protect farmland; half of our farmers and ranchers and foresters are rejected when they seek basic technical assistance. Nearly 3 out of 10 are stepping forward to help the incredibly productive farmland that surrounds our metropolitan area, the urban-influenced farmland.

Mr. Speaker, as we struggle with declining amounts of money because of some decisions that we have made, that, frankly, I think some of us are hoping that people recognize were inappropriate, we need to make sure that we are dealing with efforts to equip and ensure that we maintain the agricultural base. This is an opportunity for a win-win to protect the environment, to enhance the vast majority of small farmers that are at risk, and to make sure that we are preserving water quality supplies. I am hopeful that we can do better in the future.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Speaker, I thank the chairman for the opportunity to revise and extend his remarks.

Mr. Speaker, I rise in support of this measure, but I also want to express some disappointment with the lack of any type of funding for conservation programs within this farm supplemental bill for 2001.

While there is no doubt that our Nation’s farmers, ranchers and foresters are struggling financially, this measure merely continues the failed economic policies of the current farm bill, detrimental transfer payments, and I believe distort the marketplace and drives commodity prices even further down.

The next farm bill, which the House is currently considering, must be more inclusive and provide creative new revenue streams to assist our Nation’s family farmers. It is my hope that voluntary incentive-based conservation programs which provide landowners with much-needed revenue while also rewarding voluntary efforts for protection of open space, habitat for wildlife and improve water environmental compliance is a part of the new farm bill.

For instance, programs such as Wetlands Reserve, Wildlife Habitat Incentive Programs and the Farmland Protection Program not only help our farmers to promote preservation of open space, but also increase farm profitability.

Two-thirds of America’s farmers do not benefit from any traditional income support programs under the current farm bill. Furthermore, more than 90 percent of USDA payments go to only one-third of America’s farmers...
who produce commodity crops. For example, States such as California and Florida receive less than 3 cents from USDA for every dollar they earn. Conservation payments provide an important source of funding that allows farmers throughout all regions of the country to retain their land while providing benefits to society, including cleaner drinking water and improved recreational opportunities. Currently, funding levels are insufficient to cover the demands of conservation programs. Three out of every four farmers, ranchers and private forest landowners are turned away when they seek to participate and help protect habitat and improve the quality of drinking water supplies through these land conservation programs.

Mr. Speaker, I hope the conservation funding aspect becomes a major feature of the next farm bill. I look forward to working with the leadership on that issue.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Speaker, agriculture is Montana’s number one industry, but with the cost of farm production at an all-time high and farm incomes sagging, I am deeply concerned about agriculture’s future in our State.

H.R. 2213 will provide much-needed help to Montana producers, but the bill fails in many ways. The assistance level provided for in this legislation is not sufficient to address needs of many farmers this year.

H.R. 2213 fails to address the needs of dairy farmers, sugarcane growers, those who graze their wheat, barley, and oats, as well as producers who are denied marketing loan assistance because they do not have an AMTA contract.

Members who supported the $5.5 billion in assistance at the committee level argued that a cut in funds to producers is necessary to save funds for the new farm bill, but I fear that many producers in my State will now have to face the reality that they may not make it for the next farm bill.

While this bill is far from perfect, it is a first step in keeping Congress’ commitment to stand by American farmers and ranchers until a permanent safety net is in place.

I want to thank the gentleman from Texas (Chairman Combest) and the staffs for their hard work on behalf of America’s rural communities.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Speaker, dramatic increases in energy costs have hurt everybody, especially in the agriculture industry. Today, right now, farmers in my district, a lot of them, are going bankrupt, clearly not able to keep up with their energy bills.

We need to encourage more domestic production of oil and gas, but that is for the future. We will not solve the crisis of today.

I am not really not here to point fingers, assign blame for skyrocketing energy prices, but I am here on behalf of family farmers who do seek solutions. They need our help now.

Despite repeated appeals from my colleagues and myself, this Congress, this administration, and this President have failed the plight of ordinary citizens who are suffering this energy crisis. Let us face the fact that some farmers and ranchers have seen their gas bills double and triple over the last year, and this is through no fault of their own.

Our economy depends on agriculture, and especially Mississippi, because we are still a rural economy.

This may not be a natural disaster like a tornado or flood, but it is a disaster that threatens the very existence of our farmers. If we cannot see fit to address these needs through supplemental funding, I challenge the Congress to take up the issue separately.

I have introduced H.R. 478, the Family Farmers’ Emergency Energy Assistance Act. It would provide immediate and long-term emergency assistance to our farmers and ranchers, including crop and greenhouse growers and poultry and livestock producers.

H.R. 478 will authorize the Secretary of Agriculture to provide grants to help farmers and ranchers to deal immediately with financial pressures caused by this crisis. This bill would also make low-interest loans available to help deal with the energy crisis for the months ahead.

H.R. 478 defines what constitutes an “energy emergency” and lays out a formula that will work. H.R. 478 is a farm energy crisis bill that will ensure that agriculture producers suffering an energy crisis will get assistance.

I am calling on our leaders in Congress to move this emergency assistance bill quickly to passage. In a world where reliable energy costs are tantamount to success or failure, we should remember the pain rural America is enduring while we stand here and debate.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Speaker, I rise today to voice my support for the farmers of my home State of Mississippi and for this legislation.

Could we do more? Yes. Should we do more? I hope by the end of the day, by the time this Senate takes this up and effectively kills the LDP graze-out program for 2002. That is unacceptable.

This is the worst time to be cutting funding for agricultural producers. Commodity prices and input prices are increasing and continue to increase dramatically. If anything, we should be increasing our funding for areas, such as poultry. We need to find ways so that if we do have an energy crisis or spike that we can meet those needs, whether through grants or loans, so that they too can manage their farm income in a way that is predictable and gives them certainty. We need to be on the lookout for the bankruptcies that we are seeing today in places across my district and in the Southeast.

As we continue to get the emergency assistance and the long-term care, I look forward to working, as chairman of the Congressional Sportsmen’s Caucus Waterfowl Task Force, in getting the conservation titles of the farm bill in place for the good it does both for our environment and for our farmers.

Mr. STENHOLM. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Texas (Mr. STENHOLM) for yielding me this time, and I want to compliment the chairman of the committee for this supplemental, which goes a long way to preserving the rural legacy of this United States, understanding the fact that every year we lose hundreds of farms across the Nation. This injection of dollars will go a long way into helping make our farms sustainable and, to a large extent, if we work the right way, making those farms profitable.

I would also ask the Chairman, as we move through the rest of this session, to understand that not only do the AMTA payments make a difference, but the conservation title of the farm bill goes a long way into diversifying a great deal of what happens in our ag communities.

In our ag communities, there is literally an ag corridor; and we need to keep it from being fragmented. In our ag communities, there is also a habitat conservation corridor for wildlife upon which many farmers are relying for diversifying their ag businesses. Whether it is hunting or fishing, the conservation title goes a long way into preserving the rural legacy of this country.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS of Oklahoma. Mr. Speaker, I rise today to support the agricultural assistance package, but I must state flatly for the record that I was extremely disappointed when this much-needed package was reduced from $6.5 billion to $5.5 billion in committee. A majority of the Committee on Agriculture chose not to support me or the chairman in a package that was equal to last year’s assistance. This billion dollar cut will cost Oklahoma producers 10 cents a bushel for wheat and effectively kills the LDP graze-out program for 2002. That is unacceptable.

This is the worst time to be cutting funding for agricultural producers.
these programs. Yes, this assistance package is a good first step. It is insufficient to meet the needs of agricultural producers, especially in Oklahoma, but at least it is headed in the right direction.

I want to assure my friends and colleagues here on the floor that while I think this will help producers across the country, and particularly in Oklahoma too, that I intend to work with the other body to ensure that the cuts made last week by the Stenholm-Boehner amendment are restored and that we provide our producers with that minimum $6.5 billion.

Mr. STENHOLM. Mr. Speaker, I have no further speakers at this time, and I reserve the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the chairman for yielding me this time, and I rise to support his amendment to express my disappointment that the House Committee on Agriculture voted last week to reduce the supplemental aid to farmers in the supplemental farm package last week. I opposed the amendment to fully restore the aid from Texas (Mr. STENHOLM) to reduce the supplemental aid to $5.5 billion and supported the chairman’s proposal to provide $6.5 billion in support; the same level as in prior years.

Our farmers are struggling, and we must provide them with the aid they need. This funding bill is better than no assistance, but we really needed that additional billion dollars to help our farmers. I consider this a first step towards ensuring that we provide our farmers the support they need.

We continue to wrestle with historically low prices, and yet this year, in our part of the country, we are having very poor planting conditions and are expected to have lower yields than in prior years. So we need more aid to maintain the same level as prior years, not less. Now is certainly not the time to cut it, particularly with energy costs driving up the cost of fertilizer and everything else.

Mr. Speaker, I intend to help the chairman and other committee members in an effort to restore funding as the process moves forward.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the chairman for yielding me this time, and I rise today for eighth district farmers in North Carolina to support H.R. 2213, the 2001 Crop Year Economic Assistance Act. I want to thank the chairman for his continued leadership and diligence in bringing assistance to our Nation’s farmers who are in need.

I am supportive of this bill, though I support the $6.5 even more; and I hope it will bring some relief to our farmers plagued by low commodity prices, rising energy costs, drought, and a slow world economy. USDA estimates that without government assistance, farmers’ income could drop to historical lows, so it is imperative we act now.

H.R. 2213 does not provide the same level of assistance as previous years, but I urge my colleagues to support it and I hope we can provide more adequate assistance as we move through the legislative process.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to thank him for his hard work and leadership in speeding this crop assistance package to the floor today. Familiar farmers across Indiana appreciate the gentleman’s aggressiveness.

Mr. Speaker, by providing $5.5 billion in economic assistance, this farm bill represents a much-needed first step in keeping Congress’ promise to America’s farmers and ranchers, but it is only a first step.

It is said that the sower sows in expectation, and this farm bill fails to meet the expectation of American farmers in at least two respects. First, this bill level it provides is not sufficient to address the total needs of farmers and ranchers; and, second, the bill’s scope is too narrow, leaving many needs completely unaddressed.

At a time when real net cash income on the farm is at its lowest level since the Great Depression, it is not time to cut supplemental aid to farmers. Although I urge my colleagues to support this bill as a first step toward helping our Nation’s farmers, I am deeply disappointed that this bill leaves out $1 billion in farm aid for only a few short-term benefits.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, let me congratulate the chairman, the gentleman from Texas (Mr. COMBEST), and the gentleman from Texas (Mr. STENHOLM) for continuing to move this process along.

We all know that we have great difficulty in ag country. We have low commodity prices, we have higher fuel costs, and the pressure is on farmers across the country and has been. Until we open more markets for our farmers, this is not going to change. This is because our farmers continue to outproduce their competitors around the world.

There has been a lot said here about the size of this package. As the author of the amendment, along with my good friend, the gentleman from Texas (Mr. STENHOLM), I believe that the $5.5 billion, as allocated by the budget, is a sufficient amount of money for aid now. Would I like to do more? Of course I would like to do more. But the fact is we worked it through a budget process and allocated $5.5 billion for this year’s emergency assistance to farmers. To go back on that now opens the door to the other body to raise the number even higher. I think what we have done here is the fiscally responsible thing to do.

Secondly, we are about to go through the new farm bill. We are going to have a major debate about how to reallocate the resources that were dedicated in this budget to the new farm bill. Let us not stick our fingers into the pie and take some of next year’s money for this year’s problems.

Mr. COMBEST. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas (Mr. COMBEST) has 7½ minutes remaining; the gentleman from Texas (Mr. STENHOLM) has 8½ minutes remaining.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, American agriculture is in a predicament. Should we go to the free market system and say survival of the fittest in an international market and price for food and fiber? Food is complicated by a couple of situations. One is the fact that other countries, such as Europe, subsidize their farmers up to five times as much as we subsidize our farmers.

How interested are we in maintaining a vital agricultural economy in the United States? I would suggest to my colleagues that that ability to produce food is even more important than the production of energy for our national security. With our dependency on imported energy, we have seen what can happen when OPEC decides to hold back. Think what might happen with food.

Right now, farmers are faced with low commodity prices. A 27-year low for cotton; 25-year low for corn, an 8-year low for rice. Over the past 3 years, net cash income fell in real dollars to its lowest point since the depression.

Now is the time that we have to make the decision of standing up for the survival of American agriculture. I would just suggest that farmers need help to survive. In addition to low commodity prices we have seen increased fuel costs of $2.4 billion over the last year, the highest of higher energy prices.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the chairman for yielding me this time. It is with concern today that I rise on the House floor. This is an important piece of legislation. We have worked hard at making certain that the farmers of Kansas and across the country have access to additional resources this year; and yet the actions of our House Committee on Agriculture last week.

I think, are inadequate in reaching that goal.
I voted against the passage of this bill from the committee, and yet I know it is important for the process to continue. We have hope that additional dollars will be placed in this legislation before this bill returns from the Senate.

Two weeks ago I spoke on the House floor about the difficulties facing farmers in my State. I talked about corn prices at $1.89 and gasoline at $1.93. That does not work. Combines and custom cutters are working their way across the United States, and now, Wheat prices dropped 25 cents last month; and when I looked at the board this morning, in Dodge City wheat was $2.71, down another 4 cents.

Assistance today is important. Many of my farmers will not be able to wait around and see what happens with the farm bill and the improvements that we hope to make in agricultural policy in this Congress unless they have some dollars to tide them over now. The crisis and the consequences of our failure to act are significant.

I joined the chairman in supporting an increase for assistance for farmers. Our position failed by one vote, 24 to 23. So even within the House Committee on Agriculture, there is disagreement in the best way to help producers. However, I think now is not the time to hold up this bill over our previous disagreements. It is time for those of us concerned about agriculture and rural America to come together and to work on behalf of our Nation’s farmers and ranchers.

I look forward to that process continuing, and I look forward to working with my chairman and the ranking member to see that good things happen in Kansas and American agriculture.

Mr. COMBEST. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the chairman for yielding me this time; and also, for the benefit of some of my colleagues who are not from farm country, I thought I would like to take a minute today to talk about what is happening to agriculture here in the United States and around the world. Because it is easy for some people to say the problem is farm bill, the problem is freedom to farm.

It may well be true that some of the problems we face in agriculture today were exacerbated by the last farm bill. But the truth of the matter is what we are into now is the 4th consecutive year of worldwide record production.

Mr. Speaker, I think against that backdrop with any farm policy in the United States, our farmers would be facing a tough year as it relates to our commodities.

The second thing we have to appreciate, in Europe we see huge subsidies for agriculture. Beyond that, we have permitted, we have allowed our trading competitors to subsidize their exports to the tune of $6 billion while we limit ourselves to $200 million. We have put ourselves and our farmers behind the eight ball relative to our trade policy and relative to our agriculture policy. Ultimately that is all coming together.

There is a desperate need in agriculture for some kind of help. We are here today, and the Committee on the Budget has responded appropriately. The bill in front of us today is the right answer. Ultimately there will be negotiations between the House and Senate and the White House, and hopefully there are no more serious problems in agriculture, most of which are not controllable by our farmers.

Mr. Speaker, I think this is a good bill, and I hope all of my colleagues on both sides of the aisle will join us in supporting this legislation today.

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

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

Mr. Speaker, I urge my colleagues to support this bill. I associate myself with all of the remarks saying we should do more; but I would also point out that this amount of money today is within the budget that was passed this year. I think that is a significant point. And also, as the chairman pointed out in his opening remarks, time is of the essence.

Mr. Speaker, we must have this bill to the President for his signature by August 1 if we are to have any hope of dealing with the multitude of problems that this bill is designed to help.

Mr. Speaker, I encourage my colleagues to pass this bill today and move the process forward, and encourage the other body to do the same.

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

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

Mr. Speaker, I appreciate the comments of the gentleman from Texas (Mr. STENHOLM) and appreciate the good working relationship that we have. Our committee works on behalf of American agriculture, I think, on a bipartisan basis as well as any committee in the Congress.

It is vitally important, and I strongly urge my colleagues who have any reservation about the level of this funding to move forward with this suspension to allow the House to have completed its action so that we make for certain that the $5.5 billion which was established in the budget resolution is in fact eligible to be paid to farmers by the end of the fiscal year of September 30. I think it also would send a message to farmers that in fact there is some assistance on the way at a very critically needed time.

Mr. Speaker, to the Members who spoke of the committee’s action in the next few weeks in reporting a farm bill, I will also join my colleagues and all others. This will be a comprehensive farm bill. It will have a strong conservation title, as some have indicated is needed. It is an area that we are looking at very carefully. It is something that we will be trying to craft to deal with all aspects of American agriculture, and we will be spending a great deal of time on it. It is the continued to our committee report a bill by the beginning of the August recess so that consideration for a full farm bill in a much-needed sector of the American economy that is suffering tremendously can be moved forward; and that we will be able to send a message to American agriculture that there is help on the way.

Mr. Speaker, I appreciate the interest, the intensity, and passion of all of my colleagues on the committee.

Mr. BISHOP. Mr. Speaker, H.R. 2213 will provide the much needed help that my farmers in the Second Congressional District need today. The $5.5 billion is not sufficient to address all the farm needs, but it goes a long way in helping our family farmers. Input costs have skyrocketed for every one including our own community. I hope this supplemental bill moves quickly to help alleviate some of these costs.

I am happy with the way our peanut farmers concerns have been addressed in this bill, $25.83 a ton for quota peanuts and $13.55 for additional peanuts will help ease the burden that our peanut farmers face today.

I am glad that we continue as we should stand by our American farmers. This will provide immediate relief while our Committee continues to work hard on drafting the new Farm bill.

I urge my colleagues to support H.R. 2213 and speedily get these funds to our farmers.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Texas (Mr. COMBEST) that the House suspend the rules and pass the bill, H.R. 2213, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2213, the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2299, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 178, and ask for its immediate consideration.

The Clerk read the resolution, as follows:
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 the purpose of considering the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill as a whole shall be waived. 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with “for administration” on page 13, line 24, through “section 40117; on line 25; beginning with “Provided” on page 14, line 12, through line 20; beginning with “Provided” on page 15, line 9, through line 14; beginning with “Provided” on page 23, line 24, through line 2; notwithstanding any other provision of law” on page 26, line 10; beginning with “together with” on page 26, line 15, through the closing quotation mark on line 16; page 31, line 9 through “amended,” on line 10; page 38, line 23, through page 45, line 2; page 50, line 22, through page 51, line 15; page 55, line 6, through line 16, through page 57, line 2. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole House shall, at the request of the local jurisdictions which comprised the board, determine the conditions under which the name of the Metro station at the airport. The board determined that the estimated cost of these changes would be better spent on other priorities.

In addition to the rule that requires the request to come from the local jurisdiction in which the station is located, the regional transit board has a long-standing policy of not naming their transit stations after people, preferring instead that they be named after the location that they are serving. At one time many Democrats wanted the RFK Stadium stop to be named after Robert Kennedy, but that suggestion was rejected because Stadium-Armory is more descriptive, and named after a place rather than a person.

In my view, that was a correct use of local taxpayer resources. I have to think that if President Reagan were not tragically suffering from Alzheimer’s disease, he would join the board and the local governments in resisting these heavy-handed tactics of the Federal Government in forcing the local government to act contrary to its best judgment. In 1964 following the tragic death of President Kennedy, an overzealous Johnson administration by executive fiat renamed Cape Canaveral Cape Kennedy without consulting the local jurisdictions. Had the Johnson administration consulted the local jurisdictions, they would have learned the importance of the name Canaveral dating back to the time of the Spanish explorers and a part of Cape Canaveral’s identity, culture and heritage for the succeeding 400 years. For the next 10 years, the local communities resisted the federal action, preferring instead to use the term Canaveral. In the early 1970s, the Florida State legislature showed its determination to rename the cape Cape Canaveral. By default and Federal inaction, that name still stands.
Mr. Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I rise in opposition to the point of order.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from New York is recognized for 10 minutes.

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

I would like to take this opportunity to put to rest fears that this provision would fund an intergovernmental mandate under the Unfunded Mandates Reform Act. While a review by the Congressional Budget Office determined the requirement to rename the station to be an intergovernmental mandate under the Unfunded Mandates Reform Act, the station falls well below the 2001 threshold of $56 million. In fact, this project is estimated to cost approximately $500,000. I submit CBO’s findings for the RECORD.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,

Hon. JAMES P. MORAN,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN: As you requested, the Congressional Budget Office has reviewed an amendment to H.R. 2299, the Department of Transportation and Related Agencies Appropriations Act, 2002, that was adopted by the Appropriations Committee on June 20, 2001. The amendment would require the Washington Metropolitan Area Transit Authority (WMATA) to redesignate the National Airport Station as the Ronald Reagan Washington National Airport Station and to change the name on all signs, maps, directories, and other documentation to reflect the new name. Our review was confined to determining whether that requirement constitutes an intergovernmental mandate as defined by the Unfunded Mandates Reform Act (UMRA) and, if so, whether the costs of that mandate would exceed the threshold established in that act.

UMRA defines an intergovernmental mandate as an enforceable duty imposed upon state, local, or tribal governments, unless that duty is a condition of federal assistance. Because the requirement to rename the station is not a condition of federal assistance, it would be considered an intergovernmental mandate under UMRA. No funding is provided in the bill to cover the costs of complying with the mandate. However, based on information from WMATA, CBO estimates that those costs would be less than $500,000, well below the threshold established in UMRA ($56 million in 2001).

If you wish further information, we will be pleased to provide it. The CBO contact is Susan Tompkins.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

My colleague may claim as he did last night in the Committee on Rules that this provision is impractical. However, in the past, Metro has made name changes to other existing stations, changes that have been just as long and in some cases larger. A station in Virginia that is George Mason University, you would see GMU University. And so we could say RR National Airport. We could look at other provisions where Metro has worked on it.

In my opinion, it is important to note, as I who have always watched closely unfunded mandates to make sure that we are not saddling local government with an unfair burden. I have cited for the record the threshold of $56 million. But I also must bring out something else very important to my colleagues, that is, when we look at the report which we will consider in the rule and then following as the rule goes on, the floor for the transportation appropriations committee, we will find on page 111 that under section 9, Formula Money, that the signs are eligible for funding for the $30 million that Metro will receive from this bill as this is the year’s allocation of appropriation just under section 9. That is $30 million, of which a half a million dollars is eligible for signage.

Mr. Speaker, the gentleman from Virginia helped craft the Unfunded Mandates Reform Act, and in playing such a key role in that creation, he should know that these thresholds were instilled to prevent time-consuming and unwarranted attacks on House legislation. I do appreciate my colleague’s efforts to uphold the integrity of the Unfunded Mandates Reform Act, this is clearly a dilatory tactic meant to delay consideration of the underlying legislation.

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

Mr. MORAN of Virginia. Mr. Speaker, I yield myself such time as I may consume.

First, I would just say to my friend, the gentleman from New York, that you cannot put a price tag on principle. It is a principle, Ronald Reagan’s principle, in fact, that we are attempting to uphold here. It is being violated with this action.

Mr. Speaker, I yield 3 ½ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR asked and was given permission to revise and extend his remarks.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of his unfunded mandate point of order. Section 343 of H.R. 2299 orders the Washington Metropolitan Area Transit Authority to change the Metro stop at the airport to read Ronald Reagan Washington National Airport Station. This is both an unfunded mandate and should not be protected from the way Lenin was plastered over East- ern Europe, Mao over China and Sad- dam Hussein all over Iraq.

We ought not to sully the legacy of President Reagan by going against one of his fundamental principles. Leave local control to the States, to the cities. Give them due respect.

Mr. REYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I think it is very interesting that we hear this cry that this is an unfunded mandate. I would like to make a couple of points about that.

First of all, these same local jurisdictions that Mr. MORAN mentions are required to abide by OSHA regulations. Would the gentleman from Virginia want to oppose OSHA regulations,
which are unfunded mandates? The answer is no, of course. The same is true of EPA regulations, considered an unfunded mandate. And the Americans with Disabilities Act, again complied with by the Metro authorities. Instead, we have the gentleman rising in opposition to the proper name of the location and a destination point on the Ronald Reagan Washington National Airport. It should not have to be this way. We should not be required to have a piece of legislation merely to do something correctly, such as putting the proper name on the maps, on Metro designations and on the signs.

Another point I want to make is that no cost was provided here. I would like to offer a little bit of history about the Metro: the Washington Metropolitan Area Transit Authority was conceived by Congress. It has been largely funded by Congress. This year in the Transportation Appropriations bill alone, over $100 million are from U.S. taxpayers to fund the Metro. There is plenty of money to handle the cost of signs.

Let us talk more about the cost of signs. Recently there have been seven changes to the Metro in signs. These changes have occurred since President Clinton signed the law naming National Airport the Ronald Reagan Washington National Airport. That’s seven changes at a cost of $713,000. I do not know where this half a million dollar figure is coming from, but Metro has made seven system-wide changes at a total cost of $713,000. So whether it is $100, $125,000, or whatever the cost, I am sure there is the necessary amount of money in the over-$100 million being provided by United States taxpayers all across this Nation.

People from the great State of Kansas who ride this Metro system when visiting or working in D.C., are helping subsidize this. I do not think it is too much to ask for Metro to list the entire name of a stop, so that when people come in from out of town they know that they are going to the Ronald Reagan Washington National Airport Station, a location, a destination on the Metro. We are not asking for a great deal.

This is a request that has been repeated many times since February 6, 1998. And in this time, there have been these seven changes. There was a letter sent April by 22 Members of Congress asking the Metro authorities to change this. It has been completely ignored. This has been transformed into a political issue. It should not be. It should just be a simple matter of having accurate maps reflecting destination points within the Washington area Metro system.

Mr. Speaker, I think it is important that we carry forward with this. It is not an unfunded mandate. There is money there. It does not fit the definition of an unfunded mandate according to the Congressional Budget Office, as the gentleman from New York (Mr. REYNOLDS) points out.

I request that the Chair rule against this. 1235

Mr. MORAN of Virginia. Mr. Speaker, I yield myself 15 seconds to share with the gentleman the fact that OSHA is exempt from the unfunded mandates law because it is a civil rights provision, and the Federal Government only contributes 6 percent of operating costs to the Metro system.

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

Mr. REYNOLDS. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. BARR), the original sponsor of this legislation.

Mr. BARR of Georgia. Mr. Speaker, I thank the distinguished gentleman from New York (Mr. REYNOLDS) for yielding me this time.

Mr. Speaker, let us put all of our cards on the table. The other side has been pitied throughout that they are in the minority, and it irritated the heck out of them 3 years ago when the name of National Airport, over which this Congress has jurisdiction, was changed by majority vote of the people of the United States through their representatives, was changed to reflect Ronald Reagan’s name. They lost that vote. Get over it, guys. You lost it.

Not satisfied with that, not satisfied with simply playing by the rules and recognizing that the official name change went through the Congress, was signed by none other than President Bill Clinton, what they are doing now is they keep trying to come in the back door. They go to their friends on the Metro board, which has never before had a problem with any name change. They have operated like any other metropolitan transit board. When there is an official name change by law, the signage and the literature is changed to reflect that official name. Yet this time it is different. The two sides over there have gotten together and they have decided, well, what we could not do fairly, let us come in through the back door.

It is time for this Congress to tell these guys to grow up, recognize reality, handle this matter the way it has always been handled in the past, when there is a name change by law, signed by the President at a Federal facility, and it relates thereafter to a Federal transit board that receives hundreds of millions of U.S. taxpayer dollars. It is time to just simply let them move on, make the name changes that are always made.

In this case there have been not one, not two, but, count them, I would say to the gentleman from Virginia (Mr. MORAN), seven name changes, comprehensive name changes of stations within the Metro system, some considerably longer than the now official name of Ronald Reagan Washington National Airport. Metro has never had a problem with any name change. There is nothing defective in this rule. The gentleman on the other side knows that, but he is wasting the time of this Congress raising a specious unfunded mandate objection. This clearly, Mr. Speaker, is not an unfunded mandate. The Metro board receives far more, in excess of $100 million, in this upcoming fiscal year for the running of this system. The changes would cost, at most, several thousand dollars. The inflated estimates that we hear from the other side are just inflated propaganda estimates. They do not reflect reality. They do not reflect the reality of any of the other name changes.

This is not an unfunded mandate. This is a proper rule, and, as I say to the distinguished gentleman on the other side, let this issue die. This has never been a problem with this or any other Metro board. I would say to the gentleman from Virginia (Mr. MORAN).

Let us move forward. There are other pressing matters that relate to the Metro board. I think the gentleman would agree with that. Yet they have chosen, and with the gentleman, refusing to simply do what the board has done in every other instance, and every other transit board has always done, whether it is reflecting the name of John F. Kennedy or former President Eisenhower or anybody else, and simply make the changes and let us move on.

Would the gentleman agree that that makes sense, let us just move on?

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BARR of Georgia. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. No, I do not agree. The gentleman’s recollection of the facts is not accurate.

Mr. BARR of Georgia. Mr. Speaker, I take back my time. That is what I suspected, and I wanted to give the gentleman the benefit of the doubt and get him on record.

The other side is not interested in just moving on. We are, Mr. Speaker. We are not asking for anything out of the ordinary, out of standard operating procedure, but to simply say the name of the airport has long, long been changed. It was signed by a Democrat President into law over 3 years ago. It is high time that the Metro board did what they have done in every other situation, Change the name. Let us move on with this rule and move on with the adoption of the appropriations bill for the American people.

Mr. MORAN of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is certainly not in order to force name changes upon local governments when they are opposed to it.

Mr. Speaker, I yield 30 seconds to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, just to correct the record, there have been eight proposals, as I cited in my opening remarks, in which WMATA rejected renaming proposals, some of them equally as long as this one.

Secondly, the naming of National Airport was flawed in its inception.
Some years ago when Senator Dole proposed changing the name of Dulles Airport, his legislation left it up to the airport authority to make the decision; but did not shove it down their throats.

As for the gentleman’s comment about local government, it is not the case proposing name changes. It is the other side. I say to the gentleman, get over it. Stop acting like a playground bully trying to shove Reagan’s name down the throats of every place in this country.

Mr. MORAN of Virginia. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I would urge this body not to force Washington’s local governments to pay $400,000 with local funds to make a name change to a transit station. It does not fit in length. It does not fit with the policy of naming stations after places rather than people. If attempting to honor Reagan, we are contradicting everything he stood for. I have several quotes that I ought not to have to share with the body where President Reagan urged us to respect local government. This is not respecting local government. What is being said is, we stand by Reagan’s principles as long as it suits our politics. That is not right. The principle of deference to local government is correct, and in this case it is being violated not only with the naming of the airport, but certainly with the naming of the transit station.

I would urge my colleagues to read George Will. I would urge them to read President Reagan’s statements, and I would particularly urge them to abide by President Reagan’s principles of recognition and respect for local government.

Mr. REYNOLDS, Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, to close, we have a rule before us. The gentleman has brought a point of order. I disagree with the point of order. While very, very sensitive to very, very sensitive to making a point of order. While very, very sensitive to making a name change to a transit station, but certainly with the naming of the airport, but certainly with the formula for funding will go to the District of Columbia’s Metro system. That money is eligible for signs and other important aspects of how this legislation has been created within the appropriations bill.

The gentleman from Virginia (Mr. BARR) and the gentleman from Kansas (Mr. TIAHRT), have pointed out in their opposition to this point of order.

Most important, I have also cited in my opening that on page 111 of the report, which we are going to consider as the rule is hopefully passed and the legislation is before the House, the $30 million under section 9 in the formula for funding will go to the District of Columbia’s Metro system. That money is eligible for signs and other important aspects of how this legislation has been created within the appropriations bill.

The gentleman from Virginia (Mr. MORAN) has raised the possibility that H.R. 2599 may contain an unfunded mandate. I urge that we proceed forward so that we may continue consideration of this important legislation.

Mr. Speaker, an aye vote is a vote for continuation of the consideration of the resolution. I urge an aye vote as we move forward from the point of order on to the rule and then to the legislation.

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

The SPEAKER pro tempore (Mr. MOORE) has raised the possibility that the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MORAN of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order. While very, very sensitive to making a name change to a transit station, but certainly with the naming of the airport, but certainly with the formula for funding will go to the District of Columbia’s Metro system. That money is eligible for signs and other important aspects of how this legislation has been created within the appropriations bill.
A motion to reconsider was laid on the table.

Stated against:

Ms. WATSON of California. Mr. Speaker, on rollover No. 190, I was delayed because of constituents in my office, however, I would have voted “no” on the question of consideration.

The SPEAKER pro tempore (Mrs. WILSON). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

Madam Speaker, House Resolution 178 is an open rule that provides for consideration of H.R. 2299, the Department of Transportation and Related Agencies Appropriations for the Fiscal Year 2002, on December 30, 2002. The rule waives all points of order against consideration of the bill.

The rule also provides for 1 hour of general debate to be equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule provides that the bill shall be considered for amendment by paragraph.

In addition, the rule waives clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in an appropriations bill) against provisions in the bill, except as otherwise specified in the rule.

Further, the rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule provides one motion to recommit, with or without instructions.

Madam Speaker, the Committee on Appropriations has worked diligently to produce legislation that meets the Nation’s transportation priorities. As more and more Americans hit the airways and the highways each year, this Congress can take pride in the fact that the underlying legislation represents an increase in safety measures and resources in every area of our transportation system.

With all the travel we do back and forth to our home districts, I am sure my colleagues can relate to the frustration of airline delays. That frustration is tenfold for countless Americans who rely on air travel for work and for pleasure each and every day.

This bill includes several provisions to address the problem of airline delays such as fully funding the “Free Flight” program and raising funding for the “Safe Flight 21” programs. These programs develop technologies to aid in the improvement of airway capacity both responsibly and prudently.

Moreover, the bill meets the funding obligation limitation in the transpor-tation legislation known as TEA 21, the Transportation Equity Act for the 21st Century, by providing $31.7 billion in highway program obligation limitations, a 4 percent increase over the current fiscal year’s level. Continuing our commitment in investments in the Nation’s infrastructure, this bill provides nearly $59.1 billion in total budgetary resources, a responsible 2 percent increase over the current fiscal year.

This bill, much like last year’s, continues to improve and enhance motor carrier safety by providing $206 million for motor carrier safety grants, an increase of $29 million that is consistent with truck safety reforms enacted as part of the Motor Carrier Safety Improvement Act of 1999.

This body recently passed the Coast Guard authorization for fiscal year 2002. The Coast Guard’s duties include promoting the safety of life and property at sea and applicable Federal laws on the high seas, maintaining navigation aids, protecting the marine environment, and securing the safety and security of vessels, ports, and waterways.

The legislation before us today appropriates in the amount of $5 billion, including $600 million for the Coast Guard’s capital needs and $300 million available to initiate the “Deepwater” program, which will fight elements of drug smuggling and illegal immigration.

In addition, the bill provides $521 million for Amtrak’s capital needs. This funding will cover capital expenses and preventive maintenance. This bill sustains the Federal commitment to continue in partnership with Amtrak and to help it reach its goal of self-sufficiency.

These, along with other modest increases within the bill, will allow the Department of Transportation to have greater flexibility and oversight control for projects that affect the American public alike. Ensuring proper funding levels ensures the ability of the Department of Transportation to do its job, making travel safer and easier for us all.

Safety should remain the Federal Government’s highest responsibility in the transportation area. Clearly, whether by land, by sea, or by air, this bill addresses those needs and concerns, while maintaining the fiscal discipline that has been the hallmark of this Congress.

Madam Speaker, I would like to commend the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, and the gentleman from Wisconsin (Mr. GINGRICH), the ranking member, for their hard work on this measure. I would also like to commend the Chair of the Subcommittee on Transportation and its ranking member. I urge my colleagues to support this rule and the underlying legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would first like to commend the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for all of their hard work in bringing this bill to the floor. The members of the Committee on Appropriations Subcommittee on Transportation have brought us a good bill that funds a number of vital transportation projects.

I declare this bill important to my congressional district in the Dallas-Fort Worth area.

I am pleased that the bill will provide $70 million to the North Central Light Rail Transit Extension. A bipartisan group of North Texas members worked very hard to get this funding that will more than double DART’s light rail coverage and help stimulate development in the Dallas-Fort Worth Metropolitan area.

However, Madam Speaker, while this is a good bill overall, I cannot support the rule supported by the Republican majority because they have denied a request made by the Democratic ranking member of the House on Transportation, who sought to offer an important amendment relating to the safety issues raised by allowing Mexican trucks to enter the United States. I also oppose this rule because of the issue of the Washington Metropolitan Transit Authority and the renaming of the National Airport Metro stop. Time and again over the last 6½ years, the Republican majority has selected initiatives ignored through a process of local control when it suits an ideological purpose. The renaming of this Metro stop ignores the wishes of the local authorities, as well as the Member representing this area. And for that reason, as well as the fact that the Sabo amendment was shut out by the Committee on Rules, I oppose the rule.

One of the greatest defects of this rule is the fact that the Republican leadership, working in concert with the President, has presented House from addressing a serious highway safety issue: the safety standards of Mexican trucks entering this country under NAFTA.

The Bush administration has lifted all restrictions on the movement of Mexican trucks on our highways effective January 1, 2002. Next year, Mexican trucks will be free to drive across the country, despite clear evidence that they are unsafe for our roads because they are.

In May, the Department of Transportation’s Inspector General found that the Federal Government needs to add dozens of additional border inspectors before lifting restrictions on Mexican trucks. The few inspectors polling the borders found that 49 percent of Mexican trucks that are currently allowed into the U.S. were pulled out of service for significant violations of our safety standards, much higher than the percentage of violations among U.S. trucks.

So many of these trucks are deemed unsafe for our roads because they are
allowed to operate in Mexico with virtually no oversight. The Committee on Transportation and Infrastructure Democrats, who address these issues on a routine basis, also expressed their deep concerns to the Committee on Rules about these trucks coming into the United States. Their concerns were also ignored by the Republican leadership.

For example, Mexican trucks are 10 years older than U.S. trucks, on average. They are not allowed to comply with the weight limits of the United States; yet their concerns are not respected. The House leadership, and the House leadership oppose what the gentleman has proposed. The Republican leadership's refusal to recognize safety concerns related to the use of these trucks throughout the United States is nothing short of negligent, Madam Speaker.

This highway safety issue is particularly critical in Texas, as well as in my own congressional district where I-35 runs through the middle of the district, since two-thirds of Mexican trucks enter the U.S. through Texas; and many of those trucks will travel on I-35 to reach interior destinations. But make no mistake: this is a serious safety issue coming to highways all across America, and that the President has lifted any and all restrictions on Mexican trucks operating on American roads and highways.

This rule also prevents discussion of how to pay for relabeling Metro signs for National Airport. In 1998, over $59 billion for highways, airport grants, highway safety activities, pipeline safety programs, many other items that are critical to every State and to individual Members of the House and, of course, to our people.

Our committee believes are important, their concerns and jurisdiction. Under this rule, the authorizing committee will in a number of instances exercise its prerogatives under the rules of the House to remove provisions that our committee believes are important and necessary, but which fall within their jurisdiction. The rule provides that the authorizing committee has agreed not to object to provisions included by our committee, which, again, we believe are necessary to carry out the programs in the bill.

It is vitally important, Madam Speaker, that we adopt the rule and proceed to consider the Transportation appropriations bill. The bill contains $59 billion for highways, airport grants, safety activities, pipeline safety programs, many other items that are critical to every State and to individual Members of the House and, of course, to our people.

Let me briefly discuss the issue of Mexican trucks and NAFTA. As my colleagues know, the President says that we will be opening our border pursuant to NAFTA in January of next year.

The administration has a plan to ensure the safety of Mexican carriers that transport goods beyond the commercial zones and into the interior of the United States. The administration has put money behind that plan in its budget request. We fund that plan to the penny and then some. In fact, we provide increases above the President's request for the inspection of Mexican carriers at the border. The administration requested $382.2 million above current-year spending. We include $100.2 million above the current year, an 80 percent increase.

This money will pay for border inspection facilities and more inspectors. It pays for a common-sense plan that the House needs to support. In addition, our committee has included language in the committee report directing the Department of Transportation to implement a strong safety oversight program that ensures the operational safety of Mexican motor carriers who seek permission to operate in the U.S.

Madam Speaker, together these provisions ensure compliance with U.S. safety laws and regulations, while it allows free trade to go forward. It is the responsible approach, and it complies with NAFTA.

Madam Speaker, I have some serious reservations that the proposal from the other side would, in fact, violate NAFTA, subjecting the United States to severe fines.

Madam Speaker, this is a good rule. It is a good bill, and I would hope that Members would support both today.

Mr. FROST. Madam Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I simply want to rise to express my opposition to this rule because of its failure to include the right of the gentleman from Minnesota (Mr. SABO) to offer his amendment on truck safety.

Very simply, what his amendment seeks to do is to require the establishment of procedures to guarantee that Mexican trucks will be safe before they are allowed to travel all over the United States.
United States. It just seems to me that we ought to understand that right now Mexican motor carriers operate with virtually no safety oversight to date.

There are no motor carrier hours of service regulations in Mexico. There is no way at this point to check the driving history of Mexican motor carrier drivers. The out-of-service record for those trucks in the areas where they have been checked near the border is astronomical. Those trucks should not be on the road until safety practices are effective.

It is asserted that somehow the Sabo amendment would be a violation of NAFTA. That is nonsense. NAFTA is a trade pact. It is not a suicide pact.

We are not required to put the safety of our motorists at risk in order to satisfy some international bureaucracy. We have already had a ruling that makes quite clear that the United States has the authority, whatever authority we need to exercise, in order to protect the safety of American travelers.

I find it ironic that this House will spend a lot of time on this Mickey Mouse amendment to require the renaming of a train station in the District of Columbia area and yet will not take the time to fully debate the issue raised by the gentleman from Minnesota. I think that represents a warped set of priorities.

I also find it ironic that the Republican majority has said through legislation that when the question of worker safety is at stake, as was the case with the ergonomics regulations that the Labor Department wanted to put into effect some time ago, I find it ironic that at this point the Republican majority of this House said, "Oh, no, the regulations must wait. We are not going to worry about safety."

Yet at this point, when we are asking them again to take into account the safety concerns for American drivers, they are saying, "Damn the truck safety consequences, full speed ahead!" if I can plagiarize from Admiral Farragut.

It just seems to me that this House ought to come back to a rule of common sense. Just because the committee did not adopt the amendment in full committee is no reason this House should not have the opportunity to take whatever action is within our reach to assure the safety of American drivers on our highways.

Madam Speaker, I think the bill itself is basically a good bill, and I intend to support it, but I think it is egregiously erroneous for the House not to allow a debate on the Sabo amendment, and I wish I would vote against the rule and urge that other Members do likewise.

Mr. REYNOLDS. Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. Nussle), the Chairman of the Committee on the Budget.

Mr. NUSSELLE. Madam Speaker, first, I rise in support of the rule. I share the concern that the gentleman from Wisconsin (Mr. Obey) is raising about Mexican trucks. This is the wrong place and the wrong way to address it, in an appropriations bill. I think there is a lot of concern over the Mexican truck issue, and we need to find a way to resolve that. This is not the place.

I rise in support of the underlying bill, H.R. 2299, making transportation appropriations for fiscal year 2002. As the chairman of the Committee on the Budget, I want to report to my colleagues that this bill is consistent with the budget resolution, and it complies with the applicable sections under the Congressional Budget Act.

H.R. 2299 provides $14.9 billion for the Department of Transportation and several transportation-related agencies. The bill includes $307 billion in rescissions of previously enacted budget authority.

The bill is within the 302(a) allocations of the Committee on Appropriations. It cooperates with the U.S. House Appropriations Committee in adopting the budget resolution and the highway and mass transit. Under the Budget Enforcement Act, any bill that increases spending above the caps is subject to a sequester. The bill will come in under the caps when it is scored by OMB. It is OMB scoring that is used to enforce the caps and trigger any sequester.

Madam Speaker, I would observe that, based on the congressional scoring that we have before us, the bill would exceed the statutory caps on highways and mass transit. Under the Budget Enforcement Act, any bill that breaches its caps triggers an across-the-board sequester in programs under that cap, but I further understand that the Committee on Appropriations believes and will work to ensure that this bill will come in under the caps when it is scored by OMB. It is OMB scoring that is used to enforce the caps and trigger any sequester.

Madam Speaker, I urge that the conference committee and the chairman consider this concern and ensure that the final product is consistent with both the budget resolution and the highway and mass transit caps.

Madam Speaker, I commend the gentleman from Kentucky (Mr. Rogers) and support not only the rule, but the underlying bill of H.R. 2299.

Mr. FROST. Madam Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. Sabo).

Mr. SABO. Madam Speaker, I thank the gentleman from Texas (Mr. Frost) for yielding me this time, and I thank my colleague from Minnesota for raising this issue.

The Sabo-Ney amendment, bipartisan amendment, is in conformity with the February 6 ruling of the NAFTA arbitration panel on cross-border trucking services. The panel said: "The inadequacies of the Mexican regulatory system provide an insufficient legal basis" to maintain a blanket moratorium on cross-border trucking. But it made it very clear that the United States could treat applications from Mexican trucking firms in a manner different from U.S. firms as long as they are reviewed on a case-by-case basis. That is what this issue is about.

This bill did not create the problem, it has been created for us, and if there is one place we can begin to deal with the remedy, that place is in this bill.

The amendment that I had offered, which would require preinspection of carrier applicants in Mexico before the greater border effect, would add to the safety potential that we have in this country, to go along with the additional inspectors. None of us can guarantee perfect safety, but those working together would give us some greater hope that we will have safe trucks operating in this country.

Madam Speaker, no one disputes the fact that Mexico-domiciled motor carrier drivers operate with virtually no safety oversight today. There are no motor carrier hours of service regulations in Mexico. Even though the Mexican Government is now implementing a driver record database, there is currently no way to check the driving history of Mexican motor carrier drivers. In addition, Mexico will not finalize its roadside inspection program until October 2001.

Let me add that while we are focusing on inspection and out-of-service rates for trucks, equipment is important, but the driving capability of the driver is the most important. A greater proportion of accidents involving big trucks are driver-related rather than equipment-related.

I might add that this committee and this Congress has been seriously involved in the last several years of trying to improve the truck safety of American trucks, and then we look at what the history is of Mexican trucks coming into the commercial zones today. Let me simply say that for trucks coming into Mexico and Arizona, we find that 40 percent of the Mexican-domiciled trucks today are put out of service.

I urge a no vote on this rule so we can quickly get a new rule which makes my amendment in order.

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

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. Oberstar).

Mr. OBERSTAR. Madam Speaker, I thank the gentleman from Texas for yielding me this time, and I thank my colleague from Minnesota for raising this issue.

The Sabo-Ney amendment, bipartisan amendment, is in conformity with the February 6 ruling of the NAFTA arbitration panel on cross-border trucking services. The panel said: "The inadequacies of the Mexican regulatory system provide an insufficient legal basis" to maintain a blanket moratorium on cross-border trucking. But it made it very clear that the United States could treat applications from Mexican trucking firms in a manner different from U.S. firms as long as they are reviewed on a case-by-case basis. That is what this issue is about.
We do not inspect all these trucks coming in from Mexico. Less than 1 percent of all northbound crossings at the Mexican border were subject to inspection last year. One-third of the Mexican-domiciled trucks were found unsafe, so unsafe inspectors removed the trucks from service, a 50 percent higher out-of-service ratio than we have in the United States. Obviously, there are no permanent truck inspection facilities at 25 of 27 southern border crossings that account for 31% of all northbound crossings at the border.

There is no systematic method in place to verify registration on Mexican-domiciled trucks. The inspector general of our DOT found 254 Mexican trucks operating illegally beyond the commercial zones in 24 States. Those trucks are in a position to kill our constituents. Five thousand people a year die in truck-car accidents. There are going to be half as many more deaths if we allow Mexican trucks to come unsafely into the United States.

They have a woefully inadequate safety regime in Mexico, no systemic safety rating process, no truck weight enforcement process, no roadside democracy inspection program, no hours of service regulations in Mexico, no credible enforcement of drug and alcohol testing. We ought to defeat the rule, allow the Sabo amendment to be offered.

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

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. BORSKI).

Mr. BORSKI. Madam Speaker, I rise in opposition to the rule. I believe it is very, very important for this House to be able to vote on the Sabo amendment.

Madam Speaker, just last month, along with the gentleman from Wisconsin (Mr. FILNER) and the gentleman from California (Mr. HOLDEN), we paid a visit to some of the truck inspection facilities along the Mexican border.

At Otay Mesa in California, we saw an inspection system that works and works pretty well and hopefully could serve as a model for the rest of our country. In California, they perform a comprehensive level one inspection on all trucks crossing the border at least once every 90 days and issue a certificate. If a truck does not have a certificate, it is pulled over and inspected.

The out-of-service rate in California is very similar to our experience in the rest of the United States. Around 24 percent of trucks are taken out of service, way too high in the United States, but something we can continue to work on.

The situation in Texas was an absolute nightmare. There is no inspection in Texas. At Laredo, we visited it on a Sunday, a slow day. Major Clanton of the Texas Rangers or Texas Department of Public Service told us a truck that is not inspected will be neglected. On that day Major Clanton told us he pulled five or seven or eight trucks over to inspect, and five of them were taken out of service. We asked if there were serious concerns. The answer was, yes, extremely serious, things like brakes that are not working.

Madam Speaker, the situation in Texas is very serious. We should not allow trucks to come into the United States unless they are safe, unless they are inspected.

Mr. REYNOLDS. Madam Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BONILLA), a member of the Committee on Appropriations.

Mr. BONILLA. Madam Speaker, I rise today to try to stop attacking Mexico. I cannot quite understand what the motivation is. If we look at the issue, we are talking about trucks coming into our Nation that would be held to the same standards that American trucks would be held by. There is absolutely no discussion here about trying to put the same restrictions on Canadian trucks, for example. This simply seems to be an effort to try to discriminate and target Mexican trucks.

Again, let me emphasize that, in the State of Texas, like in my area that I represent spans 800 miles of the Texas-Mexico border. We want the trucks. We are prepared to have them come in and bring their cargo through in a safe manner, complying with American law.

Let me also tell my colleagues what free trade has meant to some of these border communities that used to have unemployment rates at 40 to 45 percent. Free trade has dropped the unemployment in border communities drastically. In some areas, like in Laredo, Texas, it has now caused it to be the second fastest growing community in America. It is a boom area, and we enjoy their fears, their complaints, whatever they want to say to the Motor Carrier Safety Administration, and the comments are published in the record. If that record reveals that many, many, many people are concerned about safety, the government is required to change the rule that they adopting. Is the gentleman aware of that rulemaking?

Mr. BONILLA. Madam Speaker, reclaiming my time, any more than I would have a concern about an American truck coming through.

We also just as well as could to, to the gentleman from Kentucky, I would challenge any Member here who continues to pursue this action against Mexico, next time they speak about this issue, and the television camera is on them, I challenge them to look at that camera in the eye and tell us that they are not discriminating against Mexico and border area residents.

Mr. ROGERS. Madam Speaker, will the gentleman further yield?

Mr. BONILLA. I am happy to yield to the gentleman from Kentucky.

Mr. ROGERS. Madam Speaker, the gentleman aware that the Department of Transportation, in fact the Motor Carrier Safety Administration, currently is conducting a rulemaking to lay out the specific rules about the topic of which we are talking about today—the safety of Mexican carriers coming into the U.S.? They are conducting a rulemaking procedure. Even as we speak, members of the public can register their fears, their complaints, their ideas, whatever they want to say to the Motor Carrier Safety Administration, and the comments are published in the record. If that record reveals that many, many, many people are concerned about safety, the government is required to change the rule that they adopting. Is the gentleman aware of that rulemaking?

Mr. BONILLA. Madam Speaker, reclaiming my time, I am aware of that. I am aware of that, because I know all over the State of Texas constituents live on the border; is that correct, Madam Speaker?

Mr. BONILLA. Madam Speaker, the vast majority of my constituents, although I have areas that are also several hundred miles from the border.

Mr. ROGERS. Madam Speaker, if the gentleman will continue to yield, knowing what the administration, the Department of Transportation is doing even as we speak. That is, DOT is developing a plan for the safety of the trucks coming up from Mexico, and knowing generally what the plan is, does the gentleman from Texas (Mr. BONILLA) have concerns for the safety of his constituents through which these trucks would pass to the rest of the U.S.?
Mr. ROGERS. Madam Speaker, if the gentleman will yield, is the gentleman aware of any Members who have spoken here today that have registered a complaint with the Motor Carrier Safety Administration?

MR. BONILLA. Madam Speaker, I am not aware of any such problems that have existed, not to create a premise on which to file any complaints. These are simply scare tactics and, as I have pointed out, targeted just against Mexico, nothing mentioned about Canada.

Mr. ROGERS. Madam Speaker, will the gentleman further yield?

Mr. BONILLA. Yes, I yield to the gentleman from Kentucky.

Mr. ROGERS. Madam Speaker, does the gentleman also realize that, if the rulemaking that will be adopted sometime this early fall is not severe enough to ensure the safety of American citizens from Mexican trucks, that Congress can always address the question at that time?

Mr. BONILLA. Madam Speaker, I am aware of that, and I am sure that that is something we would want to do in a bipartisan way.

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Madam Speaker, I rise in opposition to the rule and because of its refusal to allow the common-sense Sabo amendment on truck safety.

The gentleman represents a border community. This gentleman represents an area where 30 percent of the trucks cross the border.

The gentleman from Kentucky (Mr. ROGERS) has filed a complaint on the rulemaking. I will tell my colleagues that I know of the dangers of the trucks to our citizens and to our driving public. I know what happens when uninsured drivers have accidents. I know what happens when trucks do not have brakes. I know what happens when tired drivers are on the roads in San Diego and the rest of this Nation. I will tell the gentleman from Texas (Mr. BONILLA) who just spoke and the gentleman from Kentucky (Mr. ROGERS) who talks about an administration plan to live on the border. There is no evidence of such a plan. There is no national standard. I have traveled to Texas. I have looked at our border inspections in California. This is not discrimination against Mexico. Madam Speaker, this is a plea on behalf of the safety of our constituents who would be in danger.

I will tell my colleagues every State is left to itself to determine standards of inspection. We heard that the California inspection station in my district at Otay Mesa has a state-of-the-art inspection station, and they do. But do my colleagues know how many trucks they inspect of the 3,000 or more that come across every day? Less than 1 percent, not do anything about the insurance of the driver. They know nothing about the history of the driver or their safety or how long they have worked.

If you go to Texas, and we were in the district of the gentleman from Texas (Mr. BONILLA), who just spoke, in Laredo, there is no inspection. In fact, the Department of Transportation of Texas and the local officials in Laredo have great controversy of what kind of inspection they go on. There will not be inspection stations in there under whatever plan, I assume a secret plan that the President has, to inspect in Texas, because they cannot come to any agreement on what could happen there.

I tell my colleagues, if the gentleman from Texas (Mr. BONILLA) wants those problems in Laredo, that is fine. But let us leave them there and not go to the rest of the Nation where we have problems. I urge a no vote on this amendment. I urge we protect U.S. citizens and the driving public throughout America.

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

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Madam Speaker, I thank the gentleman from Texas for yielding me this time.

President Bush's decision to open the border to Mexican trucks is wrong. A report released on May 8th from the Department of Transportation's inspector general showed the U.S. Border Patrol can only inspect 1 percent, 46,000 of the 4.5 million trucks that were crossing the border.

Three years ago, at my expense, I went to Laredo, Nuevo Laredo. I went to the border and watched the truck inspections. One person was inspecting trucks that day. Two thousand five hundred trucks were going through the border at Laredo; one inspector working for Governor George W. Bush and the Department of Public Safety in Texas.

I asked him how many trucks he inspected a day. He said 10 to 12. I said, how many trucks do you take out of service each day? He said, somewhere between about 9 to 11.

He had told us, complained that the State of Texas had not fixed the scales which had been broken for 3 months, that the State of Texas and the Government of the United States simply were not very interested in truck safety.

Whether these trucks, these 2,500 a day that were going from Nuevo Laredo to Laredo, Texas, the 4.5 million trucks a year, whether they have faulty brakes or tire failures or loads that exceed weight limits, Mexican trucks fail to meet American standards.

Mexican trucks on average are 10 years older than U.S. trucks. A truck driver in the United States cannot get a license until 21. In Mexico, the age is 18. Meets or exceeds that by having a national commercial truck driver's license information system to detect driving violations. U.S. drivers can drive only 10 hours per shift, must keep a log of their hours worked, must pass a knowledge and skills test, and must have regular medical examinations.

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

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

Mr. REYNOLDS. Madam Speaker, if the gentleman wishes to yield back, we will close this and move to the vote.

Mr. FROST. Madam Speaker, we had several other requests for time. The Members are not present on the floor. I ask the gentleman whether he has any additional speakers.

Mr. REYNOLDS. No, I do not. It is obvious I have been reserving the balance of my time to close the debate on our side when the gentleman is ready.

Mr. FROST. Madam Speaker, I yield myself such time as I may consume to urge that the rule be defeated. The rule does not make in order the very important amendment offered by the gentleman from Minnesota (Mr. SABO), and the rule also did not take into consideration the objections raised by the gentleman from Virginia (Mr. MORAN).

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

Mr. REYNOLDS. Madam Speaker, I yield myself such time as I may consume to close.

Madam Speaker, this is an open rule. It is a fair rule. It is a rule that allows the transportation legislation of the Committee on Appropriations to come before the House. There has been consideration, with the will of the Committee on Appropriations passing a second degree amendment to the Sabo amendment offered by the gentleman from Kentucky (Mr. ROGERS). That amendment passed reflecting the will of the Committee on Appropriations in the amendment.

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

The previous question was ordered.

The SPEAKER pro tempore (Mrs. WILSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Madam 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. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause (8) of rule XX, this 15-minute vote on the adoption of House Resolution 178 will be followed by a 5-minute vote on the motion to suspend the rules postponed earlier today.
RECOGNIZING OUTSTANDING AND INVALUABLE DISASTER RELIEF ASSISTANCE PROVIDED DURING TROPICAL STORM ALLISON

The SPEAKER pro tempore (Mrs. Wilson). Mr. HOUGHTON changed his vote from "yea" to "nay." Mr. HOUGHTON changed his vote from "nay" to "yea." So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The vote was taken by electronic device, and there were—yeas 219, nays 10, not voting 22, as follows:

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This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

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Mr. ROGERS of Kentucky. Madam Speaker, I am very pleased to present to the House the Department of Transportation and related agencies appropriations bill for fiscal year 2002. This is an excellent bill that reflects not only the priorities of the budget of this year but also the important contributions of all the Members of our subcommittee and full committee, and we hope the full House will concur.

I want to especially thank the gentleman from Kentucky (Mr. ROGERS) for his tireless and insightful support of transportation programs during the many hours of our hearings, deliberations, and the markup of this bill this year. I also want to thank both the gentleman from Florida (Mr. YOUNG), the full committee chairman, and the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee, for their support of this subcommittee and the programs we oversee. I am also thankful to all the members of our subcommittee who had a part in the drafting of this bill and the full Committee on Appropriations, which had the chance to amend and correct as we went through that process. And, of course, we would not be here without our wonderful staff, both on the majority and the minority side upon whom we all so much depend.

Mr. ROGERS of Kentucky. The bill also includes, Mr. Chairman, funds to address serious staffing, training, and equipment problems at our small-boat stations of the Coast Guard which were highlighted in our hearings with the Inspector General and the Coast Guard this year. I am proud that we could find a small amount of money to raise the staffing levels and the training at these stations to provide the backbone of our Nation's search and rescue capability. With an average workweek, Mr. Chairman, of 80 hours-plus, Coast Guardsmen at these stations are in desperate need of some help. We provide it in this bill.

Consistent with the provisions of AIR-21, this bill fully funds the airport grants program at $3.3 billion and fully funds FAA's capital appropriation at $2.9 billion. It also provides nearly 100 percent of the Coast Guard's operating budget. In addition, this bill includes several initiatives that will hopefully lead to reductions in the number and severity of airline delays. Our gridlocked aviation system has been a major focus of this subcommittee, and it will continue to receive the scrutiny of our panel until we untangle it for the good of consumers and the economy. We will continue to press the aviation industry to cooperate, to come up with solutions, and to put those solutions to the test. I hope we do everything possible to make sure the money is there for work and technologies that address the problem.

I yield myself such time as I may consume.

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

Mr. Chairman, I am very pleased to address the problem.
If we find programs and initiatives that work, we will fund them. If we find programs that fail, we will cut them off. It is that simple. We are determined to make improvements. Things will change. This bill is a start. But we will keep pressing for real action and results in an area critical to all of us.

The bill restores proposed cuts to the essential air service program. Under the administration’s proposal, 18 cities would have lost their air service next year. This bill maintains the eligibility of each of these cities in the program and provides the additional $13 million needed to maintain the program at current service levels. That will be good news to 18 cities across the country where EAS provides a necessary lifeline. In addition, the bill provides $10 million to kick off the new small community air service development pilot program authorized last year in AIR-21. This program will provide grants to small communities around the country to foster air service where it does not exist and foster competition in those communities where there is monopoly service. I can personally attest to the declining air service in many smaller cities around the country. This is a tremendously needed program, and I am pleased the bill provides initial funding for it.

The bill includes $32.6 billion for our Nation’s highways, an increase of $1.2 billion, 4 percent, consistent with the authorizations in TEA-21. This will provide for high-priority construction needs by the states, the District of Columbia, and the territories.

The bill provides $298 million for the Motor Carrier Safety Administration, an increase of 11 percent over the current year. Included in the bill is the additional $88.2 million requested by the President to maintain a high level of trucking safety on the border with Mexico as we fully open up the border next year pursuant to NAFTA. This is a very important initiative to ensure the safety of all Americans as Mexican trucks begin to drive beyond commercial zones near the border into the interior of the U.S.

I believe this funding, combined with the administration’s regulatory and program activities, will ensure that we receive the benefits of greater trade with Mexico while at the same time protecting our people as we learn to share the road with our neighbors to the south.

The bill includes $419 million for the National Highway Traffic Safety Administration—a 4 percent increase above current year, essentially the same as the administration requested, and it provides the level of funding called for in TEA-21.

Amtrak, we are recommending the requested level of $521 million for Amtrak. But we have removed the $521 million limitation on funding carried for several years so that Amtrak can access those funds on the first day of the fiscal year. We have all read about and studied Amtrak’s difficult cash situation. This bill will help them as much as we can next year. Ultimately, though, Congress will have to decide what to do next year if Amtrak does not meet its 5-year glide path to operational self-sufficiency mandated by Congress, soon to be 5 years ago. This bill for now meets the Federal commitment to help get Amtrak to that point. Now the debate will begin about whether or not Amtrak deserves the subsidies that will likely rear their head operating.

In transit, the bill provides $6.7 billion for transit programs, an increase of almost $500 million over the current year. For the New Starts program, where funding is very tight, the committee chose to provide a higher share of the requested amount to those transit projects which show a greater financial commitment by the local and State governments and where the Federal share is limited to 60 percent or less. I want to stretch the very limited amount of Federal money so as many worthy projects as possible can be conducted.

I hope all Members will appreciate that the explosive demand for transit services for Amtrak than we can possibly fund. By rewarding those projects with a higher local commitment, we are being good stewards of the taxpayers’ money.

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

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

Mr. Chairman, I rise in support of the fiscal year 2002 appropriation bill. This bill is one that historically has been developed in a bipartisan manner, and I am happy to say that this year is no different.

This is the first year that the gentleman from Kentucky (Mr. ROGERS) has chaired the subcommittee, and I congratulate him on a job well done.

He has been thorough, he has been fair, and we have a bill before us that deserves the support of all Members of this House.

I would also like to thank our staff, Bev Pheto and Marjorie Duske from my staff, and the subcommittee staff of Rich Efford, Stephanie Gupta, Cheryle Tucker, Linda Muir and Theresa Kohler. They all have worked exceptionally well together and have produced an outstanding product. So this is a good bill that deserves passage by a substantial margin, and I would hope unanimous support.

The subcommittee held a number of hearings this year on aviation delays. The gentleman from Kentucky (Mr. ROGERS) should be commended for bringing the FAA, airports, airlines and other stakeholders together for frank discussions on the problems facing aviation customers. Solutions are not easy to come by, but we need a balanced approach that will move air traffic control technology, new runways and responsible flight scheduling.

One important factor that must not be overlooked is the fact that many communities have a legitimate concern about airport noise that results in delays or even prevent airport expansion. We currently spend tens of millions of dollars every year to mitigate noise impacts bybuying homes, relocating homes. To help alleviate the noise problem at its source, the bill provides an additional $20 million to increase aircraft engine noise research so quieter and quieter airplanes can be developed sooner.

Overall, this is a great bill. We should pass it.

Let me also, however, note some concerns of our colleagues that the committee did not extend several transit, bus and New Start earmarks and would allow them to be reprogrammed in 2002. I am sure that we can work out these issues as we move forward in the appropriations process.

In closing, I believe that the merits of this bill outweigh any problems that must be addressed, and I urge support of the bill.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, to finish my opening statement, this bill is fair, it is balanced, it is bipartisan. It satisfies our national transportation needs to the best of our ability. It emphasizes strong program oversight and financial accountability, and it represents the handiwork of every Member of this subcommittee.

I want to thank all of our Members for their suggestions, their hard work, and, again, special thanks to the ranking member, the gentleman from Minnesota (Mr. SABO), for his assistance throughout the process. I urge approval of the bill.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the very able chairman of the full committee who has been so helpful to us in the production of this bill and all of the others.

Mr. YOUNG of Florida. Mr. Chairman, I rise in enthusiastic support of this bill, and I want to compliment the gentleman from Kentucky (Mr. ROGERS) for having done an outstanding job in working with the gentleman from Minnesota (Mr. SABO), the ranking member, and the staff of the subcommittee, because they have taken a bill that has the potential for real controversy and made it a very good bipartisan bill.

That is not to say that there are not some differences, because there are some differences. That is always the case when we bring a bill to the floor. But these men have done a really good job.

I also want to compliment the gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee, for the tremendous relationship that he has established with the authorizing committee, the Committee on Transportation and Infrastructure, chaired by our friend and colleague, the gentleman from Alaska (Mr. YOUNG). They
had some problems that had to be worked out, and they were able to do that, mostly to the satisfaction of both of them. I believe this is a good example of how legislation can be drafted to get to a good bill that can be accepted by most members. In this case, Chairman Rogers did a good job.

Mr. Chairman, I rise to support the bill, to thank the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO), and to thank the chairman of the authorizing committee, the gentleman from Alaska (Mr. YOUNG), for his work on this bill. He has done in helping us to resolve some of these differences.

It is a good bill. Let us vote for it.

Mr. SABO. Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a distinguished member of our subcommittee.

Ms. KILPATRICK. Mr. Chairman, I thank the ranking member, the gentleman from Minnesota (Mr. SABO) for his outstanding leadership as we brought an appropriate bill to this floor.

Mr. Chairman, it has been a pleasure to work with the gentleman from Kentucky (Mr. ROGERS) on this first time on appropriations and in the subcommittee. This is a good bill. I strongly urge its adoption and that we move forward in the process.

Mr. Chairman, the chairman of our entire subcommittee spent many hours working with the airline industry because we knew that cancellations, as well as late flights, are a problem for all Americans.

Mr. Chairman, I want to commend the gentleman from Kentucky (Mr. ROGERS) on his tenacity in making the airline industry come to the table and to address that problem. We have a safe airline industry come to the table and work well done in his first term as chairman of the subcommittee.

At the beginning of this Congress, the gentleman from Kentucky (Mr. ROGERS) and I began a process of improving communications between our two committees, and I am hopeful that we can continue to work together to improve our communications and cooperation.

I also would like to thank the gentleman from Florida (Mr. YOUNG) and the gentleman from Kentucky (Mr. ROGERS) for reporting a bill that recognizes the funding guarantees contained in both the Transportation Equity Act for the 21st Century, TEA-21, and the Aviation Investment and Reform Act of the 21st Century, AIR-21.

However, I still have several concerns about the legislation. First, I have made it clear from the beginning of my term as chairman on Transportation and Infrastructure that I am going to ensure that the guarantees provided by TEA-21 and AIR-21 are respected. These funds are essential to maintaining and improving our ground and aviation transportation systems.

The formula adopted by Congress under TEA-21 and AIR-21 guarantees that our promises are kept to the taxpayers who pay the taxes on fuels for the purpose of improving and maintaining our highways and airports.

A major guarantor for TEA-21 is that as the revenue from fuel taxes increases, those revenues would automatically be distributed to the States through a process called Revenue Aligned Budget Authority, or RABA. Unfortunately, section 310 and section 323 both redistribute RABA funds for NAFTA-related spending in violation of the guarantees provided in TEA-21.

While I do support the object of the funding, strict safety inspections of Mexican trucks, I am concerned that opening up RABA to other purposes is not the appropriate manner in which to solve this problem. For that reason, I will object to this change in the law contained in bill.

The bill was reported with actually 50 new safety regulations that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I am not objecting to the majority of these provisions, either because the appropriate consultation with my committee has taken place or because we are able to reach an agreement on the merits of certain actions. However, there will be a number, as I mentioned before, of other provisions that I will object to and raise a point of order that the committee has legislated in an amendment that is under the jurisdiction of the Committee on Transportation and Infrastructure.

Finally, I want to express my strong support for the amendment to be offered by the chairman of the Subcommittee on Coast Guard and Maritime Transportation, the gentleman from New Jersey (Mr. LoBIONDO). His amendment is necessary to address the significant shortfall in the appropriation to the Coast Guard. It was my understanding that the Committee on the Budget had provided a sufficient Func tion 400 to cover all the needs of the Coast Guard. Unfortunately, that allocation was not passed along in the Subcommittee on Transportation, which now makes this amendment necessary.

Again, I want to thank the Subcommittee on Transportation of the Committee on Appropriations for its consideration and cooperation. I want to commend the excellent staff of the gentleman from Kentucky (Chairman ROGERS) and the staff of the Subcommittee on Transportation for their hard work and willingness to work with my staff.

I look forward to continuing to work with the gentleman through this appropriation process to produce the best transportation appropriation bill possible.

Mr. SABO. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), a member of the full committee.
Mr. ROTHMAN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I wish to engage in a colloquy with our distinguished chairman, the gentleman from Kentucky (Mr. ROGERS), on the subject of Stewart International Airport.

Mr. Chairman, I thank you for joining in a colloquy with me and the distinguished ranking member, the gentleman from Minnesota (Mr. SABO), to discuss an important issue regarding air traffic in the New York-New Jersey metropolitan region.

Mr. Chairman, I am grateful for your efforts and those of our distinguished ranking member for the work of the committee to research how to reduce the terrible problem of aircraft noise, which affects tens of thousands of my constituents in northern New Jersey.

I also want to thank the chairman and ranking member for addressing the critical problem of airline delays and for their work on the redesign of the New Jersey-New York metropolitan area's regional air space.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. ROTHMAN. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I want to thank the gentleman from New Jersey for requesting this colloquy. I am proud to inform him of the work the committee has done in our oversight hearings and in this bill to address the serious issue of airline delays. I am also proud to report that the bill includes $8.5 million, which the Federal Aviation Administration is to use only for the redesign of the New Jersey-New York metropolitan region's air space.

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

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

Mr. SABO. Mr. Chairman, the committee has also increased funding for the Regional Air Traffic Management environment and energy budget to research aircraft noise mitigation to $27.6 million, an increase of $24.1 million over fiscal year 2001, in order to speed the introduction of lower-noise aircraft technologies.

Mr. ROTHMAN. Mr. Chairman, reclaiming my time, I thank the gentlemen.

As the Federal Aviation Administration looks for ways of reducing the stress on our overburdened regional air space, particularly the air space over northern New Jersey, I would also ask the committee to work with the FAA on examining the important role that Stewart International Airport could play in accommodating general aviation aircraft that now use Teterboro Airport, located in my district in New Jersey. Such a shift from Teterboro to Stewart would reduce the aircraft noise and air traffic that affects hundreds of thousands of my constituents every day.

Mr. ROGERS of Kentucky. If the gentleman will continue to yield, I want to thank the gentleman from New Jersey (Mr. ROTHMAN) and the others for highlighting these additional ways that the FAA can reduce aircraft noise and ease air traffic congestion in the region. We will work with the gentleman on these important issues as the committee moves forward.

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

Mr. ROTHMAN. I yield to the gentleman.

Mr. GILMAN. Mr. Chairman, I represent the area around the Stewart Airport, and I want the gentleman to know just today we have been meeting with the FAA to emphasize the need for using regional airports, such as Stewart, to alleviate the congestion of LaGuardia Airport. I want to commend the gentleman for focusing attention on this important issue.

Mr. ROTHMAN. Mr. Chairman, reclaiming my time, I thank my distinguished colleague.

Mr. SABO. Mr. Chairman, I yield 1 minute to a distinguished member of our subcommittee, the gentleman from New Jersey (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I simply want to say while we are only beginning to debate a number of issues about which there is some disagreement today, including the SABO amendment, overall, this is a very reasonable bill and it deserves to be supported. I expect to support it, and I expect a large number of Members will do the same.

I congratulate the gentleman from Kentucky and the gentleman from Minnesota for the job they have done. I appreciate their good work, as I know the House does, and we look forward to disposing of this bill in fairly short order today.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. EMMERSON), one of the hardest working members of our subcommittee.

Mrs. EMERSON. Mr. Chairman, I rise today in support of H.R. 2299, and want to thank the gentleman from Kentucky (Chairman ROGERS) and the gentleman from Minnesota (Mr. SABO), the ranking member, for the fabulous job they have done in putting this bill together, as well as the staffs, who have worked tremendously.

I believe very strongly this bill goes a long way towards meeting our Nation's transportation priorities. I come from a rural district; and, as cochair of the Rural Caucus (Mrs. EMERSON), one of the hardest working members of our subcommittee.

We have monies dedicated to building facilities that will inspect the trucks, as we have the international flow of trucks, and also we have additional personnel on the borders. This bill contains additional money for personnel on the borders that will inspect the trucks.

I would also like to congratulate the subcommittee for the work they have done in dealing with airport congestion. As the gentleman from New Jersey (Mr. ROTHMAN) talked about, the committee was taken on the responsibility of dealing with the congestion that we have, and I look forward to working with them to resolve that.

I would like to thank the staff for the fine work they have done. This is a good bill, and we support it.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. SWEENEY), another one of the very hardworking members of our subcommittee.

Mr. SWEENEY. Mr. Chairman, I would like to thank the subcommittee for their work on the borders that will inspect the trucks, and also we have additional personnel on the borders. This bill contains additional money for personnel on the borders that will inspect the trucks.

I would also like to congratulate the subcommittee for the work they have done in dealing with airport congestion. As the gentleman from New Jersey (Mr. ROTHMAN) talked about, the committee was taken on the responsibility of dealing with the congestion that we have, and I look forward to working with them to resolve that.

Mr. Chairman, I basically wanted to stand and commend and congratulate our chairman of the subcommittee, who faced a number of challenges, as well as the ranking member, the gentleman from Minnesota (Mr. SABO).

This is a comprehensive bill that moves forward the transportation needs of this Nation in a very positive way, connecting road, rail and air. They faced a great many challenges.
I come from a State that has huge transportation infrastructure needs. For example, in the New Start program, they faced the challenge that the Federal Transit Administration account has been drawn down to dangerous levels in the New Start program, and there are a number of programs that need funding.

We were able to secure some funding for the New York City area, which has huge and substantial needs. In addition to the work that my colleague, the gentleman from New Jersey (Mr. ROTHMAN), pointed out, this bill moves forward in a very positive way. I think it is the first tangible way that any level of government began to look at the use of Stewart Airport as one of the four major airports in the New York metropolitan area. And this is not a Northeast regional issue or problem, it is a national problem, because 30 percent of all delays in air travel come out of that region. Therefore, through the commission of a study in this bill, to find a way to ease that problem, it will have an effect nationally.

There are a number of other provisions in this bill that work to serve the Northeast and my constituents, an I-87 corridor study and many other efforts in the high speed rail area, to connect our region.

But I want to especially commend the chairman, the gentleman from Kentucky (Mr. ROGERS), and his staff for their paying attention to these problems, for taking the issues that are at hand here today and working hard with them.

In addition, I understand we are going to add some new money into the FAA’s General Counsel’s office to handle airport-airline complaints. All of those efforts are consumer friendly and are important to moving the agenda forward, and I want to commend the chairman for that.

Mr. PASTOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. SERRANO), a member of the subcommittee.

Mr. SERRANO. Mr. Chairman, I rise to engage my chairman, the gentleman from Kentucky (Mr. ROGERS), in a colloquy.

Mr. Chairman, as you know, New York City is the Nation’s biggest user of mass transportation. The city’s transit needs are constantly growing and transit improvements and expansion are of critical importance to the city’s economy and general well-being.

One project that is vital to the transit network of the future is the Second Avenue Subway. I requested funding for this project, as did other Members of the New York delegation. However, as a member of this subcommittee, I am keenly aware of the funding limits that the gentleman from Kentucky (Chairman ROGERS) and the ranking member, the gentleman from Minnesota (Mr. SABO), faced in putting their bill together and of the tough decisions that they were forced to make.

One of these decisions was to limit New Starts funding to projects already in preliminary engineering. This made funding the numerous projects that are still in the alternatives analysis stage of the planning process impossible.

I would ask the gentleman from Kentucky (Chairman ROGERS) if there were any exceptions to this policy and if the decision was made without prejudice to any of the projects, especially to my great city?

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The gentleman from New York is correct. There were no exceptions to this policy and it was made without prejudice; and, I would add, the gentleman from New York has been very, very persuasive with us.

Mr. SERRANO. Mr. Chairman, reclaiming my time, I thank the chairman for those comments. I would like to close by saying this continues to be a major concern to my city and to certainly the surrounding area, the people who come in to visit. I would hope that in the near future we could move to find a way to fund this project.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN)....

Mr. GILMAN. Mr. Chairman, thank the gentleman for yielding me time.

Mr. Chairman, I am pleased to rise in strong support of this measure, the Fiscal Year 2002 Transportation Appropriations Act. I commend the gentleman from Kentucky (Mr. ROGERS), the subcommittee’s distinguished chairman, for his diligence and hard work in crafting this legislation, which appropriates over $59 billion in budgetary resources to meet our Nation’s transportation needs, including almost $20 million for the New York State and my Congressional district.

I am gratified to note that over $6 million has been earmarked for improving Stewart International Airport. This important legislation, which will provide funding for the construction of a new, long-needed air traffic control tower.

In addition, funds are going to be allocated to the Stewart Airport Connector Study, which will improve surface access to the airport. Moreover, I welcome Chairman ROGERS’ support for Stewart by his recognition of its potential as a priority alternative regional airport for the New York metropolitan region.

Earlier today, I was pleased to host a meeting with Chuck Seliga, Managing Director of Stewart International, and with officials from the Federal Aviation Administration to review the future of Stewart Airport and how our efforts to alleviate congestion at LaGuardia should include Stewart Airport.

Stewart International has the infrastructure location and capability to be a viable alternative for the New York metropolitan region, and I fully support efforts to promote this underutilized airport. I commend the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, for his efforts in crafting this vital legislation.

Accordingly, I urge my colleagues to fully support this important appropriations bill.

Mr. ANDREWS. Mr. Chairman, I would like to engage the gentleman from Kentucky (Mr. ROGERS), the subcommittee chairman, in a colloquy.

Mr. Chairman, I would like to request that a study be conducted on pier safety in navigable waters. Currently, no Federal regulations exist requiring safety standards for piers. This deeply concerns me because there have been a great number of fatal pier accidents that could have been prevented if Federal safety standards were in place.

One such fatal accident took place on May 18, 2000, when a 140-foot portion of Pier 34 on the Delaware River in Philadelphia collapsed, killing three stewards of mine. This accident could have been avoided if Federal pier safety standards had existed.

I believe that Congress can take an active role in preventing these tragic accidents from occurring by creating safety standards for piers in navigable waters. Therefore, I respectfully ask for the chairman to support my efforts by urging the conferences to include language in the final transportation appropriations bill that calls for a study to be conducted on pier safety.

Mr. Chairman, I thank the gentleman for yielding.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, while I have not examined this particular issue in detail, I can assure the gentleman that we will seriously consider his request.

Mr. ANDREWS. Mr. Chairman, I thank the subcommittee chairman and the staff.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF), the very able immediate past chairman of this subcommittee and now the chairman of the Subcommittee on Commerce, Justice, and the Judiciary.

Mr. WOLF. Mr. Chairman, I thank the gentleman for yielding me this time.

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

Mr. WOLF. Mr. Chairman, I rise in strong support of the bill.

I thank the gentleman from Kentucky (Chairman ROGERS) for his efforts to promote this underutilized airport. I commend the gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee on Commerce, Justice, and the Judiciary, for his efforts in crafting this vital legislation.

Accordingly, I urge my colleagues to fully support this important appropriations bill.
be careful on this truck issue. Five thousand people a year die in the United States from trucks. If you go out on a truck inspection of American trucks, you will be fearful when you go out on the road sometimes.

Mexico has no hours of service. None. Mexico has no drug testing. None. Mexico has no alcohol testing. None. Mexico has no commercial driver's license. None. Mexico has no truck inspection. None. Mexico uses leaded gasoline and not unleaded gasoline.

Frankly, the administration has not thought this thing through, and we do not have the Office of Motor Carriers yet on the job.

Now, I know the gentleman from Kentucky (Mr. ROGERS) said we will watch this carefully and I appreciate that. But this is an important issue. I tell the administration, you better handle this right, because if this is not handled right, people will die. So this is an important issue, and I appreciate the chairman's commitment to making sure that those regulations are good. I think the Congress ought to be very careful in administering motor carriers especially so, to listen to what the gentleman from Minnesota (Mr. SABO) was trying to say.

The truck safety issue is one that I advocated as the chairman of the House transportation appropriations subcommittee over the past six years. I sat in hearings and heard testimony about the widespread safety problems involving trucks from Mexico, including testimony from the inspector general at the U.S. Department of Transportation. That office issued a December 1998 audit report which "concluded that neither the Office of Motor Carriers nor the border states, with the exception of California, are taking sufficient actions to ensure that trucks entering the United States from Mexico meet U.S. safety standards." A copy of the report is enclosed.

I understand the requirements under NAFTA permitting cross-border trucking services. Nevertheless, the U.S. needs to ensure that trucks coming across our borders and traveling on United States highways meet U.S. safety standards. Already more than 5,000 people die every year on our roads in accidents involving heavy trucks. That number could skyrocket if unsafe trucks from Mexico are allowed on our highways. According to the December 1998 IG report, barely 1 percent of trucks from Mexico crossing the border were inspected. Of those, nearly half were placed out of service because of safety violations. The Department of Transportation should establish a consistent enforcement program that provides reasonable assurance of the safety of trucks from Mexico entering the United States.

In addition, I am concerned that no drug and alcohol testing program exists for truck drivers from Mexico. Mexico also has no hours of service regulations. This means that a truck driver from Mexico could have been driving for 24 hours straight before even entering the United States. Furthermore, no database exists between Mexico and the United States. We need to exchange information on past violations of drivers from Mexico.

The United States and Mexico must establish, test, and implement a comprehensive truck safety program at our borders. It is unacceptable to have unsafe trucks from anywhere on U.S. highways. These trucks could be traveling on I-81 through the Shenandoah Valley in the heart of my congressional district, or on I-5 in California, or on the streets of the nation's capital. We have an obligation to protect our families, our friends and our neighbors who use the nation's highway system every hour of every day.

I urge the Bush Administration to take every precaution necessary to ensure that no lives are lost because of unsafe trucks on our highways. I have spent considerable time on this issue over the past six years and believe it deserves your close attention.

I urge the Bush Administration to take every precaution necessary to ensure that no lives are lost because of unsafe trucks on our highways. I have spent considerable time on this issue over the past six years and believe it deserves your close attention.

Mr. HINCHHEY. Mr. Chairman, I want to express my appreciation to the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, for putting together a very excellent bill to help us deal with the transportation needs of our country over the course of the upcoming fiscal year.

In particular, I want to thank him for his attention to our air traffic needs and particularly to the subject of air traffic safety and the need to relieve air traffic congestion in many places around the country.

The airport at the LaGuardia field in New York City is principal among them. The chairman has recognized that it is possible to relieve air traffic congestion at LaGuardia and other metropolitan airports by providing an alternative venue at Stewart International Airport, which is located just 60 miles north of Manhattan.

I also want to express my appreciation to the chairman for his recognition and allowing of report language in the bill which instructs the Federal Aviation Administration to pay attention to Stewart Airport as it addresses the need to relieve congestion at LaGuardia and other airports in the metropolitan region. We have placed language, report language, in the bill which stipulates that this should occur and that the FAA and the Federal Department of Transportation in addressing these needs also pay attention to the need to provide surface transportation between Newburgh where Stewart Airport is located and the metropolitan area of New York City. That is how this is going to be used in that way, and I thank the gentleman very much for his assistance in achieving these objectives.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GEKAS) for the purpose of a colloquy.

Mr. GEKAS. Mr. Chairman, I thank the gentleman for yielding me this time.

The current bill contains a provision in which the result is a reallocation of certain funds that were appropriated for what is called Corridor One in central Pennsylvania, a very vital item in the revitalization of mass transit in that area of the state. We have placed language in the report language in that bill which stipulates that we can reallocate that money. I urge the chairman, and I will yield to him for a colloquy on this. I would ask him to work with us, staff to staff, and Member to Member, so that we can try to refashion the appropriation and restore what has been reallocated.
Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. GEKAS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I appreciate the concerns of the gentleman from Kentucky. I would be pleased to work with him as the transportation bill moves along this year, and I assure the gentleman of that.

Mr. GEKAS. Mr. Chairman, I thank the gentleman.

Mr. PASTOR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman for yielding me this time.

I would ask if he, on behalf of the gentleman from Minnesota (Mr. SABO) and the distinguished chairman, as well as the gentleman from New Jersey (Mr. ROTHMAN), would join in a colloquy.

Mr. Chairman, I would like to thank the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, and the gentleman from Minnesota (Mr. SABO), the ranking Democrat on the committee, as well as the gentleman from New Jersey (Mr. ROTHMAN), for addressing the needs of New Jersey this year. We have received generous consideration with regard to important projects such as the Hudson-Bergen Light Rail, and I deeply appreciate that consideration.

There is, however, one particular project that would greatly benefit my district and the region which did not receive funding. I am referring to the ferry terminal and pier project located in the heart of Jersey City's growing Colgate redevelopment zone. This $10 million project was recently submitted for funding, but was not included in the subcommittee's mark; and I was wondering if the gentleman could comment on that.

Mr. PASTOR. Mr. Chairman, I yield to the gentleman from Arizona.

Mr. PASTOR. Mr. Chairman, I understand that the subcommittee's decision was without prejudice to the merits of the Jersey City project.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman is correct.

Mr. ROTHMAN. Mr. Chairman, I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield to the gentleman from New Jersey.

Mr. ROTHMAN. Mr. Chairman, I too wish to express my gratitude to the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, and to the gentleman from Arizona (Mr. PASTOR) on behalf of the ranking Democrat from Minnesota (Mr. SABO), for the cooperation and generosity of the committee for its help on a wide range of transportation priorities in New Jersey that are included in this bill.

I understand the funding constraints under which the committee is working. I would also, however, like to point out that this new ferry hub project would provide significant improvement in transportation solutions for the tri-state area. New York, New Jersey and Connecticut, as well as in particular for Jersey City. It would connect the New York and New Jersey financial districts with a 5-minute ferry ride, transport up to 30,000 passengers, provide relief to the now congested PATH and Holland Tunnel interstate traffic.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank all of my colleagues for bringing the Jersey City project to our attention. I will be glad to work with my colleagues and other project sponsors as we move the transportation bill through the process this year.

Mr. MENENDEZ. Mr. Chairman, I thank the chairman for his consideration.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I applaud the gentleman from Kentucky (Mr. ROGERS) and the committee for taking action to fight the growing gridlock that plagues northern Illinois.

For the first time in 70 years, our country is building a new commuter rail line, Metra's North Central line; and once complete, this line will pull thousands of cars off of our crowded highways and will help us meet our obligations under the Clean Air Act.

The bill also contains funding for a traffic control center in Libertyville, Illinois, the Pace Suburban Bus System that reduces traffic pressure for the reverse commuters and for runaway construction at Palwaukee Airport that will rebuild a crumbling runway that is crucial to relieving congestion at nearby O'Hare.

I want to thank the gentleman from Minnesota (Mr. SABO) and the gentleman from Kentucky (Mr. ROGERS) for their commitment to the quality of life and environment of northern Illinois.

Mr. Chairman, I urge strong support for this bill.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), one of our colleagues on the Committee on Appropriations and an old friend.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I applaud the efforts of the chairman and the ranking member on this bill.

I rise to speak on behalf of a provision which will help the Anacostia waterfront become a vibrant community of residents and commerce, a project that will make Poplar Point a recreation destination, and to make South Capitol Street the center of a vital community and an appropriate gateway entrance into this capital city.

Last year, the gentlewoman from the District of Columbia (Ms. NORTON), Mayor Williams, and a host of Federal and local agencies and all of my colleagues from the Washington metropolitan area and the past several years have been working with the gentlewoman from the District of Columbia (Ms. NORTON). Mayor Williams, and a host of Federal and local agencies and all of my colleagues from the Washington metropolitan area to address the need for the Federal Government's next step can be. The next step must be addressing the terrible state of the South Capitol Street entrance to the District of Columbia's future. I therefore rise in strong support of the initiative in the Transportation Department to examine how to rework South Capitol Street. The transportation study will examine ways to create better infrastructure that will link the waterfront community to the existing Capitol Hill community.

Once completed, this study is certain, certain to help community residents, Federal and District officials, and entrepreneurs to combine their skills and energy to realize the Anacostia's full potential.

We in Congress, Mr. Chairman, have a duty, a duty to this great city. By supporting the South Capitol Street traffic pattern study, we will be giving our Nation's capital a critical planning tool to make a smart, balanced development decision in the next few years. We will also be sending a powerful signal to District residents and entrepreneurs that we care about Washington, D.C.'s future.

I am very pleased to support this bill and the initiative. I think it is an initiative that all of us will look back on a decade, 2 decades from now and say, this was a substantial step, not just for the capital city, but for America as well.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA) for the purposes of a colloquy.

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to thank the gentleman from Kentucky (Mr. ROGERS) for giving me the opportunity to discuss an issue that is vital not just to New York, but indeed the entire country.

As the gentleman knows, the dynamics of the Regional Airspace Redesign recently brought this issue to our attention. The FAA is currently undertaking the New York-New Jersey-Philadelphia Airspace Redesign project, which is expected to take 5 years to complete.
According to the FAA, the purpose of the New York-New Jersey Airspace Redesign project is to “increase the efficiency of air traffic flows into and out of the metropolitan area, including Philadelphia, while maintaining or improving the level of safety and air traffic services that are currently in place.”

In accordance with the Federal law, the FAA must conduct an environmental review before implementing any new flight plans. A concern that I have is the environmental impacts of departure delays. Anybody on the runway of any of the major airports knows what I mean, particularly, for example, in Newark airport, where it is not uncommon to sit on the runway for 45 minutes or hour, an hour, 15 minutes in the morning.

It is something that I feel deserves more consideration while conducting the redesign. By increasing efficiency, not only will delays be reduced, but the environments of surrounding communities will see a significant reduction in air pollution. Airports are significant sources of ground-level volatile organic compounds and nitrogen oxides. In our Nation’s largest and busiest airports, these idling planes can create as much, if not more, ground-level pollution as many of their large industrial neighbors.

According to a July 2000 report by Department of Transportation Office of Inspector General, at the 28 largest U.S. airports, the number of flights with taxi-out times of 1 hour or more increased 130 percent over the past 5 years, with nearly 85 percent of all delay times occurring on the ground. In addition, it was reported that the departure delays were significantly underreported, so the full environmental effects of idling planes is not known.

The area included in the redesign contains four of the Nation’s 10 most delayed airports. By encouraging the FAA to take the environmental impacts of departure delays into consideration while evaluating new departure paths, this could lead to not only more efficient airports with less delays and happier consumers, but also a cleaner environment; therefore, I respectfully ask that the gentleman include language in the committee report directing the FAA to consider these impacts while conducting its environmental review.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I want to thank the gentleman from Florida (Mr. YOUNG), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for their great work on this bill.

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

Mr. ROGERS of Kentucky.

Mr. Chairman, I submit the following for the RECORD.
### TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299) (Amounts in thousands)

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<tr>
<td>Federal Aviation Administration</td>
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<td>6,866,000</td>
<td>6,870,000</td>
<td>+32,075</td>
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<tr>
<td>Air traffic services</td>
<td>(5,200,274)</td>
<td>(5,447,421)</td>
<td>(5,494,883)</td>
<td>+264,609</td>
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<td>Aviation regulation and certification</td>
<td>(894,979)</td>
<td>(744,744)</td>
<td>(727,870)</td>
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<tr>
<td>Research and acquisition</td>
<td>(199,988)</td>
<td>(196,674)</td>
<td>(195,258)</td>
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<td>Commercial space transportation</td>
<td>(12,003)</td>
<td>(14,176)</td>
<td>(12,254)</td>
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<td>Financial services</td>
<td>(64,046)</td>
<td>(60,682)</td>
<td>(60,230)</td>
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<td>Human resources</td>
<td>(56,846)</td>
<td>(56,416)</td>
<td>(47,635)</td>
<td>+12,771</td>
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<td>Regional coordination</td>
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<td>(60,682)</td>
<td>(84,913)</td>
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<td>Staff offsets</td>
<td>(103,038)</td>
<td>(131,606)</td>
<td>(105,776)</td>
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<td>United States</td>
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<td>(7,718)</td>
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<td>Subtotal</td>
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**NOTE:** FY01 rescissions included in Net total lines.
## TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2002 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
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<td>Facilities &amp; equipment (Airport &amp; Airway Trust Fund)</td>
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<td>2,514,000</td>
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<td>Research, engineering, and development (Airport and Airway Trust Fund)</td>
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<td>Across the board (0.2%) rescission</td>
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<tr>
<td>Grants-In-aid for airports (Airport and Airway Trust Fund):</td>
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<td>(Liquidation of contract authorization)</td>
<td>(3,200,002)</td>
<td>(1,800,000)</td>
<td>(1,400,000)</td>
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<td>(Limitation on obligations)</td>
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<td>Across the board (0.2%) rescission</td>
<td>(-7,042)</td>
<td>+(7,042)</td>
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<td>Rescission of contract authorization</td>
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<td>-301,000</td>
<td>+278,000</td>
<td>+30,000</td>
</tr>
<tr>
<td>Net subtotal</td>
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<td>(Limitations on obligations)</td>
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<td>(3,300,000)</td>
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<td>Total budgetary resources</td>
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<td>(13,287,781)</td>
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<td>(-7,042)</td>
<td>+(7,042)</td>
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<tr>
<td>ATB rescissions</td>
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<td>+20,657</td>
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<td>Rescission</td>
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<td>-301,000</td>
<td>+278,000</td>
<td>+30,000</td>
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<tr>
<td>Net total</td>
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<td>Federal Highway Administration</td>
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<td>Limitation on administrative expenses</td>
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<td>(317,663)</td>
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<td>Federal-aid highways (Highway Trust Fund):</td>
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<tr>
<td>(Limitation on obligations)</td>
<td>(255,119)</td>
<td>(317,663)</td>
<td>(1,167)</td>
<td>(-1,167)</td>
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<tr>
<td>Across the board (0.2%) rescission</td>
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<td>Revenue aligned budget authority (RABA)</td>
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<td>(4,341,700)</td>
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<tr>
<td>Innovative transportation solutions program (RABA)</td>
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<tr>
<td>Alternative transportation grant program (RABA)</td>
<td>(100,000)</td>
<td>+(100,000)</td>
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<tr>
<td>Border infrastructure construction program (RABA)</td>
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<td>+(56,300)</td>
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<tr>
<td>Subtotal, RABA</td>
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<td>(4,543,000)</td>
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<td>Across the board (0.2%) rescission</td>
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<tr>
<td>ATB transfer to FMCSA</td>
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<tr>
<td>Subtotal, limitation on obligations</td>
<td>(25,661,000)</td>
<td>(31,563,157)</td>
<td>(1,904,297)</td>
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<tr>
<td>(Exempt obligations)</td>
<td>(1,099,000)</td>
<td>(955,000)</td>
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<td>(-144,000)</td>
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<td>(Liquidation of contract authorization)</td>
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<td>(30,000,000)</td>
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<td>Across the board (0.2%) rescission</td>
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<td>State infrastructure banks (rescission)</td>
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<td>Contingent emergency</td>
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<td>(Limitations on obligations)</td>
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<td>(31,563,157)</td>
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<tr>
<td>(Exempt obligations)</td>
<td>(1,099,000)</td>
<td>(955,000)</td>
<td>(-144,000)</td>
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<td>(31,450,808)</td>
<td>(32,518,157)</td>
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<tr>
<td>ATB rescissions</td>
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<td>+1,584</td>
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<tr>
<td>Rescission</td>
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<tr>
<td>Net total</td>
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<td>Federal Motor Carrier Safety Administration</td>
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<tr>
<td>Motor carrier safety (limitation on obligations administrative expenses)</td>
<td>(92,194)</td>
<td>(139,007)</td>
<td>(46,807)</td>
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<td>National motor carrier safety program (Highway Trust Fund):</td>
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<td></td>
</tr>
<tr>
<td>(Limitation on obligations)</td>
<td>(177,000)</td>
<td>(204,837)</td>
<td>(27,837)</td>
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<td>(Exempt obligations)</td>
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<td>(182,000)</td>
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<tr>
<td>RABA transfer from FHWA</td>
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<tr>
<td>State commercial driver’s license</td>
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<tr>
<td>Motor carrier safety assistance grants</td>
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<td>Subtotal, RABA</td>
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<td>(204,837)</td>
<td>(27,837)</td>
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</tr>
<tr>
<td>Subtotal, limitation on obligations</td>
<td>(177,000)</td>
<td>(204,837)</td>
<td>(27,837)</td>
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<tr>
<td>Total, Federal Motor Carrier Safety Administration</td>
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<td></td>
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<td></td>
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<tr>
<td>(Limitations on obligations)</td>
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<td>(343,844)</td>
<td>(29,650)</td>
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<tr>
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<td>(343,844)</td>
<td>(29,650)</td>
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<tr>
<td>ATB rescissions</td>
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<td>(29,650)</td>
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June 26, 2001
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<th>Agency</th>
<th>FY 2001 Request</th>
<th>FY 2002 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2001 Enacted</th>
<th>Bill vs. FY 2002 Request</th>
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<tr>
<td><strong>National Highway Traffic Safety Administration</strong></td>
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<tr>
<td>Operations and research</td>
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<td>Safety and operations</td>
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<td>Railroad research and development</td>
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<td>Next generation high-speed rail</td>
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<td>Alaska Railroad Rehabilitation</td>
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<td>521,476</td>
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<td><strong>Federal Transit Administration</strong></td>
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<td>Administrative expenses (Highway Trust Fund, Mass Transit Account)</td>
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<tr>
<td>Subtotal, Administrative expenses</td>
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<td>+1,000</td>
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<td>---------------------------------------------------------------</td>
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<td>(Amounts in thousands)</td>
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<td>FY 2002 Request</td>
<td>Bill</td>
<td>Bill vs. Enacted</td>
<td>Bill vs. Request</td>
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<tr>
<td>State planning</td>
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<td>(11,578)</td>
<td>(1,692)</td>
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<td>National planning and research</td>
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<td>(51,500)</td>
<td>(31,500)</td>
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<td>Subtotal</td>
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<td>(118,000)</td>
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<td>(6,000)</td>
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<td>Across the board (0.22%) rescission</td>
<td>-49</td>
<td>-49</td>
<td>-49</td>
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<td>Trust fund share of expenses (Highway Trust Fund; liquidation of contract authorization)</td>
<td>(5,016,500)</td>
<td>(5,397,900)</td>
<td>(5,397,900)</td>
<td>(1,381,400)</td>
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<tr>
<td>Capital Investment grants</td>
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<td>566,200</td>
<td>566,200</td>
<td>37,200</td>
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<td>Capital Investment grants (Highway Trust Fund; Mass Transit Account) (limitation on obligations)</td>
<td>(2,116,800)</td>
<td>(2,272,800)</td>
<td>(2,272,800)</td>
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<td>Subtotal, Capital investment grants</td>
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<td>Fixed guideway modernization</td>
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<td>(1,136,400)</td>
<td>(1,136,400)</td>
<td>(78,000)</td>
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<tr>
<td>Buses and bus-related facilities</td>
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<td>(598,200)</td>
<td>(598,200)</td>
<td>(78,000)</td>
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<td>(1,136,400)</td>
<td>(1,136,400)</td>
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<td>(10,156,100)</td>
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<td>(350,000)</td>
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<tr>
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<td>25,000</td>
<td>25,000</td>
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<td>(Highway Trust Fund; Mass Transit Account) (limitation on obligations)</td>
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<td>Trust fund share of expenses (limitation on obligations) (ATB rescission)</td>
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<tr>
<td>Subtotal, Job access and reverse commute grants</td>
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<td>(5,016,500)</td>
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<td>83,951</td>
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<td>Office of Inspector General Salaries and expenses</td>
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<td>(By transfer from FTA)</td>
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<td>Surface Transportation Board Salaries and expenses</td>
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## TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299) — Continued
(Amounts in thousands)

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<tr>
<th>Bureau of Transportation Statistics</th>
<th>FY 2001</th>
<th>FY 2002 Request</th>
<th>Bill</th>
<th>Bill vs. Request</th>
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<td>Office of airline information (Airport &amp; Airway Trust Fund)</td>
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<td><strong>General Provisions</strong></td>
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<td>Appalachian development highway system (Sec. 326)</td>
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<td>Amtrak Reform Council (Sec. 325)</td>
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<td>750</td>
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<td>Valley trains and tours (Sec. 376)</td>
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<td>Woodrow Wilson Memorial Bridge (Sec. 379)</td>
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<td>Southeast Light Rail Extension Project (sec. 1105)</td>
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<td>Commercial remote sensing products and spatial information technologies (sec. 1109)</td>
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<td>Rural farm-to-market roads (sec. 1121)</td>
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<td>Buses &amp; bus facilities, A&amp;M-University (sec. 1123)</td>
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<td>785</td>
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<tr>
<td>Contingent emergency</td>
<td>(720,000)</td>
<td>(720,000)</td>
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<tr>
<td>By transfer</td>
<td>(1,000)</td>
<td>(1,000)</td>
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</tr>
<tr>
<td>(Limitations on obligations)</td>
<td>(38,432,000)</td>
<td>(41,007,800)</td>
<td>(2,575,800)</td>
<td>+107,999</td>
</tr>
<tr>
<td>(Rescissions of limitations on obligations)</td>
<td>(1,069,000)</td>
<td>(955,000)</td>
<td>(114,000)</td>
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<tr>
<td>(Exempt obligations)</td>
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<tr>
<td>By transfer</td>
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<td>(1,000)</td>
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<tr>
<td>(Limitations on obligations)</td>
<td>(38,432,000)</td>
<td>(41,007,800)</td>
<td>(2,575,800)</td>
<td>+107,999</td>
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<tr>
<td>(Rescissions of limitations on obligations)</td>
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<td>(955,000)</td>
<td>(114,000)</td>
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<tr>
<td>(Exempt obligations)</td>
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<td>(720,000)</td>
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<tr>
<td>By transfer</td>
<td>(1,000)</td>
<td>(1,000)</td>
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<tr>
<td>(Limitations on obligations)</td>
<td>(38,432,000)</td>
<td>(41,007,800)</td>
<td>(2,575,800)</td>
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<td>(Rescissions of limitations on obligations)</td>
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<td>(955,000)</td>
<td>(114,000)</td>
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<tr>
<td>(Exempt obligations)</td>
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<tr>
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<tr>
<td><strong>Total, mandatory and discretionary</strong></td>
<td>18,485,749</td>
<td>17,116,605</td>
<td>17,118,121</td>
<td>-1,367,628</td>
</tr>
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</table>
Ms. PELOSI. Mr. Chairman, I support the Sabo amendment, which would ensure that Mexican trucking companies undergo safety reviews before their trucks gain access to American highways.

Trucks are a major factor in highway fatalities. Each year, large trucks are involved in fatal crashes in our country, and the United States, crashes involving large trucks killed 5,282 people in 1999. Of these fatalities, 363 occurred in my home state of California. Mexico’s regulations are much weaker than ours. Drivers do not log their hours on the road, restrictions on hours behind the wheel are not enforced, and many drivers under 21, loads that violate safety standards are not taken off the road, and trucks can weigh significantly more than in the U.S.

Of the nearly 4 million trucks that enter the U.S. commercial zones from Mexico annually, the U.S. inspects only 1%. Of that 1%, more than a third are removed from service because they are unsafe. This is a dismal record. We must ensure that trucks from Mexico are safe before they are allowed on every highway in the United States. I urge my colleagues to support the Sabo amendment.

Mr. BEREUER. Mr. Chairman, this Member rises in support of H.R. 2299, the Transportation appropriations bill for fiscal year 2002.

This Member would like to commend the distinguished gentleman from Kentucky (Mr. ROGERS), the Chairman of the Transportation Appropriations Subcommittee, and the distinguished gentleman from Minnesota (Mr. SABO), the ranking member of the Subcommittee for their hard work in bringing this bill to the Floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Transportation Appropriations Subcommittee operated. In light of these constraints, this Member is grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

This Member is particularly pleased that this appropriations bill includes $1,976,000 for Nebraska’s Intelligent Transportation System (ITS). This funding, which was requested by the Department and the distinguished gentleman from Nebraska (Mr. OSBORNE), is to be used to facilitate travel efficiencies and increased safety within the state.

The Nebraska Department of Roads has identified numerous opportunities where ITS could be used to improve the rural and urban transportation. For instance, the proposed Statewide Joint Operations Center would provide a unified information allowing ITS components to share information and function as an intermodal transportation system. Among its many functions, the Joint Operations Center will facilitate rural and statewide maintenance vehicle fleet management, roadway maintenance and roadway maintenance conditions. Overall, the practical effect will be to save lives, time and money.

Mr. Chairman, in conclusion, this member supports H.R. 2299 and urges his colleagues to approve it.

Mr. NADLER. Mr. Chairman, today I rise in support of this bill to provide appropriations for the Department of Transportation for Fiscal Year 2002.

First, I would like to thank Chairman YOUNG, Ranking Member OBEY, Subcommittee Chairman ROGERS, and Ranking Member SABO, for including the LIRR Main Line Tunnel. The FTA/FRA awarded funds in this bill would lead to a comprehensive network of pedestrian, bicycle and transit connections between Long Island City residential and business areas and new parks, retail stores, and cultural institutions.

These innovative improvements will help reduce automobile traffic and improve our neighborhood air quality.

Furthermore, this project will improve the overall social and economic conditions in Queens County. I would also like to thank the Committee for the inclusion of $10 million for the East Side Access Project.

The East Side Access connection will involve constructing a 5,500-foot tunnel from the LIRR Main Line in Sunnyside, Queens to the existing tunnel under the East River at 63rd Street.

A new Passenger Station in Sunnyside Yard, Queens will also be constructed to provide access to the growing Long Island Business District.

The elements of this bill beneficial to my constituency is not limited to ground transportation.

Ms. Representative of LaGuardia Airport in Congress, the issue of congestion in the air and on the ground is a problem that plagues residents in and around the airport on a daily basis.
I am pleased that this bill has included two million dollars for the procurement of air traffic control equipment at LaGuardia Airport. It is my hope that these funds will help alleviate the traffic problems that plague one of the most congested airports in the country.

In this regard, I would like to commend my colleagues in the New York and New Jersey delegation for their work with regard to air-space redesign and the diversion of traffic to Stewart Airport.

The idea of burden sharing of airports in the tri-state is essential to the future of LaGuardia Airport.

Given that LaGuardia is completely saturated, the report initiated by Mr. Hinchey to increase service at Stewart Airport will be a welcome relief for travelers and residents of Queens alike.

This is a reasonable and comprehensive bill that truly addresses the needs of Americans in the 21st century.

Therefore, I strongly urge my colleagues to vote in favor of this bill.

Mr. GREEN, Texas. Mr. Chairman, I rise today in support of this bill. While there are areas that I hope we can improve via amendments that will be offered, it is a good bill that will continue meeting the transportation needs of our constituents.

I would particularly like to praise the Committee for including funding for the Greater Harris County 9–1–1 Emergency Network from the Department of Transportation’s Intelligent Transportation Systems (ITS) program. Harris County, which includes Houston, Texas, is pioneering the practical application of critical data provided by Automatic Collision Notification boxes that are beginning to be installed on late-model automobiles.

By deploying these boxes to 9–1–1 centers and trauma hospitals in Harris and Fort Bend Counties, these locations will be able to receive up-to-date information on automobile accident victims.

This information will enable 9–1–1 operators to direct appropriate levels of resources to accident locations, and will also allow doctors and nurses at hospitals the time and information they need to prepare for incoming accident victims.

The goal of this technology is saving lives, through better distribution of emergency response personnel and a higher level of preparedness for incoming patients by emergency room personnel.

The transmitted data will include the speed of the vehicle at impact; number of times that vehicle may have rolled; the number of occupants in the vehicle; heat generation, which may indicate whether or not the vehicle is on fire; and information of 911 calls.

The lessons we learn in the implementation and testing of this system will serve as a model for other jurisdictions across the United States as they develop and deploy their own lifesaving networks.

Again, I support this bill, and I support the funding for this innovative program that will save lives.

Mr. FRELINGHUYSEN. Mr. Chairman, today I rise in support of H.R. 2299, the fiscal year 2002 Transportation Appropriations bill and I would like to urge my colleagues to do the same.

First, I want to thank Chairman ROGERS and Ranking Member SABO for all their hard work in crafting this bill, and for their assistance in addressing New Jersey’s transportation priorities.

A special thanks to Rich Efford and the Transportation Subcommittee staff for their help.

Mr. Chairman, as we debate this important bill, thousands of my constituents back in New Jersey are struggling right now to battle traffic delays on Interstate 80, in Denville, in the heart of my Congressional District. The west-bound lanes were closed last week after a fiery tractor trailer collision last week damaged the roadway beyond immediate repair.

This is a major commuter route into and out of New York City, and commuters snarled in rush hour traffic this morning learned that extensive repairs to the highway may not be completed until this October. My constituents—these commuters stuck in traffic—know only too well the problems that New Jersey’s mass transportation projects deserve our full commitment.

Because New Jersey is the most densely populated state in the nation, innovative commuter light rail projects such as the Hudson-Bergen Light Rail and Newark-Elizabeth Rail Link are vital to relieving congestion in some of the most densely populated areas of our state.

I am pleased to report that these two commuter rail projects, New Jersey’s top transportation priorities, have received major support and funding in the overall, vitally important budget allocation, which keeps our commitment to the Balanced Budget Agreement of 1997. I also am pleased to note that President Bush recognized the need for these projects and fully funded my budget request in April. I thank the President for his leadership on these top New Jersey priorities.

The Hudson-Bergen Light Rail system will result in a 21-mile, 30 station corridor connecting commuters along the Palisades and Hudson River with vital regional transportation arteries in and out of New York City.

The Newark-Elizabeth Rail Link will be an 8.8 mile light rail system connecting the Newark City Subway with revitalized downtown Newark and Elizabeth. It will provide an important connection between the Newark Broad Street Rail Station and Newark Penn Station, a major commuter hub along Amtrak’s Northeast Corridor, and Newark International.

Our investment in the Hudson-Bergen and Newark-Elizabeth light rail projects will also help our state meet environmental standards as outlined in the Federal Clean Air Act and keep New Jersey on the right track so that we can ensure tomorrow’s economic prosperity and environmental protection.

I am also pleased that this bill will provide a minimum of $8.5 million specifically for the ongoing Federal Aviation Administration’s New Jersey/New York Metropolitan Airspace Redevelopment. For too long, constituents in my district have been suffering from the daily burden of aircraft noise. We have been repeatedly told by the FAA that the only way to alleviate aircraft noise is through the comprehensive redesign of our airspace. That is why continued, dedicated funding for this redesign effort is vitally important, and I thank the subcommittee for its continued commitment to this vital effort.

Again, I want to thank Chairman ROGERS and Ranking Member SABO for all their hard work, and urge my colleagues to support this legislation.

Mr. WELLER. Mr. Chairman, I rise today in strong support of H.R. 2299. Making Appropriations for the Department of Transportation for Fiscal Year 2002. H.R. 2299 is an important bill for Illinois, providing much needed funding for Metra Commuter Rail Service New South Suburban Chicago Third Airport and the East-West Rail Bridge reconstruction. The legislation also directs the Federal Aviation Administration to make a priority of processing the Environmental Impact Statement for the proposed South Suburban Chicago Third Airport and to help Lewis University Airport with much needed expansion.

I would like to focus on the unique needs of Lewis University Airport today. Lewis University Airport is the busiest “single-runway” airport in Illinois with 104,000 annual aircraft landing/takeoffs. Located in Will County, Illinois, it serves as the only corporate airport in Illinois’ fastest growing county. The airport is home to 295 based aircraft and over 35 regular visiting customers. Jet fuel sales—an indicator of corporate aircraft use—have increased from 1,495 gallons sold in 1991 to 200,000 gallons sold in 2000. In less than a decade, jet sales have increased to 136 times the first year’s sales.

The existing 12,000 square yard apron has space for only 10 aircraft. The small size of the apron limits its use to only visiting aircraft arriving at the Airport’s new terminal building. The apron is regularly over-filled with visiting corporate jets. There are no spaces available for based aircraft.

To meet federal airport safety and design standards, the Airport must soon relocate 150 aircraft storage positions that are too close to the runway. The proposed terminal apron expansion will provide space for the relocation of these Airport residents.

The proposed apron addition is part of a multi-phased development program of the Airport. The Runway 1–19 construction program is using innovative construction and land use techniques to save over $9,600,000 in federal airport development dollars. The project received recognition by the FAA with the award of one of the first projects funded under the FAA’s Innovative Development Funding Program.

In addition, Lewis University Airport is by far the closest and most convenient airport to the new Chicagoland Motor Speedway, opening July 2001. This NASCAR Winston Cup race is expected to bring 200 to 300 aircraft to the Joliet/Will County area, providing a serious need to increase the apron capacity of the airport.

Mr. Chairman, the House Transportation Appropriations Bill recognizes the importance of Lewis University Airport and encourages the Federal Aviation Administration to make its expansion a priority. This is good legislation for Illinois and the Nation’s transportation infrastructure. I encourage all of my colleagues to support this bill and vote yes on the rule and final passage.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed.
in the designated place in the Congressional Record. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2299

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY

SALES AND EXPENSES

For necessary expenses of the Office of the Secretary, $57,726,000: Provided, That notwithstanding any other provision of law, therefor, be credited to such appropriation up to $2,500,000 in funds received in user fees: Provided further, That not to exceed $50,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,500,000:

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $5,193,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $123,323,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to any other Act shall be available for pay of administrative services in connection with shipping commissioners in the United States: Provided further, That none of the funds provided in this Act shall be available for expenses incurred for any reason under 46 U.S.C. 1219, except to the extent fees are collected from yacht owners and credited to this appropriation.

AMENDMENTS OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Mr. Chairman, I offer an amendment as follows:

Amendments offered by Mr. LOBIONDO:

Page 4, line 25, after the dollar amount insert: "(increased by $16,198,000)

Page 5, line 1 after the dollar amount insert: "(increased by $5,932,000)

Page 5, line 18, after the dollar amount insert: "(reduced by $16,000,000)"

Page 5, line 20, after the dollar amount insert: "(increased by $1,500,000)"

Page 5, line 23 after the dollar amount insert: "(increased by $16,198,000)"

Page 6, line 1 after the dollar amount insert: "(increased by $19,056,000)"

Page 6, line 2, after the dollar amount insert: "(increased by $38,000,000)"

Page 6, line 5, after the dollar amount insert: "(increased by $38,000,000)"

Mr. LOBIONDO (during the reading). Mr. Chairman, I ask unanimous consent that the amendments en bloc be considered as read and printed in the RECORD.

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

There was no objection.

Mr. LOBIONDO. Mr. Chairman, I reserve a point of order against the amendment.

Mr. LOBIONDO. Mr. Chairman, my amendment provides increased funds for Coast Guard operations and acquisitions in accordance with the levels allocated in the fiscal year 2002 budget resolutions passed by the House and the Senate.

Earlier this year our committee worked with the Committee on the Budget to freeze the function 400 allocations in the fiscal year 2002 budget resolution not only accommodated the TEA–21 and the AIR–21 funding guarantees, but also provided approximately $5.3 billion for the Coast Guard’s appropriated programs. This represents an increase of $250 million over the President’s budget. Unfortunately, the 302(b) allocations approved by the Committee on Appropriations failed to include funds that would address critical Coast Guard needs.

H.R. 1699, the Coast Guard Authorization Act of 2001, passed the House on June 7 by a vote of 411–3. H.R. 1699 conformed to the Coast Guard funding levels in the budget resolution.

The amounts authorized by H.R. 1699 would allow the Coast Guard to correct immediate budget shortfalls. Many of the Coast Guard’s most urgent needs are similar to those experienced by the Department of Defense, including spare parts shortages and personnel training deficits. The funding increase contained in the budget resolution and H.R. 1699 addresses those needs, and also increases the amounts available for Coast Guard drug interdiction.

H.R. 1699 also provides for $328 million for the Coast Guard’s vital Deepwater asset modernization program. I strongly believe that the Integrated Deepwater system is the most economical and effective way for the Coast Guard to provide future generations of Americans with lifesaving services.

Mr. Chairman, I want to take this opportunity to commend the men and women of the Coast Guard for their exceptional services that they provide to our Nation. All Americans benefit from a strong Coast Guard that is equipped to stop drug smugglers, support the country’s defense and respond to national emergencies.

During the fiscal year 2000 and 2001, the Coast Guard has been forced to reduce, let me repeat that, they have been forced to reduce illegal drug interdiction and other law enforcement operations by up to 30 percent. Yes, that is up to 30 percent. Yes, the funding levels are insufficient funds. Without additional operational funding for the fiscal year 2002, the Coast Guard will be forced to cut drug interdiction by 20 percent, including eliminating 5 cutters, 19 aircraft and 520 positions.

Mr. Chairman, without the funding increase provided in my amendment, the Coast Guard’s operating budget during the next fiscal year will again be inadequate to respond to critical missions. The law enforcement emergency concerning migrant interdiction or a surge in drug smuggling would severely degrade other Coast Guard law enforcement activities. None of us want drug smugglers to be given open access to the United States, but that is exactly what could happen if we are not careful with these funding levels.

Should my amendment not be accepted today, I would urge the House and the Senate confer on H.R. 2299 to fund the Coast Guard at a level consistent with the budget resolution and the Coast Guard Authorization Act of 2001. I would respectfully request that the gentleman from Kentucky (Mr.
ROGERS), the gentleman from Florida (Mr. YOUNG) and the gentleman from Alaska (Mr. YOUNG) work toward that end.

I understand the Senate Appropriation Committee’s Transportation 302(b) allocation is about $590 million above the House request. I strongly believe that the U.S. Coast Guard is the best place to allocate a portion of this funding.

Mr. Chairman, I urge the House to support this amendment and allow the Coast Guard to be funded at the levels necessary to respond to the operational emergencies.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on his point of order?

Mr. ROGERS of Kentucky. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state his recognized point of order.

Mr. ROGERS of Kentucky. Mr. Chairman, New we would have liked to have found more money for the Coast Guard, but as it is, we are 6 percent above current spending levels. We are 99 percent of the Coast Guard’s request.

The supplemental that just passed the House and is headed towards the Senate would include another $92 million, and that is available throughout fiscal year 2002. This amendment would throw the bill way above the budget allocations provided to us pursuant to the budget resolution. It simply is beyond our capability.

I appreciate what the gentleman from New Jersey (Mr. LoBIONDO) is trying to do. The gentleman is a great chairman. He is a great spokesman on behalf of the Coast Guard and the other matters that he represents, but this amendment is simply unaffordable. It violates the Budget Act, and we have very little choice.

For that reason, I do make a point of order amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2002 on June 13, 2001. This amendment would throw the bill way above the budget allocations provided to us pursuant to the budget resolution. It simply is beyond our capability.

Mr. Chairman, I ask for a ruling.

The CHAIRMAN. Does the gentleman from New Jersey wish to be heard on the point of order?

Mr. LoBIONDO. No, Mr. Chairman.

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

Mr. DELAHUNT. I do, Mr. Chairman. Mr. Chairman, I have great respect for the gentleman from Kentucky (Mr. ROGERS), but the reality is, is that we all claim we want the Coast Guard to stop the flow of illegal drugs into this country, and to save our depleted fisheries and protect the coastal environment from oil spills, to intercept illegal immigrants, to secure international ports from terrorists, to conduct ice-breaking operations so critical supplies of home heating oil can reach our constituents, and to maintain aids to navigation for commercial and recreational boaters, and, of course, to save lives.

If we want those things, we have to ante up. I understand the difficulties as articulated by the gentleman from Kentucky (Mr. ROGERS), but we have to find a way.

The facts are with inexcusably inadequate resources, the Coast Guard does a heroic job of balancing their multiple responsibilities with heroic professionalism. At the same time budget constraints have been so severe and so chronic that the Coast Guard can barely keep its fleet in the water and its airplanes in the air.

The authorization bill recently passed and championed by the gentleman from New Jersey (Mr. LoBIONDO) responded to those challenges by boosting the Coast Guard’s operating budget for the next year by $6 million, raising the Coast Guard’s allocation by $51 million, and giving the Coast Guard the money it needs to carry out its mission.

The facts are with inadequate resources, the Coast Guard cannot provide the services the American public expects. We cannot afford to do nothing. I strongly believe the allocation is about $690 million above the House allocation. I strongly believe that the U.S. Coast Guard is the best place to allocate a portion of this funding.

Mr. Chair, I move to strike the last word.

Let me just finally remind my colleagues that just recently came reports that the Coast Guard recalled port security forces that were sent overseas to protect U.S. naval units after the destroyer Cole was attacked. Why? Because it can no longer foot the bill. That. Mr. Chairman, is simply disgraceful, and it is unacceptable.

The CHAIRMAN. Is there anyone else who wishes to be heard on the point of order?

The Chair is prepared to rule on the point of order.

The Chair is authoritatively guided under section 312 of the Budget Act by an estimate of the Committee on the Budget that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentleman from New Jersey would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

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

The Clerk will read.

The Clerk reads as follows:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $800,000,000, of which $19,956,000 shall be derived from the Oil Spill Liability Trust Fund; of which $90,990,000 shall be available to acquire, repair, renovate or improve vessels, small boats and aircraft, to remain available until September 30, 2006; $26,000,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2004; $74,173,000 shall be available for other equipment, to remain available until September 30, 2004; $44,396,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2004; $54,831,000 shall be available for personal protective equipment and related costs, to remain available until September 30, 2003; and $300,000,000 for the integrated deepwater systems program, to remain available until June 13, 2003; provided further, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as off-setting collections and made available only for the national distress and response system modernization program, to remain available for obligation until September 30, 2003; provided further, That upon initial submission to the Congress of the fiscal year 2003 President’s budget, the Secretary of Transportation shall transmit to the House Committee on Appropriations that IDS program funding for fiscal years 2003 through 2007 is fully funded in the fiscal year 2003 budget, and the Secretary’s budget for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That none of the funds provided under this heading may be obligated or expended for the Integrated Deepwater Systems Deepwater Deepwater Deepwater Systems Deepwater Systems Deepwater Systems Deepwater Systems Deepwater Systems Deepwater Systems contract until the Secretary of Transportation, or his designee within the Office of the Secretary, and the Director, Office of Management and Budget jointly certify to the House and Senate Committees on Appropriations that IDS program funding for fiscal years 2003 through 2007 is fully funded in the Coast Guard Capital Investment Plan and within the Office of Management and Budget’s budgetary projections for the Coast Guard for those years.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard’s environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $16,927,000, to remain available until expended.

Ms. BROWN of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chair, I rise to support the amendment offered by the gentleman from New Jersey (Mr. LoBIONDO), chair of the Subcommittee on Coast Guard and Maritime Transportation.

The U.S. Coast Guard performs to the same high standards and faces many of the same dangers as our Armed Forces, but does not get funded in the larger Department of Defense budget. Each year they compete for funding with major agencies in the transportation budget, and for the last several years has been forced to either decrease operations or transfer money from maintenance to operations.

Just 2 weeks ago we passed a Coast Guard authorization by 411 to 3 that added $300 million more than this bill provides. Without this additional funding, the Coast Guard will be forced to
reduce operations by 20 percent including deactivating two medium cutters, two TAGOS ships, and 13 Falcon jets. This is not how we should be treating the men and women who risk their lives stopping drug smugglers and illegal immigrants, protecting our ports, and performing search-and-rescue missions.

I urge our colleagues to vote yes on this amendment and support a budget for the United States Coast Guard that meets our Nation’s priorities. The Clerk will read.

The Clerk read as follows:

ALTERATION OF BRIDGES
For necessary expenses for alteration or removal of obstructive bridges, $15,466,000, to remain available until expended.

RETIRED PAY
For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman’s Family Protection Act of 1998, for payment of survivor, retired, and disability benefits, $165,825,000, to remain available until expended.

RESEARCH, ENGINEERING, AND DEVELOPMENT
For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $191,481,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended:

Provided, That none of the funds under this heading shall be used to pay premiums on any insurance policies other than policies provided under the Federal Employees Liability Protection Program from contract authority extended through September 30, 2002.

Facilities and Equipment (Airport and Airway Trust Fund)
For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement of air navigation facilities, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, $484,889,000, to be derived from the Oil Spill Liability Trust Fund: Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation:

FEDERAL AVIATION ADMINISTRATION OPERATIONS
For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including maintenance of aircraft) of and the furnishing of quarters and related accommodations for those related to airport operating certification, and of programs under section 40117; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for implementation of section 203 of Public Law 106-181; and for inspection activities and administration of airport safety programs, including those related to airport operating certification, $1,800,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended.

Provided, That none of the funds under this heading shall be used to pay premiums on any insurance policies other than policies provided under the Federal Employees Liability Protection Program from contract authority extended through September 30, 2002.

POINT OF ORDER
Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found at page 13, beginning on line 24 which begins “for administration of such programs and of programs under section 40117; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for implementation of section 203 of Public Law 106-181; and for inspection activities and administration of airport safety programs, including those related to airport operating certification”.

The language would fund the cost of administering the Airport Improvement Program from contract authority
Mr. ROGERS of Kentucky. Mr. Chairman, I am not in order. I have no objection.

Mr. DEFAZIO. I thank the gentleman.

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

Mr. DEFAZIO. I am happy to yield to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Mr. Chairman, do I understand that the gentleman from Oregon has offset the cost of his amendment with a rescission that equals the cost of his amendment?

Mr. DEFAZIO. Yes, Mr. Chairman, the gentleman is correct.

Mr. SABO. Mr. Chairman, I think the gentleman has a good amendment. Mr. DEFAZIO. Mr. Chairman, I think the gentleman has a good amendment.

Mr. ROGERS of Kentucky. I just want to clarify. I am in agreement with a different number on mine. I want to make sure we all agreed on the same amendment. With that, I thank the chairman, and I thank the ranking member.

The CHAIRMAN. The Chair would note the wrong amendment was designated.

The Clerk will report the correct amendment.

The Clerk reads as follows:

Amendment offered by Mr. DeFazio:
Page 14, line 8, after ($720,000,000) insert ($720,000,000)

Page 14, strike lines 24 and 25 and insert the following:

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $301,720,000 are rescinded.

The amount otherwise provided in this Act for 'OFFICE OF THE SECRETARY—Salaries and Expenses' is hereby increased by $720,000.

Mr. DeFazio (during the reading).

Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DeFazio).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska.

Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. Young of Alaska:
Page 14, after line 25, insert the following:

SMALL COMMUNITY AIR SERVICE DEVELOPMENT PILOT PROGRAM

For necessary expenses to carry out section 41733 of title 49, United States Code, $10,000,000, to remain available until expended.

Mr. Young of Alaska (during the reading).

Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order against the amendment.
The CHAIRMAN. The point of order is reserved.

Mr. YOUNG of Alaska. Mr. Chairman, my amendment restores funding for the Small Community Air Service Development Pilot Program that was stricken by the point of order.

This program will help small communities that do not have adequate, affordable commercial air service attract new service. Without reliable air service, small communities cannot sustain its economic vitality.

The Small Community Air Service Development Pilot program authorized by section 203 of the Aviation Investment Reform Act for the 21st Century, AIR-21, will assist underserved airports obtain jet air service. It will also allow communities to market that service to increase passenger service.

The money provided by this program could also assist a small or mid-sized community by making money available to subsidize air carriers' operations at airports if the Secretary of Transportation determines that the community is not receiving sufficient air carrier service.

Mr. Chairman, this program is important to many small communities throughout the country, and I urge the adoption of the amendment.

Mr. Chairman, I also suggest, although I struck the money, I do support the program. This is an attempt to put the money back in without having tapped the sources that it originated.

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

Mr. YOUNG of Alaska. Yes, I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman. I supported this program as a pilot program in AIR-21 last year. In fact, Chairman Shuster and I worked together to fashion the language. I have long supported service to small communities and to initiatives of this kind.

We all know that deregulation has saved billions of dollars for air travelers, but we also know that, in the process, deregulation has cost communities air service.

What we have now is a phenomenon of the community in my district and elsewhere around the country where people are traveling by car as much as 100 miles to get adequate air service.

With the initiative that we anticipated in this provision, this pilot program, we can both prevent communities from becoming essentially air service towns, where the Federal Government is coming in to support air service with direct dollar payments, and help them to advertise, undertake initiatives locally to encourage air travel from lesser-served communities and boost their air service. Such initiatives have worked in communities in my district to more than double air travel in those towns, saving their air service.

I think that this pilot program in the manner in which the chairman has proposed to fund it ought to be approved and will help increase demand in such markets to create adequate service without direct Federal assistance.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman from Minnesota for his comments. I hope to work with the ranking member and of course the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, to see if we cannot get these monies somehow into this program. It is a good program.

Again, though, I think it should be coming from the general fund and not necessarily from the funds that were set aside for the improvements of these airports.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) is recognized on his point of order.

Mr. ROGERS of Kentucky. Mr. Chairman, we are in an unfortunate situation here. We had monies in the bill, as has been noted, for the small airports, which was stricken on a point of order.

Now the amendment would seek to add monies back in, but we have no monies to add back in. And I ask the committee that we were given does not permit it.

No one is a bigger advocate for smaller airports than I am because that is all I have in my district.

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

Mr. ROGERS of Kentucky. Mr. Chairman, I agree with the gentleman from Alaska (Mr. YOUNG) wish to be recognized.

Mr. Chairman, I thank the gentleman from 21 last year. In fact, Mr. ROGERS of Kentucky (Mr. ROGERS) is recognized on his point of order.

Mr. ROGERS of Kentucky. Mr. Chairman, we were given does not permit it.

Point of Order

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) is recognized on his point of order.

Mr. ROGERS of Kentucky. Mr. Chairman, the point of order is conceded.

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

Mr. ROGERS of Kentucky. Mr. Chairman, I move to take all of the 5 minutes, but I wanted to bring a point of concern to the attention of my colleagues now that we have both the Chair of our appropriations subcommittee and the Chair of our subcommittee.

Every day, in some of the busiest airports in America, hundreds of aircraft, charter planes, private jets, commercial flights, and even helicopters ferrying oil platform workers, disappear from the radar screens of our air traffic controllers. These flights are not victims of any air disaster, but rather the fact that, for a wide area of airspace over the Gulf of Mexico, we have no effective radar coverage.

In this area, the air traffic controller at Houston; Miami; and at Merida, Mexico; who share responsibilities for coverage in the Gulf, can neither see these flights nor communicate directly with the pilots who are flying them. For 3 years, the Federal Aviation Administration, the FAA, has worked with airline representatives, pilots, controllers, and other Federal entities, like the Department of Defense, to complete a Gulf of Mexico strategic plan. This plan sets out a detailed recommendation on how to resolve the Gulf of Mexico airspace issues.

I urge the FAA Administrator Jane Garvey to act quickly and approve the solutions laid out by this working group. These solutions are inexpensive and easy to implement and would have a very real impact on the traffic jam in our skies in the Gulf of Mexico.

It will increase safety in our skies and access to Houston’s Bush Intercontinental Airport, an important travel hub, especially for the growing markets in Central and South America.

Where previously controllers have had to employ oceanic nonradar separation standards, this enhanced coverage will allow better utilization of existing airspace and more effective management of air traffic. This would reduce delays and save airlines and passengers time and money. I would hope the FAA would move forward with this much-needed project.

The CHAIRMAN. The Clerk will read. The Clerk reads as follows:

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration not to exceed $311,837,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration and shall be used in carrying on, together with advances and reimbursements received by the Federal Highway Administration: Provided, That of the funds available under section 106(a)(1)(A) of Title 23 United States Code, $9,911,000 shall be available for Federal Motor Carrier Safety Administration (FMCSA) motor carrier safety enforcement at the United States and Mexico border and $1,000,000 shall be available for FMCSA U.S./Mexico border safety audits.
POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found at page 15, beginning on line 9 and continuing to line 14 which begins "That of the funds available under section 402(a)(1) of the 23, United States Code" and ending on line 14 with the words "border safety audits."

The language is unauthorized earmark of $13,911 million of Federal Highway Administration administrative funds for the Federal Motor Carrier Safety Administration in violation of clause 2 rule XXI of the rules of the House of Representatives.

Mr. ROGERS. No, Mr. Chairman. The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS. We would concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

The Clerk will read the amendment as follows:

LIMITATION ON TRANSPORTATION RESEARCH

Necessary expenses for transportation research of the Federal Highway Administration, not to exceed $447,500,000 shall be made available by this Act to the Federal Highway Administration: Provided, That this limitation shall not apply to any authority received under section 110 of title 23, U.S. Code: Provided further, That this limitation shall not apply to any authority previously made available for obligation.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

Mr. ROGERS. Mr. Chairman, on this amendment I reserve a point of order.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. Jackson-Lee of Texas:

Page 15, line 24, before the period insert the following: "Provided further, That the Secretary shall make available $5,000,000 of the amount made available in this paragraph for the operation of the control center that monitors traffic in Houston, Texas, known as "Houston TranStar"."

The CHAIRMAN. The point of order is reserved on the amendment.

The Chair recognizes the gentlewoman from Texas (Ms. Jackson-Lee) for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I hope that my colleagues will see the necessity and importance of waiving the point of order.

This amendment in particular deals with current events that are happening in Houston, Texas. It is an amendment to earmark $5 million in FHWA traffic research funding for the operation of Houston TranStar, a high-tech transportation traffic control and monitoring center operated by local Houston authorities and the State of Texas. The amendment is intended to enhance the ability of the facility to deal with disaster relief efforts being conducted in the wake of flooding caused by Tropical Storm Allison.

Let me say, Mr. Chairman, that it is unusual for a focus to be placed on a high-tech center that deals with transportation in the context of a tropical storm or a disaster. The impact of not funding the expansion of the transportation emergency center, also known as Houston TranStar, would be undermining Houston’s transportation system. Mr. Chairman, we cannot afford to eliminate additional multimodal transportation management functions requested by the residents of Houston and to limit the transportation emergency management functions to those now existing at the center in inadequate space.

This is not an old unit, the Houston TranStar control center, but it has proven itself to be old in wisdom and usefulness. It was very effective in moderating the congestion in Houston, all over the community, but more importantly, in these last couple of weeks, Houston TranStar that center became the heart of the strategy to help us recover from Tropical Storm Allison. The governor met there, the FEMA director met there, the mayor met there, the judge of Harris County, the sheriff met there, the city manager met there, all support staff, fire department, police department, the health department, all of those individuals were able to gather and design a strategy to help us begin to pull ourselves up.

The establishment and implementation of a temporary command post was a real element of TranStar’s viability. It directed people where not to go because of the flooding in different highways and freeways. The initial action to get the Memorial Medical Center, Southwestern Bell’s main switching station, and the Civic Center garage all were part of Houston TranStar.

The coordination of shelter identification, operation of the Salvation Army and the American Red Cross occurred there. The coordination of rescue efforts in unincorporated portions of Harris County, with the Harris County Sheriff’s liaison and the Harris County Sheriff’s offices. The re-location operation of the 911 system in unincorporated portions of Harris County, and the direction, operation and control functions of the Harris County government were pretty much housed at Houston TranStar. The transfer and coordination of Harris County’s transportation and control functions of the Harris County emergency service, search and recovery unit.

Two times I lifted off in a helicopter, one a Black Hawk, to be able to survey the area and it was from the Houston TranStar, Houston TranStar represents a major element of transportation in Houston and the surrounding areas.

This is a request for $5 million for a center that has proven not only to assist Houston but also the major surrounding counties as well.

These monies come from the pool of monies that are available for this particular usage, and I would ask that my colleagues consider waiving the point of order for this funding source that is basically very necessary to continue the work that we are already doing in counting and expediting the recovery that is going on now in Houston, Texas.

Mr. Chairman, I rise to offer an amendment that would provide $5 million in funding for the Houston TranStar program, which has been so instrumental in the response to Tropical Storm Allison.

The impact of not funding the expansion of the transportation and emergency center—also known as Houston TranStar—would be destructive to Houston’s transportation system. It would undermine safe and efficient transportation management functions requested by the residents of Houston and to limit the transportation and emergency management functions to those now existing at the center in inadequate space.

As we all know, Tropical Storm Allison has already been dropped an unprecedented record amount of rainfall in Houston causing homes and businesses near bayous, freeways and even the world renowned Texas Medical Center to flood. Citizens from all walks of life—rich, poor, African-American, White, Hispanic, Asian, Baptist, Catholic, Muslim, and especially the vulnerable were all impacted by the Tropical Storm Allison. Houston TranStar was one of success stories in helping the relief effort to recover from Tropical Storm Allison. Houston TranStar began operating in 1996 as the only such center of its kind in the nation. It has functioned quietly in the background for many years providing safe and efficient transportation management around the clock in the Houston community. However, during the recent tragedy inflicted by the recent flood, Houston TranStar, the Transportation and Emergency Management center for the greater Houston region played a major role in coordinating the flooded areas, marshelling resources, communicating with the citizens and assisting other local, state and national agencies addressing the devastation that was Tropical Storm Allison.

Much of the success Houston TranStar has and is enjoying can be attributed to in large part to its unique partnership compromised of the City of Houston, Harris County, the State of Texas and METRO. Together, these agencies have combined their agencies and expertise to provide a greater level of immediate services to the residents in entire Houston area.

The fact that Houston TranStar is a valuable resource has never been more evident to me than in the past few weeks. To see one unique center in action is truly a pleasure. It makes you feel positive that people can and are trying to make a difference in people’s lives in a tangible way. For instance, during Tropical Storm Allison and all other weather-related events, Houston TranStar serves as a one-stop-shop for all agencies addressing the demands of the region while ensuring a minimal loss of life and or harm to property.

CONGRESSIONAL RECORD—HOUSE

H3571

June 26, 2001
Some of the recent efforts to aid and assist Houston have included the establishment and implementation of temporary command posts by the Houston Fire Department to direct rescue efforts and dispatch evacuation and rescue boats that moved more than 10,000 people, the initiation action to get pumping gear to the area, Southwestaierung the Switching Station and the Civic Center Garage, and the coordination of shelter identification and operations with Salvation Army and the American Red Cross.

In addition, Houston TranStar assisted with the coordination of rescue efforts in unincorporated portions of Harris County with the Harris County Sheriff’s Liaison and the Harris County Fire Marshall’s Liaison, the direction and control functions of Harris County Government were housed at Houston TranStar, the logistical support of representatives from FEMA, the Army Corp of Engineers and all agency partner personnel working extended hours, among other valued efforts.

Despite the valiant efforts by TranStar, Tropical Storm Allison cost the Houston community $7.8 billion and damage to the residential and commercial structures has been assessed at more than $4.8 billion. The mere fact that Houston TranStar was able to communicate with its citizens, marshal local, state, and national resources and minimize the impact on the region is a true testament to how effective this unique partnership is for the greater Houston region.

Let us find a way to include the $5 million funding allocation in the bill to maintain these essential funds for the entire Houston. Mr. Chairman, we cannot squander this opportunity to preserve the TranStar program. I urge my colleagues to support the Jackson Lee amendment.

POINT OF ORDER

Mr. ROGERS, Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program, therefore, violates clause 2 of rule XXI, which states in pertinent part, “An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.”

Mr. Chairman, the authorization for this program has not been signed into law. The amendment, therefore, violates clause 2 of rule XXI. I ask for a ruling of the Chair.

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

Ms. JACKSON-LEE of Texas. I certainly would.

Mr. Chairman, I thank the chairman very much and the ranking member. As I noted, this comes from a large pool of funding of the Federal Highway Administration, some $447 million. My point is that because of the emergency nature of this emergency, I am asking that the point of order be waived so that this particular unit can carry forth its emergency efforts in helping Houston recover and remain as an emergency center coordinating all forms of government effectively and helping to continue the recovery process in finding resources dealing with heavy equipment, in hosting the Coast Guard and the Army Corps of Engineers.

Mr. Chairman, we researched the question to determine authorization. It is unclear whether such has been authorized. But in any event, I would ask the chairman of the subcommittee to consider the fact of the ongoing work of Houston TranStar, its importance and its role bringing the city back to its feet, and also its key involvement to the transportation modules in our community and coordinating transportation in a large metropolitan area.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The amendment proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests with the proponent of the amendment.

Finding that this burden has not been carried, the point of order is sustained. The amendment is not in order.

The Clerk read as follows:

FEDERAL-AID HIGHWAYS

LIMITATION ON OBLIGATIONS

HIGHWAY TRUST FUND

None of the funds in this Act shall be available for the implementation or execution of programs or obligations for which there are in excess of $31,716,797,000 for Federal-aid highways and highway safety construction programs for fiscal year 2002.

Exceed $205,896,000, the funds are rescinded.

LIMITATION ON OBLIGATIONS

HIGHWAY TRUST FUND

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $300,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

AMENDMENTS OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Chairman, I offer several amendments, and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. ROGERS:

On page 16, line 12 of the bill, strike “Notwithstanding any other provision of law,”

On page 19, line 12 of the bill, strike “Notwithstanding any other provision of law,”

On page 25, line 4 of the bill, strike “Notwithstanding any other provision of law,”

On page 33, line 3 of the bill, strike “Beginning in fiscal year 2002 and thereafter.”

On page 55, line 18 and all that follows through page 56, line 2.

Mr. ROGERS (closing the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD. The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Without objection, the amendments will be considered en bloc.

There was no objection.

Mr. ROGERS of Kentucky. Mr. Chairman, I shall not take the full 5 minutes time.

This is a manager’s amendment and accommodates the concerns expressed by the Committee on Transportation and Infrastructure by removing in five years the authorization language that has been cleared with the minority as well as the authorizing committee. I believe it is noncontroversial, and I would ask for its adoption.

Mr. SABO. Mr. Chairman, I support the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Kentucky.

The amendments were agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

STATE INFRASTRUCTURE BANKS (RESCISSION)

Of the funds made available for State Infrastructure Banks in Public Law 104-205, $6,000,000 are rescinded.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Motor Carrier Safety

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses for administration of motor carrier safety programs and motor carrier safety research, pursuant to section 106(a)(1)(b) of title 23, United States Code, not to exceed $92,307,000 shall be paid in accordance with law from appropriations made available by this Act and from any available take-down balances to the Federal Motor Carrier Safety Administration together with advances and reimbursements received by the Federal Motor Carrier Safety Administration.

NATIONAL MOTOR CARRIERS SAFETY PROGRAM

LIMITATION ON ADMINISTRATIVE EXPENSES

HIGHWAY TRUST FUND

For payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106, and 31309, $205,896,000, to be derived from the Highway Trust Fund and to remain available until expended.

Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $300,000,000 for “Motor Carrier Safety Grants”, and “Information Systems”.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $122,420,000, of which $90,430,000 shall remain available until September 30, 2004. Provided, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the national standards (treadwear, traction, and temperature resistance) already in effect.
For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for fiscal year 2002 are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000, to be derived from the Highway Trust Fund, and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $13,400,000: Provided, That notwithstanding budget authority shall be available for these purposes: Provided further, That of the funds in this Act available for the execution of contracts under section 5303(a) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation’s Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: Provided further, That not to exceed $2,600,000 for the National transit database shall remain available until expended.

FORMULA GRANTS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $731,400,000, to remain available until expended: Provided, That no more than $3,522,000,000 of budget authority shall be available for these purposes: Provided further, That of the funds provided under this heading, $5,000,000 shall be available for grants for the costs of planning, delivery, and temporary use of transit vehicles for the purpose of planning and construction of temporary transportation facilities for the XIX Winter Olympic and the VIII PanAmerican for the Disabled, to be held in Salt Lake City, Utah: Provided further, That in allocating the funds designated in the preceding proviso, the Secretary shall make grants only to the Utah Department of Transportation: Provided further, That these funds shall not be subject to any local share requirement or limitation on operating assistance under this Act or the Federal Transit Act, as amended: Provided further, That to the extent of $500,000 of the funds made available for section 410 “Alcohol-Impaired Driving Countermeasures Grants” shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $110,461,000, of which $6,159,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $27,375,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guarantee continues outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made under funding facilities that are carrying credit risk premium during fiscal year 2002.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 24104(a), $521,476,000, to remain available until expended.

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For necessary expenses of capital improvements of the National Railroad Passenger Corporation as authorized by 49 U.S.C. 24104(a), $21,250,000, to remain available until expended.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $10,800,000: Provided, That notwithstanding budget authority shall be available for these purposes: Provided further, That of the funds in this Act available for the execution of contracts under section 5303(a) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation’s Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: Provided further, That not exceed $1,140,000 for the National transit database shall remain available until expended.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,260,000, to remain available until expended: Provided, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038(a) of the National Urban Transportation Act of 1994, as amended, $115,000,000, to remain available until expended: Provided, That the Federal Transit Administration’s university transportation research account: Provided further, That not exceed $15,000,000 of budget authority shall be available for these purposes.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

HIGHWAY TRUST FUND

For necessary expenses to carry out 49 U.S.C. 3008, 3009, 3017, 3017, 3022, 3031(a), and 3031(b), $430,000,000, to remain available until expended: Provided, That not exceed $17,000,000 of budget authority shall be available for these purposes.
remain available until expended: Provided, That no more than $2,841,000,000 of budget authority shall be available for these purposes: Provided further, That none of the funds made available under this heading shall be available for fixed guideway modernization, $1,136,400,000; there shall be available for the replacement, rehabilitation, and purchase of related equipment and the construction of bus-related facilities, $566,200,000 together with $50,000,000 transferred from “Federal Transit Administration, Capital investment grants project; Miami-Dade busway extension project; Nashua, New Hampshire commuter rail extension project; East Side corridor light rail transit project; Tri-Rail commuter rail upgrades project; bus rapid transit project; stage II light rail transit reconstruction project; for the Portland, Oregon, Interstate MAX light rail transit extension project; $5,600,000 for the Puget Sound, Washington, RTA Sounder commuter rail project; $14,000,000 for the Raleigh, North Carolina, Triangle transit project; $336,810 for the Sacramento, light rail transit project; $15,000,000 for the Salt Lake City, Utah, to University light rail transit project; $756,796 for the Salt Lake City, Utah, South light rail transit project; $65,000,000 for the San Diego Mission Valley East, California, light rail transit extension project; $2,000,000 for the San Diego, California, Mid Coast corridor project; $86,600,000 for the San Francisco, California, BART extension to the airport project; $13,336 for the San Jose Tasman West, California, light rail transit project; $40,000,000 for the San Juan, Puerto Rico, Tren Urbano light rail transit project; $31,088,422 for the St. Louis, Missouri, MetroLink St. Clair extension project; $6,000,000 for the Stamford, Connecticut, urban transitway project; and $1,000,000 for the Washington County, Oregon, Wilsonville to Beaverton commuter rail project.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found on page 26, beginning on line 9 and continuing to line 10 which begins “Notwithstanding section 3037l(3) of Public Law 105–178, as amended,” and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

JOB ACCESS AND REVERSE COMMUTE GRANTS

Notwithstanding section 3037l(3) of Public Law 105–178, as amended, for necessary expenses to carry out section 3037 of the Federal Transit Act of 1996, $25,000,000, to remain available until expended: Provided, That no more than $125,000,000 of budget authority shall be available for these purposes: Provided further, That up to $250,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the job access and reverse commute grants program.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Chairman, I make a point of order against the language found on page 31, beginning on line 9 and continuing to line 10 which begins “Notwithstanding section 3037l(3) of Public Law 105–178, as amended,” and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation’s budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $13,428,000, to be drawn on from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.
For expenses necessary to conduct the functions of the Research and Special Programs Administration, 
$36,487,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $2,170,000 shall remain available until September 30, 2004. Provided, That the $38,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsets are received in the fiscal year during fiscal year 2002, to result in a final appropriation from the general fund estimated not at more than $17,613,000.

ARCHEOLOGICAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Archaeological and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,046,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 5109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); and $66,400,000, of which no more than $14,300,000 shall be made available for official reception and representation expenses.

Mr. ROGERS of Kentucky (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 38, line 22, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill from the Gentleman from Alaska?

Mr. YOUNG of Alaska. Mr. Chairman, I have a point of order on page 38, line 23.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

S310. (a) For fiscal year 2002, the Secretary of Transportation shall—

(1) distribute from the obligation limitation for Federal-aid Highways as authorized by law (except for administrative expenses and programs funded from the administrative take-down authorized by section 104(a)(1)(A) of title 23, United States Code, for the highway use tax evasion program for amounts provided under section 110 of title 23, United States Code, and for the Bureau of Transportation Statistics);

(2) distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the previous fiscal year for the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highwys and highway safety programs for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for title 23, United States Code, equal to the amount referred to in subsection (b)(8) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate of amounts distributed under paragraphs (1) and (2) of section 117 of title 23, United States Code (relating to high priority projects program), section 201 of the Appalachian Regional Development Act of 1965, and the Woodrow Wilson Memorial Bridge Authority Act of 1995, and $2,000,000,000 for such
fiscal year under section 105 of title 23, United States Code (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities described in paragraph (3) above) and under sections 125 of title 23, United States Code, and ending on page 44, line 2.

Theobald: I have the order of business?

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. The point of order is conceded.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order.

Mr. ROGERS of Kentucky. The point of order is conceded.

The Clerk will read.

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against all of section 310 beginning on page 38, line 23, and ending on page 41, line 2.

This language explicitly directs the Secretary of the Department of Transportation to alter the TEA-21 distribution of funds contrary to existing law. It directs the redistribution of $455,300,000 pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities, or to improve existing vessels and facilities, for the acquisition and modernization of airport and terminal equipment, which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport development program or airport improvement program grant. Provided, That, the Federal Aviation Administration shall accept such equipment, which shall be transferred to and administered under the most recent appropriation heading for any such equipment.

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against all of section 310 beginning on page 38, line 23, and ending on page 41, line 2.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. The point of order is conceded.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order.

The Clerk will read.

The Clerk reads as follows:

S. 264. Amendments to the Federal Aid Highway Act of 1968—Transportation Research, Technology, and Development Program. Section 101 allows the Secretary of Transportation to carry out programs for surface transportation research and development projects. Funds made available under this Act may be used to compensate in excess of 335 technical and professional employees for training or research and development efforts for fiscal years 2002.


S. 266. Amendments to the Federal Aid Highway Act of 1968—Transportation Research, Technology, and Development Program. Section 101 allows the Secretary of Transportation to carry out programs for surface transportation research and development projects. Funds made available under this Act may be used to compensate in excess of 335 technical and professional employees for training or research and development efforts for fiscal years 2002.
The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. ANDREWS. Mr. Chairman, reserving the right to object, I have an amendment that comes in at page 52 and I wonder what effect that will have on the gentleman. Am I not intended to object other than to preserve the right to offer my amendment.

The CHAIRMAN. The Chair understands the request is to advance the reading to page 50 line 21.

Mr. ANDREWS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I have a point of order beginning on line 22.

The CHAIRMAN. Before the Clerk reads into that section, are there any amendments to the portion of the bill now general?

The Clerk will read.

The Clerk read as follows:

SEC. 323. Notwithstanding any other provision of law, the $23,896,000 provided under section 10c of title 23, U.S.C., for the motor carrier safety grants program, the Secretary of Transportation may reserve up to $18,000,000 for grants to the States of Arizona, California, New Mexico, and Texas, to hire State motor carrier safety inspectors at the United States/Mexico border: Provided, That, such funding is only available to the extent the States submit requests for such funding to the Secretary and the Secretary evaluates such requests based on established criteria: Provided further, That on March 1, 2002, the Secretary shall distribute to the States any undistributed amounts in excess of $18,000,000 for grants to the States of Arizona, California, New Mexico, and Texas, to hire State motor carrier safety inspectors at the United States/Mexico border: Provided, That, such funding is only available to the extent the States submit requests for such funding to the Secretary and the Secretary evaluates such requests based on established criteria: Provided further, That on March 1, 2002, the Secretary shall distribute to the States any undistributed amounts consistent with section 110 of title 23, U.S.C., for the motor carrier safety grants program.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against all of section 323 beginning on page 50, line 22, and ending on page 51, line 15.

This language authorizes the Secretary of Transportation to reserve up to $18 million of Federal Motor Carrier Safety Administration, RABA, for four States, Arizona, California, New Mexico and Texas, for the purpose of hiring motor carrier safety inspectors at the U.S.-Mexican border. This explicitly waives existing law in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, I ask unanimous consent that the remainder of the time be considered as read, printed in the RECORD and open to amendment at any point.

The Clerk read as follows:

Mr. ANDREWS. 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. ANDREWS.

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

Amendment No. 1 offered by Mr. ANDREWS: In section 326 (relating to Amtrak Reform Council), after the dollar amount, insert the following "reduced by $335,000."

Mr. ANDREWS. Mr. Chairman, the purpose of this amendment is twofold. It is to strongly support the continued operation of Amtrak as a national passenger railroad system, and it is to save the taxpayers of our country $335,000.

This amendment strikes the amount of $335,000 from the amount appropriated for the operations of the so-called Amtrak Reform Council. I believe there are two good arguments for this. The first is that the remaining funds for the Amtrak Reform Council, which is $450,000, are more than sufficient for the council to carry on its work. When the council was first created in 1997, it was projected by the Congressional Budget Office that its annual cost of operation would be approximately $500,000. This amendment would bring the cost of operating the council back to that general level.

The second reason for this is that the Amtrak Reform Council, in my judgment, has been less about reform and more about criticism of Amtrak. The place where Amtrak's future should be decided, with all due respect, is in the authorizing committee and on the floor where Amtrak's future should be determined.
of this House and we can have a good debate about the future of the railroad. I do not believe that ceding our judgment to an unelected body of people, many of whom have expressed strong prejudices against the operation of Amtrak, is a reasonable balance. It permits the work of the Amtrak Reform Council to go on, despite the fact that many of us disagree with that work, while at the same time requiring the council to rely on the good offices already existing in the Department of Transportation, not expanding spending to outside consultants and other expenditures, which I believe the taxpayers should not be burdened with.

The amount of the cut is $335,000. I would point out that I believe this is an amendment which supports Amtrak. In turn, it is supported by the transportation trades department of the AFL-CIO speaking for the men and women who are Amtrak employees.

Mr. Chairman, I will urge the adoption of the amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, we accept this amendment. It would reduce funding for the Amtrak Reform Council by $335,000. This action would be consistent with the levels of funding provided by the House for the Amtrak Reform Council for the past 2 years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

SEC. 327. None of the funds in this Act may be used to make a grant unless the Secretary of Transportation certifies to the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or funding agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 328. Section 232 of H.R. 3425 of the 106th Congress, as enacted by section 1000(a)(6) of the Consolidated Appropriations Act, 2000 is repealed.

SEC. 329. None of the funds in this Act shall be available for planning, design, or construction of a light rail system in Houston, Texas.

Amendment No. 3 offered by Ms. JACKSON-LEE of Texas.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. JACKSON-LEE of Texas.

Page 33, lines 15 through 17, strike section 329.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

Mr. Chairman, I am an eternal optimist. I believe that transportation is such a vital part of the quality of life of Americans and Houstonians and Texans, that I offer this amendment and hope my colleagues can work collaboratively with me to ultimately strike this language that removes the opportunity for planning and design and construction of light rail in Houston, Texas.

I say that because I was on the floor just previously talking about Houston TranStar which is a collaboration between city and local officials helping us move and moderate our traffic. Every major city, Houston now being known as the third largest city in the Nation, has traffic congestion. Polling in Houston suggests that not only the city of Houston, but small cities surrounding Houston are favorable toward this whole idea of light rail.

Mr. Chairman, I am hoping that I will be able to work with my colleagues, including the gentleman from Kentucky, to offer a strong amendment in the Houston TranStar, I hope we will be able to work together on securing that authorization and funding for TranStar.

Mr. Chairman, I offer this amendment and hope my colleagues can work collaboratively with me to ultimately strike this language that removes the opportunity for planning and design and construction of light rail in Houston, Texas.

At the same time, I am hoping that we can strike this language or work collaboratively so that the City of Houston can fulfill the commitment it has made to its citizens and the citizens can have the commitment made to them by the City of Houston and the county judge and the metropolitan transit authority to have light rail in our community.

Conventional wisdom also suggests that the light rail project would be immensely useful to complement the Main Street connectivity which continues to enrich the lives of countless Houstonians. Another traffic center is the Texas Medical Center, one of the largest employers in our region. We have also heard of the devastation facing the Texas Medical Center. One of the contributing factors as they recover and also as they continue to grow is the ability to move those medical professionals, nurses, technicians, doctors and students into one of the most important medical centers in our country. They need light rail.

I believe that we can do this together. Working with the administration of President George Bush; working with both Houses, the Senate and the House; working with our appropriations committee; and authorization committee. Never have we seen in the history of Houston the convergence of so many supporters, business community, local and regional communities, local cities that surround Houston, Houston and Harris County, all the local officials in large part. I cannot imagine why light rail is not in the destiny of Houston, Texas. Our sister city has it. What are we asking for as we go and do focus groups is the ability to be able to secure from our citizens the design of light rail. All have been eager to participate. In fact, in my 18th Congressional District of Texas as we go and do focus groups is the ability to be able to answer many questions prospectively, today and in the future. I would ask that my colleagues support this amendment. If we cannot have this amendment moved to a vote, I would certainly like to strike a collaborative chord with the members of the appropriations committee and the authorization committee so that we can work together to have light rail in the city of Houston.

Last year, I joined my colleagues on the House floor to protest the lack of funding for the critical light rail project that is so important for Houston. I do not see why we should deprive the City of Houston of the light rail system. This is something that the Mayor of the City of Houston, the County Judge, the Metropolitan Transit Authority in Houston, residents and countless other interested have expressed a strong desire to see come to fruition. We need federal funding for light rail in the 18th Congressional District of Texas as we revitalize the transportation system for the 21st century.

Conventional wisdom also suggests that the light rail project would be an immensely useful complement to the Main Street Connectivity, which continues to enrich the lives of countless Houstonians.

I have been supportive of light rail project for some years. From the outset of the planning stages of the project, it became clear to me that commuters in Houston needed to expand their options in making their days more efficient and enjoyable. The light rail project offered a formidable transportation solution that Houstonians had long awaited. It is my firm belief that light rail will significantly touch all parts of our community.

Earlier in March of this year, I was delighted to announce that a 7.5 mile METRORail line in Houston. Many individuals worked hard to make that happen. We must face the fact that the light rail project is of urgent need. Light rail will help alleviate traffic congestion problem and, among other things, significantly reduce the number of motorists that presently pollute the air with exhaust.

Like all Houstonians, I believe that nothing is more important than mobility for the region’s future. For these reasons, I am part of our federal team dedicated to increasing funding for our infrastructure needs in the Houston area. Mr. Chairman, we all have the common goal
of making transportation more easily accessible in the Houston area. The goal of accessibility and faster modes of transportation will inherently lead to an improved environment and a better quality of life for all Houstonians. We can do so much together when we make a commitment to work together.

Lastly, let me say that I recognize that I will continue to work with the Administration and Congress to bring Federal assistance to the light rail project in Houston. I look forward to working with METRO and city officials to draft legislation that ensures that the plan is competitively bid and we come to an agreement with the city. I truly want light rail to happen and meets the requirement, then this Congress should give them consideration. The 18th Congressional District of Texas deserves fair treatment regarding these matters. I urge my colleagues to support my amendment today rather than prohibiting funding for the light rail program in Houston.

Mr. BENTSEN. Mr. Chairman, I rise in support of the gentleman's amendment.

The prohibition affects a rail project in the city of Houston, a large portion of which is in the gentleman's district and the other portion which runs into my district. It is one of the main traffic arteries in the city of Houston. The gentleman mentioned the Texas Medical Center, which is the largest medical center in the world, which is located in my district, which has approximately 60 to 70,000 people moving in and out of a very concentrated area every day of the week. This is an important project.

The gentleman also mentioned that this project enjoys the support of the locally elected political establishment of Houston and Harris County. The Houston Metro board is a metropolitan organization made up of appointees by the elected leadership. So it does have an indirect connection to the voters in that the directly elected officials appoint the members of this board and those members are approved by the elected members of the county commissioners court and the elected members of the Houston city council.

Finally, I would say there are some who have said that this should not go forward because there has been no direct election by the people. But the county attorney of Harris County and the attorney general of the State of Texas have ruled that there is no statute in Texas law that would grant the right for such an election. So that is sort of the basis of this. And where we stand now of this specific prohibition affecting the City of Houston, the City of Houston is the only metropolitan area, the only municipal area in the United States of which I am aware where the United States Congress has specifically banned the use of Federal funds for rail.

It comes down not to a question of whether you support rail or not. It comes down to where you stand on whether or not we are going to allow locally elected officials to make the decision or whether we are going to allow Washington to make the decisions. Unfortunately this provision in the bill has wrestled the locally elected officials, both Republicans and Democrats and independents and nonpartisan candidates, that they cannot make the decision.

I hope that the House will adopt the gentleman's amendment and allow the elected officials, the locally elected officials of the City of Houston, of Harris County, to decide what they want to do with their share of the Federal funding just in the same way that locally elected officials throughout the United States have been able to do so under this very bill without this prohibition that only affects one jurisdiction in the United States.

Mr. CULBERSON. Mr. Chairman, I move to strike the amendment. As a representative from the city of Houston and as a former member of the Texas House of Representatives, I can say that Texas law already provides for a mechanism for the people of Houston to have their voice heard. If the metropolitan transit authority in Houston chooses to issue debt, there is a requirement that they have an election. Having just gone through a very extensive election campaign in Houston, I can tell Members firsthand the voters of Houston want an opportunity to speak on this issue; and I know we would all welcome a chance to debate it in the public arena in Houston.

The people of Houston have the right to have their voices heard particularly because of the extraordinary cost of any rail proposal. The numbers that we have seen indicate that it could cost up to $300 million plus to build a rail system in Houston. I can tell Members that the highest transportation priority in Harris County in the opinion of the entire legislative delegation to Austin, I know with the support of many of my colleagues here, is the expansion of the Katy Freeway. The Katy Freeway still needs another $500 million to complete its expansion. That $300 million minimum that is proposed to finish out the cost to build a rail system in Houston would virtually finish the Katy Freeway project. $300 million would build 50 miles of freeway.

We in the city of Houston have a very different type of geography. The way the city has grown is different from other cities. Our city was laid out on a salt grass prairie and those wide open spaces have enabled us to grow very rapidly in many directions. Seventy-six percent of the jobs in our city are outside Loop 610, and the city of Houston is just simply not well situated for a rail plan.

All of these factors together, the fact that the rail plan would absorb so many transportation dollars, move so few riders, have to be subsidized so very heavily, and the fact law al ready provides a mechanism for a vote lead me to the conclusion that it is entirely proper, in fact essential, that there be a vote in Houston before money is spent on rail. Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding. I appreciate his recounting the needs in the Houston and surrounding areas. I support the gentleman in helping to improve the Katy Freeway, I-10 West, which goes through a number of our districts, including mine. I think that important; and, as I note, there is money in the bill for the Katy Freeway. I think it is only fair. It is important to note that Metro has committed to an election. They are now in the process of doing focus groups. If you will, and preparing the information for the next extension thereof or putting in the rail, that they would be more than happy to put that plan forward.

The gentleman may well know that the county attorney ruled that they could not have an election on this particular seven-mile run because it was not funded by Metro.

Mr. CULBERSON. If I could reclaim my time and in response say that the Metro has indicated they are willing to have an election, but we have not seen the election occur yet. Metro moved forward very rapidly to build this rail plan from downtown Houston out to the Astrodome without asking for voter approval. They could have asked for a referendum, a simple referendum had they chosen to but did not. There are also other mechanisms to allow for a vote and they chose not to do so.

The cost of the rail plan coupled with the immense amount of subsidy that is going to be required, when you compare the cost of rail systems in other cities, the cost per rider to taxpayers is about $3,000 a year, the subsidized cost per taxpayer in Los Angeles for each ride is $3,000 or 9,000 tax dollars a year and in Dallas about $4,000. The geography, the growth patterns, the work patterns in the city of Houston are such that I am not sure that we could support it. In fact every town hall meeting I have held and where I have asked questions on this issue to my constituents, the overwhelming response of my constituents is that almost all of them need their cars in order to get to work.

The unique nature of our city, because of where the job centers, the economic centers of Houston are spread out around the metropolitan area, the bottom line is there must be
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Mr. DeLAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I oppose this amendment because the Houston Metro bureaucracy is not resolved primary shortcoming. They have not assembled the facts and they have not placed those facts before our community in Houston. Without the facts, how can Houstonians make an informed decision about light rail? The answer is they cannot, and I am not going to tolerate an end run around accountability.

Without a referendum on rail, Houstonians would be blindly committing billions of dollars to a vast project without public input. This is the time that we have a county judge, a time that we have a number of mayors surrounding the community, and that is mobility. The decision to make a multi-billion-dollar transportation commitment must be made without the consent of the whole community. That is why I took action last year to suspend the diversion of Federal funds approved for transportation improvements from being used to fund light rail. And it is why I am asking my colleagues to continue supporting this restriction.

My constituents expect me to safeguard their tax dollars, not flit them away on an unproven concept. A light rail system is far from the most effective way for Houston to reduce congestion. In fact, Houston Metro has even admitted that the Main Street line does nothing to reduce congestion and is not even a transportation project. They have retrofitted it to call it an economic development project.

The decision to build a light rail system would affect everyone in Houston. Supporters must document the ability of a rail system to reduce congestion and increase mobility. And they must take that case to the citizens of Houston to earn their support for a citywide light rail system. The people of Houston and the Houston metroplex deserve to be heard on this question and a referendum gives them that voice. But the consent of the whole community cannot make an informed choice without all the facts and Houston Metro is not giving them the information that they need.

The method used to build the Main Street line gave every appearance of an attempt to evade accountability. Metro is moving forward with a piecemeal construction plan much like they did in Dallas, Texas, and they are moving that piecemeal construction plan without explaining light rail's broader mobility. The sponsors of light rail must come forward with a plan that the greater community can agree upon.

I trust the people of Houston. They can make the right choice if they have all the facts. Metro needs to prepare a comprehensive mobility plan that takes all of our needs into account. It should document all the challenges that contribute to congestion in the Houston region. It should describe all of the different options to reduce congestion. And it should immediately and completely suspend the existing full funding grant agreement. Only then will people be able to make an informed decision about light rail.

An additional problem with the Main Street line is that it simply is not a mobility project. The Main Street line is an environmental project. We have a mobility crisis in Houston. We must spend the available transportation dollars on measures that actually target and reduce congestion.

In the last 2 years running, we have added over 500,000 new trips to our transportation system; and yet we are only able to come up with enough money, about $300 million, to add more capacity to our mobility plan. And guess what this little 7-mile economic development plan costs? $300 million. We could do a lot more for that $300 million in improving the mobility of Houston.

So contrary to what some people may think, the pool of Federal transportation dollars is not infinite. Spending billions on light rail will severely restrict the funds for highway improvements and other mobility improvements. Houston cannot afford to gamble on an unproven light rail system. So I ask Members to oppose this amendment and demand accountability in transportation spending.

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

Mr. Chairman, the amendment strikes a prohibition in this bill that was also carried in last year's bill, which prohibits the planning, design and construction of light rail in Houston. This prohibition is necessary as proponents of light rail in Houston seek to alter an existing full funding grant agreement for a bus program. Congress has fully funded that $300 million grant agreement.

The last Federal payment was made this year. However, implementation of the work is still going on. Some in Houston would like to forego elements of the approved Houston regional bus plan in order to approve an amendment that prohibits the existing full funding grant agreement and instead replace these elements with light rail. The sponsors would defer the planned bus elements into the future. The committee cannot support the impact of this amendment. Under current law, funds provided for the existing full funding grant agreement are only for those regional bus plans outlined in the existing agreement. The Committee on Appropriations, authorizing committees, and the Congress in the 106th Congress must approve an amendment of this nature.

As we have heard here today, there is dissension among the community about this project. Members within the Houston delegation are on both sides of the issue, some supporting light rail, others opposing it in favor of buses. So until agreement can be reached, Mr. Chairman, at least locally, and some in Washington, we are not going to approve this amendment. It is premature to shift this funding away from a completed full funding grant agreement; it is too early for that to take place.

Houston has a state-of-the-art transit program, largely bus-driven. The light rail project is just one component of this larger transit program. Keeping this provision in place in our bill will not adversely impact the overall transportation system in Houston, particularly as the community has local funds that it could use to build this light rail project.

Mr. Chairman, I strongly oppose this amendment.

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

Mr. Chairman, I yield to my friend, the gentleman from Texas (Mr. JACKSON-LEE), Mr. JACKSON-LEE of Texas, Mr. Chairman, I thank the ranking member, the gentleman from Minnesota (Mr. SABO), for yielding.

Mr. Chairman, I appreciate the collegiate spirit on which we are debating this issue on the floor. For me, however, this is an intense issue that impacts an inner-city district.

It is interesting, as I look through the funding and I see Chicago, Illinois, and Baltimore, Maryland; Philadelphia, Pennsylvania; Washington; Chicago; Raleigh, North Carolina, and others that are engaged in securing transit dollars and in particular many other light rail projects.

Can I say, what is wrong with Houston, Texas?

I appreciate the opposition, but I am certainly disturbed that I can rise to the floor of the House and support the expansion which is in this bill, and time after time after time I cannot get colleagues that would join us in recognizing the importance of light rail. I give credit where credit is due, and I appreciate that we have been able to work together in a bipartisan way. This is not personal, but it certainly begs the question about some of the representations that have been made.

First of all, Metro is seeking out the involvement of the consensus occurs local number of mayors surrounding the area that want light rail and have expressed it verbally and have expressed it openly and publicly. This is the first time that we have a county judge, a Republican, and the Mayor of the City of Houston that joined together around light rail. We are seeking to earn the support of Houstonians. We would not do to overlook their input.
The only reason that we did not have an election is because the county attorney, a Republican, said that we could not have an election because we were not offering funding from Metro in the 7-mile experimental light rail system that is place now, in accordance with the amendment offered by the gentle- man from Kentucky (Mr. ROGERS) will be able to work with my col- leagues in the Florida delegation and help us identify and secure funding for this project. I want to thank the gentleman from Texas, the fourth largest city in the country, for his intention to work with us on this project. It is most im- portant to the people of Florida.

Mr. ROGERS of Kentucky. Mr. Chair- man, I move that the Committee do now rise.

The motion was agreed to.

Mr. ROGERS of Kentucky. Mr. Chair- man, I am distressed that we on the floor, this Congress, would deny Houston, Texas, the fourth largest city in the nation, along with this long line of other cities, the opportunity to design and construct its plan with the input of the larger body of citizens in our area. We have tried over and over again. I am going to come back here, if I am re- elected, every single year and beg this House to engage in the real light rail because we appalled that Houston, Texas, would be isolated and segregated against the rest of the people that are getting light rail.

The CHAIRMAN. The question is on the amendment offered by the gentle- woman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

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

Mr. Chairman, I will be brief. I rise to engage the chairman of the committee in a colloquy regarding the Florida high speed rail project.

Mr. Chairman, last November 7, the voters of Florida passed a State refer- endum for the construction of a statewide high speed rail system, and that provision is now a part of our State constitution. Unfortunately, the legislature did not pass the enabling legislation in time for the subcommit- tee’s funding deadline, which was April 6. In Florida Senate passed the High Speed Rail Authority Act on May 2 and the Florida house on May 3. Our Florida Governor signed this mea- sure into law just a few weeks ago, on June 1.

The State of Florida has now taken action to authorize and commit $4.5 million in State funds for high speed rail, and we respectfully ask the sub- committees to support a strong assistance and consider this in the future.

Mr. Chairman, I hope that the gentle- man from Kentucky (Mr. ROGERS) will be able to work with my col- leagues in the Florida delegation and help us identify and secure funding for this project. I want to thank the gentleman from Texas, the fourth largest city in the country, for his intention to work with us on this project. It is most im- important to the people of Florida.

Mr. ROGERS of Kentucky. Mr. Chair- man, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. EMERSON) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee had under consideration the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

Mr. YOUNG of Florida asked and was given permission to address the House. I yield to the gentlemen from Wisconsin.

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, will the gentlemen yield?

Mr. YOUNG of Florida. The gen- tleman is correct. It is our intention if, in fact, we are able to take up the agri- culture appropriations bill that we will do the best we can to complete it Thursday night; but we will not go into, as has been referred to so many times, the midnight to try to finish it. We would try to finish it at an early time. We will not go into 2:00 or 3:00 or 4:00 in the morning.
The gentleman is correct, the majority leader has agreed that there would be no session on Friday; that we could complete the agriculture bill, if necessary, when we return.

Mr. OBEY. If the gentleman will yield further, it is also my understanding, frankly, that there will be not all that extended a discussion tomorrow evening, and it would certainly be our understanding we would be finished well in time for that to occur.

Mr. YOUNG of Florida. Madam Speaker, reclaiming my time, the gentleman is correct. We do not anticipate a lengthy debate on the energy and water bill, which the gentleman from Alabama (Mr. CALLAHAN) will file here very shortly. In the full committee it was handled expeditiously, and I believe the same thing would happen on the floor tomorrow. But, understand, the Committee on Appropriations has two markups in the morning, so we cannot go to this bill on the floor until those two markups are completed.

Mr. OBEY. Madam Speaker, if the gentleman will yield further, I thank the gentleman. I think that the Members will appreciate the information.

REPORT ON H.R. 2311, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

Mr. CALLAHAN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107–112) on the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to clause 1 of rule XXII, all points of order are reserved on the bill.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to House Resolution 178 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. 2299.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the bill was open for amendment to page 53 line 12, through page 53 line 17.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the last word to engage the chairman of the Committee on Appropriations Subcommittee on Transportation in a colloquy.

Mr. Chairman, I note that the subcommittee’s recommendation for the New Starts program does not include any funding for the Second Avenue Subway in New York City. This is an important transportation investment planned in the metropolitan area, and it is vitally necessary to ensure fluid transit in an already over-congested metropolitan area. The project received $3 million for continued analysis and design in fiscal year 2001.

I understand that the subcommittee’s recommendation provides funding only for those projects that have full funding grant agreements in place, are likely to have full funding grant agreements in place in the very near future, or are in final design. While the Second Avenue Subway does not meet this criterion, I believe that the analysis and design continue on this important project. The MTA assures me that the project will be in preliminary design by the end of fiscal year 2001.

The State and the MTA have made a major commitment for the project and have included $1.05 billion in the MTA’s capital budget.

I ask the chairman that if the Senate were to include an appropriation for the Second Avenue Subway in its fiscal year 2002 Department of Transportation and Related Agencies Appropriations bill, that the subcommittee will accommodate to the greatest extent possible to ensure that Federal funding for this project is extended in fiscal year 2002.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I appreciate the gentlewoman’s commitment to this project, and her observations about the criteria the subcommittee used in developing its recommendations are accurate. The subcommittee had an enormous number of new light rail transit systems that we simply could not accommodate. We did not have the money. Unfortunately, we had to say “sorry” quite a bit this year.

I can assure the gentlewoman that should the Senate include funding for the subway in its version of the bill, that we will give it every consideration.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 331. None of the funds made available in this Act may be used for engineering work related to an additional runway at New Orleans International Airport. Sze. S331. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

AMENDMENT OFFERED BY MR. OLVER

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

The Clerk read as follows:

Amendment offered by Mr. OLVER: Page 54, line 7, insert before the period at the end the following: “, except that this limitation does not apply to activities related to the Kyoto Protocol that are otherwise authorized by law including those activities authorized by the United Nations Framework Convention on Climate Change with respect to which the Senate gave its advice and consent to ratification in October 1992”.

Mr. OLVER. Mr. Chairman, I rise reluctantly, because this bill is an excellent bill, and I respect very much the work of the chairman of the subcommittee, the gentleman from Kentucky (Mr. ROGERS), as well as my ranking member on the subcommittee, the gentleman from Minnesota (Mr. SABO), but I do take exception to the language of section 331.

The language in section 331 is language which has been included several times over the last few years, at a time when it was legitimately believed by the majority that the President in charge of the executive departments would have conducted the very actions which are prescribed by section 331 in the present legislation.

On the other hand, President Bush has made it clear that he has no intention of implementing the Kyoto Protocol as it has been worked out, and has even used much stronger language, that the Kyoto protocol is “dead.” So, at the very least, the language is unnecessary and shows perhaps a disbelieve in the President’s intentions and the President’s word, which I am sure the majority does not mean to show.

I would like to point out that just slightly more than 1 month ago, that this House adopted in the Foreign Relations Authorization Act, which was passed on May 16, a sense of the Congress section relating to global warming, and that sense of Congress pointed out that global climate change poses a significant threat to national security; that most of the observed warming over the last 50 years is attributable to human activities; that global average surface temperatures have risen since 1861; that in the last 40 years the global average sea level has risen, ocean heat content increased, and snow cover and ice extent have decreased, which threatens to inundate low-lying Pacific Islands and coastal regions throughout the world; and pointed out at that time that the United States has ratified the United Nations framework
on climate change, which framework, ratified in 1992 by the Senate, was proposed for ratification by then President George Herbert Walker Bush to be ratified and was ratified by the Senate and took full effect in 1994, that, quoting from that, "the parties to the convention on climate change are to implement policies with the aim of returning to their 1990 levels of anthropogenic emissions of carbon dioxide and other greenhouse gasses," and, to continue, "that developed country parties should take the lead in combating change and the adverse effects thereof."

So, in that sense, we already have adopted by this Congress the language that I have offered in the amendment, which is a clarifying amendment, the amendment merely saying that the limiting language should not relate, should not apply, to activities that are otherwise authorized by law, nor to those activities that are authorized by the United Nations Framework Convention on Climate Change with respect to which the Senate gave its advice and consent; and we have a full ratification of that treaty, the United Nations Framework Convention.

So my amendment suggests that the activities related to that framework convention as ratified in 1992 are in no way proscribed by the language of section 331. So it is additional language to limit the limitation or to explain that limitation.

By the way, Mr. Chairman, it is my intent at the appropriate time to withdraw this amendment. I just wanted to bring it to the attention of the House, that we have a series of activities that we should not be proscribing, that those which are formerly previously authorized by law and those that are part of the already ratified treaty of the United Nations Framework Convention on Climate Change should not be proscribed. So I intend to withdraw the amendment at the appropriate time.

Mr. GILCHREST. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I would hope that as we move through the appropriations process, that those of us who have a different opinion about climate change, for whatever reason, and continue to put language in the appropriations bills that, however you want to describe it, ties agencies' hands to discuss climate change with respect to which the Senate gave its advice and consent, but something that the United States wants to do. I would hope that Members can sit down at a breakfast, at a dinner, those of us who have different opinions on this issue, and discuss that issue, so that we can come to a more friendly agreement on how to proceed and assume and accumulate more knowledge on this issue and understand each other's positions and why.

Mr. Chairman, this country has not prospered because of the accumulation of knowledge and wisdom and information and initiative. What I would like to do for the Members present is to just discuss some of the undisputed facts about climate change. One is scientifically sound. Over the last 10,000 years, the planet has warmed 1 degree Fahrenheit every 1,000 years, except in the last 100 years, especially the last 50 years, this country has warmed 1 degree Fahrenheit in less than 100 years. So there is a dramatic shift in the warming that correspond to CO2 and other greenhouse gasses as a result of human activity.

The polar ice caps, in about 50 years, if the present trend continues, will be gone. The North Pole, the polar ice caps, glaciers are receding around the globe. We are releasing into the atmosphere CO2 in decades that took nature millions of years to lock up.

Mr. Chairman, CO2 is a natural greenhouse gas that deals with the heat balance of the planet, and it took millions of years to lock up a lot of this CO2 as a result of dying vegetation and so on. Now, we have been releasing that same amount of CO2 in decades, so it has some impact. There is more CO2 in the atmosphere now than there has been in the last 400,000 years.

Now, just one last fact. Mr. Chairman, CO2 makes up about .035 percent of the atmosphere. That is a tiny fraction of our whole atmosphere. Yet that tiny amount has an extraordinary effect on the heat balance of the planet. We are warming the tiny thin sheen of atmosphere that covers the earth.

Now, any change in that, which is fairly dramatic that we are seeing, will have an effect on the change of the climate. So basically, human activity, because of what we are doing, is having an effect and 85 percent of the international scientists and 16 scientists from the U.S. just took up overview of this situation with an international panel on climate change, and 15 out of the 16 said there is no mistake that human activity is having an effect on the climate.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I love his theory, but one thing I would ask the gentleman. Two years ago I was in New Mexico standing and looking over a huge ice action and the gentleman with me said, you know, think about it, Congressman, 12 million years ago there was 284 feet of ice where you are standing. I never will ask how the ice got there, but it was there, and that has scientifically been proven.

But I will ask the gentleman from Maryland, what melted that ice all the way back to the North Pole when our activity is less than 4,000 years? So I want to ask the gentleman, what melted it all the way back there? It always intrigues me about the idea of how arrogant we are thinking we are the real problem for all of the problems that occur on this earth.

Mr. GILCHREST. Mr. Chairman, I yield to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, the oil that we are going to drill and the gentleman from Maryland is going to help me drill in Alaska if he has any wisdom at all; in fact, when we drill, we do not drill through rock up there; we drill through ferns, tree trunks, elephants, all the way down to the bottom to get to the oil.

Now, if we are to follow the gentleman’s theory and there is not going to be any change and we are the fault of all it, then why did this always occur in the past? We take a great deal upon ourselves saying it is our fault because of this global warming when, in reality, if we look at the past history of this earth, it was warm at one time, it was very, very cold at one time; and that was before mankind had anything to do with it.

So before we jump off the cliff, let us understand one thing: we may not be as important as the gentleman thinks we are.

Mr. GILCHREST. Mr. Chairman, re-claiming my time, if I could just respond to the gentleman, I am going to go off that cliff in a very gentle way. I am not leaping off that cliff; I am looking to see what is at the bottom.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. GILCHREST) has again expired.

(By unanimous consent, Mr. GILCHREST was allowed to proceed for 1 additional minute.)

Mr. GILCHREST. Mr. Chairman, there has been change in the climate ever since we have been a planet and the cycle has run over many millions of years and a quick cycle would be 10,000 years. Human beings have a right to live on the planet and to improve the standard of living as best we can, but we also have a responsibility to understand the nature of our impact on the natural processes so that future generations, which will be our grandchildren and great grandchildren, will not deal with a situation that is more difficult than what we have.

In the last 10,000 years, as a natural consequence of nature, we have warmed about 1 degree centigrade every 1,000 years. But in correspondence to the internal combustion and burning fossil fuels, we have warmed that amount in 100 years. So simple observation, to me, says we ought to take a look at that acceleration of that warming rate.
Mr. OBERSTAR. Mr. Chairman, I move to strike the last word.

Regrettably, I came in the middle of this debate and did not have the advantage of hearing the earlier comments. I did hear the remarks of our committee chairman from Maryland, and those very thoughtful remarks of the gentleman from Maryland.

There is incontrovertible scientific evidence that we are experiencing widespread climate change around the globe. The polar ice cap, the Arctic region, has shrunk by 40 percent, releasing enormous amounts of colder water into the great ocean circulating current, the great hyaline circulating current that starts in the Arctic with a volume equal to the discharge of all of the rivers of the world in a second. Mr. Chairman, 2 million cubic meters per second, moving cold water of the ocean from the Arctic all the way down the Atlantic coast of the United States, of those origins, the ice pack of Antarctica that are increasing the temperature of the oceans by warming of the surface temperature of the Atlantic and the Pacific Oceans. They are causing warming in the atmosphere and more moisture in the atmosphere, more carbon in the atmosphere, and only we can change it, by slowing down the destruction of the tropical forests, increasing sustainable-foreststry in the United States, and reducing our use of carbon. We ought to have that study, and we which noted that science is uncertain. Five minutes is no serious time in which to do it.

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

Mr. Chairman, I want to share with my colleagues a few facts about climate change that have not gotten much press. The main point is uncertainty. There is still a great deal that we do not know or do not well understand about our global climate. For every study that seems to tell us something, there is another that confounds the previous conclusions. Uncertainty is a normal and maybe important part of the scientific process, but it is a part that the media are not comfortable with and so rarely report on. To its credit, The New York Times ran a piece last week entitled, “Both Sides Now: New Way That Clouds May Cool.” Clouds have long been a source of uncertainty in climate studies. Certain gases generated by the burning of fossil fuels, such as aerosols, are widely held to play a role in warming the planet by trapping heat. However, aerosols, also produced from fossil fuels, have been found to contribute to the cooling of the planet by affecting the development of clouds that reflect sunlight, and thus it reflects heat away from the planet.

Now, before we pass legislation meant to curb global warming, we need to understand how human activities affect those and other processes. It seems, and I would suggest, the most important point to take from the recent round of reports is that our climate is a very complex system that we do not understand. As chairman of our Subcommittee on Research of the Committee on Science, we have held several hearings on this subject; and it is almost universally agreed by those testifying before our committee that scientific evidence and knowledge is lacking.

Our best intentions can very easily produce the wrong outcome. Fredrick Seitz, former president of the National Academy of Sciences, did a piece for the Washington Times last week on this very point. Let me quote from that article entitled “Beyond the Clouds of Fright.” Quote: “The science of climate change today does not call for action that sacrifices economies worldwide and even cause worse damage to the environment over time.” He also cautioned that “researchers shouldn’t be pressured by politics or encouraged by publicity to find a particular answer. They should be given the space, the time, the funding and the support to seek and find the truth.”

So in conclusion, I would like to urge my colleagues to resist the temptation to jump on the bandwagon of climate change before we better understand the science and better know the consequences of our actions. I understand the ranking member has a perfecting amendment that might help us, help guide us.

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

Mr. Chairman, modest uncertainty is not an excuse for major inaction. When the captain of the Titanic steamed out and just kept going at the same speed because he was not sure if there was an iceberg there, because he was uncertain if there was an iceberg there, that was a mistake. And this body, with the language in this bill, which now continues to ignore this problem of global climate change, is a major mistake.

I am just going to ask my friends across the aisle to look at two things that happened today within a quarter mile of this building. Number one, The Washington Post, headline this morning: “Penguins in Major Decline. Fifty percent of these stocks are disappearing in the Antarctic.” Why? Because they have had a reduction of ice in the Antarctic, a death of the crill population that penguins rely on and a potential huge collapse in a couple of their populations. It happened today. I am just going to ask people across the aisle to not adopt the attitude of the ostrich and ignore these facts.

Number two, right now, 300 yards from here are two fuel-cell-driven cars, one manufactured by the Ford Company, that run on fuel cells and emit water instead of carbon dioxide in their emissions.

We, and I mean we, have the potential if we get together to emphasize research in these new technologies, we are going to lead the world, instead of the laughingstock of the world, of the country that refuses to be anything but an ostrich on this issue.

Mr. Chairman, I am going to ask someone point that we work together to lead the world. We did not have to wait for the rest of the world to do a clean air bill. We did not have to wait for the
rest of the world to do a clean water bill. We ought to lead the world on global climate change. That is the right approach.

Mr. Chairman, I look forward to the time we can do that on a bipartisan basis.

Mr. OLIVER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. OLIVER. Mr. Chairman, I will be very brief this time. In section 331, it refers to a limitation in the use of funds in this legislation to implement in a broad way, in any kind of way, the Kyoto Protocol, which has never been ratified by the Senate of this Nation, nor by any of the other major signatories to the original Protocol for that matter.

My amendment merely says that the limitation which would remain does not include activities related to the Protocol which are otherwise authorized by law, nor activities that are authorized by the United Nations Framework Convention on Climate Change, which is the treaty that was negotiated back in 1991 and 1992, and sent to the Senate for ratification by former President George Herbert Walker Bush, and was ratified by the Senate and has the full force of law.

Mr. Chairman, it merely removes the limitation from otherwise-authorized-by-law activities in this area. It is my intent to withdraw the amendment.

Before I do withdraw my amendment, I know that we could probably generate a long discussion here, which none of us really want, but I would ask the gentleman from Kentucky (Chairman ROGERS) if the gentleman would be willing to work with the groups that are obviously showing their interest in this and come up with something that might allay these concerns in the conference that will come forward.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I will be happy to consider it as time passes, but I was sort of hoping, can we have some more discussion of this?

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 335. Beginning in fiscal year 2002 and thereafter, the Secretary of Transportation may use up to 1 percent of the amounts made available to carry out 49 U.S.C. 5309 for oversight activities under 49 U.S.C. 5327.

SEC. 336. Amended to obtain services from the Administrator of General Services, and the Administrator is authorized to provide services to Amtrak, under section 5305(b) of title 49, and the Federal Railroad Administration, and the Federal Railroad Administration and the Federal Aviation Administration, and the Federal Aviation Administration and the Administrator, in accordance with guidance issued by the Secretary of Transportation: Provided, That any State that uses funds for such public service messages shall submit to the Secretary a report describing and assessing the effectiveness of those services:

SEC. 337. Notwithstanding section 402 of the Department of Transportation and Related Agencies Appropriations Act, 1982 (49 U.S.C. 10602 et seq.), Mohall Railroad, Inc. may abandon track from milepost 5.25 near Granville, North Dakota, to milepost 35.0 at Sheepfold, North Dakota, and the track so abandoned shall not be counted against the 350-mile limitation contained in that section.

POINT OF ORDER

Mr. OTTER. Mr. Chairman, I make a point of order against all of section 339 beginning on page 15, line 11, and ending on line 13.

The CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order.

The point of order is conceded and sustained under clause 2, rule XXI. The provision is stricken from the bill.

The Clerk will read as follows:

SEC. 340. Item 624 in the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 296), relating to Washington, is amended by adding “construct passenger ferry facility to serve Southworth, Seattle” and inserting “passenger-only ferry to serve Kitsap County-Seattle”.

SEC. 341. Item 1793 in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 296), relating to Washington, is amended by striking “Southworth Seattle ferry” and inserting “passenger-only ferry to serve Kitsap County-Seattle”.

SEC. 342. Item 576 in the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 278) is amended by striking “Bull Shoals Lake Ferry in Taney County” and inserting “construct the Missouri Central for Advanced Highway Safety (MOCAHS)”.

SEC. 343. The transit station operated by the Washington Metropolitan Area Transit Authority located at Ronald Reagan Washington National Airport, and known as the National Airport Station, shall be known as the “Washington National Airport Station”. The Washington Metropolitan Area Transit Authority shall modify the signs at the transit station, and all maps, directories, documents, and other records published by the Authority, to reflect the redesignation.

AMENDMENT NO. 5 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment. The Clerk will read.

The point of order against all of section 339 beginning on page 56, line 16, and ending on page 57, line 7.

The CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order.

The point of order is conceded and sustained under clause 2, rule XXI. The provision is stricken from the bill.

The Clerk read as follows:

SEC. 338. None of the funds in this Act may be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 339. For an airport project that the Administrator of the Federal Aviation Administration authorizes the airport sponsor, including entitlement funds appropriated to the airport sponsor, to use funds from an airport sponsor, including entitlement funds provided under the “Grants-in-Aid for Airports” program, for the FAA to hire additional staff or for the FAA to use other funds, including entitlement funds, to provide that the Administrator is authorized to accept and utilize such funds only for the purpose of facilitating the timely processing, review, and approval of environmental activities associated with such project.

POINT OF ORDER

Mr. OTTER. Mr. Chairman, I make a point of order against all of section 339 beginning on page 56, line 16, and ending on page 57, line 7.

The CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order.

The point of order is conceded and sustained under clause 2, rule XXI. The provision is stricken from the bill.

The Clerk will read as follows:

SEC. 338. None of the funds in this Act may be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 339. For an airport project that the Administrator of the Federal Aviation Administration authorizes the airport sponsor, including entitlement funds appropriated to the airport sponsor, including entitlement funds provided under the “Grants-in-Aid for Airports” program, for the FAA to hire additional staff or for the FAA to use other funds, including entitlement funds, to provide that the Administrator is authorized to accept and utilize such funds only for the purpose of facilitating the timely processing, review, and approval of environmental activities associated with such project.
that occur in the Buy American Act. The language is straightforward.

Mr. Chairman, I yield to the distinguished gentleman from Kentucky (Chairman Rogers), who has produced a fine work product.

Mr. Chairman, the Trafficant amendment is a good one. We accept it.

Mr. TRAFICANT. Mr. Chairman, I yield to the distinguished gentleman from Minnesota (Mr. Sabo), the ranking member.

Mr. SABO. Mr. Chairman, we accept the amendment.

Mr. TRAFICANT. Mr. Chairman, I ask for a vote in the affirmative.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. Trafficant).

The amendment was agreed to.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the last word. (Mrs. Maloney of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I want to thank the Committee on Transportation and Infrastructure for providing $250,000 for the Long Island City Links project and acknowledge the importance of this project and also to express my appreciation.

Mr. Chairman, I include the following list for the RECORD of developments in this growing economy:

- I am tremendously pleased that the House Transportation Appropriations bill includes $250 thousand dollars for the Long Island City Links project, to improve transit connections and pedestrian paths in an area of New York City that is experiencing tremendous economic growth.

These improvements are a vital part of our efforts to make Long Island City not only one of the best places to work in the region, but also a beautiful and livable residential neighborhood.

Long Island City is one of the fastest growing regions in New York City. Here are just a few of the recent developments in this growing economy:

**BUSINESS MOVES TO LIC**

- MetLife brings almost 1,000 jobs to northwest Queens—MetLife recently decided to relocate about 1,000 employees in about six months to the renovated, six-story Bridge Plaza North. This move is expected to attract more businesses to this area by drawing attention to the convenient 15-minute commute to midtown Manhattan. MetLife plans to add another 550 jobs in the city during the 20-year term of its lease.

- The FAA has plans to develop a new Regional Headquarters in the area.

- Construction is already underway for a new FDA laboratory.

- International Firms such as Citicorp and British Airways already have major operations in the borough as well as Chubb who opened a backup facility in the area for Wall Street brokerage and financial firms.

Established Companies in the area, such as Eagle Electric, Continental Bakers, and Schick Technologies, are continually growing and expanding.

Recently welcomed retail chains include Home Depot, Tops Appliance City, Costco, Target, the Discount Store, Barnes & Noble, Marshall’s, Canyon Allan, Staples, Circuit City, and Bed, Bath & Beyond with a CompUSA already being planned for the near future.

With this growth in business and the economy on Long Island City, absolutely vital that we move forward with community enhancements like public parks, transportation enhancements, and quality of life improvements for all residents in the neighborhood.

**AMENDMENT OFFERED BY MR. SCHIFF**

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

The Clerk read as follows:

Amendment offered by Mr. Schiff:

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. 9. None of the funds in this Act may be used for the planning, design, development, or construction of the California State Route 710 freeway extension project in the community of El Sereno, South Pasadena, and Pasadena, California.

Mr. SCHIFF (during the reading). Mr. Chairman, I ask unanimous consent to strike the last word. (Mr. Schiff asked and was given permission to revise and extend his remarks.)

Mr. SCHIFF. Mr. Chairman, this amendment precludes funding for a highway project in my district.

Mr. Chairman, I want to thank the gentleman from Kentucky (Chairman Rogers) and the gentleman from Minnesota (Mr. Sabo) and their staff for help on this amendment.

Mr. Chairman, I urge a yes vote on the amendment. This is based in prior years on a bipartisan voice vote.

Mr. Chairman, I have an amendment at the desk.

For the last 2 years, the Transportation Appropriations bill has included a provision to prohibit the expenditure of Federal funds on the California State Route 710 freeway extension project in Southern California.

My amendment would extend that ban for one additional year.

The 4.5 mile freeway extension would cost more than $1.5 billion—with 80 percent of the cost federally funded.

In lieu of the 710 freeway extension, which would deliver speculative traffic benefits at a cost far too high to the communities I represent, I encourage the support of local surface traffic mitigation measures proposed by experts in the communities of Pasadena, South Pasadena, and El Sereno.

In addition to $10.3 million in state funds I secured from Caltrans for local congestion relief, Congress has set aside $46 million in federal funds for this project that will significantly and expeditiously relieve congestion in the extension corridor in Pasadena, South Pasadena, El Sereno and Alhambra.

I am also pleased to note that the Transportation bill at my request and others, includes more than 7 million in funding for the Los Angeles to Pasadena Blue Line, a light rail project that will bring congestion relief and clean air benefits to the entire region. I urge a yes vote on this amendment, and I thank the Chairman and Ranking Member for their support.

Mr. CHAIRMAN. Is there anyone seeking time on the amendment?

Mr. ROGERS. Mr. Chairman, we accept the amendment.

Mr. SABO. Mr. Chairman, we accept the amendment.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. Schiff).

The amendment was agreed to.

**AMENDMENT OFFERED BY MR. SABO**

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

The Clerk read as follows:

Amendment offered by Mr. Sabo:

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. 10. None of the funds in this Act may be used to process applications by Mexico- domiciled motor carriers for conditional or permanent authority to operate beyond the United States municipalities and commercial zones adjacent to the United States-Mexico border.

Mr. SABO. Mr. Chairman, we had a long discussion on the rule today, and the amendment I had offered I requested be made in order. It was not made in order. It was not made in order. I know of no other way for us to have to offer the amendment in a different form.

This is a very simple amendment. I wish it could be more complicated, but because of the action of the Committee on Rules and the action in the House, I cannot offer a more complicated amendment.

This one simply prohibits funding to process the applications of Mexico- domiciled motor carriers for either conditional or permanent authority to operate throughout the United States beyond the current 20-mile commercial zone.

Let me say that I thought the amendment that we had earlier clearly was NAFTA-compliant. This probably is not, because it is a total prohibition, but I know of no other way for us to deal with this issue on the floor. I think we should deal with it.

Let me review where we are at this point in the Committee. The rule was not made in order, and the rule was not changed, so we have to offer the amendment in a different form.

This is a very simple amendment. I wish it could be more complicated, but because of the action of the Committee on Rules and the action in the House, I cannot offer a more complicated amendment.

This one simply prohibits funding to process the applications of Mexico- domiciled motor carriers for either conditional or permanent authority to operate throughout the United States beyond the current 20-mile commercial zone.

Let me say that I thought the amendment that we had earlier clearly was NAFTA-compliant. This probably is not, because it is a total prohibition, but I know of no other way for us to deal with this issue on the floor. I think we should deal with it.

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the carriers, plus add to our capacity to inspect individual trucks.

The reality is at this point in the bill, most of that money has disappeared, and I have no option to offer an amendment that calls for preinspection. I think the only way we can address this issue in the House, keep it alive for conference, indicate to the administration and to the Senate that we want to make sure that we do the utmost to protect safety, is to adopt a policy which is strong and outright. It gives us the action from a point of strength of dealing with the issue of truck safety for all the trucks that are going to be coming here from Mexico as we move on in this process.

Let me say as it relates to some of the money that was struck, the administration plans to do 18 months review. Let me simply suggest that even if that money had stayed in the bill, particularly the money for building new facilities, probably very little of that would have been spent within the next 18 months, because it will take a significant period of time to build facilities. Clearly that money would not have been spent by January 1 of this year.

Mr. Chairman, I ask for support of this amendment. It is clear. It is straight to the point. It says that we are not going to permit these carriers to operate beyond the existing 20-mile commercial zone.

Mr. Chairman, I fully understand that as this moves through the process, this will need to be revised, but it is the only option we have to deal with this important safety question for the American people.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us understand where we are here. I did not vote for NAFTA, I opposed NAFTA, but it passed. It is now the law of the land. It is the treaty between our neighbors and we have provision in direct violation of a United States treaty with our neighbors.

I am referring to a letter of June 12 from the Secretary of Transportation, who in essence says that this is a clear violation of Mexico’s rights under NAFTA; that it would subject the United States to possible trade sanctions estimated to be valued at over $1 billion annually that this would expose us to.

The majority of my colleagues in this body voted for NAFTA. It passed. NAFTA says we are going to open the borders up to Mexico and to Canada.

This President says January of next year is when we do it. This amendment would prohibit motor carriers from Mexico to enter the United States. Period. You cannot do that. You are in violation of a treaty; in violation of the law; in violation of the majority that passed the treaty through this body.

Now, is it worthwhile to do this type of thing? Look, the Motor Carrier Safety Administration, even as we speak, is taking public comments from anybody who wants to comment, including Members of Congress, about what kind of a procedure we should have to check Mexican carriers before they come into the country. The experts are working on the rule even as we speak. Should we not let them finish their work before we, who are not experts on trucking or safety, tell the experts what they should not do?

Give them a chance. If we do not like what they have come up with this fall, we can change the rule and make it effective. But for goodness sakes, give the experts the chance to do their work. They are making the rule right now. Make comments to the rule-making body, not to the Congress. We can deal with this at a later time.

The administration has a plan. The DOT will be going to Mexico. For those carriers in Mexico who want to run trucks into this country, those carriers will be audited for safety, for their record, for training, for all the things that go into whether or not a safe operation of the truck could be made in the United States by that Mexican carrier.

If they pass that test, they would be given a temporary permit to drive. In the meantime, we will be inspecting the dickens out of the trucks crossing the border.

If at the end of 18 months that carrier has no record problems, all has gone smoothly, then and only then would they be given, not a conditional permit, but a permanent permit. I think it is a responsible approach. There is money in the bill for that approach.

The administration is proceeding. The rulemaking is taking place. Let us not interrupt what they are doing. But please do not vote in this Congress an amendment that would be a direct violation of a treaty of the United States of America. Please reject this amendment.

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

Mr. Chairman, we are being told that this amendment violates NAFTA. That is like the old song that we hear so many times about the person killing both of his parents and then throwing himself on the mercy of the court because he is an orphan.

What the gentleman from Minnesota (Mr. SABO) tried to do is to bring to this House an amendment that will prevent Americans from dying by seeing to it that we have an inspection process and a review process before, not after, dangerous trucks hit the highway.

I want to remind my colleagues NAFTA is a trade agreement. It is not a suicide pact. Let me repeat that: NAFTA is a trade agreement; it is not a suicide pact. We are not required to allow unsafe trucks on American highways in order to satisfy some pencil-happy bureaucrat dealing with NAFTA.

This amendment has no choice but to, for the moment, cut off all Mexican trucks on American highways because the majority party insisted that that was the only option that could be put before this body. So they blocked the efforts that the gentleman from Minnesota (Mr. SABO) tried to bring to this House, and which would have been fully consistent with NAFTA. That effort would have said you cannot have those trucks running over American highways until we have a proper review process in place to make certain ahead of time that safety standards are being met.

If this amendment technically would become a violation of NAFTA, it is because the majority has forced the House into a position where it can consider no amendment except that kind of an amendment.

Everybody on this floor knows, if you want to cut through the bull gravy at the point of the day, you can be fully tweaked in conference so that it is fully consistent with NAFTA and protects the American trucker.

The rationale against this amendment keeps changing. We were told earlier in the day, oh, you have to block the Sabo amendment under House rules because the Sabo amendment was not passed by the full Committee on Appropriations. Many a time, many a time the Committee on Appropriations has chosen not to follow that logic.

We are also told, oh, we do not have to do this. We do not have to protect American motorists this way because we have got all this money in the bill for these new inspectors.

Well, let me remind my colleagues that money is now gone. It was knocked out on a point of order. So the $56 million for infrastructure improvements at the border, the $14 million for added inspections at the border, the $13 million for the State supplements for States around the border, all that money is gone.

Now, our excuse is gone. You have no added protection for American drivers at this point. You know what the problems are. There is no effective oversight. There is no effective oversight on Mexican motor carriers today.

There are no motor carrier hours-of-service regulations in effect in Mexico. There is no way to check the driving history of Mexican motor carrier drivers.

In testimony last year, the Department of Transportation Inspector General said this: “I do not think there is any reasonable person who can say that the border is safe when you have an out-of-service rate for safety reasons in the neighborhood of 40 to 50 percent.”

Now, the majority blocked the Sabo amendment that would have allowed us to deal with this issue the way it needed to be dealt with. Now because they blocked us from offering the right amendment, they are blaming us because the language of this amendment is not pluperfect.
Well, the gentleman from Kentucky (Mr. ROGERS) is a very smart man. He can easily fix it in conference. We have heard this excuse time and time again. Can fix it in conference. Can fix it in conference. Well, this is one time we are going to say no. We have put forward the plan that would be in conference. We have put forward the plan that would fix it in conference. Well, this is one time we are going to say no. We have put forward the plan that would be in conference. We have put forward the plan that would fix it in conference.

But today, we have only one option if we want to protect American motorists.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, the only option we have is to adopt this amendment, because this is the only procedural alternative left to us by a rule that prevented us from offering the amendment that should have been offered before. So don’t blame us for the shortcomings which the majority itself has caused.

I would simply make one other point. We have a choice. We can either insist on having an inspection regimen and a review regimen in place before these trucks are put on the highways, or we can do what the gentleman from Kentucky (Mr. ROGERS) says and wait until they are on the highways and then see what happens.

One difference between the approaches. There are people who will die under the second approach who will not under the first. It is just that simple.

So you have got a very clear choice. If you want to do anything at all to protect the safety of American motorists on the highways on this issue, you will vote for the Sabo amendment; and you will give the committee the opportunity to do what it has done thousands of times before, which is to tweek the language in conference so that it can satisfy the procedural niceties of people in this House who eight times out of 10 run a railroad truck over legitimate procedure.

You hide behind procedure when it suits your purpose, and you trample over legitimate procedure. The only people you might be fooling are not going to be fooled by that.

The gentleman from Wisconsin (Mr. OBEY) said, it is not about the safety of the truck, it is not about the safety of the truck. I say let us stop treating our Mexican neighbors as though they are some kind of people that we should not want to do business with.

This amendment has nothing to do, by the way, with trucks coming from Canada, our other NAFTA partner. Oh no, just the trucks from Mexico somehow are suspect. So I think we should hurry over to the Mexican border and inspect the paperwork as they come across the border, to look at the logs, to look at all these things, to make sure the bonds are there, the licenses are there, the insurance is there, and to do the actual physical inspection of the truck at the border and along the highway.

The gentleman from Wisconsin said people will die. Yes, people have died in my district. Not very long ago there was a truck driver who was using amphetamines had four hours, crashed into a car parked along the side of the road and destroyed all the occupants of an entire family because he was violating rules and the law in the United States. We need to inspect for that. We need to have adequate inspection to make sure it is safe in this country.

The trucks coming across the border are all going to be subject to inspection. So the perception of them that are actually going to be physically inspected is going to be much much higher than currently are inspected traveling on our highways. American trucks traveling on our highways. So the paperwork is not the issue. If all my colleague wants to do is check the paperwork, the paperwork can be checked when the truck is down in Guadalajara, but that does not tell us whether the truck is safe.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. KOLBE) has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. KOLBE was allowed to proceed for 5 additional minutes.)

Mr. KOLBE. Mr. Chairman, let me just say this, and then I really will yield to the gentleman. This really is not about paperwork, in my opinion. It is really about whether or not trucks are going to be allowed to travel on our highways from Mexico.

I say we should treat people equally. In a study, by the way, in California, of trucks coming across the border into that border zone, shows they meet the standards on an equal basis with U.S. trucks. So there is no real difference that is there. So I say we need to treat our neighbors to the south as partners.

Those of us who live along the border understand what this partnership is all about and how important it is economically and politically to the United States. It is really about whether or not trucks are going to be allowed to travel on our highways from Mexico.
States, and I believe that we can make this work. It is clear the Department of Transportation is prepared to do it, the States are prepared to do it, and I would urge that we defeat this amendment.

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

Mr. KOLBE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding, and let me say he is my good friend, but I would like to read something to him and then ask him a question.

The gentleman indicated that he thought that in this case the rules had been used to bring out the true intent of the amendment before this body, implying that the true intent was to have a flat shutoff of Mexican trucks. I flatly dispute that, and I want to read something then ask the gentleman a question.

This is the text of the original Sabo amendment which the majority blocked from consideration in the House today. It reads as follows: “No funding limited in this Act for the review or processing of applications by Mexican motor carriers for conditional authority to operate beyond U.S. municipalities and commercial zones on the U.S.-Mexico border may be obligated unless the Federal Motor Carrier Safety Administration has adopted and implemented as part of its review procedures an amendment that each Mexican motor carrier seeking authority to operate beyond U.S. municipalities and commercial zones on the U.S.-Mexico border undergo a new entrant safety compliance review consistent with the safety fitness evaluation procedures set forth in 49 CFR Part 385 and receive a minimum rating of satisfactory thereunder before being granted such conditional operating authority.”

Now, that language is pretty clear. It does not try to shut off Mexican trucks. It says they cannot operate here until they have met these standards. Does not the language of the original amendment in fact indicate what the intention of the original amendment was?

Mr. KOLBE. Mr. Chairman, reclaiming my time, I appreciate the gentleman asking the question, and I understand what the amendment did and do not dispute that the amendment now as offered, is somewhat different. But I believe that the amendment that was crafted before and as offered has the effect of actually stopping any trucks from coming into the United States. That is the intent of it. I believe, to make sure they do not get into the United States.

So now that amendment not having been made in order under the rules, I would say to my good friend from Wisconsin, I think we are seeing the true intent here. It is interest groups. Look at the people that are supporting this amendment. Look at the people asking for this. It is groups that do not want trucks coming into the United States, period.

Mr. OBEY. Mr. Chairman, if the gentleman will again yield. Let me simply say that the gentleman is forgetting one thing. What the Sabo amendment attempted to do is to say that there would be no Mexican trucks on these roads until the safety requirements were met as outlined in the amendment.

I think it is blatantly ridiculous for anyone to suggest that the intention of a proposal is something other than that which is quite clearly stated in the proposal. It was the majority that blocked us from being able to vote on this proposal.

Mr. KOLBE. Again reclaiming my time, Mr. Chairman, more than 2 years ago, down at the border, I went over the whole procedures with the Arizona Department of Transportation and the U.S. Department of Transportation. Everybody was prepared at that time to begin implementing this. Now there is no question. We are prepared to inspect. We are prepared to look at these trucks. We are prepared to make sure they are safe. We are prepared to make sure they have their license, their insurance, the bonding that is required, and to do the physical inspection of the truck.

As I pointed out, a far greater percentage of them will be inspected than any of the trucks traveling on our highways. That was just acknowledged that there are accidents occurring on our highways because of trucks not properly inspected or, more likely, because the drivers are not following the rules. In fact, there is a very interesting study I just saw the other day that states that 73 percent, I believe was the figure, of all accidents in trucks occur when there is a passenger in the vehicle as opposed to about 23 percent when there is not a passenger. So passengers’ distractions have more to do with it apparently than anything else.

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

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

Mr. SABO. Mr. Chairman, the gentleman talks about who supports this amendment, or my earlier amendment.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has again expired.

Mr. OBEY. Mr. Chairman, it is very plain wrong, the majority dispute that, and I want to read something to him and then ask him a question.

Mr. KOLBE. Mr. Chairman, I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, will the gentleman yield so we can answer that?

Mr. KOLBE. I yield to the gentleman from Wisconsin if I have time here.

Mr. OBEY. Mr. Chairman, it is very simple.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. KOLBE) has again expired.

Mr. OBEY. The record for Canadian carriers shows that their highway safety record is virtually every bit as good as ours. The record with respect to the Mexican drivers in question demonstrates quite the opposite.

Mr. KOLBE. And I would say to the gentleman that fair is fair. If we are going to treat people fairly, we need to treat both sides in exactly the same way. With the kind of inspection regimen we are talking about installing here, we should have the same kinds of inspections for trucks coming from Mexico as we are talking about trucks traveling from Canada. Fair is fair. Treat all sides fairly here. That is all that I am saying that we should do.

Why are we singling out our neighbors to the south? Why are we singling out Mexico to say we do not trust you, we do not think your trucks are safe, we do not think you can comply with NAFTA? I think that is wrong and it sends the wrong signal to our partner, the wrong signal to NAFTA and the rest of the world, that we are going to treat you this way whereas we treat both countries alike.

Mr. KOLBE. Mr. Chairman, I stand in strong opposition to this amendment.

Here we go again, attacking Mexico, singling out Mexico for some reason that I cannot understand. What a farce,
President Bush, the first, in 1990 and again in 1992 lifted the moratorium on Canadian trucks but not on Mexican trucks simply because Canadian trucks met U.S. safety standards and Mexican trucks did not. In fact, as the gentleman from Wisconsin cited a moment ago, the Canadian trucks are lower than that of trucks in the United States. Seventeen percent of Canadian trucks are found to be out of compliance and 36 percent of Mexican trucks. Mexican trucks, therefore, have a 50 percent higher out of service rating than do trucks in the United States, and more than twice as much as Canadians.

Well, my colleagues cannot make a rational argument that this is an anti-Mexico provision that we are offering on the floor. It is simply a safety issue, not a cross-border issue. And what we are arguing with regard to this is a discriminatory attack on the United States. Our trucks. Trucks are going to be in the mode of protecting life and property. And what we have found is a system that virtually does not meet the original Sabo-Ney language.

That is why we want to have an overall review of the Mexican safety system. Canada clearly complies; Mexico does not.

The dispute resolution mechanism, the arbitration panel that reviewed this issue found "it may not be unreasonable for a NAFTA party to conclude that to ensure compliance with its own local standards by service providers from another NAFTA country, it may be necessary to adopt different procedures with respect to such service providers. Thus, to the extent that the inspection and licensing requirements for Mexican trucks and drivers wishing to operate in the United States may not be those in the United States, different methods of ensuring compliance with U.S. regulatory might be justified. In order to justify its own legitimate safety concerns, if the United States decides to impose requirements that differ from those imposed on United States or Canadian carriers, then any such decision must be made in good faith with respect to a legitimate safety concern and implement different requirements that fully conform with all relevant NAFTA provisions."

The Sabo amendment, which would have been offered, had it not been struck, would have met those tests.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. Oberstar) has expired.

(By unanimous consent, Mr. Oberstart was allowed to proceed for 1 additional minute.)

Mr. OBERSTAR. Mr. Chairman, deprived of an opportunity to offer that amendment, we are reduced to this rather stringent approach. As the gentleman from Wisconsin said earlier, it is an issue that can be tapered in conformity and resolved perhaps even to meet the original Sabo-Ney language.

As for the dire warnings that ipso facto this language will put us in violation of NAFTA, there is a dispute resolution mechanism, an arbitration panel that can resolve such issues and has shown its ability to do so. We ought to be in the mode of protecting life and addressing the life issues that are at stake.

Every year trucks kill 5,000 people in the United States. Our trucks. Trucks that are 50 percent less safe coming in from another country should not be allowed in the United States until a regime is in place to screen them out and release them. At San Diego, we find a very good permanent inspection station. That inspection station looks at all of the trucks and issues a permit that is good for 90 days. If any truck tries to enter the United States and does not have a certificate, it is and is inspected. We have found that their out-of-service rate is similar to the trucks in the whole of the United States of America, about 24 percent. Too high in my view, but similar to the rest of the country.

When we went to Laredo, Texas, we found a system that virtually does not exist. There is no permanent inspection station in Texas. I do not believe there is one outside of California. The results are pretty obvious. The gentleman from the Texas Department of Public Safety, Major Clayton, had suggested to us that a truck that is not inspected will be neglected. We were there on Sunday, and we asked what the experience was that day. We were informed that they looked at seven or eight trucks, and took five of those trucks out of service. I asked, What was the problem with those trucks? Were they minor little details like a light that does not work or turn signals or something of that sort?
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He said, No, Congressman, these are brakes that are failing, leaking fuel lines, cracks in the undercarriage, bald tires.

Mr. Chairman, these are the vehicles that are going to be allowed come January if we put on the interior of the United States. This is not against NAFTA. If we want to continue allowing trucks to come into the border States, where they are traveling at presumably a very low mile-per-hour rate, if these trucks are allowed into the interior in the United States to travel anywhere in the United States of America with brakes that are failing, leaking fuel lines, cracks in undercarriage, bald tires, there are going to be major accidents in our country.

Mr. Chairman, what happens to NAFTA then? What will be the outcry in our country if a truck that was not inspected and had these kinds of violations causes a serious accident? I think that will cause a whole lot more harm to NAFTA than our insistence that Mexican trucks be inspected and inspected properly. California has done a pretty good job. They have set a model for us. They have put up the funds and have permanent inspection stations. There are no other permanent inspection stations along the border, and trucks that are unsafe will be entering our country. I strongly support the Sabo amendment.

Mr. SABO. Mr. Chairman, I move to strike the requisite number of words and see if there is any inquiry how many people want to speak on both sides.

The CHAIRMAN. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

Mr. SABO. Mr. Chairman, we have two additional requests for time on our side. And how many on the gentleman’s side?

Mr. ROGERS of Kentucky. Mr. Chairman, Mr. SABO of Minnesota yields?

Mr. SABO. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, we have one additional speaker.

Mr. SABO. Mr. Chairman, I ask unanimous consent that there be 30 minutes of debate, 15 minutes allocated to each side, controlled by the gentleman from Kentucky (Mr. ROGERS) and myself.

The CHAIRMAN. On this amendment and all amendments thereto?

Mr. SABO. Mr. Chairman, that is correct.

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

There was no objection.

Mr. SABO. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, on behalf of my constituents, I thank the gentleman from Minnesota for his amendment.

Mr. Chairman, I represent the southern half of San Diego, California, a district which borders Mexico and which has all of the border crossings for California, at least the great majority. Thirty-five to 40 percent of all truck traffic between Mexico and the United States crosses my district, so I believe we have some sort of experience and expertise with regard to this matter.

The distinguished chairman of the subcommittee suggested that we ought to wait for experts to decide this question. Mr. Chairman, my constituents are experts. My constituents will tell the gentleman what it is like to be in an accident where a Mexican truck whose brakes have failed, an accident where the truck driver did not have adequate insurance; in an accident where the truck driver was a teenager or who had just driven for 20 hours straight. My constituents are the experts on what happens when we do not have adequate inspection for the trucks to enter into the United States.

And it is clear we do not have an adequate inspection system. The gentleman from Arizona (Mr. KOHL) talked yesterday about the States are ready to do this. I do not see any evidence that they are. If they are, why do they not do this? Twelve thousand trucks are crossing every day. We heard from the gentleman from Pennsylvania (Mr. BORSK) talking about the state-of-the-art facility in San Diego where the California Highway Patrol inspects trucks. They are doing this, by the way, with their own funds, no Federal support. There is no Federal support for States to do State inspections, and all States can do what they want. That does not strike me as a way to assure U.S. citizens of truck safety.

But the California Highway Patrol has taken on that responsibility, has paid for it, and does good inspections on the trucks they inspect. We think they inspect roughly 2 percent of the trucks that cross the border, and that inspection only deals with the safety of the chassis itself. Very little inspection is done for the safety of the truck driver. Papers are exchanged, but there is no standard system. There is no way to check those papers.

The driver’s license may be asked for and the logs may be asked for, but there is no uniformity of those papers. There is no check or way to check on the accuracy of that data. The driver’s license may or may not be a legitimate driver’s license. Logs are not required to be kept by Mexican drivers, so we do not know how long the driver has driven. We do not know the safety record of that driver. There is no way to hook up the computer systems between our two nations. And even if there was, the Mexican systems do not yet meet the standards that we would expect in a DMV of any Nation.

So even though the California Highway Patrol is state of the art, it is only inspecting a few percent of trucks, and it can only inspect for a few percent of what we would normally require to be inspected. And we are light years ahead of the other States that border Mexico. There is no such permanent facility in Arizona or Texas or New Mexico, and there are no Federal funds to set up these, and there are no standards by which they ought to operate, and there is no agreement on the kind of inspections that ought to be done in those States.

The gentleman from Pennsylvania (Mr. BORSK) mentioned that the Subcommittee on Highways and Transit of the Committee on Transportation and the Infrastructure with our chairman was at various border crossings along the southern border. We were in Laredo, where there, and in the environs, most of the trucks apparently cross the border. They have not decided what kind of inspections ought to take place. The local border community and its mayor are very adamant about one way of doing it. The Texas Department of Transportation is equally adamant about another way of doing it.

Not only do they not have the money to do it either way, but it is going to be years before they decide how to do it. I do not believe that we can afford an adequate inspection system. We need the Sabo amendment in order to protect our communities.

Mr. Chairman, I stand behind the Sabo amendment and truck safety.

Mr. SABO. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Chairman, I rise in support of the amendment offered by my colleagues earlier that we were not allowed to have an opportunity to dialogue on.

I represent 13 counties in south Texas, two of which are along the Texas-Mexican border and part of the commercial zone already accessible to Mexican trucks. A number of the other counties contain I–35, a principal trade corridor for truck traffic from Mexico. Recognize the importance, the value of expanding trade with Mexico. We need to build upon the trade relationships with Mexico and Canada. I also recognize that the dramatic growth in truck traffic comes with a price. I know from my constituents that that price is often paid on the ground in those counties as we move forward.

The issue is not whether we should have more trade, rather, the challenge is how to protect the public while increasing trade. One should not be pitted against the other. We should just use our common sense. Road maintenance, border infrastructure improvements and border inspection in general have been the responsibility of the counties along the border, some of which are the poorest counties in the Nation. Increased truck traffic without increased inspections is a recipe for disaster.

Creating a special 18-month exemption for Mexican trucks in south Texas and San Antonio is not the appropriate price to pay for the trade that we should be doing business. It is a price we should not be asked to pay, it is a risk that we need not take, if we adopt
a sensible inspection policy and then pay for it. We need to make sure that those trucks are inspected just like any other truck.

Nearly 70 percent of Mexican truck freight traffic enters the United States through the Laredo crossing into Texas. We are now being inspected. Of those inspected, the out-of-service rate is 40 percent, nearly twice the national average for U.S. trucks. We will make the problem worse if we do not insist on inspections for Mexican trucks.

We must insist that Mexican trucks and companies meet the same safety and inspection requirements as U.S. trucks. We are not asking for anything special. We want to make sure that they also be able to go through the same process. We are not anti-competitive, and we are not anti-Mexican. What we want to make sure is that those trucks get treated in the same way. They should be inspected in the same manner.

All we are asking is that Mexican carriers be subject to on-site inspections prior to being granted operating authority and permitted to travel throughout the United States. Why should we have to wait 38 months for that? When it comes to public safety, should we not be more sure? Mexico, which has no standard apparatus in place, cannot now certify the safety of its trucks, especially its long-haul fleet, or enforce a border safety inspection program of its own.

We have made modest progress in harmonizing motor carrier safety processes between our two countries. Nevertheless, the Department of Transportation's inspector general recently confirmed the discrepancies persist. Mexican trucks tend to be older, heavier and more likely to transport unmarked toxic or hazardous material. Mexico has not yet developed a system of inspections for its trucks. They are saying, oh, that we just do not care. But let me just say, this is not unprecedented. The bottom line is in the existing situation, the State of Texas has not put the resources where they should be. According to the State legislative officials that we just talked to a few days ago, they received no additional funding for this purpose. This is due to the cause of budgetary shortfalls that the past Governor put the whole State into.

I ask Members to really look at this seriously and to make sure that we treat Mexican trucks in the same way that we treat our U.S. trucks.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho (Mr. Otter).

Mr. OTTER. Mr. Chairman, I hesitated to come running back, but when I started hearing many of the things that were offered up by the other side, I decided I should come back and plead for more trucks, more trucks to come here maybe and haul off an awful lot of stuff that has gathered in the well during this debate, because as I see it, Mr. Chairman, in Idaho we have got a saying, and the saying is basically this: If it walks like a duck, if it quacks like a duck, it is probably a duck.

This is the second duck that they have had here today. This is no different than the effort that was made much, much earlier. But there are a few things that I would like to clear up. Earlier one of our side was questioned as to whether or not, did the majority not just block an effort, an amendment to change this, to make this right? The majority did not block that amendment. The CHAIRMAN. I think it is time that we consider that. We need to be good neighbors, but we do not want to be good neighbors. We want to be good neighbors. We need to be fair neighbors and not be picking on those people which we assume are not prepared to meet the standards that we have in the United States. I think it is time to be fair to all sides. I certainly have sat in awe many times and listened to speeches from the other side about treating people equally and being fair. This is your chance to walk the walk instead of just talking the talk.

Mr. SABO. Mr. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. DeFazio).

Mr. DEFAZIO. Mr. Chairman, I think the gentleman for yielding me this time.

The previous speaker in the well talked about this being a thinly veiled safety effort; that is, that we are asking to do today? I suspect the reason for that is because from 1994 until last year, that last January, we had a representative from the USTR that was prepared to have equal trade on both sides of the border and equal treatment on both sides of the border as we do today and as we can expect today.

Perhaps I should have offered an amendment, too, to go along with this thinly veiled safety effort; that is, that only trucks that are made in Idaho can be run on the highways, so that I could have closed my market, so that I could have enjoyed a monopoly myself.

Mr. Chairman, in 1997, the State of Idaho petitioned the USTR to stop an unfair trade practice on our northern border, our border with Canada. We got nowhere with that. And so the northern tier of States did unite. We all put our police to work, our highway patrol to work and our port of entries to work.

The result was, and we heard from the ranking member the statistics about how many unsafe trucks there were. I can tell my colleagues that at that time we found 57 percent of the trucks that we put through our safety inspection in our border, almost 57 percent did not meet the standards in the State of Idaho, and so, therefore, we could halt them at the border and reject them because they did not meet our safety standards. I ask Mr. Chairman, that you can do just about anything that you want to with statistics.

But let me just say, this is not unusual for the United States to do this. We have airlines that cross borders. We have railroad borders. We have no problem with the safety regulations and the equal treatment of both sides. The same thing with our water traffic. And so with all the foreign registry that we have, whether it is on air-lifted boats or any other, I can find that we can have that traffic, and I think that we could use that example, the same thing, on our highways.

Mr. Chairman, I think it is time that we recognize that we are good neighbors. We need to be fair to all sides. I certainly have sat in awe many times and listened to speeches from the other side about treating people equally and being fair. This is your chance to walk the walk instead of just talking the talk.
My district has I-5 running right through the heart of it, and that is where those trucks are going. Now, the gentleman from Texas got up earlier and said, “My people have done really well. I have such a long border with Mexico, and we have got so many jobs out of this, and you want to hurt that.” No, actually he is arguing to hurt them, because if this amendment does not pass, those trucks are going to steam right through his district. Right now all those trucks have to stop in this district so they can reload or go to safe American trucks. But when this goes into effect, those trucks are going right through his district and right up to mine. They are not going to stop. In fact, he is going to lose many jobs in his district.

I am a bit perplexed by the arguments on the other side of the aisle. For the most part they have been arguing our side, but in a knee-jerk way the end they are going to be opposed for a conclusion that we have just got to go ahead and this is about NAFTA and about free trade.

We are having huge trade with Mexico, a huge and growing trade deficit with Mexico under NAFTA, although they promised us surpluses. That is not to be debated here today. That would not be impeded one wit by this amendment. But what would happen is these trucks that we know are heavier, with United States of America. But until they have those laws, and after they do that, then we are going to put them at risk. We are going to put the firefighters and the first responders at risk.

No, let us have the Mexicans adopt stringent laws for safety, then enforce those laws, and after they do that, then we will be good neighbors, and we will be happy to welcome their fully inspected, safely driven trucks into the United States of America. But until they meet those standards, no, no, no, no, no.

This will kill Americans. People will die for profit, and that is not right.

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

The CHAIRMAN. The question is on the amendment, offered by the gentleman from Minnesota (Mr. Sabo).

The question was taken; and the Chairman announced that the noes appeared to have it.
made by the gentleman from Connecticut (Mr. SHAYS) and myself to include funds in this bill for the environmental impact statement for the New York-New Jersey Cross Harbor Rail Freight Tunnel.

This project was first authorized in TEA-21 and received funds for a Major Investment Study, which was completed last year. New York City, Long Island, and Westchester and Putnam Counties and the State of Connecticut are virtually cut off from the rest of the country's rail freight system for lack of any way for rail freight to cross the Hudson River, except at a bridge 140 miles north of New York City.

After examining numerous alternatives, the MIS recommended construction of a rail tunnel under New York Harbor. The benefit to the region was estimated at $2.3 billion. So I am disappointed that this was not included in the bill. I am disappointed that the Second Avenue Subway was not included in the bill. I am disappointed that the freight trailers from off the region would be taken off the region and off the truck to the region. The benefit to the region was estimated at $1.6 billion.

The vote was taken by electronic device, and there were—yeas 426, nays 1, not voting 6, as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
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<tr>
<td>426</td>
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<td>6</td>
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So the bill was passed.

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

CONGRATULATING REPRESENTATIVE PUTNAM AND MELISSA PUTNAM ON BIRTH OF DAUGHTER ABIGAIL ANNA PUTNAM

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

Mr. CRENSHAW. Mr. Speaker, I have some exciting news to share with my colleagues, and I think in a spirit of bipartisanship, we can all agree that this is, in fact, good news, because today the youngest Member of the House of Representatives, the gentleman from Florida (Mr. PUTNAM) and his wife Melissa became the proud parents of a baby girl.

Mr. Speaker, today Abigail Anna Putnam was born. She weighed 8 pounds and 4 ounces. She is 21 inches long, and they are still looking for the first sighting of that fire-engine red hair that the gentleman carries around with him here.

Just as a word of history, I want my colleagues to know, first of all, that the mother and the daughter are doing
well. The gentleman from Florida is a little shaky, but I think he is going to make it.

Abigail is the sixth generation Putnam to be born in Polk County, Florida, and her great-grandfather, who is 92 years old, is so excited that he said he is probably more excited about the gentleman from Florida becoming a father than he was when the gentleman got elected to Congress.

I know that all my colleagues want to join with me in wishing the gentleman from Florida and his wife Melissa and their new baby Abigail a wonderful life together.

Mr. PENCE. Mr. Speaker, will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman from Indiana.

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding to me, and I want to add my congratulations to the growing congressional family, to Melissa Putnam for putting up with the gentleman from Florida (Mr. Putnam), and the opportunities. The knowledge that children are a reward from the Lord is something we are pleased to acknowledge, and we send prayers and best wishes, Mr. Speaker, to all of those who share that sentiment.

Mr. CANTOR. Mr. Speaker, will the gentleman yield?

Mr. CRENSHAW. I yield to the gentleman from Virginia.

Mr. CANTOR. Mr. Speaker, I, too, rise to extend my congratulations from the Commonwealth of Virginia to the gentleman from Florida (Mr. Putnam) and Melissa Putnam on the birth of their baby and wish them much strength through the next couple of months of interrupted sleep.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES
Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 107–113) on the resolution (H. Res. 179) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2311, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002
Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 107–114) on the resolution (H. Res. 180) providing for consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MAKING IN ORDER CERTAIN MOTIONS TO SUSPEND THE RULES ON WEDNESDAY, JUNE 27, 2001
Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of Wednesday, June 27, 2001, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

H. Res. 172, H.R. 2133 and H.R. 691.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Texas (Mr. Sessions)?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX. Any record vote on the postponed question will be taken tomorrow.

RECOGNIZING AND HONORING YOUNG MEN'S CHRISTIAN ASSOCIATION ON ITS 150TH ANNIVERSARY IN THE UNITED STATES
Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 172) recognizing and honoring the Young Men’s Christian Association on the occasion of its 150th anniversary in the United States, as amended.

The Clerk read as follows:

H. CON. RES. 172

Whereas 2001 is the 150th anniversary of the Young Men’s Christian Association (commonly referred to as the YMCA) in the United States;

Whereas YMCAs have touched the lives of virtually all U.S. states by pioneering various activities, including camping, public libraries, night schools, group swimming lessons and lifesaving, and teaching English language;

Whereas YMCAs are dedicated to building strong youth, strong families, and strong communities;

Whereas YMCAs serve people of all ages, genders, incomes, and abilities through a wide variety of services designed to meet changing community and societal needs;

Whereas every day in the United States, more than 2,400 YMCAs in the United States live their mission through programs that build healthy spirit, mind, and body for all;

Whereas the YMCA invented the sport of volleyball;

Whereas YMCAs are collectively one of the largest providers of social services to the Nation’s families and communities, and YMCA programs serve nearly 18,000,000 people, including 9,000,000 children, in the United States each year;

Whereas YMCAs are collectively the Nation’s largest child care provider, and YMCA programs serve 1 in 10 teenagers in the United States and incorporate the values of caring, honesty, respect, and responsibility;

Whereas each YMCA is volunteer-founded, volunteer-based, and volunteer-led;

Whereas YMCAs have a long history of partnerships with other community organizations, including schools, hospitals, police departments, juvenile courts, and housing authorities;

Whereas YMCAs have provided war relief services since the Civil War, aiding millions of soldiers at home and abroad;

Whereas YMCAs have inspired people to become better citizens of America, the Camp Fire Girls, the Negro National Baseball League, the Gideons, and the Toastmasters;

Whereas YMCAs have helped founded the United Service Organization; and

Whereas the Peace Corps was patterned on a YMCA program: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the Young Men’s Christian Association (commonly referred to as the YMCA) for centuries of building strong youth, strong families, and strong communities in the United States; and

(2) requests the President to support the continued good work of the YMCA during the next 150 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE).

ANNOUNCEMENT OF THE SPEAKER PRO TEMPORE
Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 172, as amended.

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

There was no objection.

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

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 172, as amended.

GENERAL LEAVE
Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 172, as amended.

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

There was no objection.

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

Whereas YMCAs provide daycare for half a million children annually.

I imagine many of us have participated in or benefited from YMCA’s services. Over time, the YMCA has been associated with programs, including youth camping and the creation of volleyball and racquetball. Additionally, by the late 1980s, YMCAs were providing daycare for more than 2 million children annually. The YMCA has provided learn-to-swim programs and has been connected to pools and aquatics for many years.
Throughout all of these programs, the YMCA promotes the values of caring, honesty, respect and responsibility. Its commitment to these values can be seen in its history of wartime service dating back to the Civil War, its commitment to the physical and spiritual well-being of the poor and unemployed during the Depression, and its current efforts to teach and reinforce good character in youth through after-school sports and activities.

Mr. Speaker, I am pleased to congratulate the YMCA on the anniversary of their 150 years of existence in America. They have a long history of exemplary service, and I believe we all benefit from the YMCA’s existence.

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

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

Mr. Speaker, I rise in celebration also of the 150th anniversary of the YMCA’s founding in America. The organization has a special place in my heart, because I had the privilege to serve as the president of the National Council of YMCA’s of the USA from 1970 to 1973 and have been involved with the organization most of my adult life, beginning with my church camp in the late 1950s. Newark’s combined YMCA and YWCA has become an integral part of all aspects of our community. In many ways, the history of the local YMCA is a perfect example of the support and stability that Ys around the globe have provided for 150 years to the world.

It seems appropriate tonight to reflect back on many years of successful involvement and rich history this organization has shared with individuals through all parts of the world.

Mr. Speaker, at this point I would like to highlight the route this institution has taken to reach this extraordinary anniversary. The YMCA was founded in London, England, on June 6, 1844, in response to unhealthy social conditions arising in big cities at the end of the Industrial Revolution, roughly 1750 to 1850. The Industrial Revolution took place in Europe.

Growth of the railroads and centralization of commerce and industry brought many rural young men who needed jobs into cities like London. By 1851, there were 24 Ys in Great Britain with a combined membership of 2,700. That same year, the Y arrived in North America, established in Montreal on December 29 of that year.

The idea proved popular everywhere. In 1833, the first YMCA for African Americans was founded right here in Washington, D.C., by Anthony Bowen, a freed slave.

The next year, the First International Convention was held in Paris. At that time there were 397 separate YMCA’s in 7 Nations with 30,969 members total.

Then by 1866, the influential New York YMCA adopted a fourfold purpose: the improvement of the spiritual, mental, social and physical conditions of young men.

In those early days, the YMCAs were run almost entirely by volunteers. There were a handful of paid staff members before the Civil War who kept the place clean, ran the libraries and supervised the secretaries. But it was not until the 1880s, when the YMCA began putting up buildings in large numbers, that most associations thought they needed to have some full-time employees.

Today’s YMCA movement is the largest not-for-profit provider of child care, and it is larger than any for-profit chain in the country. In the 1990s, about half a million children received care at a YMCA each year. In 1996, child care became the movement’s second largest source of revenue after membership dues.

Tonight we celebrate the many years of positive change the YMCA has had on our neighborhoods, townships, States, and our nation. The YMCA, in Newark, New Jersey, opened its doors in 1881. Since its inception in 1881, the Newark Y has been an integral part of the Newark community.

The programs offered by the YMCA and YWCA are designed to meet the needs of youth in their day-to-day lives. For example, the YMWCA has affordable and safe housing options, in addition to state-of-the-art fitness facilities and educational programs.

We must continue our commitment to the YMCA to make it continually strong. As my colleagues know, the triangle of the YMCA, the symbol of the Y stands for the mind, the body and the spirit. We talk about the whole person that must be developed in order for that person to take their rightful place in our society.

And so we would like to acknowledge that the YMCA of the USA in its 150 years of service has been a tremendous asset to our country, as they celebrate their 150-year anniversary this weekend in New Orleans, where people from all over the United States and the world will be celebrating in this great achievement and activities.

We have been very fortunate in our local Y, where many local leaders today in our city of Newark have come up through the YMCA’s programs of youth and government and Model United Nations and trips abroad and work programs, and so it is with that spirit that I would like to commend the YMCA on 150 years.

We wish them continued success in their work.

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

Mr. OSBORNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Nebraska (Mr. OSBORNE) for yielding the time to me.

Mr. Speaker, I rise in strong support of H.Con.Res. 172, which I introduced with the gentleman from New Jersey (Mr. PAYNE), my colleague, to honor the YMCA.

For 150 years, YMCAs have touched the lives of communities across our Nation by pioneering so many activities that we value; camping, public libraries, night schools, swimming lessons, urinals, adult education, and English as a second language. Over 2,400 volunteer-based YMCA programs across this Nation dedicate themselves to building strong youth, strong families and strong communities.

YMCA partner with local schools, hospitals, police departments, juvenile courts and housing authorities to incorporate the needs of their own communities into the programs that they offer.

In my district, Montgomery County, Maryland, the YMCAs are invaluable to parents through both after-school care and summer camp programs. My constituents can avail themselves of programs at the Bethesda-Chevy Chase YMCA, Silver Spring YMCA, the Upper Montgomery County YMCA, and Camps, is an exemplary summer camp.

Horizons is a good example offered at the Bethesda-Chevy Chase YMCA of a program that really works. This coed program assists young people to develop more self-esteem, self-control and improved relationships with people their own age. Youth who take part in Horizons develop self-reliance skills and experience what it means to excel.

Today over a quarter of the Nation’s families are headed by single parents.

YMCA is often a helping hand, providing athletic activities, substance abuse programs that also deal with prevention and volunteer programs to increase the involvement of youth in community service. The country’s largest provider of after-school programs, the kids see the YMCA as a safe home away from home.

In addition to providing a supportive and compassionate environment for children and adolescents, the YMCA cultivates innovation and new ideas. Our most recent holiday, Father’s Day, was first commemorated by the YMCA. Quite frankly, the Boy Scouts of America, the Campfire Girls, and the Association for the Study of Negro Lives and History, those organizations began at the YMCA. Few organizations boast such creativity and responsiveness to the needs of communities around the Nation.

The YMCA not only charters new programs, but extension into the partnerships with other organizations. Schools, hospitals, and housing authorities work closely with YMCA programs to coordinate youth activities, and millions of soldiers at home and abroad have been aided by war relief services. Such strong partnerships make the YMCA the largest non-profit community service network in the United States.
The YMCA currently makes a difference in the lives of over 17 million people. Our support for the continued good work of the Young Men’s Christian Association is vital as it has provided such a positive impact throughout the last 150 years. I urge this House to join in honoring the YMCA for its unflagging impressive service to the United States, and I wish the YMCA well in their next 150 years of public service.

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

Mr. OSBORNE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISAACSON). The question is on the motion to announce the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 172, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

(Mr. LANGEVIN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ANNOUNCING THE APPOINTMENT OF MEMBERS OF THE LANDS TITLE REPORT COMMISSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. OXLEY) is recognized for 5 minutes.

(Mr. OXLEY. Mr. Speaker, pursuant to authority granted by section 501(b)(1)(c) of Public Law 106-569, I am announcing my appointment of the following four individuals to the Lands Title Report Commission, established by section 501(a) of that Act: Mr. Chester Carl of Window Rock, Arizona; Mr. Louie Sheridan of Lincoln, Nebraska; Mr. Bob Gauthier of Pablo, Montana; and Mr. Francis X. Carroll of Buffalo, New York.

These individuals were chosen for this appointment due to their demonstrated experience in and knowledge of land title matters relating to Indian trust lands. The Commission, and their appointment, will expire 1 year after the Commission’s initial meeting.

The Commission is responsible for analyzing the system of the Bureau of Indian Affairs for maintaining land ownership records and title documents and issuing certified title status reports relating to Indian trust lands and, pursuant to such analysis, determining how best to improve or replace the system. The Commission is then required to report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on its findings.

The other eight members of the Commission are appointed by the Senate and the President.

Mr. Speaker, I want to congratulate these fine individuals on their appointments, and look forward to their report.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DeFazio) is recognized for 5 minutes.

(Mr. DeFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ASKING CONGRESS TO HELP STOP JUVENILE DIABETES IN ITS TRACKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. SANDLIN) is recognized for 5 minutes.

(Mr. SANDLIN. Mr. Speaker, I rise today to ask the Congress to help a young friend of mine, Anna Kate Gunn. I am also asking the Congress to help over 1 million other young children in this country who, like Anna Kate, suffer from the disease of juvenile diabetes.

I hold in my hand a book of children from all over this country, all races, all creeds, all colors, all languages, faces of hope, faces that are looking to us to try to do the right thing, faces of other children with juvenile diabetes. Our country is too strong, it is too great, it is too powerful, and it is too rich not to help our children by stopping juvenile diabetes in its tracks right now.

Mr. Speaker, the Juvenile Diabetes Research Foundation just concluded its 2001 Children’s Congress here in Washington. This year, 200 delegates representing all 50 States gathered to meet with policymakers to ask our support as we make decisions about legislation that will increase funding for diabetes research. Diabetes is a chronic debilitating disease that affects every organ system in the body. Type 1 diabetes or juvenile diabetes lasts a lifetime.

Those who are stricken with this disease must take insulin just to live. However, insulin does not cure diabetes or prevent the possibility of its eventual devastating affects. Those affects include kidney failure, blindness, nerve damage, amputation, heart attack, stroke.

More than 1 million Americans have juvenile diabetes. A new case of juvenile diabetes is diagnosed every single hour in this country. Diabetes shortens the life expectancy of these children by 15 years. It is the single most costly chronic disease. It totals more than $105 billion of annual health care spending in the United States of America.

Anna Kate Gunn, my young friend from Texas, came by the office today with her parents and her grandfather, Gene Stallings, a well-known sports hero, former coach of the Texas Cowboys, Mr. Bob Stallings, of Texas A&M, of Alabama, of St. Louis.

Anna Kate was diagnosed with juvenile diabetes when she was 11 months old. Now, at age 3, she endures three insulin injections a day and 8 to 10 finger pricks a day to check her blood sugar level. Without a cure for juvenile diabetes, Anna Kate will have to live with these injections, with these finger pricks for the rest of her life.

One of the funding decisions we make in Congress will be a part that involves stem cell research, a critical part of research in this area. This breakthrough research holds great promise in the cure and treatment of many diseases affecting Americans and many disabilities including juvenile diabetes.

There are three sources of stem cells, embryonic, fetal, and adult stem cells. Each of these types of cells is very different from the others and all are needed to advance research.

Specifically, embryonic stem cell research offers hope to the more than 1 million American children like Anna Kate who suffer from juvenile diabetes. These cells have the potential to become insulin producing cells because of their unique potential to differentiate into any human type of cell. It is necessary for researchers to understand how embryonic stem cells work before they can get the full affect of the adult stem cell research.

Federal support for embryonic stem cell research is essential to the work that scientists are doing to create therapies for a range of serious and currently intractable diseases. By impeding embryonic stem cell research, we risk unnecessary delay for millions of patients, millions of children across this country who may die or endure needless suffering while the effectiveness of adult stem cells is evaluated.

Certainly, there are legitimate ethical concerns and issues raised by this research. However, it is important to understand that the cells being used in this research were destined to be discarded. The cells used are destined to...
be discarded. They are destined to be discarded. Under these circumstances, it would be tragic to waste this opportunity to pursue the work that could potentially alleviate human suffering especially in our children.

For the past 35 years, many of the common human vaccines have been produced in cells derived from the human fetus to the benefit of tens of millions of Americans. Clearly, there is a precedent for the use of fetal tissue that would otherwise be discarded. This is not a political issue. It is an issue of human responsibility. It is an issue of doing what is right by our children in this country.

Furthermore, the American public overwhelmingly supports this research. In a poll conducted earlier this year, 65 percent of those surveyed said they support Federal funding stem cell research. It is the right thing to do.

Stem cell research is still in the early stages. In order to receive the full benefits of the research, there must be additional study. Federal funding of this research ensures public oversight and accountability among researchers receiving Federal grants. These researchers will be required to adhere to strict guidelines that do not govern private research. Further, Federal funding will allow many scientists to expand the research in this critical area, thus hastening the discovery of therapies.

Mr. Speaker, we fund many worthwhile projects in the United States Congress. Surely, we can advance funds to save the lives of our children in this country. Putting an end to public support of this research would have a devastating effect on the future of research in numerous diseases. Congress and the administration should allow this important research to continue, if not for the sake of science, for the sake of Anna Kate and children all across this country that are similarly situated.

Please remember those faces looking at us, faces looking at us in trust and in hope. We cannot let them down. Mr. Speaker, let us do the right thing by America’s children.

REINTRODUCTION OF THE PRIVATE BILL FOR THE RELIEF OF ADELA AND DARRYL BAILOR

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON of Indiana. Mr. Speaker, on May 8 of this year, I introduced H.R. 1709, legislation that would provide private relief for Adela Bailor and Darryl Bailor.

As my colleagues know, Mr. Speaker, private relief is available in only rare instances. Mr. Holly of Illinois, the 7th Circuit Court has reviewed this case fully and has made the recommendation that they apply to the Congress. Although Congress is not bound by such recommendations, Congress should give a great deference to the legal analysis by the Circuit Court which has determined that Adela Bailor and Darryl Bailor have not been accorded due process of law in the federal prison.

The 7th Circuit has reviewed the legal technicality. The 7th Circuit has reviewed this case fully and has made the recommendation that they apply to the Congress. Although Congress is not bound by such recommendations, Congress should give a great deference to the legal analysis by the Circuit Court which has determined that Adela Bailor and Darryl Bailor have not been accorded due process of law in the federal prison.

Mr. Speaker, I urge and encourage my colleagues to sign on to a letter to be sent to the gentleman from Pennsylvania (Mr. GEKAS), chairman of the Subcommittee on Immigration and Naturalization, urging him to hold a hearing on H.R. 1709. We will be in the process of sending that letter next week, Mr. Speaker.

PRESCRIPTION DRUG PRICES

The SPEAKER pro tempore (Mr. KERN). Under the Speaker’s announced policy of January 3, 2001, the gentleman from Vermont (Mr. SANDERS) is recognized for 20 minutes as the designated time of the majority leader.

Mr. SANDERS. Mr. Speaker, I want to thank the gentleman from New Jersey (Mr. PALLONE) for making some of his time available to me.

Mr. Speaker, I want to tell a story tonight about what happens when an industry with unparalleled greed operates and spends huge sums of money, with the result that they are destroying the health and well-being of millions of Americans. And the industry that is responsible for this, if you can believe it, is the pharmaceutical industry.

Mr. Speaker, I think, as my colleagues know, millions of Americans today cannot afford the outrageously high cost of prescription drugs in this country. Some of them will die because they are unable to purchase the prescription drugs that their physicians prescribe to them. Many of them will just continue to suffer, not being able to get the alleviation for their pain because they cannot afford those drugs. Others will buy the prescription drugs by taking money out of their food budget or their heat budget and will do without other basic necessities of life in order to purchase prescription drugs.

Disgracefully, Mr. Speaker, tragically, the American people pay by far the highest prices in the world for prescription drugs. It is not even close. Several years ago, I took a number of Vermonters over the Canadian border into Montreal because they could not afford the very, very high prescription drug prices in our own country. And what we found when we went over the border to Montreal is that the same exact drugs, manufactured and sold in the United States, were sold for a fraction of the cost an hour away from where my constituents were living in northern Vermont.

Some of the women who went with me over the border were fighting for their lives against breast cancer. An affliction that affects large numbers of women in this country. And what they found when they went across the border with me is that tamoxifen, a widely prescribed breast cancer drug, was selling in Canada for one-tenth the price, 10 percent of the price, that it is sold in the United States. Imagine that, women who are struggling for their lives are forced to pay ten times more in the United States than our neighbors are paying in Canada for the same exact drug manufactured by the same exact company.

It is not just Canada and it is not just Mexico. In the southern part of
Mr. Speaker, for every $1 spent in the United States for a prescription drug, the rest of the world spends $1.25. Why is it that prescription drug prices are higher in the United States than in any other industrialized country? Well, the answer is pretty obvious. The pharmaceutical industry is perhaps the most powerful political force in Washington and has spent over $200 million in the last 3 years on campaign contributions, lobbying, and political advertising. Twenty million dollars in the last 3 years in order to make sure that Congress does not lower the outrageously high cost of prescription drugs and affect their profits. Two hundred million dollars.

We see that money spent. We see it in the TV ads in our homes, on our home television stations. We see it in the full page ads in the Washington papers and in papers all over this country. Amazingly, not only are they spending money on advertising, not only do they spend money on campaign contributions, but the vast majority of Members of Congress receive monthly checks from the pharmaceutical industry. The political parties receive money from the pharmaceutical industry in soft money. But even more amazing, the pharmaceutical industry has on their payroll almost 300 paid lobbyists right here on Capitol Hill. Imagine that. There are 535 Members of Congress, 100 in the Senate, 435 in the House, and they have 300 paid lobbyists, including former Senators, former Members of the House, going on our doors every day, saying, hey, do not do anything to lower the cost of prescription drugs. Keep our profits high, and we will make sure you get your campaign contributions.

This is an absolute disgrace to democracy and it is an outrage being perpetuated against millions of Americans who want nothing more than to be able to purchase reasonably priced prescription drugs. Mr. Speaker, year after year senior citizens throughout this country and those with chronic illnesses cry out for prescription drug reform and lower prices, but their cries and their tears go unheeded as the pharmaceutical industry and their lobbyists defeat all efforts to lower prices.

Well, this year it is my hope that it will be different because Congress is going to build on our successes from the last session of Congress. Last year this Congress, in a bipartisan measure, overwhelmingly passed legislation which promised the American people that they would be able to buy prescription drugs at the same low prices as do consumers in other countries through a reimportation program. And that means that the United States, in the midst of a global economy, that our prescription drug distributors, our pharmacists, should be able to purchase FDA safety-inspected drugs from any country where they can get a better price. If drugs are $1 in Canada for one-tenth the price, pharmacists in the United States should be able to reimport those drugs under strict FDA safety regulations.

In the House last year, the Crowley reimportation amendment, introduced by the gentleman from New York (Mr. CROWLEY), won by a 363 to 12 vote. Unfortunately, at the end of a long legislative process, loopholes were put into the overall bill last year that made it ineffective. While the law remains on the books, it has not been implemented by either the Clinton or the Bush administrations. In an increasingly globalized economy, we import food and other products from all over the world, it is incomprehensible that pharmacists and prescription drug distributors are unable to import or reimport FDA safety-approved drugs that were manufactured in FDA approved facilities.

The pharmaceutical industry and their supporters in Congress are sending out letters right now saying, oh, this is a dangerous idea, we are going to be poisoning the American people. This is absolute nonsense. Let me briefly read from a letter that was sent to Senator BYRON DORGAN on September 13, 2000. And as many people know, Dr. Kessler is the former FDA commissioner. I believe under both former Presidents Bush and Clinton, and it is what he is saying in his support of reimportation last year, and I quote.

"I believe U.S. licensed pharmacists and wholesalers, who know how drugs need to be stored and handled, and who would be importing them under the strict oversight of the FDA, are well-positioned to safely import quality products rather than having American consumers do this on their own. Second, if the FDA is given the resources necessary to ensure that imported FDA approved drugs are authentic, made in an FDA-approved manufacturing facility, I believe the importation of these products can be done without causing a greater health risk to American consumers than currently exists. Finally, as a Nation, we have the best medical armamentarium in the world. Over the years, FDA and the Congress have worked hard to assure that the American public has access to important medicine as soon as possible. But developing lifesaving medications does not do any good unless Americans can afford to buy the drugs their doctors prescribe. The price we pay for prescription drugs poses a major public health challenge. While we should do nothing that compromises the safety and quality of our medicine, it is important to take steps to make prescription drugs more affordable." That is Dr. David Kessler, in a letter to Senator BYRON DORGAN of September 13, 2000.

Mr. Speaker, when the agricultural appropriations bill comes up, perhaps on Thursday, perhaps next week, the gentleman from New York (Mr. CROWLEY), the gentlewoman from Connecticut (Ms. DELAUR), and others and I intend to introduce an amendment, the reimportation amendment, which is the same amendment that the gentleman from New York (Mr. CROWLEY) introduced last year that received, as I mentioned before, 383 votes.

We know right now that the pharmaceutical industry’s cash register is ringing out every single day. Their lobbyists are all over Washington trying to scare Members of Congress so that they will not pass this legislation. But I believe that when Members of Congress go into their hearts and when they listen to the seniors and the other people back home who are sick and tired of paying outrageously high prices for prescription drugs, who are sick and tired of having to go to Canada and Mexico to buy the drugs that they need, I believe that despite all of the scare tactics of the pharmaceutical industry and their representatives in the United States Congress, that Congress will have the guts to stand up to them and vote for the American people and pass the Sanders-Crowley-Delau reimportation amendment.

Mr. Speaker, when that amendment comes before the floor, it may be the only opportunity this year or next year that Members of Congress will have to vote to lower the outrageously high cost of prescription drugs and I am confident that Members of Congress will ignore the scare tactics of the pharmaceutical industry and their representatives in the United States Congress, that Congress will have the guts to stand up to them and vote for the American people and pass the Sanders-Crowley-Delau reimportation amendment.
Mr. Speaker, I want to thank my friend, the gentleman from New Jersey (Mr. Pallone), for having yielded me his time, and I yield back the balance of my time.

**HEALTH CARE REFORM**

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2001, the gentleman from New Jersey (Mr. Pallone) is recognized for the remainder of the minority leader’s hour, approximately 47 minutes.

Mr. Pallone. Mr. Speaker, I do not know whether I will use all of that time, but I do want to discuss tonight another health care issue. I appreciate my colleague, the gentleman from Vermont (Mr. Sanders), talking about the prescription drug issue and the reimportation issue; and that is certainly one of the major health care issues that needs to be addressed in this Congress.

I talk all the time about three health care issues that I know that President Bush said during the course of his campaign he would address and that have not been addressed. Unfortunately, what we have here in the House, with the Republicans in control, the Republican leadership so far has been unwilling to address the three major areas that I hear about most in health care. One is prescription drugs, which my colleague from Vermont just mentioned; the other is the Patient’s Bill of Rights, or HMO reform; and the third is the need to try to cover those 40 to 45 million Americans who have no health insurance.

Mr. Speaker, fortunately, the other body is now discussing HMO reform, the Patients’ Bill of Rights. I would say that the reason that has happened is because of the switch in the majority from Republican to Democrat in the other body. The first order of business that the new Democratic majority took up was HMO reform, the Patients’ Bill of Rights.

Tonight I would like to discuss briefly why I think it is important to pass the Patients’ Bill of Rights, and not just any Patients’ Bill of Rights, but the Patients’ Bill of Rights, or HMO reform, that was introduced in the other body by Senator McCain, Senator Kennedy, and Senator Edwards, and that has been introduced in the House by the gentleman from Iowa (Mr. Ganske) and the gentleman from Michigan (Mr. Dingell).

These are bipartisan bills, but I need to point out that the thrust of the bills is from the Democratic side, because the Republican leadership, even though there are some Republicans that are playing a key role on these bills, the Republican leadership has refused to bring them up in either House, or to support the Ganske-Dingell bill, the real Patients’ Bill of Rights here in the House, or the McCain-Kennedy-Edwards, the real Patients’ Bill of Rights in the other body.

I will not refer to them necessarily as the Democratic bills because we do have some Republican support, but they are Democratic bills in that the Democratic leadership supports them in both Houses and the Republican leadership does not support them in either House.

Why are we talking about the Patients’ Bill of Rights and HMO reform? Two reasons. This comes from my constituents and from Americans all across the country. Secondly, if a person is in a managed care situation, if you are in an HMO, the decision about what type of care you get, and that means whether you get a particular medical procedure, whether you can go to a particular hospital, whether you can stay in the particular hospital for a particular length of time, these types of decisions about your care unfortunately are made almost exclusively now by insurance companies, by the HMOs.

What the Democrats have been saying and what the real Patients’ Bill of Rights says is that that needs to change. That needs to go back to medical decisions, what is medically necessary for you as a patient, that decision is made by your health care professional and you as a patient, not by the insurance company. That is the one major change, and the one need for reform with regard to HMOs that the Patients’ Bill of Rights seeks to accomplish.

The other major issue and the other major change is the fact that today in HMOs, if a decision is made about what type of care you get, and you do not agree with that, in other words you have been denied the care that your doctor and you feel is medically necessary, you do not have any place to go. You can file a grievance with the HMO; and they will review it and say sorry, we made a decision, and we are not going to change it.

What the Democrats would like to see, what the Dingell-Ganske bill would do is turn that around and say if you want to seek a redress of grievances because you feel you have been improperly denied care, you can go to an external review board, an independent review board outside of the HMO, and they will review that decision by the HMO. They have the power to overrule it if they think that care was improperly denied and you need the care that your physician says is necessary.

Failing that, in certain circumstances you would be able to go to court and bring suit so you could have the decision of the HMO turned around, or you could even be granted damages if you were seriously injured and it was too late to correct your situation; or God forbid, you died, your estate could sue for damages.

Now, those two things, those two basic theories, the decision about what kind of care you get is made by a health care professional, not by the insurance company, and that you have some place to go to right that wrong and to turn that decision around are really at the heart of the Patients’ Bill of Rights.

Mr. Speaker, I want to talk about some of the specific things that the Patients’ Bill of Rights which I think are important. I will mention a few that apply to patients, and then I want to mention a few that apply to doctors, because I think as you know, the doctors now under HMOs feel that they cannot even practice medicine. There are a lot of restrictions on what they can do, so the decision is important for the doctors as well as for the patients.

One area is access to emergency room care. The Patients’ Bill of Rights allows patients to go to any emergency room during a medical emergency without having to call a health plan first for permission. Emergency room physicians can stabilize patients and be sure that the patient gets stabilization care without fear that health plans will later deny coverage.

This is a big concern that patients have. I get chest pains, I think I am having a heart attack, I go to the hospital that is down the street. I have to go to one 150 miles away. I may suffer damage because I have to go to an emergency room so far away. That makes no sense. We reverse that and say if you feel, if the average person feels by having severe chest pain they need to go to the closest hospital, they have the right to go there and the insurance company has to pay for that emergency room care.

Access to needed specialists. Part of the problem now is many patients, many Americans in HMOs do not have access to a specialist. They may have access to a family physician, but if they want to go to a specialist in that particular area where they need help, they cannot obtain that through the HMO.

The Patients’ Bill of Rights ensures that patients who suffer from a chronic condition or require the services of a specialist will have access to a qualified specialist. If the HMO network does not include specialists qualified to treat a condition, such as a pediatric cardiologist, for example, to treat a child’s heart defect, it would have to allow the patient to see a qualified doctor outside the network at no extra cost.

The Patients’ Bill of Rights also allows patients with serious ongoing conditions to choose a specialist to coordinate care or to see their doctor without having to ask their HMO for permission before every visit. This is common sense.

Finally, there are so many other patient protections, and I just want to...
mention a few because I want everyone to understand how important these patient protections are, the Patients’ Bill of Rights says that needed prescription drugs would be available to patients. Currently, many HMOs refuse to pay for prescription drugs that are not on their preapproved list of medications. As a result, patients may not get the most effective medication needed to treat their condition.

The Patients’ Bill of Rights ensures that patients with drug coverage will be able to get necessary medications even if they are not on the HMO’s approved list. If your plan does not include drugs, we are not saying that you are going to get it. But if your plan includes drugs, they cannot limit you to that preapproved list of medications.

Let me talk about some of the ways in which the Patients’ Bill of Rights, the Dingell-Ganske bill and the McCain-Kennedy-Edwards bill, frees up doctors to practice medicine, because many of you may feel that these measures are tied. My point is what I originally said, is that accountants and insurance company executives and staff should not be making medical decisions. It is the doctor who should be able to make medical decisions.

What the Patients’ Bill of Rights says is that it prohibits insurers from gagging doctors. Patients have a right to learn from their doctor all of their treatment options, not just the cheapest. The Patients’ Bill of Rights prevents HMOs from interfering with doctors’ communications with patients. Doctors cannot be penalized for referring patients to specialists or discussing costly medical procedures.

People do not understand that a lot of Americans are in HMOs where they say that the doctor cannot talk to you about a preferred method of treatment. If the insurance plan does not cover a particular procedure, then they can tell you what they cannot do for you. They cannot tell you about it even if he thinks that you need it. That is the gag rule. We have eliminated it.

The Patients’ Bill of Rights allows doctors to make the medical decisions. It says that doctors rather than insurance company bureaucrats will basically decide what kind of medical care you get. HMOs are prevented from inappropriately interfering with doctors’ judgments and cannot mandate drive-through procedures or set arbitrary limits on the range of treatment.

In addition, doctors and nurses who advocate on behalf of their patients will be protected from retaliation by HMOs. There are many patient protections in the Patients’ Bill of Rights. I am not going to go into all of them tonight, Mr. Speaker. Suffice it to say the main thing is that doctors will make decisions, not the insurance company; and there is some way to appeal that decision outside of the HMO.

Mr. Speaker, I wanted to go into some other areas that relate to the Patients’ Bill of Rights because we know that the other body is considering it. They have done so for about 10 days, and we are hoping that it will come here to the House of Representatives eventually. Some of the arguments that are being used now against the real Patients’ Bill of Rights, the Demo- cratic proposal, the McCain-Kennedy-Edwards bill, are that a lot of States have already enacted legislation that would protect patients, and it is not really necessary for the Federal Government to act. I hear this from time to time.

My State of New Jersey has actually passed a patient protection act. Some people say we have it in New Jersey, or maybe we have some form of it in other States. Why do we need to do something on the Federal level? I think that is a very important point that needs to be responded to. I just want to talk a little bit about that tonight if I can, Mr. Speaker.

First of all, the real reason we need Federal legislation is that these protections are not uniform. Some States have them, some States do not. The Patients’ Bill of Rights says that if needed prescription medications are not covered by protections even in the States that have adopted specific patient protections, those laws are not applicable to those people. In a lot of States maybe half of the protections are provided and half of them are not. But even in States that have adopted specific patient protections, those laws are not applicable to those people. So you might have in a State with no patient protections, or in a State that has some; but you might not be in a group that is covered by those patient protections. The States laws differ in terms of what they provide.

For example, some States have the prudent-layperson standard for emergency room care. If I feel as an average person because I have chest pains I should go to the local emergency room, I can go there and it will be paid for. This varies. Some States have it, and some States do not. About 43 percent of all employees who get their health care coverage through their employer are not covered by protections even in the States that have something like a Patients’ Bill of Rights.

Mr. Speaker, I do not want to dwell on this forever, but the point I am making is that it is a very hollow argument that we do not need the Federal law because some States have enacted this because some States have, and others have not. Some people are covered in those States, and others are not; and they may have some protections, but they may not necessarily have all of the protections.

In New Jersey, which has a pretty strong Patients’ Bill of Rights, there was an article just a couple of months ago in one of my local papers, the Home News Tribune, an editorial, that advocated for a Federal Patients’ Bill of Rights because it said that it is very difficult in New Jersey to see if you have been denied care.

That is just another example, even in a State as strong as New Jersey, where we need some Federal action.

I wanted to talk about two other things tonight, Mr. Speaker, two other areas related to the Patients’ Bill of Rights, before I yield back the balance of my time.

One is that I know that in the other body, efforts are being made to weaken the Democratic proposal, the McCain-Kennedy-Edwards bill, through amendment. Fortunately, those efforts have failed. I think it is significant because it shows that even though this is primarily a Democratic bill, we clearly have enough Republicans now that are coming over with us on these key amendments that we are forging a bipartisan coalition to support the real Patients’ Bill of Rights regardless of the fact that the Republican leadership opposes the bill.

The two amendments that came up within the last week, Mr. Speaker, I think, are significant. One of the amendments which was rejected by a vote of 56 to 43 proposed to exempt employers from health care lawsuits in every situation. Now, this has been a major point of contention, because some people say, well, the problem with the Patients’ Bill of Rights is that employers may be sued. What we have said is there is a very limited situation where employers can be sued and that is only if they have taken direct responsibility and have been directly involved in the decision of what type of care you should get. But the Republican leadership wanted to say that the employers could be sued under any circumstances. I think that is wrong. I was glad to see that that amendment was struck down. I think actually that took place today in the other body.

The other amendment which I believe was defeated last week related basically to tax breaks. This was a Republic proposal to add a provision speeding up tax breaks to cover costs of health insurance for the self-employed. I mention that one, although it may not be as obvious why that is a bad thing, because what we have seen in the past, and this is what happened in the House of Representatives last year when we took up the real Patients’ Bill of Rights, is that there were from health care lawsuits in every situation. Now, this has been a major point of contention, because some people say, well, the problem with the Patients’ Bill of Rights is that employers may be sued. What we have said is there is a very limited situation where employers can be sued and that is only if they have taken direct responsibility and have been directly involved in the decision of what type of care you should get. But the Republican leadership wanted to say that the employers could be sued under any circumstances. I think that is wrong. I was glad to see that that amendment was struck down. I think actually that took place today in the other body.
they put in all these poison pills or extraneous provisions related to tax breaks, related to malpractice, related to medical savings accounts, and so that when the bill went to conference between the two Houses, it was virtually impossible to get a bill out of conference and to the President because of all these poison pills, added provisions, loading down the Patients' Bill of Rights so that it could not pass and was not a clean bill. We do not want to do that again.

I have been very happy with what is happening in the other body because it is clear that we have a majority, albeit a slight one, between most of the Democrats and a few Republicans who try to have a bill that clearly will shift the burden so that decisions are made by doctors and there is a real way of redressing your grievances and, on the other hand, not loading this bill down with all kind of extraneous material so we can never get it out of conference and to the President's desk.

But the other development that occurred today that was disturbing, and I think I want to talk out on it because I need to expose again what the Republican leadership this time in the House is trying to do, is that the Republican leadership in the House, which so far has refused to bring up the real Patients' Bill of Rights, will not have it go through committee, will not bring it to the Committee on Rules, will not bring it to the floor, as the Republican leadership has unveiled their own HMO reform plan. Of course, you know they are going to call the Patients' Bill of Rights, but it is not the real Patients' Bill of Rights. It is not the bill that has already passed the House, that is now being considered in the other body, that has the support of almost every Democrat and about a third of the Republicans.

I want to talk a little bit, if I can this evening, Mr. Speaker, about why this latest House Republican leadership proposal to reform does not cut the mustard and is just a subterfuge to try to kill the real Patients' Bill of Rights, because what I think is going to happen is that the Republican leadership when we come back from the July 4th recess is going to try to bring up their version of HMO reform and ignore the real Patients' Bill of Rights and try to make it so that the real Patients' Bill of Rights never gets considered.

Let me tell you a little bit about what this Republican plan that was introduced today, or they had a press conference today, is all about. I would characterize it as an HMO, an insurance company, an insurance company, that is, of course, you know what the Patients' Bill of Rights. Once again the Republican leadership is protecting managed care plans from simply being held accountable for their actions. Unlike the real Patients' Bill of rights, the Republican plan leaves the review of provider of rights out of the hands of the insurance companies and still allows insurance companies the ability to dictate the services patients receive.

Now, I have said before why this is unacceptable. It is unacceptable because the core of the real Patients' Bill of Rights is the idea that the insurance companies do not make medical decisions; the doctors and the patients do. We want to see a real Patients' Bill of Rights, that is why when I was a member of the real Patients' Bill of Rights provides. It allows HMOs to choose the external appeals panel and then allows the panel to determine whether the patient can go to court without allowing the patient the right to appeal. In addition, the Republican plan provides only a narrow venue for State lawsuits which then forces all suits over improperly denied care to go to Federal court.

Now, some people may say, Well, what's the difference whether I sue in State court or the Federal court. Let me tell you, it makes a big difference. What the Democratic bill says is that you can sue in State court. If the Republican bill forces you into Federal court, there are not that many Federal courts and their dockets are overcrowded and people have a much harder time suing in Federal court, and it costs you a lot more money to sue in Federal court. So there is a difference. I do not want to play it up in a major way, but I want to explain why there is a difference.

I think that what the Republican leadership did today in the House is that basically what they are trying to do is sort of outbest what the other body is doing. They know that the other body is likely to pass a real Patients' Bill of Rights, and they want to bring up a fake one here in the House that the majority of the Members, almost all the Democrats and even about a third of the Republicans are opposed to.

We will see what happens, but I think that we need to expose what is happening here and how this latest bill which was much heralded today by the Republican leadership really does not accomplish the major goal of the real Patients' Bill of Rights, which is to switch the decision about what kind of care you get to your doctor and you rather than the insurance company and to allow you to basically appeal a denial of care to an independent body outside of the HMO and ultimately to court if you do not have a fair shake.

Mr. Speaker, I just wanted to say, I know that every night this week the Democrats are using our time during Special Orders to draw attention to the Patients' Bill of Rights and why we need to pass the real bill here in the House and also in the other body. Last night we had Members of the Texas delegation get up, and I thought that was very significant. As you know, President Bush said during the course of the campaign that he would sign a bill that was like the Texas law, Frankly, the Dingell-Ganske bill, the McCain-Kennedy-Edwards bill, the real Patients' Bill of Rights, is exactly like the Texas law. Yet now President Bush says he will veto that bill and he does not find that bill acceptable and is asking for something else. I think that is not the commitment he made during the campaign. It was not the commitment he made when he was Governor. And it certainly is a commitment that he should keep and hopefully if we send him the real bill, he will sign it even though he is now threatening to veto it.

The second thing I wanted to say is that tomorrow night, the Democrats will have some of our Members who are health care professionals, who are nurses and who are other types of health care professionals, taking to the floor.

The reason we are doing that is because I think that oftentimes it is the people that are in the health care profession, the doctors and the nurses. These are the people that understand, I think, oftentimes even more than the patients, why it is important to have a real Patients' Bill of Rights, because they want to take care of their patients. They want to make sure they get the proper care and the care they deserve. They do not want monetary or other considerations, the bottom line, to dictate the quality of care for the average American. We will be here as Democrats every night this week because we knew that when we return after the July 4th recess to bring up the point that the real Patients' Bill of Rights must pass. It is the highest priority of the Democrats in both Houses, and we are determined to see it through.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KERNs). The Chair would remind Members not to characterize Senators or Senate action.

ADDRESSING THE NATION'S ENERGY NEEDS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from California (Mr. RADANOvICH) is recognized for 60 minutes as the designee of the majority leader.

Mr. RADANOvICH. Mr. Speaker, I would like to take the time that I have that I have been most graciously given to begin to talk about our Nation's energy needs and the national energy policy that has been put forth by the new administration, by President Bush, and the information contained in the National Energy Policy Development Group's report on national energy policy.

I want to commend the administration for taking the leadership on what is a real challenging issue, and that is, providing energy for America's needs. Being from California, they are urgent...
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needs now and also for the energy needs in the Nation for the future. It is a daunting task and one that needs to make up for a lot of lost time because there has not been a lot of focus on our Nation’s energy needs in the last 8 years. So although it may not be popular at times, I want to commend the President for the excellent job that he is doing by tackling such difficult issues.

Why do we need an energy policy? If I may take just a few minutes to outline, it is because America faces its most serious energy shortage since the oil embargoes of the 1970s. Our fundamental imbalance of supply and demand has led to this crisis. Our future energy needs far outstrip present levels of production. Right now, United States energy needs are 56 percent dependent on other countries supplying that need. With that need growing at an ever-increasing rate, we become far more dependent on rogue nations that do not have our best interests at heart and in many, many ways leave ourselves very vulnerable. I think that it is high time that this policy has been sought after, and I applaud the President for taking steps in that direction.

Last winter, heating bills for many families in the United States tripled. Average natural gas heating costs in the Midwest rose by 73 percent last winter. New Englanders’ heating bills jumped by about 77 percent. Many of Americans are dealing with rolling blackouts, including myself, and brownouts and grayouts and threatening their homes, businesses, families and their own personal safety. Low-income Americans and seniors have been the hardest hit. While energy costs typically represent only about 4 percent of a middle-class household budget, last winter costs for average low-income households were about 14 percent of the household budget.

Drivers across America are paying higher and higher gasoline prices. In 2000, fuel prices on average rose 30 to 40 cents per gallon from a year earlier. This summer in some parts of the Nation, gasoline prices may skyrocket to a level we have not seen before. We cannot drill our way out of it. We cannot conserve our way out of it. We need a comprehensive policy. We need to have a situation where we are no longer dependent on the Organization of Petroleum Exporting Countries, otherwise known as OPEC.

Here is one of the ironies at the outset of the 21st century: Saddam Hussein’s Iraq, a nation which threatened the stability of its neighbors, attempted to invade and occupy another oil-producing state, Saddam Hussein’s Iraq, a country in the early days of this administration where American warplanes carried out a raid in part to try to put a man on the moon and bring him safely back to Earth before the decade of the 1990s was completed. We were able to do that: a triumph of technology, yes, but a triumph of will and the human spirit. It will take that type of commitment. Just as we brought together the best minds and the most innovative companies to put a man on the moon, so, too, we need a national, organized effort, a strategic and financial partnership between business and the Government to solve the energy problems.

I am talking about a State plan, excessive regulation program? Of course not. We need to find a reasonable, rational way to put the best minds in this country to work on this program, to take what is valuable from business, to take the strategic planning that is part and parcel of our governmental and form a good partnership to solve the energy challenges we face.

Quite simply stated, we need less dependence on foreign oil and more attention to developing our own energy sources.

Mr. RADANOVICH. Mr. Speaker, I want to take the example of the gentleman from California (Mr. RADANOVICH), summed it up. It is worth noting and amplifying. Early in the 1990s, the oil and gas needed by the United States, the majority of that oil and gas was produced within the borders of the United States. Some 60 percent was produced here in this United States. Foreign suppliers accounted for a distinct minority, some 40 percent. Sadly now, at the dawn of a new century, with almost 60 percent of our oil and gas, with almost a decade of the sweet by and by and we will take our risks and we will not worry about this, the situation is completely reversed. We now depend on foreign sources for almost 60 percent of our oil and gas.

It goes beyond that, as important as those products are, because when one thinks of the challenge of energy, when one thinks of what my colleague pointed out, we are talking ultimately not only about the process of exploring and ultimately consuming energy, but there is an impact to the pocketbook. The most immediate effect we think about and associate with across the country is the price at the pump. We need to have a situation where we are no longer dependent on the Organzation of Petroleum Exporting Countries, otherwise known as OPEC.

My colleague, the gentleman from Arizona (Mr. HAYWORTH) is here also to speak on the President’s national energy policy, and I would like to yield him some time.
environmentalism in the United States will end when one cannot get water out of a faucet or one cannot get light out of a light switch. People tend in the United States to be very environmental everywhere else but their own backyard, and when emergencies hit like this, they have also been told that they ought to do something about what we ought to be doing. It is that not-in-my-backyard approach, I think, that has led to a lot of this Nation’s energy crises. It has been at the local levels of government, all across the country, but it has also been fueled by the extreme environmental movement that basically puts the environment over human life, and the priorities thereof.

The reason why I wanted to bring that up, when the gentleman was mentioning this is, does the gentleman think that the environmental policies that regulate oil exploration in Iraq are much more stringent in the United States? I do not think so. Yet the United States provides 25 percent of the world’s energy and only has 2 percent of the resources, and I do not know what the number is of that 2 percent that is locked up, but I guarantee it is a very, very high percentage.

We describe in this country because we demand to use so much energy, and yet we refuse to use our own resources, where if we did that, energy demand would be much more environmentally responsible than in a Third World country.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

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

Mr. KINGSTON. Mr. Speaker, I wanted to add to that point that in Russia, and I was recently in Russia, their pipelines that transport the oil, they actually use it for oil transportation as much as trucks, but they spill the equivalent of an Exxon Valdez-type spill every week just in transporting their oil.

Here we are, we could help them through aid programs trying to get these pipelines improved, which would help the environment but also our energy supply, and the gentleman said we have the best, the strictest environmental regulations in the country, and yet our environmental policies, our radical environmental policies, want to continuously pick on America.

It is interesting that in 1976, in Louisiana, that is when the last oil refinery was built in the United States of America in 1976. I bet the gentleman was cranking up his eight-track player by the time they opened that one up. In fact, the gentleman’s eight-track players are probably already getting dated. The gentleman’s slide rule was gone, and he was not driving his Ford Maverick anymore. That is how long ago we are talking about.

Now, unfortunately, radical environmentalists in there are 8,000 environmental groups in the country. They generate something like $3.5 billion a year in terms of checks and revenues to them. The Sierra Club out in the great State of California pays something like $57,000 a month just on rent in San Francisco. That is how big we are talking about. So we approach so many of these things emotionally to how can I best sell my membership rather than what are we going to do to have a good, balanced approach.

Our great friend Kelly Ann Fitzpatrick talks about a poll that says if the people in America are polled 57 percent, we want clean air; across the country, but it has also been across the country, but it has also been a rational environmentalism; not to an extremist environmentalism, but to an enlightened environmentalism; not to a rational environmentalism, but to the environmentalism of the elite, but to the environmentalism of the enlightened.

Our President has made sense of this because he says, Mr. Speaker, that one has to cease looking at this as an either/or proposition. Well, we will have a clean environment, or we will burn fossil fuels. It is not, we will have clean air, or we will commit to motor vehicles. Indeed, there is an enlightened approach that uses the latest scientific data for clean-burning energy; for environmentally-sound exploration. Though it may not be commensurate with the theatrical politics of demonization and disinformation rather than solutions. It seems to me especially on this topic, Mr. Speaker, I think there is a growing consensus in America, that is, perhaps we should pledge ourselves not to an extremist environmentalism, but to an enlightened environmentalism; not to a radical environmentalism, but to the environmentalism of the elite, but to the environmentalism of the enlightened.

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Mr. RADANOVIĆ. Mr. Speaker, I would like to applaud the President for just the very reason that the gentleman just mentioned, because he is taking a leadership role on this issue. The polls came out the other day in the front page of the New York Times that he is slipping now down to 53 percent. When one agrees with that or not, I can see where a President like this has the leadership and the desire to want to improve America, to upset a few people and ruffle a few feathers just to make things different for our country and better. I think that is what real leadership is, and that is why I want to applaud the President for doing that.

The person who spoke recently was the gentleman from Georgia (Mr. KINGSTON), a wonderful representative of that State.

We are joined now by the gentlewoman from New Mexico (Mrs. WILSON), and I would yield to her at this point.

Mrs. WILSON. Mr. Speaker, I want to thank my colleague, the gentleman from California (Mr. RADANOVIĆ) for yielding me the time.

Mr. Speaker, I had the privilege of having supper tonight with two friends from Roswell, New Mexico, who are in the oil and gas business. They are second- and third-generation members of their families who are in the oil and gas business. I represent the State of New Mexico, which is one of the country’s providers of oil and gas and uranium and coal. We provide the fuel that lights the lights across this country.

I think all of us understand that we have an energy problem in this country. It is toughest in the West, but it affects us all, whether it is the price of gasoline at the pumps or the rising price of the things that we buy in our stores that take energy to make.

I think there is a growing consensus in this country that we need a plan. We have not had an energy policy in this country for almost 30 years. We are more dependent on foreign oil today than we were at the height of the energy crisis. Fifty-five percent of the oil we consume in this country is imported from abroad, mostly from the Middle East, from OPEC. The sixth largest source of supply for oil in this country is now Saddam Hussein’s Iraq. Most Americans do not know that, know how dependent we are for our energy security on countries abroad.

California also gets into a real tough spot over the last decade. Their growing, robust economy required about 10,000 more megawatts of power, but they only built 800 megawatts of supply.

Only my mother can have it both ways. You have to be able to have the supply of energy to use.

Now, I do not think there are any quick fixes that are going to solve the energy problems in this country. I think we need a balanced, long-term approach that conserves the energy we have, and also gives us more supply; that will give us that stability in prices we all want and the energy that we need.

I think that this is much too important to do anything but the right thing. I am very pleased to join my colleagues here tonight to talk a little bit about this important topic.

I spent Sunday afternoon in the East Mountains that are right up against the city of Albuquerque. One of the
reasons that my family and I love being New Mexicans is we love the great outdoors. We love taking our children there. We love the beauty of the land in New Mexico. I know my colleagues would disagree, but I happen to live in one of the richest energy States in the Nation, but I also live in the most beautiful State in the Nation.

Mr. KINGSTON. If the gentlewoman would yield, you have gone too far now.

Mrs. WILSON. My colleagues, I know my child disagrees, but I think you understand my feeling for the place, and also my knowledge that this is not an either/or question; that if we are smart about it, we can provide the energy that we need to live life the way we want to live it, without damaging the country that we love. I think that is the kind of policy we want to promote, which means we start with conservation.

One of the things I thought was real interesting about the President’s energy plan was some of the data that was in it. In fact, we do not take credit for how far we have come in the last 20 years in energy efficiency.

This top line in this chart shows energy use at constant energy per dollar of gross domestic product, for how much we are producing in this country. We have gotten so much more efficient since 1972, which is the baseline year. We are using less energy per dollar of GDP.

Now, part of that is we have a more information-based economy and so forth, but we are much more energy efficient now. A refrigerator, we had to buy a new one recently, thank goodness my husband was at home to get one, and the refrigerator we bought uses one-third less energy than the one that we bought in 1972 that it replaced.

Our cars are more efficient and hold the promise of being even more efficient with hybrid vehicles, which will not mean a lot for us and our rural communities, but those vehicles. So we do wonderful things. We have made tremendous progress with conservation.

But we cannot conserve our way out of an energy problem, any more than I can feed my family just with the leftovers. You have to have the supply too. So we need to increase and diversify our supply of energy and give a balanced mix of energy.

One of the things I am concerned about is our continued reliance on natural gas. I know that a lot of folks do not know that about half of our power plants in this country actually use coal, and we are making progress on clean coal technologies. But most of the power plants on the horizon are going to use natural gas; and within 20 years, we are going to be so reliant on natural gas that we are going to have to be importing natural gas as well. Yet we only have one port in this country that can take liquefied natural gas, which gets to the third problem we have.

We have to work on conservation, we have to increase and diversify our supply, but we do not have the infrastructure in this country that is reliable and safe and gets things they need to have in order to have a strong energy policy. We do not have the transmission grids that we need. We do not have the pipelines that are safe enough and plentiful enough.

We have not built a refinery in 20 years in America. Our refineries are working at 97 percent capacity, which means if you have a fire or safety shutdown at a gasline refinery, you immediately create a shortage of supply. We only have one port that can accept liquefied natural gas.

So we must address conservation; increasing supply with responsible development of domestic supply; the infrastructure needs of this country; and, finally, we have to do some government reform. It should not be possible that the Department of Interior, the Department of Agriculture, and the Department of State, can make unilateral decisions that affect our energy security without having to take our energy needs into account, and the way our government is set up today they can do that. That is not right, and we need to change it.

I look forward to working with my colleagues this summer on a comprehensive energy bill that is long-term to address some of these problems.

Mr. KINGSTON. If the gentlewoman would yield, I think that you have really hit a great point. I do not want to say anything bad about the great State of California, where my mother lived and my sister lived and lots of my friends do, but I have to take on a little bit your Governor on politics, because here is a State that has grown economically, done real well, demand side energy has grown, and he will not increase the supply; would not permit some of the things that Mrs. Wilson has talked about that increase supply, the infrastructure.

If my hometown, Savannah, Georgia grew, and it is been growing. As it grows we have added new schools, we have added new hospitals, we have built new roads, we have built new bridges. In fact, the State of Georgia has had about an 18 percent growth. California, I know, has had unprecedented growth. Yet as Governor Davis would do those things, he would not add on any power plants.

Now, I have to ask, common sense would say we do not want to have growth in population, certainly you have to have growth in the supply of energy. For the Governor of California to come East looking for energy, when he needs to be sitting back in Sacramento, does not make any sense. It is a streamlining legislation that streamlines and simplifies regulation, it is ridiculous. He is being negligent.

The Governor, I understand, is going on new David Letterman. Okay, let us see if he gets a gift policy. Going on David Letterman. It is time to put the politics aside and get back to Sacramento and do your legislation.

Mr. RADANOVIĆ. Being the gentleman from California, if I may, if the gentleman would yield, I think the gentleman is right on the mark. But there was a separate issue in California that brought it, I think, the energy crisis in the United States to the fore.

It is, the problem was in California was really a crisis in leadership in an improper reaction to a flawed deregulation bill that was passed in 1995. We began to see signs of that with this ‘deregulation’ plan, that froze the rates at which utilities could charge consumers but put 100 percent of the energy that they were able to purchase on the spot market, which fluctuated from day to day. That is half a deregulation bill, that is not a full one. If you do not go all the way with deregulation, you do not have deregulation. It caused problems beginning in May of last year.

Mr. KINGSTON. If the gentleman would yield, does Governor Gray Davis have the track record on politics of the other being providing for the needs of California.

Mr. KINGSTON. Has not Governor Davis received over $1 million from utility companies?

Mr. RADANOVIĆ. The very ones he vilified, many times they have not been able to speak to him unless it was at his own fund raisers. This is the way the whole thing worked out.

But the problem could have been solved a year ago, and I will make this point: if the Governor would have allowed for a modest retail rate increase by the utilities of, say, 25 percent, it would have driven down future prices; and he could have encouraged the utilities to get into long-term contracts where the wholesale price was below the retail price. We would never have been in this situation.

It was his delay in imposing a modest increase of 25 percent that, by the time he had to impose it, grew to 48 percent, and on top of that, diverting his energies to State bio-energy, the transmission lines. I give him credit, he was working for ways to get the utilities creditworthy, but his decision was delayed and delayed for political expediency and the fear of doing something wrong that might hurt politically. That was the crisis in California.

Mr. RADANOVIĆ. If my friend from California would yield, because this points up the real challenge afoot. If just one-tenth of the energy that is being utilized to engage in name-calling or to go on late night television, and he could have utilized it on a critical policy, he could have used guber- natorial tricks or whatever is going to be required, if that were utilized to help solve the problem, that is the...
measure of a man or woman in public office. Not posturing and preening for the cameras and issuing attack memos and spin, but working to solve the problem.

Mr. Speaker, I have to ask my colleagues and our friends in the press, are there reports where temporary energy stations could have been placed into commission on an emergency basis, where some regulations had been streamlined, but what I find amazing is that, apparently, Mr. Speaker, the Governor of California go out on the limb and say that there are not enough electrical plants in the state to supply the additional needs that we have. Why? What is the state of California saying? I think that it is a matter of politics. Politics do not allow for solutions in the face of a $12 billion surplus? So, unfortunately, the checks and balances of power does not work. Now, Mr. Speaker, whatever your feeling on the right to work or collective bargaining, it seems to me the collective need for energy outweighs the political chits called in by the union bosses.

Let me address, Mr. Speaker, my colleague from California. Are those reports true that the Governor of the state of California would not allow these temporary plants to come on line, these regulations to be streamlined, unless the folks were union employees at the controls?

Mr. RADANOVICH. I have no doubt that that happened during the time from a year ago beginning last May to now. I think the real crime has been the hesitancy to provide leadership on the issue. Because of that, it led to a situation that would have cost the State maybe $2 billion to one that has cost the State of California $50 billion and has eaten up about a $12 billion surplus that we had last year. It really was a hesitancy to act, and an allegiance to labor and the environment.

Mr. KINGSTON. Let me ask the gentleman, why is it that the Governor of California has enough time to come on major comic shows like David Letterman and come out in Washington to Democratic fundraiser and come back east to raise cane about George Bush, but he does not have the time to stay at home and solve the problem? Is the problem not better solved in California, rather than blaming it on George Bush, who just unboxed his bags when the crisis began?

Mr. RADANOVICH. The solution to California’s problem was within the leadership of California, in the State legislature and the Governor’s office. It was a matter of time because that is where this problem was going to be called.

After a series of mistakes, refusing to impose modest rate increases, gallivanting off, getting the State involved in energy purchasing, buying energy for seven times more than what the utilities were able to receive for that energy, led this thing into such a precarious position that the Governor could not afford then to solve the crisis, frankly, because, if he did, he then would have cut the sugar or the, I guess you could say, what the heck did you do with our $12 billion surplus? So, unfortunately, the political posturing and preening for the cameras and issuing attack memos and spin, but working to solve the problem.

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Those of us who hail from the West and in the western power grid, 11 States, including the gentlewoman from New Mexico and the great State of Arizona, along with our friends in California, understand that the implications of this is not far, and not too distant. Arizona is more than a casual concern when it comes to flipping the light switch.

But listening to my colleague from New Mexico, I think it is important to amplify what has transpired. When she talked about clean-burning sources of energy, I could not help but think about the Palo Verde nuclear plant outside of Phoenix that has worked well and without incident for well on 2 decades, now serving and providing power for the Nation's sixth largest city. Even as we look across the ocean to Europe, while it is true that in Germany, there has been now a hostility, the hostility of the radical environmental movement to step away from nuclear power, we see that Germany's neighbors have relied on nuclear power for the better part of 3 decades. If the French are able to do so, with safety measures intact, it would seem that American ingenuity, American technology and the ability to streamline regulation, with the best minds at the fore, should prevail.

I listened to the gentlewoman from New Mexico talking about the role of the Committee on Commerce, not to become prouder of different committee jurisdictions, but as the first woman to serve on the House Committee on Ways and Means, the committee charged with tax policy, I think I would be remiss if I did not mention the fact that as we take a look at conservation and the promotion of new technologies, there is a role to be played in tax policy.

I have sponsored a bill that again champions residential use of solar power. The fact is, when that first came on the market, almost 30 years ago, another broadcaster who had gone into public office, the late Jack Williams, Governor of Arizona, at that time, there was this promise of nuclear energy; it was the second single-largest source of energy already, and it provides almost 70 percent of all emission-free energy. This is something that we cannot ignore. There are 103 operational nuclear power plants today, and over 3,000 shipments of nuclear fuel that were spent were moved safely in the last 40 years.

So when we talk about nuclear energy, people need to understand that this is not some bold new frontier that we are talking about. I always hear people say, well, what about Three Mile Island? Mr. Speaker, there were no people killed at Three Mile Island. That does happen with other sources of energy; but the thing is, that was over 2 decades ago.

Again, going back to the days of the 8-track tape player, technology has moved. I think in terms of just the cellular telephones, my first cellular telephone was the size of a brick, it weighed about the same amount and could hardly transmit a message past a couple of oak trees. Technology has moved. Technology has moved on in nuclear power. I think that we are just fooling ourselves by not being a little more bold and aggressive about it. Again, 76 percent of the houses and buildings in France are nuclear powered.

Mrs. WILSON. Mr. Speaker, if the gentleman will yield, it is interesting, on this issue of conservation, on Saturday afternoon I was on the west side of Albuquerque visiting a housing development that is full of first-time homes and the builder Jerry Wade of Artistic Homes, specializes in energy-efficient homes and they build it into the house. I met a family there who were buying their first home. They were moving from a rental house, and one of the reasons they were moving was because their electricity bill had gotten so high. They were paying $160 a month for their electric bill. In the new home, which was larger, but the payment they were going to make, in a home that cost $110,000, and it was a really nice home, but Jerry Wade guarantees their electric bill will be no more than $20 a month, because they build the energy efficiency in.

One of the things that I hope to do in our conservation bill that we are going to be working on here is to make it possible for those savings to be taken into account when people apply for their mortgages, for their federally supported home mortgage loans, so they can take the fact that the electricity bill is going to be lower. The neat thing about what I saw on Saturday was, we are not talking here about something that costs more, we are talking about something that costs less, and that can be done in homes for first-time buyers, not just people who can put on solar panels on their homes.

Talking about where we are going with solar, it used to be that we thought about solar and, gosh, it takes 10 to 20 years to get the cost of the solar panels. We are on the verge of innovations and technology that will be just as cheap to put on solar shingles on our houses as it is to put on tar paper. Single shingles on other difference is we hook it up to the meter, and we can actually sell power back to the power company, if we live in a sunny place like my colleague from Arizona and I are privileged to do. We have solar-powered homes, and it does not power the electricity, but it helps preheat the water, it helps keep our electricity bills lower, it helps keep the gas bill lower by preheating the water and heating a bed of rocks under the house. We can do those kinds of things, and it is going to be in the very near future just as inexpensive to do that as it is to build a home the conventional way, and we should build those incentives in to the conservation bill we hope to pass here in the House.

Mr. HAYWORTH. Mr. Speaker and my colleagues, it has been very interesting to spend this hour, not engaged in information or demotion, but looking for reasonable, rational solutions at the outset.

When the gentleman from California claimed this hour of time, I reminisced about the fact that 4 decades ago, President John F. Kennedy stood at the podium behind us and challenged us to go to the Moon. We harnessed not only a triumph of will and exploration, but a triumph of applying science to a national vision to deal with that challenge. Certainly that cannot be as formidable. Certainly this Nation, with the best minds at the fore, working together with sound policies that streamline regulation, to make it reasonable, that look for environmentally sensitive ways to explore for new energy options, that do the research to bring online the innovative new sources of energy that we need to realize that our destiny is within our grasp in terms of energy self-sufficiency. Certainly what we can do, and what we must do for the future, the vision for us. Certainly that is what the administration offers in its energy plan.
The challenge for us, Mr. Speaker, is to abandon the theater of politics where some have been so tempted to engage in name-calling and political posturing, to truly represent the American people to find sound solutions, to reject the environmentalism of the extremists and embrace the conservation and environmentalism of the enlightened. That is our challenge. I believe we are poised to meet that challenge, just as we put a man on the Moon in the 1960s.

Mr. RADANOVICH. Mr. Speaker, I agree with my friend from Arizona. I want also to state my admiration for this President for taking on this job. I do not envy him. I mean, I was born and raised right next to Yosemite National Park.

Mr. Speaker, I go up and I feel in many ways closer to God in the high country at 9,000 feet. I go to Yosemite, and I hug boulders, and I love them, and I love the environment.

This country has the reputation of holding the environment so sacred. It is wonderful, especially the States we represent and the beauty that comes from those States, those are treasures that we always want to cherish. But we also have people who have needs, who need food and electricity.

I am not willing to say that myself or my wife or my child have more of a right towards those needs than anybody else does. Everybody has a right to equal access to this infrastructure in the country, and so we have these resources, the desire to want to be environmentally responsible and, yet, the need to use energy and water and infrastructures.

So it is not an easy job. I think, but I want to applaud the President for taking on this one, because it is not a real popular thing. It is not something that will shoot him up in the polls for a while, but it will be something that he is providing leadership for in this country and so we have these resources, the desire to want to be environmentally responsible and, yet, the need to use energy and water and infrastructures.

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Mr. Speaker, before I wrap up this hour, I will yield to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I want to thank the gentleman from California (Mr. RADANOVICH) for inviting me down to join him here this evening. I think if there is one thing that I will take away from this is that it is time to end the blame game, and to pull together and to learn from history, and to give this country real answers to the energy problems that we face.

Mr. Speaker, I look forward to working with my colleagues to that end, and I thank the gentleman from California for yielding to me.

Mr. RADANOVICH. Mr. Speaker, I thank the gentlewoman from New Mexico for her comments.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from California, and I just want to say that I do believe we can work together for good, sound science of modern technology, of solutions, and we can get there.

We can improve our infrastructure for energy to get the power to the places that it is needed. We can promote conservation, a balanced environment. We can simplify government regulations so that we can make some progress.

I am a member of the Committee on Appropriations, and we will continue in this Congress and continue to fund research and development on alternative and renewable energy sources.

Mr. Speaker, I am very excited that Honda has on the drawing board right now a hybrid car that will get 75 miles a gallon. I am excited about these fuel cell cars that are out there that have these perpetual batteries. I believe that our government has a role in funding such research, such general research, and we are going to continue to do that.

Mr. Speaker, I also applaud the gentleman from Arizona (Mr. HAYWORTH) and the gentlewoman from New Mexico (Mrs. Wilson) for speaking out on nuclear energy, because I think it is something that Americans need to be comfortable with the dialogue.

Finally, I want to say that I think that we should continue to explore alternative uses and evaluate our own domestic resources to see what we can do to become more energy-independent and not risk our national security on the whims of Middle East dictators and kings and despots.

I thank the gentleman from California (Mr. RADANOVICH) for inviting me to be here tonight and look forward to working with the gentleman and the rest of the Congress on some very positive solutions.

Mr. HAYWORTH. Just one note in closing, Mr. Speaker. Very soon we will move past the rhetoric, and we will have to roll up our sleeves and make it happen. The administration has put out a plan.

I cannot help but think about the holiday we are about to celebrate and observe, the independence of this country. A new biography of our second President John Adams has been written. In the final year of his life and the final days, a committee of men from his home State of Massachusetts went to visit the second President, at that time his son was President of the United States, and they asked John Adams how well he liked the Northeast Dairy Compact. Would, in their words, the Northeast Dairy Compact should die a peaceful death in the night. And to get it through when people are not looking.

In fact, he told the Associated Press not 3 months ago that his goal would be to ‘sneak it in through the stealth of the night. And to get it through when people are not looking.’

Mr. Speaker, the Northeast Dairy Compact should die a peaceful death in New Mexico and gentleman from Arizona and the gentleman from Georgia for participating in this special order.

OPEC OF MILK

The SPEAKER pro tempore (Mr. SHUSTER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Wisconsin (Mr. GREEN) is recognized for 60 minutes.

Mr. GREEN of Wisconsin. Mr. Speaker, we will not take all that time this evening, but I wanted to talk about a subject that probably many people out there tonight have never heard of yet and, I would suggest, adversely affects millions of people.

It is something that was recently described by the Wall Street as the OPEC of Milk. It is a price-fixing cartel for milk that hurts families all over the country, especially those who are least able to pay for it.

The history of the OPEC of Milk, the Northeast Dairy Compact, is somewhat interesting. Back in 1996, a small group of New England Members of Congress formed something called the Northeast Dairy Compact. The way it was authorized was not to bring it to the floor of the House or to the floor of the Senate for a vote, but, instead, they were able to sneak it into a conference committee report under an appropriations bill.

Now, their intentions were sound. They believed back in 1996 that this cartel that they created, the Northeast Dairy Compact, would, in their words, help stop the loss of family farms in six New England States by guaranteeing a minimum price for milk. That sounds harmless enough. I was not here at the time, but had I been, those sentiments are certainly ones that we all could have supported.

I would suggest to you, Mr. Speaker, and to those who are listening tonight, that those good intentions went awry a long time ago, and that the OPEC of Milk has done tremendous damage not only to our dairy system and to dairy farmers in New England and all over the country, but also to so many families who are trying to afford the great nutrition that we have in our dairy products.

The reason that this is so timely is that the Northeast Dairy Compact is due to expire in September of this year. That is a good opportunity for us to stop it on its own merits, and so we have had some of its strongest supporters, particularly Senator Jeffords over in the Senate, saying that he understands how unpopular it is. He implicitly understands how bad it is, but he has said that he is bound and determined to get this reauthorized, passed in September no matter what it takes.

In fact, he told the Associated Press not 3 months ago that his goal would be to ‘sneak it in through the stealth of the night. And to get it through when people are not looking.’

Mr. Speaker, the Northeast Dairy Compact should die a peaceful death in	
Oregon. First, it has not met its goal. It has not stopped the loss of family farms, not even in the New England States that are part of this compact.

Second, as we will talk about tonight, the Northeast Dairy Compact has raised the price of milk to consumers. It is interesting that so many people have called a milk tax.

Third, the Northeast Dairy Compact has accelerated the loss of dairy farms in other States, States like mine, Wisconsin, Minnesota, those whose States together have the largest number of dairy farms in the Nation.

Finally, and perhaps, in my view, most damaging, the Northeast Dairy Compact has prevented us from dealing with our dairy problems on a national basis, and we do have tremendous problems in the dairy sector. We are losing dairy farms each and every day, and we must do something, but as long as we have a policy like the Northeast Dairy Compact, which pits State against State, region against region, farmer against farmer, we will not get national policy.

Mr. Speaker, I think it is important to understand clearly I have an interest in this. I come from America’s Dairyland. I come from Wisconsin, but it is not just me, not just those in Minnesota and Wisconsin who believe that the Northeast Dairy Compact is an abomination. It is others, analysts, journalists.

Mr. Speaker, I will read from a few of the Wall Street Journal recently said not 2 weeks ago that compacts are “basically a highly regressive tax on milk drinkers, starting with school-aged children, creating them a tacit endorsement of the OPEC cartel.”

There is the Consumer Federation of America, hardly a biased group, hardly a Republican group or hardly a Midwestern group, the Consumer Federation of America, which represents over 50 million consumers nationwide said not a month ago that regional dairy compacts give too much money to farmers who do not need the help, too little money to farmers who do need the help, and they asked consumers, especially the low-income consumers, struggling to feed their families and pay the rent to pick up the tab.

There is Americans for Tax Reform, which refers to compacts as dairy cartels.

There is the New Republic Magazine, which said that the Northeast Dairy Compact was “a system that can best be described as socialism.”

There are groups like the Council for Citizens Against Government’s Waste, which says that this is a regressive milk tax on Americans; or the National Taxpayer Union, which said that the Northeast Dairy Compact is “a cartel that only a robber baron could admire.”

So it is not just folks from States like mine, Wisconsin. It is consumer groups, journalists, people really across the country, across the spectrum, who realize that the Northeast Dairy Compact was a bad idea. It has not gotten any better, and it should die a peaceable death.

Mr. Speaker, the gentleman from Minnesota (Mr. KENNEDY) is my good friend, and in his brief time here in the House has become a wonderful voice for dairy farmers across the Midwest. He is a true leader who I think is going to be a tremendous asset to all of us as we try to reform this outdated dairy system.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. GREEN) for yielding to me and thank the gentleman for his leadership on this very important issue.

People may ask, how did this ever come about? How did we get this dairy compact? The gentleman gave a little bit of the history, but the U.S. Constitution does allow States to enter into interstate compacts and State laws and the consent of Congress. These consents have been granted in some cases to allow States to work together on parklands or transportation systems or waterways; however, there is no precedent for dairy compacting evidenced in this situation.

This is the only case where we have allowed a region of the country to set a price-fixing compact against other regions of the country, and how this affects us is if you have excess production of milk that you do not drink with cereal or otherwise, you generally turn that into cheese. So if there is excess production in the Northeast, they convert that into cheese.

For those major milk-producing States that include Minnesota and Wisconsin, but California, Idaho, Arizona, several others, that takes away from us and from farmers. In fact, the Northeast Dairy Compact was fined $1.76 million in 1998 for the extra amount of milk produced and consumed in buying extra production coming out of the Northeast.

They have since instituted just recently some type of supply management in the Northeast, but if you think of how un-American this is, let us just say we decided that we do not think that Michigan should be disproportionately producing so many cars, so we are going to have, the rest of the country, a non-Michigan auto compact where we are going to produce the auto we need outside of Michigan and let Michigan only produce the cars that they can use in Michigan.

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Orange juice. What if we decided that we are going to have an orange other than Florida oranges compact where we are going to produce our own orange juice and let Florida just produce the amount of orange juice that they can consume in Florida? Or movies in California. Or you can go on and on and on. I mean, this is ridiculous. It is un-American. It undermines where we have been strong in the past and what has made America strong in the past; that we are one country, that we do not have divisions among States. Our Founding Fathers were very nervous about that happening.

We let this happen and undermine our strong dairy industry in Wisconsin, Minnesota, the upper Midwest and other States around the country. It is something that is beyond me. It is something that the American people understood this issue, they would be against it. If they understood, not just that they were being taken advantage of as consumers, but that one area of the country is going and pitting against another area of the country’s strength, they would be uprising and saying we want to end this. Certainly we do want to end this.

I appreciate the gentleman from Wisconsin (Mr. GREEN) reserving this hour to make sure that we can help educate the American people on this subject.

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for his comments. I think that the gentleman has pointed out what may be the greatest tragedy from the Northeast Dairy Compact. Nobody wants to help dairy farmers more than I or the gentleman from Minnesota (Mr. KENNEDY). I mean, we come from dairy States which had the largest number of dairy farmers.

It is interesting, when we were debating dairy policy last year in this House, some of my colleagues from the northeast States got up and talked about how many dairy farms they lost in their home States, their home districts have lost. I remember a good friend of mine from the northeast exclaim that his State had lost some 200 dairy farms last year.

I would like to put things into context for a moment. In my home State of Wisconsin, by this time tomorrow, by a quarter to 10:00 tomorrow night, Wisconsin will have lost four more dairy farms. We are losing 50 dairy farms each and every day. Over the last 10 years, we have lost 13,000 dairy farms. In fact, as we have lost more dairy farms than any other State ever had save the State of the gentleman from Minnesota (Mr. KENNEDY). So no one, no one wants to do more for dairy than those of us who represent States like Minnesota and Wisconsin. But we understand that to fix dairy problems, to meet the challenges, to be as successful as we would like to be, we have to have a national dairy policy, one that works all across America.

The Northeast Dairy Compact rewards some dairy farmers. In fact, it encourages them to overproduce and undermine other farmer, State against State, region and region. That cannot be good.

As I talked to farmers in my home State and dairy farmers from all across America, they understand that one cannot have a policy that pits farmer against farmer. We cannot meet our challenges if we are divided and fighting amongst ourselves.
The system that the gentleman from Minnesota (Mr. KENNEDY) described is Stalinesque. I mean, I think the problem we have had, so many of us who are so opposed to the Northeast Dairy Compact, is that, when we tell people how bad and inefficient the way it is set up, they do not believe us. They do not believe that, in America today, you could have such an absurd, illogical, irrational system. I am afraid, Mr. Speaker, it is true. Believe it or not, we do have such a system. It makes no sense. It does not work. It is, to put it kindly, a great distraction as we should be taking on so very many important issues.

Mr. KENNEDY of Minnesota. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY. The gentleman from Vermont (Mr. SANDERS), who loves to talk about how we should be on the side of the little guy, he talks about how corporate interest dominate this country. We are already being penalized by an archaic system that we have not been able to overcome because of the resistance of people in the northeast. We are already being penalized.

The class 1 milk which we drink out of our glass gets 33 percent or more higher price than what we make in the cheese. Since we are primarily exporters of dairy, we convert about two-thirds of our production in our region into cheese; and, therefore, our farmers receive more than a third less already, just setting the dairy compact aside, for our milk production than those like the northeast that are producing primarily for fluid, milk.

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from Vermont (Mr. Sanders), my good friend and colleague brought up a very important point when he talks about free and fair trade and the great emphasis that we are placing as a Nation and a people on opening up markets and on trying to promote free and fair trade. I think we understand the importance of commerce and growing this economy. But does it not seem just a tad hypocritical as we send our trade representative, even our President, all around the world and we ask, we demand, that he works to lower trade barriers, at the very time when we are trying to decrease those countries that drop their trade barriers, have no tariffs, allow for the free flow of our goods, we have barriers between our own States? We have tariffs between our States. How can we in all seriousness look our trading partners in the eye and tell them that they have to do more to open up their markets to our goods when it would be so easy for them to say, Mr. President, why is it that in dairy, you have barriers between your own States? It makes no sense. Why are we trying to open up markets, how can we be restricting markets in our own country?

One other area I would like to touch upon briefly tonight, and I appreciate the gentleman from Minnesota coming from a dairy State, the gentleman from Minnesota comes from a dairy State, this is a matter of great interest to him, of great interest to so many families who live and work in the dairy sector; but even if you are not part of the dairy sector, even if you are not from a dairy State or even an agricultural State, this will affect you.

A recent study suggested that consumers in the Northeast Dairy Compact States are overcharged for the price of milk by about $100 million each and every year. The price of milk is artificially high as a result. It is interesting. Many of our colleagues want to expand the New England compact, they want to create a southern compact. One study suggests that if a southern compact is created, it would raise the price of milk by at least 15 cents a gallon. It would cost consumers $500 million a year at the very least. That is a conservative, modest estimate.

The Northeast Dairy Compact is a tax on milk. It raises the price of milk. It takes one of our most nutritious products, one of the best things that you can possibly give children to ensure that they have the nutrition to grow strong and fast, and it raises the price. It not only raises the price of milk, but it damages the very nutrition programs that we are struggling so hard to find money for. Families with low incomes who utilize food stamps, Meals on Wheels, the dollars that we spend for those terribly valuable programs do not go as far because of what we have done to the price of milk. We are discouraging people from drinking milk and we are making milk more expensive for those low-income families. That is outrageous. Even if you are not from a dairy State, even if you are not from an ag State, you cannot support a tax on milk. You cannot support taking one of our most nutritious products and making it less affordable. It is just wrong. We cannot do it. We must not do it. It is the wrong thing to do, and it is something that must end.

I implore our colleagues from all around the country, we represent diverse districts, but whether you come from an ag district or an out-dated, foolish experiment, it has not worked. It has done so much damage. It has cost so many farmers their livelihoods. It has made milk so much more expensive. It is time to end it. It is time for it to expire. It is time for us to develop a national dairy policy. We can develop a policy that rewards farmers for what they produce, that creates competition, that raises the amount that they receive but keeps the price low and affordable. We can do it if we come together.

I appreciate the gentleman from Minnesota so much for joining me this evening. I offer him the opportunity if he has any final thoughts that he would like to share.

Mr. KENNEDY of Minnesota. I will just close by saying the gentleman has talked about the broader sense of consumers, how this is hurting consumers. But this is an example, an unprecedented example of the tyranny of a minority by the majority. Those who believe in our government, those who believe in civil liberties should not idly look aside and watch where one region of the country, just to have fewer congressional votes here in the upper Midwest, can be penalized by another area of the country without really repute. Again I must emphasize as I began and leave as I began, when I talk about agricultural policy, or rural Wisconsin.
PAYING HOMAGE TO A SPECIAL GROUP OF VETERANS, SURVIVORS OF BATAAN AND CORREGIDOR

The SPEAKER pro tempore (Mr. SHUSTER). Under the Speaker's announced policy of January 3, 2001, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, I rise today in support of a special group of veterans, as all vets, all World War II survivors, they sacrificed for their country. But this is a very special group of veterans, a very special group of veterans from the Second World War. They are special in that their fight for justice continues to this day. They fought for us, but their struggle goes on and goes on. Instead of fighting the militarists of Japan, they today are forced to fight the lawyers of Japanese business giants like Mitsubishi, Mitsui, and Nippon Steel. Instead of battling in the jungles, they are battling in the courtroom.

And the greatest irony is that instead of having the American government on their side, these heroic veterans find themselves arguing in legal battles against representatives of their own government. This is the story of the American survivors of Bataan and Corregidor, some of the most heroic of America's war efforts in the Second World War. When they were captured, they were forced to serve as slave labor for private war profit-seeking Japanese companies. They were deprived of food, medicine, often even clean water. They were used as work animals and treated as animals. The Japanese companies that worked these Americans, they worked them often to death, violated the most basic standards of morality, decency and justice.

But more important, these Japanese corporations were subject to international law. They were accomplices to war crimes. Some of them even committed those war crimes. Instead of righting wrongs and admitting mistakes and putting the past behind them, like many German companies have done, these Japanese corporations have stonewalled efforts to bring justice to those they wronged. And why should they not stonewall these American heroes? The Department of Justice has taken their side against that of Americans who fought and gave their lives and put their lives on the line for the United States of America in the Second World War. The State Department has taken their side of our former enemy rather than the side of our defenders.

Dr. Lester Tenney, a survivor of the death march in Bataan and of a slave labor camp says, and I quote, 'If I feel as if I am once again being sacrificed by our government, abandoned not for the war effort as in the past but for the benefit of Japanese big business.'

I believe Dr. Tenney has a point that deserves to be heard. In the hours following the attack on Pearl Harbor, the Japanese attacked U.S. installations in the Philippines. The United States forces retreated to the Bataan Peninsula and made their historic stand. Holding off the Japanese for months, they gave the American time to regroup and to rally and to come up. Our government at one point had to make the heart-tearing decision to sacrifice the brave heroes of the Philippines because they knew they could not come to save them without causing the death of many, many, many Americans in the long run and perhaps a failure of that operation itself. So the decision was made, yes, to abandon those American heroes, tens of thousands of them there in the Philippines. MacArthur was pulled out, he was ordered by the President to pull out, and our troops were left there. They were left there, as the song of the day went, with the batting bastards of Bataan, no mama, no papa, no Uncle Sam.

After the fall of Bataan, American and Filipino troops were forced to walk more than 60 miles in the infamous Bataan Death March. These were men that were weakened already, without food, without water, and they were denied any type of help along the way. Some Filipino people risked their lives, only not risked their lives, but gave their lives in order to throw little bits of water or food to these men as they marched for those 3 days of the Bataan Death March.

They were beaten, and they were starved as they marched. Those who fell were bayoneted. Some of those who were not walking fast enough were beheaded by Japanese officers who were practicing with their samurai swords from horseback.

The Japanese culture at that time reflected the view that any soldier who surrendered had no honor; thus, was not fit to be treated like a human being. Thus, they were not committing these crimes against human beings.

The Japanese soldiers at that time, as was mandated and dictated by their culture, felt they were dealing with subhumans and animals.

This is not a crime of the current Japanese generation. The Japanese for the past 50 years have had a strong desire to put the past behind them, like these last three or four decades have had a strong democracy, and the Japanese people are America's best friends. They have a civilized country, and none of them need ever to feel like any of the talk is going to go on, they are men receiving just compensation for what was done to them at Bataan and Corregidor and then later on in the Japanese Islands of Manchuria, the Japanese people themselves are not the target. We are not trying to make these people feel guilty. This was, after all, the culture of their day, and that culture has changed.

America had a racist culture for many years. We had slaves in the last century, and the fact is that Americans were saying to you, this is wrong, it is bad public policy, it is time for it to be corrected. That is the only accountability the Japanese people of today have.

Those people and those corporations that worked these men as slaves, they have a legal responsibility. It is through these men who were wronged and worked as slaves by these Japanese corporations that still exist, by giving justice to these men we can close this book, and we can bring this chapter to a close and close this book and move on. The Japanese people need not feel guilty after that compensation and that apology is made.

In the 3 days of the Death March, 650 to 700 Americans died. They died the worst possible death. Then after enduring this hell, many of the thousands of Americans that had survived that Death March, along with other American prisoners who had been taken prisoner in other areas of the Pacific theater, they were taken, thousands of them, in so-called hell ships to Japan and to Japaneseoccupied territories. Packed into cargo holds, these POWs struggled for air, for simple air, in temperatures that reached 125 degrees. It is estimated that over 4,000 American soldiers died aboard these hell ships.

Again, the Japanese treated them like animals because at that time the Japanese were taught if anyone surrendered, they are no better than an animal because they have no honor. But POWs struggled to survive the harshest conditions imaginable. Toiling beyond human endurance in mines, in factories, in shipyards and steel mills, often under extremely dangerous conditions.
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working conditions, they were worked like animals. Company employees beat them and harangued them. Of course, the Japanese work force was all off in the army. They used these slave laborers to make sure Japan could conduct its war efforts so, they starved these men, our men, our heroes, like animals, and they starved these men. They denied them medical care. These brave heroes, Americans, suffered from dysentery, scurvy, malaria, diptheria, pneumonia, and many other diseases, yet they were not treated, and they were permitted to die. With few rations, and many rations that were simply unfit for human consumption, they worked and they were beaten. POWs were reduced to skin and bones.

Today, many of those who survived this ordeal still suffer from health problems directly related and tied to that time when they were worked as slave laborers by the Japanese militarists. When they tell their stories, they will never forget how much we owe these heroic individuals.

Frank Bigelow, 78 years old, from Brooksville, Florida, was taken prisoner at Corregidor. Mr. Bigelow was shipped to Japan, where he performed forced labor in a coal mine owned and operated by Mitsui. ‘‘We were told to work or die,’’ Mr. Bigelow recalls. Injured in a mining accident, Mr. Bigelow had to have his infected broken leg amputated by a fellow POW. That leg was amputated without anesthetic. At war’s end, though standing 6’4”, Mr. Bigelow weighed 95 pounds.

Lester Wells, 75, and his wife, from La Jolla, California, became a prisoner of war with the fall of Bataan on April 9, 1942. He was a prisoner of the Japanese, and he survived the Bataan Death March but was then transported to Japan aboard a hell ship. In Japan, he was sold by the Japanese Government to Mitsui and forced to labor 12 hours a day, 28 days a month, in a Mitsui coal mine. ‘‘The reward I received for this hard labor was a meal of rice and soup, and a pair of new pants at that mine,’’ he said. They worked him, and they beat him, and they treated him like an animal.

These are just a couple of the stories. The horrors they suffered at the hands of profit-making Japanese corporations can fill the pages of a book and, in fact, have filled the pages of many books.

Their case is clear. The facts cannot be denied. Their claims should not be dismissed or explained away, and their rights violations involved and intersect with international law and raises serious constitutional issues under the fifth amendment. What that means is that it is unprecedented that we are saying that our government cannot even make a suit. So it might violate the very Constitution, the constitutional rights of these heroic Americans who defended our country, who gave the greatest sacrifice, nearly gave their own lives, but saw many of their friends and loved ones give their lives. It could well be, and I believe that it is true, that this is a violation of their constitutional rights to seek legal redress for acts and crimes against them by these very same Japanese corporations.

Let us again remember, these Japanese corporations are the very same Japanese corporations that used them as slave labor. They should stand with them. It is a shame that negotiators considered treaty language which would have permitted POW lawsuits against Japanese companies that had exploited them. That reference, I might add, was deleted from the final draft at the demand of other Allied powers who had made that agreement with the U.S. delegation. So that was part of the original language that they were going to get the right to sue. In the end, the bottom line is this: Our POWs do not have a right to sue against the Japanese Government, that is true. And the Japanese people do not have a right to sue the American Government, but certainly these corporations are responsible. Just as the individual Japanese who committed war crimes, heinous war crimes, were responsible, and those war crimes, many of them were executed, these Japanese corporations have an obligation to those people who they wronged to compensate them, yet our government is taking the other side.

I think it is fascinating to note that many more German war criminals were executed and brought to justice than were their Japanese counterparts.

Yet, the Japanese were clearly involved with criminal activity, with war crimes, on a massive scale, and especially against the Chinese people and against the Americans and Brits who fought against the Japanese and were captured early in the war. Why is this? Obviously we felt that Japan might be in danger of instability after the war during the Cold War. It is not a communist. That is clearly the reason this happened.

The Cold War is over. It is time now for justice, at the very least justice for our own people. It is time that the Japanese corporations who committed these crimes at the very least offer an apology and compensation to those Americans who survived the Bataan Death March and were worked as slave laborers and against the Americans and Brits who fought against the Japanese and were captured early in the war. Why is this? Obviously we felt that Japan might be in danger of instability after the war during the Cold War. It is not a communist. That is clearly the reason this happened.

The treaty we are talking about also includes a clause which automatically and conditionally extends to the Allied powers many more favorable terms granted to Japan than any other claim settlements. Japan has entered into the war claims settlements with the Soviet Union, for example, and Burma, Spain, Switzerland, Sweden and the Netherlands and others.

Thus, what we have here by this treaty we are talking about are other Allied powers, other countries in the world, have a right to sue, and there have been settlements, claim settlement with the people from Russia, Burma, Spain, Switzerland, Sweden, the Netherlands and others. Yet these same rights to allow the
people from other countries to pursue their claims against the Japanese corporations are not being extended to the United States and our nationals. What is that all about? Why is that? There should be no waiver provision that allows American citizens to use their constitutional rights in court to seek justice when they were treated in this way, when criminal acts were taken against them. We side with other countries’ rights, but not with the rights of the heroes of Bataan and the heroes who held the ground, who stood tall and gave us the chance to regroup and to organize and to come back and defeat the enemy that threatened the world.

The United States State Department has no answer to these legal questions. On the public record to date they simply ignore them or obfuscate the facts. Two weeks ago, on Fox News Sunday, Colin Powell, our Secretary of State, promised to retire the State Department’s erroneous and unyielding stand against our heroes, our World War II heroes’ right to sue their Japanese tormentors, their Japanese corporate torturers. He provided hope to the survivors that justice will be served.

But I have yet to hear anything else from our Secretary of State. I would hope that Secretary of State Colin Powell, a man of deep feeling, a man of great honor who served in our military, but also served his country so well in so many capacities, I hope that the bureaucrats in the State Department do not get to him and have him analyze this situation with a bureaucratic approach that would just put off and put off and put off any type of action until all of these heroes die of old age and are taken by God.

This would be the gravest injustice of all. And those bureaucrats at the State Department, who never want to rock the boat, oh, we cannot rock the boat with Japan, well, the Cold War is over and we can rock the boat anywhere in the world. When Americans who have committed this type of heroism, Americans who are that solid and those people who gave so much for us, when they are being wronged, we can rock the boat anywhere in the world to see that they obtain justice.

I hope that Colin Powell, Secretary of State Powell, sees through this bureaucratic maze that has been constructed to thwart justice for these survivors of the Bataan Death March. I hope he sees through that, and I hope he listens to his heart and his patriotism.

We have another opportunity. I hope Colin Powell acts, but we also have another opportunity. In a few days a new Japanese prime minister will be coming to the United States. Again, let me say that in no way do I hold the Japanese people of today guilty for the war crimes of their ancestors. However, those corporations that existed in that day, 60 years ago, those corporations that committed those crimes are legal entities that bear the legal burden of what their corporations did 60 years ago.

But when we talk to the new Japanese prime minister and we welcome him, we should be welcoming him as a friend, and we should be talking to the Japanese people, not others. What I say tonight is not meant in any way to be a slap at the Japanese people.

For the last few decades, by the way, the only Japanese American in this body, I guess maybe there are two Japanese Americans in this body, but one. One of the two Japanese Americans in this body is the coauthor of this legislation that I have brought forth to try to bring justice to these American POWs. He is not about to insult the Japanese people, just as I mean no insult, and none of us involved in this do.

The Japanese people are good friends of ours. I have many good friends in Japan. I lived in Japan as a young boy. The Japanese people now are an honorable people. Some of them are trying to make amends, but the way they think that the most honorable way to go forward is admit mistakes have been made, bring justice about, make an apology, if necessary, and then just move on. That is the way to handle.

But, instead, our government has been playing a game, playing a game with these very same Japanese corporations that committed these crimes. When the Japanese prime minister comes this week, many people are hoping that this lawsuit will come up. The diplomats are hoping that it is not to be an issue addressed at the summit. They believe that this issue should be swept under the rug, and we should just stir the pot. We are working with a new Japanese prime minister. And it will go away. It will go away when our heroes from the Bataan Death March and the Japanese slave labor camps and the mines and the Japanese war machines and the corporations that worked our people to death, when they compensate our heroes and apologize, it is over, and it will be closed. But it will not be until then.

Of the more than 36,000 American soldiers who died in this situation, many Americans, many Americans, can be bought off. Can be bought off? Can you imagine this? Can you imagine someone taking a fee from a Japanese corporation and telling them how not to apologize and not to make that decision to a survivor of the Bataan Death March, to the greatest of America’s heroes? Oh, yes, there are people like that in Washington, D.C. Yes, there are.

Today there are fewer than 5,400 surviving former Japanese POWs. These survivors are pushing for justice; not just for themselves, but also for their widows and the families of those POWs who died prematurely due to the horrible conditions they lived under while they were enslaved by these Japanese corporations.

The POWs finally have a chance, however, to win justice, but they should not and they should not be abandoned once again by their government. These men were abandoned in 1942 by a decision by our government that our government had to make, and there were many tears. I am sure by those POWs and others who have unfortunately seen is that some Americans, many Americans, can be bought off. Can be bought off? Can you imagine this? Can you imagine someone taking a fee from a Japanese corporation and telling them how not to apologize and not to make that decision and say that these tens of thousands of Americans will be permitted to be taken, captured by the Japanese, and they were abandoned.

We will not abandon them again. If we do, if we permit once again, shame on us. As I say, the gentleman from California (Mr. Honda), a Japanese American, I might say that he himself was interned during World War II as a Japanese American, he is coauthor of this bill. It is called the Justice for United States POWs Act of 2001. The bill number is H.R. 1198. I will repeat that. The bill is called the Justice for United States POWs Act of 2001, and I commend it.

My name is Dana Rohrabacher. I am a Republican from California. I am the author of that bill. The coauthor of that bill is a Democrat from California, the gentleman from California (Mr. Honda). The gentleman from California (Mr. Honda) and I have put a great deal of time and effort into this legislation, and I commend my over 100 colleagues who have signed on as cosponsors and supporters of this legislation. I would urge my fellow colleagues to do the same.

Mr. Speaker, I agree with those who say that Japan is a great strategic ally
of the United States; but a true friendship requires friends to speak out when there has been an insult or an injustice. And friends must join together to address that injustice. A true friendship can only exist when apologies have been made, and wrongs have been righted, when the wrongs have been corrected and recognized.

We are asking the Japanese people to be our friends, and they are our friends. Nothing damages our relationship with Japan more than the cold-hearted and unjust treatment of our veterans veterans by the Japanese government, to make sure that our American hero veterans do not receive the compensation and the apologies that they deserve.

These POWs have asked for back pay, back pay, for a time when they were used as slave labor, and they are asking for an apology. What American could be opposed to that? I would ask, what Japanese person could oppose that? This would be a sign of good faith, and I would hope that this administration would counsel to the new Japanese prime minister. I hope Secretary of State Powell and President Bush counsel the Japanese Prime Minister to take a look at this bill and to reach out to the American people and to close this sad chapter. This issue must be addressed, and our State Department should hang its head in shame if it continues to try to undermine the efforts of these American POWs.

Mr. Speaker, I have been asked often why I am personally involved in this issue? Why I, along with the gentleman from California (Mr. Honda), worked and wrote the U.S. POW Act of 2001, H.R. 1198, and it really is a very personal issue with me, a very personal issue. Speaker, at this time in my life, I am a very happy person. I must be serious about the work I do here, but I am a very, very happy person. Three and a half years ago I was married after about 15 years of being a single man, and I found the woman that I love, and it was a wonderful thing. And when we were married 3 1/2 years ago, my wife’s father had passed away, he died of cancer about 6 years ago; and of course, someone had to give her away at the wedding, and her own father had died of cancer about 6 years ago, so her away at the wedding, my wife, Rhonda’s, Uncle Lou, Great Uncle Lou gave her away. That is the first time I ever had a wedding, my wife, Rhonda, and her own father had to give her away at the wedding, her own father had passed away. I remember him telling me quite often about his experiences, and let me just say I am very proud of my father and I am proud of the things he did. But he harbored no grudges against the Japanese. He forgave the Japanese, he had Japanese battle flags in his trunk; but he had many Japanese friends, and I have many Japanese friends as well. Please, no one should take this as an attack on the Japanese people, and I repeat that again. The Japanese people are proud of their own culture behind that had them treat men and women as they did. They know that heinous crimes were committed against the Chinese people, and they know that men who gave up and surrendered and were treated like animals, they know that; and they have left that behind.

They are trying to build a civilized society, a society of technology and society of tolerance in Japan. They are trying to do that. We should help them do that by getting this behind us. We have our own haunts, our own ghosts in our past; and we too have tried to leave that behind. We, too, have tried to say that we are going to not treat people in an unjust way, as we have in our society in the past.

So let us not look at this as a condemnation of the Japanese. I am sure the Japanese people, the younger ones in particular, understand that there is no malice in our hearts. We wish nothing but success for the Japanese. Our economies are tied together. America cannot have a strong economy unless the Japanese economy begins to pick up. But there are some that see it as a sign of good faith, and I think that is one of the best friends of the United States in the Pacific, maybe the best friends of the United States in the whole world. They like us, and we should like them. They are in a bad situation right now too. They are in a very bad situation.

Just as the Japanese militarists sought to dominate Asia and the Pacific during the 1920s and 1930s, there is another power on the march, another militaristic power that threatens the stability of the world and is an enemy to all free governments. Its militarism and expansion are alarming. Just like the Japanese Government, this government has wiped out its democratic opposition. They are expanding, just like this government of the 1920s and 1930s, this current government that threatens the Philippines and threatens all democratic countries in that region, are trying to expand into island bases in which they will be used as power bases to assert their authority and power in given areas of the Pacific. We can see that now in the Spratly Islands, and we can see it in the Paracale Islands, we can see it throughout the South China Sea.

This power that seeks to dominate the world today, or dominate Asia today is as racist as the Japanese were racist back in the 1920s and 1930s. They felt they were racially superior. The Japanese people do not believe that, they want to be part of the family of nations. They have discarded that, but they had to lose the war to discard that. We liberated the Japanese
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Mr. Speaker, we do not, we do not do justice to those who defend us in the Second World War by going for short-term profit in the mainland of China, particularly for the survivors of the Bataan Death March and to try to see what we can do to get President George W. Bush just to mention this to the Japanese prime minister when he arrives here within a few days.

These are the things that we can do and we can do this because by doing so, we honor those 3,000 or 4,000 surviving Death March survivors who are still here waiting for their day, waiting for their day in court and waiting for justice.

Tonight, I would hope all of those who are with these American POWs, I hope that they activate themselves, and I hope that our democratic process is working. I know that we are making them proud. My own father's watching down tonight and all of those who gave their lives in World War II and all other American wars, they will be proud.

Let us make them proud of us as Americans and by doing so and having the courage to do what is right, especially for the survivors of the Bataan Death March, America's ultimate heroes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:
(The following Members (at the request of Mr. SANDERS) to revise and extend their remarks and include extraneous material: Mr. LANGEVIN, for 5 minutes, today. Mr. DEFAZIO, for 5 minutes, today. Mr. MORRISON, for 5 minutes, today. Mr. SANDLIN, for 5 minutes, today. Ms. CARSON of Indiana, for 5 minutes, today. Mr. HERGER, for 5 minutes, June 28.  

SENATE ENROLLED BILL SIGNED  
The SPEAKER announced his signature to an enrolled bill of the Senate of the following title: S. 657. An act to authorize funding for the National 4-H Program Centennial Initiative.  

ADJOURNMENT  
Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.  
The motion was agreed to; accordingly (at 11 o’clock and 6 minutes p.m.), the House adjourned until Wednesday, June 27, 2001, at 10 a.m.  

EXECUTIVE COMMUNICATIONS, ETC.  
Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:  

2669. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department’s final rule—West Indian Fruit Fly: Removal of Quarantine Area (Docket No. 00–110–3) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.  

2670. A communication from the President of the United States, transmitting a request to make funds available for the Disaster Relief program of the Federal Emergency Management Agency; (H. Doc. No. 107–99) to the Committee on Appropriations and ordered to be printed.  


2674. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department’s final rule—Requirements for Testing Human Blood Donors for Evidence of Infection Due to Communicable Disease (Docket No. 98–6051) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.  

2675. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department’s final rule—Genetically Modified Food Components, and Blood Derivatives; Donor Notification (Docket No. 98–6067) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.  

2676. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy’s Proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services (Transmittal No. 01–16), pursuant to 22 U.S.C. 2775(b); to the Committee on International Relations.  

2677. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army’s Proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services (Transmittal No. 01–16), pursuant to 22 U.S.C. 2775(b); to the Committee on International Relations.  

2678. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services covering the sale of a contract to Taiwan (Transmittal No. DTCS 052–01), pursuant to 22 U.S.C. 2775(c); to the Committee on International Relations.  

2679. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112(b)(a); to the Committee on International Relations.  

2680. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.  

2681. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.  

2682. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.  

2683. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.  

2684. A letter from the Personnel Management Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.  

2685. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Change of Official EPA Mail Address; Additional Technical Amendments and Corrections (FRL–6772–2) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.  

2686. A letter from the Assistant Attorney General, Department of Justice, transmitting the report on the Administration of the Foreign Agents Registration Act covering the six months ended December 31, 2000, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.  

2687. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Oil Pollution Prevention and Response; Non-Transportation-Related Facilities (FRL–7003–1) (RIN: 2500–AE56) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.  

2688. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service’s final rule—Eligibility requirements after denial of the earned income credit (TD 8953) (RIN: 1545–AV69) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.  

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS  
Under clause 2 of rule XII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:  

Mr. COMBEST: Committee on Agriculture.  
H.R. 2213. A bill to respond to the continuing economic crisis adversely affecting American agricultural producers; with an amendment, in the nature of a substitute, and by the United States, pursuant to 1 U.S.C. 1052(a); to the Committee of the Whole House on the State of the Union.  
Mr. CALLAHAN: Committee on Appropriations.  
H.R. 2311. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–111); referred to the Committee of the Whole House on the State of the Union.  
Ms. PRYUS of Ohio: Committee on Rules.  
H.R. 2318. A resolution providing for consideration of motions to suspend the rules (Rept. 107–113); referred to the House Calendar.  
Mr. SESSIONS: Committee on Rules.  
H.R. Resolution 180. Resolution providing for consideration of the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–114); referred to the House Calendar.  

PUBLIC BILLS AND RESOLUTIONS  
Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:  

By Mr. CALVERT (for himself, Mr. LEWIS of California, Mr. BALDACCI, Mr. ROHRABACHER, and Mrs. BONO):  
H.R. 2309. A bill to amend the Small Business Act to provide loans to eligible small business concerns for energy costs; to the Committee on Small Business.  

By Mr. MURTHA:  
H.R. 2312. A bill to increase the rates of military basic pay for members of the uniformed services by providing a percentage increase of between 7.3 percent and 10.5 percent based on the members’ pay grade and years of service; to the Committee on Armed Services.  

By Mr. CALLAHAN:  
H.R. 2313. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.  

By Mr. BOUCHER (for himself, Mr. GILCHREST, Mr. FROST, Mr. HOLDEN, Mr. PETRI, Mr. WINKER, and Mr. SCHIFF):  
H.R. Resolution 179. A bill to provide for protection of the flag of the United States; to the Committee on the Judiciary.
By Mr. CRANE:
H. R. 2313. A bill to amend the Internal Revenue Code of 1986 to repeal the income taxation of corporations, to impose a 10 percent tax on income (and only the earned income) of individuals, to repeal the estate and gift taxes, to provide amnesty for all tax liability for prior taxable years, and for other purposes; to the Committee on Ways and Means.

By Ms. GRANGER (for herself and Ms. Pappas) of New Jersey:
H. R. 2314. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide to participants and beneficiaries in plans subject to obste tric and gynecological care; to the Committee on Education and the Workforce.

By Mr. FLETCHER (for himself, Mr. Petri, Mr. Garamendi, Mrs. Hinson, Mr. Baca, Mr. Geery, Mr. Graf, Mr. Bilirakis, Mr. Sam Johnson of Texas, Mr. Cooksey, Mr. Weldon of Florida, Mr. Hayes, Mr. Pence, Mr. Platts, Ms. Pryce of Ohio, Mr. Goss, Mr. Houghton, Mr. Pappas, Mr. Posey, Mr. Ford, Mr. Boster, Mr. Hillery, Mr. Radanovich, Mr. Simmons, Mr. Crenshaw, Mr. BALLENGER, Mr. Gilmore, Mr. Collin Peterson, Mr. Pitts, Mr. Rogers of Kentucky, Mr. Simpson, Mr. Linder, Mr. Shaw, Mr. Watts of Oklahoma, Mr. Sweeney, Mr. Schakowsky, Mr. Kirk, Mr. Bartlett of Maryland, Mr. English, Mr. Weller, Mr. Ramstad, Mr. Otter, Mr. Sununu, Mr. Lewis of Kentucky, Mr. Cubin, Mr. Harris, Mr. Shays, Mr. Wicker, Mr. Pickering, Mr. McInnis, Mr. McCrery, and Mr. Camp):
H. R. 2315. A bill to protect consumers in managed care plans and in other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RULSHOF:
H. R. 2316. A bill to make permanent the tax benefits enacted by the Economic Growth and Tax Relief Reconciliation Act of 2001; to the Committee on Ways and Means.

By Ms. MILLENDER-MCDONALD (for herself, Mr. Boucher, Mr. Shimkus, Mr. Mollohan, Mrs. Moorhead of West Virginia, Mr. Lewis of Kentucky, Mr. Phillips, Ms. Hart, Mr. Strickland, Mr. Doyle, Mr. Tiberi, and Mr. Rogers of Kentucky):
H. R. 2323. A bill to authorize Department of Energy programs to develop and implement an accelerated research and development program for advanced clean coal technologies for use in coal-based electric generating facilities to enhance the environment and infrastructure and improve the national security of the United States; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALLONE:
H. R. 2318. A bill to amend the Outer Continental Shelf Lands Act to prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas; to the Committee on Resources.

By Mr. SANDERS:
H. R. 2319. A bill to amend the Food Stamp Act of 1977 to limit the collection from households of claims for nonfraudulent payments; to prohibit the issuance of food stamp benefits; to the Committee on Agriculture.
H.R. 937: Mr. Clement.
H.R. 739: Mr. LaFalce.
H.R. 744: Mr. Pickering.
H.R. 747: Mr. Wink.
H.R. 760: Mr. Doolittle and Mr. Bonior.
H.R. 774: Mr. Graham.
H.R. 777: Mr. Larson.
H.R. 778: Mr. Laxalt.
H.R. 781: Mr. Markey and Mr. Fattah.
H.R. 822: Mr. Hall of Ohio, Mr. Lewis of Georgia, Mr. Balleminger, Mr. Whitfield, Mr. Jenkins, Mr. Morella, Mr. Dicks, Mr. Schaffer, Mr. Blunt, Mr. Gordon, Mr. Isakson, Mr. Pastor, Mr. Phelps, Mr. Ryan of Kansas, and Mr. Peterson of Minnesota.
H.R. 823: Mr. Hastings of Washington.
H.R. 840: Mr. Capuano, Mr. Filner, Mr. Frank, Mr. LaTourette, Mr. Manzullo, and Mr. Watt of North Carolina.
H.R. 978: Mr. Saxton and Mr. Moore.
H.R. 1010: Mrs. Emerson, Mr. LaTourette, Mr. Skelton, Mr. Larsen of Washington, and Mr. Baird.
H.R. 1032: Mr. Roemer and Ms. McKinney.
H.R. 1034: Mr. Owens, Ms. Jackson-Lee of Texas, Mr. Ross, Mr. Clement, Mrs. Mink of Hawaii, and Ms. Millender-McDonald.
H.R. 1078: Mr. Horn.
H.R. 1089: Mr. McNulty.
H.R. 1110: Mr. Leach, Mr. Peterson of Pennsylvania, and Mr. Barrett.
H.R. 1136: Mr. Jenkins and Mr. Duncan.
H.R. 1143: Mr. Sweeney and Mrs. Napolitano.
H.R. 1170: Mr. Pastor.
H.R. 1171: Mr. Gutierrez.
H.R. 1196: Mr. McGovern.
H.R. 1198: Mr. Clay, Mr. Hinchey, Mrs. Morella, Mr. Ferguson, Mr. Sessions, and Ms. Seidlitz.
H.R. 1212: Mrs. Northup.
H.R. 1247: Mr. Coyne, Mr. Payne, and Mr. Langevin.
H.R. 1266: Ms. Waters, Ms. Logofet, Mr. Honda, Mr. Rangel, Mr. Ford, and Mr. Watt of North Carolina.
H.R. 1286: Ms. Brown of Florida, Mr. Larson of Connecticut, Mr. Maloney of Connecticut, Mr. Etheridge, Mr. Luther, Mr. LoBiondo, Mr. Rehberg, Mr. Pastor, Mr. Price of North Carolina, and Mrs. Capps.
H.R. 1298: Mr.沙滩.
H.R. 1304: Mr. Gordon.
H.R. 1305: Mr. Lamping.
H.R. 1307: Mr. Towns, Mr. Deutsch, Mr. Ford, Mr. Holden, Mr. Hall of Ohio, and Mr. Kline.
H.R. 1341: Mr. Sessions, Mr. Shows, Mr. Callan, and Mr. Steiner.
H.R. 1353: Mr. Shadegg, Mr. McNulty, Mr. Johnson of Illinois, Mr. Issa, Mr. Falكوم瓦里亚, Mr. Lucas of Kentucky, Mr. Holden, and Mr. Binkowsk.
H.R. 1361: Mr. Gutierrez, Mr. Fossella, Mr. Pitts, and Mr. Hastings of Washington.
H.R. 1367: Ms. Carson of Indiana.
H.R. 1385: Ms. Ros-Lehtinen, Mrs. Jo Ann Davis of Virginia, Mr. Shadegg, Mr. Gordon, Mr. McDermott, Mr. Udall of Colorado, Ms. Lee, Mrs. Tauscher, Mr. Abercrombie, Mrs. Lowey, Mr. Conyers, and Mr. Hinchey.
H.R. 1348: Mr. Hagedorn.
H.R. 1444: Mr. Goss.
H.R. 1459: Mr. Cardin and Mr. Nussle.
H.R. 1566: Mr. Oxley.
H.R. 1544: Mr. Clyburn.
H.R. 1556: Mr. Bonior, Mr. Israel, and Mr. Lange of Washington.
H.R. 1581: Mr. Hultgren.
H.R. 1587: Ms. Schakowsky and Mr. Meeks of New York.
H.R. 1592: Mr. Goodloe.
H.R. 1601: Mr. Shimkus.
H.R. 1609: Mr. Weller and Mr. Isakson.
H.R. 1644: Mr. Ryan of Wisconsin, Mr. Hitz, and Mr. Pallone.
H.R. 1650: Mrs. McCarthy of New York and Ms. Waters.
H.J. Res. 40: Mr. Sawyer.
H. Con. Res. 23: Mr. Burton of Indiana and Mr. Wamp.
H. Con. Res. 30: Mr. Shays.
H. Con. Res. 61: Mr. Stark.
H. Con. Res. 168: Mr. Pitts, Mr. Balleminger, Mrs. Jo Ann Davis of Virginia, Mr. McGovern, Mr. Abercrombie, and Mr. Menezes.
H. J. Res. 170: Mr. Culberson.
H. Res. 72: Mr. Green of Texas and Mr. Lantos.
H. Res. 75: Mrs. Emerson.
H. Res. 172: Mr. Pastor and Mr. Hastert.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2149: Mr. Combest.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2311
Offered By: Mr. Kucinich

Amendment No. 2: In title III, in the item relating to "Weapons Activities", after the aggregate dollar amount, insert the following: "($122,500,000)"

H.R. 2311
Offered By: Mr. Petri

Amendment No. 3: In title I of the bill, strike section 103. Redesignate subsequent sections of title I, accordingly.

H.R. 2311
Offered By: Mr. Tncoder

Amendment No. 4: In title I, strike section 105 (relating to shore protection projects cost sharing).

H.R.

Agriculture Appropriations Bill, 2002
Offered By: Mrs. Clatyon of North Carolina

Amendment No. 2: At the end of the bill (before the short title), insert the following new section:

Sect. 729. The amounts otherwise provided for in this Act are revised by reducing the amount made available for "Agricultural Programs—Agricultural Research and Education, Extension, and Marketing Programs" (the amount specified under such heading for competitive research grants (7 U.S.C. 3152(b)), by reducing the amount made available for "Agricultural Programs—Cooperative State Research, Education, and Extension Service—Research and Education Activities" (and the amount specified under such heading for competitive research grants (7 U.S.C. 3152(b))) to colleges eligible to receive funds under the Act of August 30, 1890.
(7 U.S.C. 321–326 and 328), including Tuskegee University), by increasing the amount made available for “AGRICULTURAL PROGRAMS—COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE—RESEARCH AND EDUCATION ACTIVITIES” (and the amount specified under such heading for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222)), and by increasing the amount made available for “AGRICULTURAL PROGRAMS—OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS”, by $5,521,000, $10,000,000, and $7,007,000, respectively.

H.R. __
Agriculture Appropriations Bill, 2002
OFFERED BY: MR. GUTKNECHT
AMENDMENT No. 3: At the end of title VII, insert after the last section (preceeding any short title) the following section:

SEC. 7. None of the amounts made available in this Act for the Food and Drug Administration may be used under section 801 of the Federal Foods, Drug, and Cosmetic Act to prevent an individual who is not in the business of importing prescription drugs from importing a prescription drug that is FDA-approved, is not a controlled substance, and is offered for import from a country referred to in section 804(f) of such Act.