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

DESIGNATION OF SPEAKER PRO TEMPORE

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


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 payoff, a payoff 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 longtime 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. BERKOWITZ) 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 on this notion of reform that they are proposing in flood insurance and carry...
it 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 just and effective plan for our government.

Give to all of us open minds and caring hearts and a firm commitment to the principles of freedom and tolerance established by our Nation’s founders and defended by countless patriots throughout our history.

Help us to stamp out hatred and bigotry, to embrace the love and concern for others that You have clearly shown to be Your will for all mankind. Bring peace in our time, O Lord, and give us the courage to help You do it.

For we ask this in Your name. Amen.

WELCOME TO REVEREND LAWSON ANDERSON, GUEST CHAPLAIN
(Mr. HUTCHINSON asked and was afforded permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTCHINSON. Mr. Speaker, it is with great pleasure that I welcome Reverend Lawson Anderson to the House floor and thank him for such an encouraging open prayer.

Reverend Anderson is a lifelong resident of Arkansas and thousands have been blessed with his compassion and support in times of crisis. He is well-known for his wisdom, his wonderful wit, and his easy manner in any situation. After successful careers in forestry and banking, Lawson was called to the ministry and has served Episcopal congregations in Springfield, Newport, and North Little Rock.

In his life, Lawson reflects a true understanding of the principles of freedom and tolerance established by our Nation’s founders and defended by countless patriots throughout our history.

Help us to stamp out hatred and bigotry, to embrace the love and concern for others that You have clearly shown to be Your will for all mankind. Bring peace in our time, O Lord, and give us the courage to help You do it.

For we ask this in Your name. Amen.

THE JOURNAL
The SPEAKER. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. ISAKSON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker’s approval of the Journal.

The SPEAKER. The question is on the Speaker’s approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE
The SPEAKER. Will the gentleman from New York (Mr. McNULTY) come forward and lead the House in the Pledge of Allegiance?

Mr. McNULTY (of New York). Yes, Sir.

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

For we ask this in Your name. Amen.
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,
CLERK OF THE HOUSE

SWEARING 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 United States, and that you will faithfully discharge the duties of the office 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

Mr. WOLF. Mr. Speaker, it is my pleasure to welcome the newest Member of the House, RANDY FORBES, of Virginia.

Mr. FORBES has a strong legislative background. He has represented his district since 1990, first as a member of the Virginia House of Delegates, then as a State senator since 1997. He held leadership positions in both bodies.

Mr. Speaker, I am also aware that I will benefit greatly by standing on the shoulders of a great legislator, Norman Sisisky, who worked tirelessly for his constituents for over 18 years. Since his passing, I have been so gracious in assisting us in our quick transition to this new office.

Expressing Gratitude on Election to Congress

Mr. Speaker, I want to personally thank you, the congressional leadership, and those men and women on both sides of the aisle who have been so gracious in assisting us in our quick transition to this new office.

Mr. Speaker, I am also aware that I will benefit greatly by standing on the shoulders of a great legislator, Norman Sisisky, who worked tirelessly for his constituents for over 18 years. Since his passing, I have been so gracious in assisting us in our quick transition to this new office.

Mr. Speaker, I am also aware that I will benefit greatly by standing on the shoulders of a great legislator, Norman Sisisky, who worked tirelessly for his constituents for over 18 years. Since his passing, I have been so gracious in assisting us in our quick transition to this new office.
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 Democratic 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. This marks the 90th anniversary of the old Boston Braves pitching era and that is an achievement the Braves are proud of.

These gentlemen were the front-runners of the sport. They were the greatest players of their time. They are the Hall of Fame pitchers of their era. They were the Pelham brothers and the two deadly left-handed 300-game-winning pitchers. First Spahn and then Sain. They attacked the plate in virtually every game they played. They led the league in most categories and followed we hope by Sain and then by rain.

Mr. Speaker, I think it is fitting to remember this in the Roll Call Baseball Hall of Fame.

MARTIN OXLEY.

I thought I would immortalize this year’s game in poetry so it goes down in the literary, as well as the sports, annals and, in the process, raising the level of culture a little bit in this great Chamber.

Many of my colleagues may remember this famous poem by Gerald Hern, who adapted his poem into an ode to my friend Steve Case, a man I think we will allpitch him in sun or in 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 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.

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 case 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. Mr. Speaker, today I want to discuss the tragic story of Gao Zhan. Gao Zhan is a United States lawful permanent resident and American University faculty fellow 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 authorities did not 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 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 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 gas companies. He has even blamed President Bush.

Mr. Speaker, the bravest Americans who ever lived are those who remember the events of Pearl Harbor.

But what does Gray Davis do? He turns his back on the days of long lines and too high prices.

Our energy demand has increased 47 percent over the last 30 years, and yet we have half as many oil refineries, and have half as many oil refineries, and gas stations and oil refineries. Lawmakers in Congress have not treated consumers as they have treated consumers in the 1990s. We have half as many oil refineries, and have half as many oil refineries, and gas stations and oil refineries.

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 lead to higher 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.

But what does Gray Davis do? He hires spin doctors at $30,000 a month 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, and have half as many oil refineries, and gas stations and oil refineries.

Exxon Valdez.

That 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 today 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.
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 rise today almost 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 IA, eligible for military service.

Ali was told the news at a training camp in Miami, and, badgered all day with the press, he came out with the now famous line, “I ain’t got no quarrel with them Viet Cong.”

It may have been a spontaneous remark, but he stuck by his word with courage, conviction and stood out against the conflict in Vietnam. His courage to stand by his belief in the years when the war was still favored by the majority of Americans will stand as a testament to those who protested.

I would encourage, Mr. Speaker, my colleagues in joining, along with the other 40 cosponsors, in awarding Muhammad Ali a Congressional Gold Medal. Please sign up.

CONGRATULATIONS TO CHARLTON “CHEWY” JIMERSON, THIS YEAR’S OUTSTANDING PLAYER AT UNIVERSITY OF MIAMI

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I congratulate the University of Miami baseball team and its exceptional coach Jim Morris for the flawless performance that enabled them to win the College World Series. The Hurricanes celebrated their 12-to-1 win over Stanford, and this victory marks their second annual title in 3 years.

Professional teams have drafted 11 talented Hurricanes, but it is Charlton Jimerson who won this year's Outstanding Player Award.

Chewy, as he is called by his teammates, survived an unstable childhood. He was raised by his sister Lanette, who inspired confidence so that he would achieve success. By writing a letter, Chewy invited himself to play at the University of Miami, and today this fifth-round draft choice of the Houston Astros is described as the emotional fuse for a dynamite team.

I ask my congressional colleagues to join me in commending outstanding player Charles Jimerson, his talented coach Jim Morris, and the amazing University of Miami baseball team for an outstanding victory once again.

FINGERPRINTING MAY WIN POLITICAL POINTS AT HOME BUT IT DOES NOT SOLVE OUR NATION’S ENERGY CRISIS

(Mrs. MYRICK asked 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 being sick and tired; sick and tired of hearing Democrats complain about the energy crisis. The last time I checked, the Democrat Governor Gray Davis was and is 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, that 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 problems.

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. PETERSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERSON 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 cap would result in the delay or abandonment of about 1,900 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 SOUND 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 showed 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 at a balance we have, 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 has 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 were told to expect that bill will be $30 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 tougher 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 we need. 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 must 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 been found to violate 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 up-to-date. 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 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 show that there is a reason behind the concern: it is 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. PTITs asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PTITs. 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.

The stories of suffering and the photos of starving children and adults 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, nobody 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 to not 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 homine (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 subject 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 devastating flooding caused by tropical storm Allison.

The Clerk read as follows:

H. R.S. 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, among others:

(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 Hills Men's Shelf, 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-Victims 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) all the corporations, other businesses of all sizes, and their employees, who rapidly and voluntarily donated money and other resources to the disaster relief efforts; (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 Houston, 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.

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

Mr. Speaker, I would first like to note that House Resolution 168 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 168 recognizes and dedicates the time and 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.

Houston is in danger to tropical storms named Allison. In June of 1989, Tropical Storm Allison wreaked havoc on Texas and Northern Louisiana, dumping 15 inches of rain in the Houston area. Total damage from that storm was estimated at $500 million, and 11 people were killed.

This year’s Allison was more focused. Between June 5 and 10, Allison inundated the city of Houston with 35 inches of rain. The storm claimed 23 lives and flooded major highways, hospitals, and homes.

According to the American Red Cross, more than 5,000 homes in the city and surrounding counties were aged or destroyed. Many hospitals and laboratories were flooded, resulting in a blood supply emergency in the greater Houston area. Current estimates place the cost of total damage to the area in excess of $2 billion.

Fortunately, countless individuals and organizations came to the assistance of Houston area residents in response to the disaster. At its peak, the Harris County 911 emergency system logged 400 to 500 calls each hour. In response, Houston Fire Department executed 1,200 missions to rescue flood victims stranded in their homes and vehicles by high water. The Texas National Guard assisted in the response using 5-ton trucks to rescue people from their homes. National Guard and fire department efforts were supplemented by the U.S. Coast Guard’s dispatch of rescue helicopters. Two hundred people were reported rescued on June 9 and 10. At the height of the storm, 15,000 people were housed in 40 emergency centers.

Without the assistance of all those who came together to help Houston in its time of need, including FEMA, the American Red Cross, Houston’s Mayor, and Texas Governor Rick Perry, the number of lives lost and damage to property from this dangerous storm would have been much greater.

I support the bill and urge my colleagues to join in support of this resolution.

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

Mr. LAMPSON. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise today in strong support of this resolution; and I join the gentlewoman from Texas (Ms. JACKSON-LEE), the author, and all my colleagues in extending my sincere thanks and appreciation to all of the personnel throughout Southeast Texas who have dedicated their lives to disaster recovery efforts.

Having walked the streets of Friendswood, Texas, I saw the heartache and loss, both fiscal and emotional, and got a chance to see a lot of destruction. The people of Friendswood are a strong and resilient people; but without the herculean efforts of those individuals who devote their lives to disaster recovery, the casualties and destruction could have been much worse.

This 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 recovery given by American Red Cross centers, the voluntary donation of money and resources from individuals and private businesses of Texas, the hercules of the United States Coast Guard, the Houston police and fire departments, and the citizens of many other hospitals and shelters. The bill also lauds the recovery actions of Houston Mayor Lee Brown and Texas Governor Rick Perry.

Looking back to Monday, June 4, when instantaneously once again 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 Congressional District 29 exceeded 30 inches during the week-long period when the remains of Allison brought relentless flooding to the upper Texas Gulf Coast.

Of course, no words can adequately describe the devastation that the Greater Houston area felt in the wake of the storm. The Texas coast certainly had not seen flooding of this magnitude in decades. Clearly, this event was not just a wake-up call, it was a stark reminder of the impressive forces that still govern the Earth.

In the midst of the disaster and periods of chaos, there were countless individuals and organizations responding almost instantaneously, and the volunteers responding were heroes of all walks and every age. They were a true inspiration to all of us.

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. Police, fire, and emergency response teams worked quickly and without reservation to minimize injuries and render invaluable assistance.

The disaster tragically claimed the lives of now 23 individuals from practically every walk of life and every part of the city. Deaths would have been in the hundreds, were it not for the heroism, professionalism, and dedication of all those who responded.

Media reports throughout the day 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
scenes were tragic: lost homes, lost businesses, lost medical research, and lost lives. Yet the human spirit continues throughout Texas, Louisiana, and across the Gulf Coast States and up the Eastern Seaboard, where Allison ravaged property and took a personal toll.

On this sad day reflecting on the tragedy, I am forever grateful to all who assisted; and my prayers continue for the suffering and afflicted. The strength that all have displayed is worthy of our recognition.

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

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

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, we have seen time and time again that the best qualities within the people that we know often emerge when the weight of a tragic event is upon us. In Houston, we have learned this lesson all over again. The unending rains from the Tropical Storm Allison overwhelmed our bayous, overflowed our streams, and flooded our streets and buildings and homes; but they did not dampen the spirit of Houston. We Texans pride ourselves on maintaining the spirit of the West. It has passed down from the early generations, who fought the elements, to build a new life in Texas. They were tested, but they stayed true, and it is a very common quality. They had the resilience and resourcefulness to outlast Mother Nature and overcome the obstacles that she places in our path.

Part of that creed is the understanding that when nature strikes, you pitch in to help your friends and neighbors. We understand that. We understand that when we rally together, no adversity, can keep us down for very long. Houstonians demonstrated that they have not forgotten their responsibility to aid each other during Allison.

We feel deeply for all our neighbors who lost a loved one or a friend. This tragedy claimed far too many lives. Many others lost belongings and had their homes turned inside out by this storm. But we can be certain that far more people would have died if Houstonians had not responded as quickly and as vigorously as they did.

Many, many people deserve to be thanked. We will never thank you, for every individual citizen who lifted a hand or waded out into the flood waters to bring comfort and assistance to the others, we say thank you so very much. Your efforts make us a great community and a great place to raise a family.

All Houstonians also appreciate the swift response from the Federal Emergency Management Agency and the Bush administration. By reacting quickly, they are helping us get back on our feet.

When I stopped by the Red Cross shelter in Pearland, I saw the best and most poignant tribute to the men and women who pitched in in responding to Allison. Hanging inside the shelter was a little sign that was written in crayon by a child, and it simply said “God bless you.” When the floodgates opened on Houston, we were ready to respond with charity, sacrifice, hard work and compassion. I hope we always stand ready to react with the same qualities.

Mr. Speaker, I yield 4½ minutes to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE), the author of the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for managing the bill, and I thank him for his support. I thank all of my colleagues for supporting H. Res. 166, and I rise to support the resolution that I introduced on June 14 to recognize the outstanding and invaluable disaster relief assistance provided by the National Guard, organizations and businesses and other entities to the people of Houston, Texas, and surrounding areas during the devastating flood that was caused by Tropical Storm Allison, one of the worse disasters that Houston has known.

Some people would ask, what is going on in Houston, Texas? I would simply say, the greatest amount of charitable spirit, heroic efforts, friendship, love, and the ability of a community to stand up together and say yes we can. 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, especially my fellow Members of the Texas delegation, for joining us in encouraging those altruistic acts of selflessness and heroism.

I remember within the 24-hour time frame of being out walking in neighborhoods, flying overhead, looking at homes filled to capacity up to the roof with water, and yet hearing the tragedies of those who may have been stuck overnight, there were the encouraging words that people were saying, yes we can.

Although words cannot even begin to describe adequately the destruction that Houston and surrounding areas know, I will attempt to paint for you a visual picture.

More than three feet of rain that fell on the Houston area began June 6 and caused approximately 23 deaths. 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 30 counties have registered for Federal disaster aid. Over 3,000 homes have been destroyed, over 45,000 damaged. The damage estimates in Harris County, Texas, alone are about $4.8 billion.

Some of the areas that have been hit, universities in my Congressional district, like the University of Houston, Texas Southern University, and a little neighborhood known as Kashmir Gardens. You would think a place filled with flowers. It is an enclave that has a high number of senior citizens, many of whom I visited in the last weekend, some still left in their homes, stranded, possessing few resources, but yet with a strong spirit.

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 a kind of selfless spirit that the delegation members of this particular delegation will be supporting them and helping them with the millions and millions of dollars of damages, 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 H. Res. 166 National TransCar 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 are 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 feared her shelter from funds from her own pocket, or Kathleen Ross who donated two of her rental properties, or the heroic police officers who could not swim, but yet jumped in. C.R. Bean and Mike Lumpkin and Matt Mac, who despite being in a vehicle, who were in their car, floating. The Texas Children’s Hospital, the Coast Guard and Texas National Guard.
June 26, 2001

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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 in people in all of our communities all across this nation.

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 floods 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 and 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 Hous-

The citizens of Houston are facing the tragedy and the loss 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. Research has been substantially affected, destroying all animal based research due to the death of the CITIZENS OF HOUSTON. We have spirit in Houston, the memorial Hermann Hospital and Methodist Hospital, who gave of their time, who gave of their heart. We have spirit in Houston and the surrounding areas. We have spirit in people in all of our communities all across this nation.

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 in people in all of our communities all across this nation.
who have prepared more than 62,000 meals. Minister Robert Muhammad and Makeba Muhammad 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 day FEMA made to help the flood victims done so 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 selflessly 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, I want to thank the people that we are recovering those people that we are recovering. Mr. Speaker, 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 were 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 time. The friends, the family members in the community, even FEMA workers who I saw in the centers who had 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 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. BRADY of Texas. 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. Banks and thrifts have 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 hampering 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 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. 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 as a new Member of Congress that there was, immediately after that initial period of rescuing people, a gap in services where the City of Houston, the
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 of Texas. 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 northeast 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 Jacinto City Park in Al-dine 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 bravery 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 rebuilding, I want 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 event. 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 disaster occurs, rather than to cut it. This has been suggested by the administration. We have need to reform the flood insurance program so it no longer subsidizes people to 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 often come 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 Magee.

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 Sharon 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. 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.

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 the balance of my time to the gentlewoman 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, and to those who are still standing and rising to their feet.

I also want to thank the gentleman from Alaska (Mr. YANKOSKI), 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 am 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. Bishop, a Houston police officer, whose body 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 Texas. I want you to know that the religious community stood tall.

It is very important to note the Sunny side Multi-Service Center, the Friendswood Activity Center, Lakewood Church, the Berean Seventh Day Adventist Church, the American Red Cross Centers, the Salvation Army, the Men’s Shelter, the B.L.O.C.K., the Oak Village Middle School, Kirby Middle School, Sweet Home Missionary Baptist Church and Lakewood Church that opens its doors to 2,000 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, we would like to say that this will not happen again, but we will work 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 prospectively 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 importance of the Federal role in delivering aid to victims of Tropical Storm Allison. During the month of June, Tropical Storm Allison brought devastation to homes and damaged by debris from 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.

Mr. Speaker, I would like to recognize the Bread of Life Church in Nederland, Texas, which served as a Salvation Army staging center, and the American Red Cross van.

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 National Climatic Data Center began keeping these records 106 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
calamities and other natural phenomena during the past decade required 460 major disasters 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. The billion-dollar damage episodes 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, $8 billion, or 23 percent, has occurred in the last seven years alone (1993-2000). In the last seven years alone (1993-2000), the increased number and severity of natural disasters required 460 major disasters in Houston and its suburbs less painful for people in the wake of a major natural disaster. Thanks to many brave and generous individuals, Houstonians 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 grandchild, 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 underway. 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 question is on the motion offered by the gentleman from Texas (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Louisiana (Mr. COOKSEY) that the House suspend the rules and agree to the resolution, H. Res. 166.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. ALAMPSO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. COOKSEY. Mr. Speaker, I ask unanimous consent that my name be cosponsor on H.R. 2149.

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that my name be cosponsor on H.R. 2149.

Mr. COOKSEY. Mr. Speaker, I ask unanimous consent that my name be cosponsor on H.R. 2149.

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 Representives of the United States of America in Congress assembled,

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 204(b) of the Agricultural Risk Protection Act of 2003 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 PEANUT PAYMENT. The Secretary shall use $423,510,000 of funds of the Commodity Credit Corporation to make a supplemental payment under section 202 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 oleseeds 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 202 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 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)(6) of the Agricultural Risk Protection Act of 2000.

(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)(6) 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 106-361), 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 made 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 106-224; 7 U.S.C. 1421 note) to cotton growers and handlers and to cotton ginner claims to 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.

SEC. 7. SPECIALTY CROPS.

(a) GRANTS FOR VALUE OF PRODUCTION.—The Secretary shall use $26,000,000 of funds of the Commodity Credit Corporation to make grants to 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) Delaware, $290,000.

(b) GRANTS FOR VALUE OF PRODUCTION.—The Secretary shall use $133,400,000 of funds of the Commodity Credit Corporation to make grants to 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) California, $63,320,000.

(2) Florida, $16,860,000.

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

(4) Idaho, $3,670,000.

(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) Colorado, $1,540,000.

(13) Florida, $1,100,000.

(14) North Dakota, $1,800,000.

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

(16) Iowa, $1,290,000.

(17) New Jersey, $1,150,000.

(18) Pennsylvania, $980,000.

(19) New Mexico, $900,000.

(20) Maine, $880,000.

(21) Ohio, $800,000.

(22) Indiana, $660,000.

(23) Nebraska, $640,000.

(24) Massachusetts, $610,000.

(25) Virginia, $620,000.

(26) Maryland, $500,000.

(27) Louisiana, $480,000.

(28) South Carolina, $410,000.

(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 the section, the States 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 distributed 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 section 1121 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. 1549A-42), is amended to read as follows:

(b) CONDITIONS ON PAYMENT TO STATE.—The Secretary shall reduce such payments on a pro rata basis as necessary to ensure that such expenditures do not exceed such amount.

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

Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1301(2)), the total amount of the payments specified in section 101(b)(4) of that 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. 1427(a)) 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 unexpansible, 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; 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) chapter 35 of title 44, 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 relief to cotton growers 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 cotton 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, several major international crop failures that started with the Asian financial crisis, and that has been compounded by the steadily increasing strength of the dollar abroad.

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USDA estimates that the value of the dollar is up to 25 percent relative to our customers' currencies and up 40 percent relative to our competitors' currencies, making our farm commodities significantly less marketable in overseas markets. Finally, tariff charges in the agricultural sector remain high, averaging 5 times those levied by the U.S.

Clearly, additional assistance for our farmers is needed. H.R. 2213 makes a good start on providing such assistance. With the help of the Committee on the Budget, the gentleman from Iowa (Chairman Nussle), in this year's budget, Congress made available funding for fiscal year 2001 and fiscal year 2002 specifically to address the need for the assistance in the 2001 crop year.

The legislation before us today makes $5.5 billion available for that purpose. In my opinion, this amount is not sufficient to meet the needs of our producers, and I intend to work further as the budget proceeds through the legislative process to improve that message. But today the important point is to move the process along, because the fiscal year 2001 funds will expire unless delivered to hard-pressed farmers by the end of September. It is imperative that a bill be sent to the President for signature before the August recess.

To ensure that outcome, the House must move the legislation this week. Despite its current imperfections, farmers need House passage of H.R. 2213 today.

The Committee on Agriculture is now in the process of writing a new multiyear farm bill that will end the need for these annual emergency packages. We expect to bring that bill to the floor before the end of the year and hope to have it in place for next year's crop. But today we are dealing with the immediate crisis facing farmers in this year's crop, and that is why I am asking my colleagues to support passage of H.R. 2213.

Additionally, Mr. Speaker, it has come to my attention that there are some misconceptions currently being spread about the bill, including one suggesting that H.R. 2213 will extend the Northeast Dairy Compact. This is simply not the case.

First of all, dairy compacts are not within the jurisdiction of the Committee on Agriculture and, therefore, are not germane to any legislation that our committee would report. Second, there are simply no dairy provisions of any kind in H.R. 2213, as amended.

When I introduced the bill originally, it did include a simple extension of the dairy price support program due to expire at the end of this year, but even that provision has been removed from the amended version.

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 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 and that 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 history can stretch that far back. 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 with 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, this budget is not irrevocad. 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 such 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.
A bare majority of my colleagues on the Agriculture Committee agreed with 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 Agriculture Committee has faced its responsibility to prioritize agriculture’s needs. Our Chairman presided over a full debate with the utmost fairness and, for those of us who are strong advocates for agriculture we arrived at a difficult result. 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. Funds will be disbursed to producers quickly and simply. While I would have preferred alternative ways to deliver this assistance, we are constrained to this manner because the assistance must be provided by September 30.

We also need to analyze all FY 2002 options to provide in time 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 with FY 2002 money. We can provide such 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 $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. NUSSELE), the chairman of the Committee on the Budget.

Mr. NUSSELE. 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 CHAMBLISS), the gentleman from Georgia (Chairman CHAMBLISS), the gentleman from Oregon (Mr. BLUMENAUER), ranking member, for their hard work on this 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.

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 severely 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.

Mr. Speaker, I am pleased that the Committee on Appropriations has reversed course in 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.

I believe the American people 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, 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 asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Speaker, I thank the chairman for the opportunity to speak today, and I thank him for his leadership on this and other matters relative to the agriculture community in our country.

I rise in strong support of this bill. I would say to the gentleman from Oregon (Mr. BLUMENAUER) I share the concern that I have heard from the President, the Secretary of Agriculture, and I hope we can address that to a greater extent in the farm bill.

But what we are doing today is coming forward with a market assistance package, and I emphasize that because it is not a disaster bill. A market assistance package is necessary for our farmers because, for the fourth year in a row, we are facing low commodity prices all across the spectrum.

This bill is responsible. It addresses the needs of producers. It puts an amount of money in the pocket of producers as quickly as we can do it. Our folks need that relief now. At the same time, if the American people are going to continue to pay for quality food products at low-commodity prices, we need to pass this bill today.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I thank the gentleman from Texas for yielding me the time.

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, thus fueling the already huge problem of commodity price and environmental compliance is a part of the new farm bill.

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 promoting improved air, water and 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, habitat for wildlife and improve water quality, but they 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 implement all of the 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.

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 was 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 staff for the hard work on behalf of America’s rural communities.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (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 and ranchers are depending. 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 the 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. Commodity prices are increasing and continue to increase dramatically. If anything, we should be increasing our funding for...
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 the 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 express my disappointment that the House Committee on Agriculture voted last week 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 chairman 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 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. It is my sincere hope that 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. Family farmers across Indiana appreciate the gentleman’s aggressive-ness.

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, the current level of support 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 problem is going to continue 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 will work 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 $1 billion 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 7 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 is going to be 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 3 years. Any increase in 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, is 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 land 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 is the consequence of our failure to act is 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 I agree 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 the 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, if 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 agricultural policy. Ultimately, that is all coming together.

There is a desperate need in agriculture, and I seek 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 the American people are aware we have huge problems in agriculture, most of which are not controllable by our farmers.

Mr. Speaker, I yield 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, we are not ready to move forward with this bill. I assume 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 that we have agreed to live under 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 associate 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 sends 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 have heard them 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 family farmers in my 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 the attention of the House to Resolution 178, to provide 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 consideration of 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 and all amendments are 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 committees of jurisdiction. 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; line 15, through page 16; page 17, line 9, through “as amended,” on line 10; page 28, line 23, through page 45, line 2; page 50, line 22, through page 51, line 15; page 55, line 6, through line 16; line 17, 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 may accord priority in recognition on the basis of whether the Member of the Whole may accord priority in recognition of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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 are 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 committees of jurisdiction. 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; line 15, through page 16; page 17, line 9, through “as amended,” on line 10; page 28, line 23, through page 45, line 2; page 50, line 22, through page 51, line 15; page 55, line 6, through line 16; line 17, 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 may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee of the whole may report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments to final passage without intervening motion except one motion to recommit with or without instructions.

UNFUNDED MANDATE POINT OF ORDER

Mr. MORAN of Virginia. Mr. Speaker, pursuant to section 426 of the Congressional Budget and Impoundment Control Act of 1974, I make a point of order against consideration of the rule (H. Res. 178) because it contains an unfunded Federal mandate.

Section 426 of the Budget Act specifically states that the Rules Committee may not waive this point of order.

In the rule of H. Res. 178, and I quote: “All points of order against consideration of the bill are waived.” Therefore, I make a point of order that this bill may not be considered pursuant to section 426.

The SPEAKER pro tempore. The gentleman from Virginia makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974. In accordance to section 426(b)(2) of the act, the gentleman must specify language in the resolution that has that effect. Having met this threshold burden to identify the specific language of the resolution under section 426(b)(2), the gentleman from Virginia (Mr. MORAN) and a Member opposed will each control 10 minutes of debate on the question of consideration under section 426(b)(4).

Following the debate, the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The gentleman from Virginia (Mr. MORAN) is recognized for 10 minutes.

Mr. Speaker, earlier this year the House was presented with an interesting problem: the name of the Metro station at Ronald Reagan Washington National Airport with local funds. The cost to comply with this provision is estimated to be $405,476; but the principle being violated is far more costly.

In my view, that was a correct use of 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 person rather than a person.

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 explorations and a part of Florida’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 deference to the name Canaveral by renaming the Cape Canaveral. By default and Federal inaction, that name still stands.

In the instance of the airport, the localities were never consulted on the 1998 act to rename the airport. Had Congress conducted hearings and allowed local elected officials to testify, it would have learned that Washington National Airport already had a name in George Washington, one of our founding fathers, commander in chief of the Continental Army during the War of Independence, our first President and a resident of northern Virginia, living just down the very street from the airport. The airport was literally built on land owned by George Washington’s family.

Recognizing the direct relationship and strong historical roots of the property, President Roosevelt asked that the airport’s main terminal, completed in 1946, be designed to resemble Mount Vernon. That resemblance is now a historic landmark.

Like the renaming of Cape Canaveral, the airport: the name change is on the minds of northern Virginia’s local residents. We had a compromise proposal to rename the new terminal after President Reagan. That was rejected even though its existence bears the testimony to the success of devolving the operations of the federally owned airport to a local authority. When it was under Federal control, no capital improvements were undertaken. Now the local authority has invested a billion dollars in capital improvements with non-Federal funds.

Substantial honors have already been conferred upon President Reagan and more will be. There is nearly a $1 billion Ronald Reagan building and international trade center. Other than the Pentagon, it is the largest Federal building in existence. It is just a few blocks from the White House. We have a Nimitz class aircraft carrier. And, of course, the naming of the airport. President Reagan’s legacy will be defined, not by what he did for us, but by what we do for him. I am sure he would join me in opposing this provision that mandates the local transit authority rename the transit station.

In referencing the controversy of the Metro station issue in his weekly column, George Will said:

How many ways are there to show misunderstanding of Reagan’s spirit? Let us count the zealots’ ways.

The freedom implies freedom from political propaganda—from being incessantly bombarded by government-imposed symbols and messages intended to shape public conscience in conformity with a contemporary agenda. Such bombardment is unquestionably the aim of some Reaganite monument mongers. They have the mentality that led to the lunatic multiplication of Lenin portraits, busts and statues throughout the Evil Empire.

Let us resist the urge to establish Ronald Reagan’s legacy by renaming everything after the former President. We should not trivialize the principles that he stood for.

I urge that we oppose this unfunded Federal mandate.
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 of Wyoming) on a point of order: 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 trigger 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 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,
Chairman, House Committee on Appropriations,
Washington, DC.

DEAR CONGRESSMAN: As you requested, the Congressional Budget Office has reviewed an amendment to H.R. 2249, 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 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 the fulfillment of 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 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 any case, 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 debate 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 the Appropriations Committee as this 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 districts. I 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 by the WMATA board of directors.

Mr. Speaker, I yield 3½ 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. 2249 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 a point of order on the $30 million that Metro will receive from the Appropriations Committee as this year’s allocation of appropriation just under section 9.

We ought not to sully the legacy of President Reagan by going against one of his fundamental principles. Leave his name all over the country the way Lenin was plastered over Eastern Europe. Mao over China and Saddam Hussein all over Iraq.

We urge President Reagan by going against one of his fundamental principles. Leave his name all over the country the way Lenin was plastered over Eastern Europe. Mao over China and Saddam Hussein all over Iraq.

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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 on 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 came from, but Metro has made seven system-wide changes at a total cost of $713,000. So whether it is $100,000 to $250,000, or whatever the cost, I am sure there is the necessary amount of money to handle this, a $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 for the 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 by 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.

Mr. OBERSTAR. Mr. Speaker, just to make clear the gentleman, it 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 the system. This change 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 are trying to come in the back door, and, while 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 President Eisenhow, or anybody else, and simply make the changes and let us move on.

Would the gentleman agree that this makes sense, let us just move on? Mr. OBERSTAR. Mr. Speaker, I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Speaker, I yield to the gentleman.

Mr. Speaker, let us put all of our cards on the table. The other side has been at it ever since 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 of America 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 the name change that 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. 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, not few, 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 doing it.

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 the system. This change 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 are trying to come in the back door, and, while 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 President Eisenhow, or anybody else, and simply make the changes and let us move on.

Would the gentleman agree that this makes sense, let us just move on?
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; did not shove it down their throats.

As for the gentleman’s comment about local governments, I must say, the taxi drivers on a couple of the streets I drive by are not in favor of 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 representative of his 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 us a point of order. I disagree with the point of order. While very, very sensitive to local government unfunded mandates, we have to go on. It is $50 million. This is a normal course of business, as both my colleagues, the gentleman from Georgia (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 a whole, we are going to consider as a whole. This is a normal course of business, as both my colleagues, the gentleman from Georgia (Mr. BARR) and the gentleman from Kansas (Mr. TIAHRT), have pointed out in their opposition to this point of order.

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Messrs. BERRY, STARK, TAYLOR of Mississippi and Ms. KILPATRICK changed their vote from "yea" to "nay."

Mr. LINDER changed his vote from "nay" to "yea."

On the question of consideration was decided in the affirmative. The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

Stated against:

Ms. WATSON of California. Mr. Speaker, on rollcall 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 Ending September 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 transportation 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 to 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 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 drug smuggling and keep our waters free of illicit drugs. The program will provide for offshore search and rescue, and work to protect Americans and American shores.

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 large and small projects 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. GIBRAN), 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.
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; yet their concerns were also ignored by the Republican leadership.

For example, Mexican trucks are 10 years older than U.S. trucks, on average. U.S. drivers can comply with weight standards. Mexico has no hours-of-service, and do not comply with weight years older than U.S. trucks, on average.

The gentleman from Minnesota (Mr. SABO) offered a sensible amendment that would require the Federal Motor Carrier Safety Administration to conduct a safety compliance review of each Mexican motor carrier that seeks to operate throughout the United States and to require that they be found to be satisfactory under the same standards applicable to their operations before being granted conditional or permanent operating authority.

However, the Republican leadership has refused to allow the House to vote on the Sabo amendment. I simply cannot understand why the administration 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’s administration is not only accepting the problem, but 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 1988, over strong local opposition, the Republican leadership decided to rename Washington’s National Airport in honor of President Ronald Reagan. Now, in this bill, they are requiring the already-strapped Washington Metropolitan Authority to change all of their station signs, maps, directories, and documents to reflect the new name, but Republican leaders are not providing one single penny of the $400,000 it will cost to do this.

Madam Speaker, I served in the Congress when Ronald Reagan was President. I understand that many Republicans and Democrats want to honor him. Indeed, this Congress and this Nation have already done much to ensure President Reagan’s accomplishments get the respect they deserve. But a $400,000 unfunded mandate hardly seems like a fitting tribute to President Reagan. After all, he made a career of campaigning on behalf of local control.

In my own district, we would not take kindly to the Federal Government forcing us to spend $400,000 in local funds that might otherwise have been used for crime prevention or schools or other local priorities. I understand why this local community would resist spending $400,000 on a symbolic name change while far too many children in the District of Columbia go without food at the end of the month.

Madam Speaker, if the Republican leadership and Grover Norquist believe new Metro signs and maps are such an important priority, then they should provide the money to pay for them. It is just plain wrong to force local governments to spend this money on maps for tourists instead of meals for children. Mr. Norquist and other Republican leaders do President Reagan no favor by imposing this unfunded mandate in this bill.

Madam Speaker, I believe the House should be allowed to consider and vote on the issue of the safety of our Nation’s highways. These are the same roads school buses travel and people use to get to and from work.

Their safety should be paramount.

Madam Speaker, I urge my colleagues to reject this rule so we may go back to the Committee on Rules and find a better way to address this important issue.

Madam Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Madam Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. ROGERS), the Chair of the Subcommittee on Transportation.

Mr. ROGERS of Kentucky. Madam Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me the time.

Madam Speaker, I rise in support of this rule. It is a good rule, it is a fair rule, and it needs to be adopted. At the outset, I want to advise the Members that we have worked closely and cooperatively with the Committee on Transportation and Infrastructure to resolve areas of disagreement on the bill.

The gentleman from Alaska (Mr. YOUNG) and this gentleman have been able to work out almost everything to our mutual satisfaction. We do not agree with their position on every matter, but we do not begrudge their right to assert their concerns and jurisdiction.

Under this rule, the authorizing committees 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 preserves the committee’s concern. In a number of other cases, the authorizing committees have 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 for capital projects, 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, our people.

We are seeking to fund within our funding allocation and the budget resolution. The bill is balanced. It is bipartisan and deserves the support of every Member of this body.

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 $38.2 million above current-year spending. We include $100.2 above the current year, an 800 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. OBEE).

Mr. OBEE. 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.
concern that the gentleman from Wisconsin 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 carriers 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 Mexico 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. PROST. Madam Speaker, I thank the gentleman from Texas for yielding me this time, and I thank my colleagues 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 found the inadequate 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 truck from the drivers 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 31⁄3 million northbound trucks every year.

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. These 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 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 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. REYNOLDS) and the gentleman from Pennsylvania (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 21 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 Depart-

ment 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, every one of them 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. We asked the people in Texas how soon they could put inspection stations up at the border. They told us it would take at least 18 months.

So I would strongly urge that we defeat this rule, we allow the Sabo amendment to be in order so that we can protect the safety of the traveling public in the United States. Whether one is for NAFTA or against NAFTA, we can all be for public safety on the highways.

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 talk about the issue of truck inspection and the safety of our highways.

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, re-

claiming my time, not any more than I would have a concern about an American truck coming through.

Let me also just add to what I could 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 in the eye and tell us that they are not discriminating against Mexico and border area residents.

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

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

Mr. REYNOLDS. Madam Speaker, is 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?

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claiming my time, I am aware of that. I am aware of that, because I know all of my constituents live on the border; that is 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 doing a plan for the safety of the trucks coming up from Mexico, and knowing generally what the plan is, does the gentleman from Kentucky (Mr. BONILLA) have concerns for the safety of his constituents through which these trucks would pass to the rest of the U.S.?

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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 from Kentucky (Mr. ROGERS) 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. I 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 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 over what kind of inspection they will 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. Mexico does not have an edge and skills test, and must have regular medical examinations.

In Mexico there are none of those requirements.

Madam Speaker, President Bush is wrong on truck safety. He is wrong to open the border to unsafe trucks. The Republican leadership is wrong on this issue. Vote "no" on the rule.

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 my colleagues 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(c) 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.
Ms. MEEK of Florida, Mrs. NAPOLITANO, Ms. VELÁZQUEZ, Mrs. CAPPS, and Messrs. BECERRA, INSLEE and JONES of Ohio changed their 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.

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

The SPEAKER pro tempore (Mrs. WILSON). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 166. The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. COOKSEY) that the House suspend the rules and agree to the resolution, H. Res. 166, on which the yeas and nays are ordered.
Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent that the rules be suspended and the bill be considered as having been read the first time.

Mr. Chairman, I am very pleased to present to the House the Department of Transportation and related agencies appropriation bill for fiscal year 2002. This is an excellent bill that reflects the consensus of both the majority and the minority side of the full Committee on Appropriations, and the markup of this bill this session, and the support of this subcommittee, and it will continue, and we hope now the full House.

I want to especially thank the gentleman from Minnesota (Mr. SABO) 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.

Our bill fully funds the Coast Guard from Kentucky (Mr. ROGERS), and the gentleman from Minnesota (Mr. SABO) each will control 30 minutes.

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The SPEAKER pro tempore. Pursuant to the rules, the bill is considered as having been read the first time.
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 on 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 in every State of the Nation.

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’s fiscal year 2002 operations and we are removing the limit on funding called for several years ago 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 be required to keep it 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. This will allow us 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 far exceeds the funds that 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 30 seconds.

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 his service. 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 Photo and Marjorie Uske 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 a bill that I am very proud of. 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.

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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 by buying up residential relocation 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 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 ensures 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 committees, 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 both sides. They both deserve this Committee's support.

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). His work here 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 this 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 support it 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 know 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 industry here in America, and we are proud of that, but there is much work yet to be done as it relates to cancellations and timely departures and arrivals.

With the leadership of the gentleman from Alaska (Mr. YOUNG), as well as our chairman, I am sure we will get to the bottom of that as well.

The bill is a good one, as has been mentioned; not a perfect bill, but seldom do we have a perfect bill.

I want to mention a little bit about the motor carrier safety that we are seeing in America. Trucks are responsible for many accidents that we have in our country. We have to make sure that we have an adequately staffed motor carrier division, and this bill begins to address that.

In our NAFTA provisions that were passed a few years back, beginning January 1, as has been mentioned, many trucks coming from Canada, coming from Mexico must be inspected. Everything has to be safe and within the rules of America's transportation system. As the gentleman from Minnesota (Mr. SABO) mentioned earlier, with NAFTA many trucks now will be coming into America further than the 30 miles across into our country, and sometimes they may not meet the requirements that our country has set for our own trucks. I hope we will revisit the Sabo amendment and that we make those trucks coming in from Mexico meet the very same standards that our trucks have.

Many trucks coming from Mexico do not have regular hours of service. Some of their records are not up-to-date like ours must be. I hope we take the time in this bill to revisit that issue, to make sure that all American citizens are secure and safe as trucks move around our country.

I strongly support this bill. I ask that my colleagues support it and that we move it to the Senate as soon as possible.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), the new and very able and strong chairman of the Committee on Transportation and Infrastructure, the authorizing committee, with whom I have a very close working relationship, and I appreciate his work very much and his cooperation.

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

Mr. YOUNG. Mr. Chairman, I rise in strong support of H.R. 2299, the Department of Transportation and Related Appropriations Act for Fiscal Year 2002. I first want to again to congratulate the gentleman from Kentucky (Chairman ROGERS) for his excellent work on this legislation. He has done an outstanding job in making difficult choices with very little money and finding the funds to ensure the nation's transportation infrastructure needs are met.

While I may not agree with every choice made in the legislation, I do recognize his leadership and hard work, and it has resulted in an excellent bill. I want to congratulate him for the 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 of Committee on Transportation and Infrastructure that I am going to ensure that the guaranteed funding provided by TEA-21 and AIR-21 is received. 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 guarantee of TEA-21 is that as the revenue from 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 and that 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 legislative provisions that fall within 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 Sub-committee on Coast Guard and Maritime Transportation, the gentleman from New Jersey (Mr. LoBIONDO). His amendment is needed 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 Function 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 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. Mr. Chairman, will the gentleman yield?

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

Mr. ROGERS of Kentucky. Mr. Chairman, 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 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 Rural Development Administration's 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 at 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 from New York.

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 improving 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 the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the full Committee on Appropriations.

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

Mr. Chairman, I simply want to say while we are publicly debating 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 the 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 Wisconsin (Mrs. EMERSON), 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, there is probably nothing more critical to helping rural America than improving our infrastructure. It is probably the most important thing that we needed to address in this issue, from my perspective, and, for the first time, our legislation does fund the Small Community Air Service Development Pilot Program, it will stimulate new and expanded air service at under-utilized airports in small and rural communities.

The legislation also includes important language which strongly urges the Department of Transportation to issue rural consultation provisions which were included back when we did TEA-21 3 years ago. These important rules will ensure that our rural local elected officials have a seat at the table when our State departments of transportation are making Statewide transportation planning decisions.

So, again, I would like to thank the chairman for his tremendous hard work and I look forward to working with him and the ranking member as we continue on with the process.

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

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

Mr. PASTOR. Mr. Chairman, first of all I would like to congratulate our chairman, the gentleman from Kentucky (Mr. ROGERS), and ranking member, the gentleman from Minnesota (Mr. SABO), for the fine work they have done in bringing this bill before us. It is a reasonable bill, it is a fair bill, and I congratulate them and also thank them.

I would like to thank the subcommittee for the work that they did on the issue of the borders in this bill. 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 dealing with airport congestion. As the gentleman from New Jersey (Mr. ROTHMAN) talked about, the committee has 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 asked and was given permission to revise and extend his remarks.

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

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 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 this, as 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. We have, 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 these 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.

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 growth 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 the 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, reiterating 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 could have hoped 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. SERRANO).

Mr. SERRANO. Mr. Chairman, I 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 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 is a subject that has been discussed, providing 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 construction workers. 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 conferees 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 State and 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. As you want to just touch, for the membership of the body and for the administration, the gentleman from Minnesota (Mr. SABO) is right. We have to
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 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 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.

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 air traffic 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 going to be extremely important to attract commercial carriers, this air traffic control system, which is funded in this appropriations bill, will be absolutely essential. I thank the chairman for that.

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

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 transportation at this point in time. We want to try to reconstitute this reallocation and allow the stream of funding to continue, and we would urge the chairman, and I will yield to him for a colloguion 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 Arizona. 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. MENENDEZ. 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. Mr. Chairman, 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. 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.

Mr. Chairman, I understand the funding constraints under which the committee is working. I would also, however, like to point out that this ferry hub project would provide important 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. Mr. Chairman, 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 the pressure for the reverse commuters and for runway construction at Palwaukee Airport that will rebuild a crumbling runway that is critical to relieving congestion at near-by 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 today 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 area worked together 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. Chairman, $65 million for the Mission Valley East Light Rail Extension is included in this bill, and that is part of the San Diego Trolley, an area that we have been trying to improve for a number of years. Also it includes $2 million for phase 1 of the Mid Coast Corridor Extension.

Mr. Chairman, I want to thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. BERSTAR) for their long-standing commitment to mass transit.

I also want to recognize and thank my colleagues in the San Diego congressional delegation, the gentleman from California (Mr. HUNTER), the gentleman from California (Mr. CUNNINGHAM), the gentleman from California (Mr. FILNER) and the gentleman from California (Mr. ISSA). We have worked together on this Mission Valley East Extension, and this bipartisan cooperation will make a big difference for all of our constituents in San Diego.

What does that mean? It means that we are going to be increasing the trolley ridership by 2.5 million new annual transit riders. It means that students at San Diego State University will now be connected to our light rail system. It means that patients at Alvarado Medical Center will be connected to the light rail system as well. It also means that we are going to close the gap between our blue and our orange lines, and we will take a first step towards linking the University of California at San Diego to our light rail system.

Mr. Chairman, I thank the gentleman from Kentucky (Mr. ROGERS) for the opportunity to acknowledge these needed transit improvements that will be coming to the San Diego region and the big difference it will be making for all of us.

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.
<table>
<thead>
<tr>
<th>TITLE</th>
<th>DEPARTMENT OF TRANSPORTATION</th>
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<tr>
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<td>FY 2002 Request</td>
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<td>Integrated Deepwater Systems</td>
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<td>Federal Aviation Administration</td>
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<td>Operations</td>
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NOTE: FY01 rescissions included in Net total lines.
## TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

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<tr>
<th>Item</th>
<th>FY 2002 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<td>(3,200,000)</td>
<td>(3,200,000)</td>
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<td>(-7,040)</td>
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<td>(Limitations on obligations)</td>
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<td>-1,584</td>
<td>-1,584</td>
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<td>(31,716,797)</td>
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<td>(955,000)</td>
<td>(955,000)</td>
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<td>Federal Motor Carrier Safety Administration</td>
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<td>Motor carrier safety (limitation on obligations administrative expenses)</td>
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<td>(Limitation on obligations)</td>
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<td>(203,956)</td>
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<td>(+1189)</td>
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<td>(343,444)</td>
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<td>(+51,241)</td>
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<td>(Limitations on obligations)</td>
<td>(299,194)</td>
<td>(343,444)</td>
<td>(298,203)</td>
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<td>(299,194)</td>
<td>(343,444)</td>
<td>(298,203)</td>
<td>(+51,241)</td>
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## TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

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<th>Bill vs. Request</th>
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<td>Operations and research</td>
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<td>(72,000)</td>
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<td>(Limitation on obligations)</td>
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<td>(196,000)</td>
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<td>Total, Federal Railroad Administration</td>
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1/ Funding provided in P.L. 106-113.
<table>
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<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<td>+131</td>
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<td>1,897</td>
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<td>Office of Inspector General</td>
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<td>Surface Transportation Board</td>
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<td>Salaries and expenses</td>
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TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299) — Continued (Amounts in thousands)
TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2001</th>
<th>FY 2002</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<td>Bureau of Transportation Statistics</td>
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<td>General Provisions</td>
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<td>Appalachian development highway system (Sec. 326)</td>
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<td>+2</td>
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<td>Muscle Shoals, Tuscaloosa, and Sheffield (Sec. 376)</td>
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<td>Valley trains and tours (Sec. 376)</td>
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<td>-1,000</td>
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<td>Woodrow Wilson Memorial Bridge (Sec. 376)</td>
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<td>Miscellaneous appropriations (P.L. 106-554)</td>
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<td>Huntsville International Airport (sec. 1104)</td>
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<td>-2,500</td>
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<td>Southeast Light Rail Extension Project (sec. 1105)</td>
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<td>-1,000</td>
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<td>Newark-Elizabeth rail link project (sec. 1107)</td>
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<td>-3,000</td>
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<tr>
<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>785</td>
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<td>Appropriations</td>
<td>(16,329,012)</td>
<td>(17,425,118)</td>
<td>(17,415,675)</td>
<td>(610,337)</td>
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<tr>
<td>Recissions</td>
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</tr>
<tr>
<td>Contingent emergency</td>
<td>(720,000)</td>
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</tr>
<tr>
<td>(By transfer)</td>
<td>(1,000)</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>(Limitations on obligations)</td>
<td>(38,432,000)</td>
<td>(40,899,001)</td>
<td>(41,007,800)</td>
<td>(+2,575,000)</td>
</tr>
<tr>
<td>(Recissions of limitations on obligations)</td>
<td>(417,996)</td>
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<tr>
<td>Exempt obligations</td>
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<td>(955,000)</td>
<td>(955,000)</td>
<td>(+114,000)</td>
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<td>TITLE II - RELATED AGENCIES</td>
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<td>Architectural and Transportation Barriers Compliance Board</td>
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<td>Recissions</td>
<td>(491,904)</td>
<td>(-331,000)</td>
<td>(-327,000)</td>
<td>(+2,904)</td>
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<tr>
<td>Contingent emergency</td>
<td>(720,000)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(By transfer)</td>
<td>(1,000)</td>
<td></td>
<td></td>
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<tr>
<td>(Limitations on obligations)</td>
<td>(38,432,000)</td>
<td>(40,899,001)</td>
<td>(41,007,800)</td>
<td>(+2,575,000)</td>
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<tr>
<td>(Recissions of limitations on obligations)</td>
<td>(417,996)</td>
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<tr>
<td>Exempt obligations</td>
<td>(1,049,000)</td>
<td>(955,000)</td>
<td>(955,000)</td>
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<td>Contingent emergency</td>
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<td></td>
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</tr>
<tr>
<td>(By transfer)</td>
<td>(1,000)</td>
<td></td>
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<tr>
<td>(Limitations on obligations)</td>
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<tr>
<td>(Recissions of limitations on obligations)</td>
<td>(417,996)</td>
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TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

<table>
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<tr>
<th>RECAP BY FUNCTION</th>
<th>FY 2001 Enacted</th>
<th>FY 2002 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<tr>
<td>Highway category:</td>
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<tr>
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<td>17,116,605</td>
<td>17,118,121</td>
<td>-1,367,628</td>
<td>+1,516</td>
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</tbody>
</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. Every day across the nation, as evidenced by the 20,027 people killed in U.S. crashes involving large trucks in 2002. 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 truckers under 21, those who 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 vote for the Sabo amendment.

Mr. ROGERS. Mr. Chairman, 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 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 $1,517,000 for pre-liminary work leading to the construction of bridges in Plattsmouth and Sarpy County to replace two obsolete and deteriorating bridges. The request for these funds was made by this Member as well as the distinguished gentleman from Nebraska (Mr. TERRY) and the distinguished gentlemen from Iowa (Mr. GANSKE and Mr. BOSWELL).

The agreement leading to the funding was the result of intensive discussions and represents the consensus of city, county and state officials as well as the affected Members of Congress. The construction of these replacement bridges (a Plattsmouth U.S. 34 bridge and State Highway 370 bridge in Bellevue) will result in increased safety and improved economic development in the area. Clearly, the bridge projects would benefit both counties and the surrounding region.

This Member is also pleased that this bill includes $325,000 requested by this Member for the construction of a 1.7-mile bicycle and pedestrian trail on State Spur 26E right-of-way, which connects Ponca State Park and the Missouri Nebraskas' Recreation River Corridor to the City of Ponca. This trail will play an important role as the area prepares for the bicentennial of the Lewis and Clark Corps of Discovery expedition and the significant increase in tourism which it will help generate. The approaching bicentennial represents a significant national opportunity and it is crucial that communities such as Ponca have the resources necessary to prepare for this significant commemoration.

The trail will prepare the infrastructure necessary to improve the quality of life by providing pedestrian and bicycle access between Ponca and the Ponca State Park and increases the potential for economic benefits in the surrounding region. The trail addresses congestion concerns on a separate off-road facility for bicyclists and pedestrians.

This Member would also like to mention that this bill provides more than $2.6 million in Section 5307 urban area formula funding for mass transit in Lincoln, Nebraska. This represents an increase of $230,753 over the FY2001 level.

Finally, this bill includes $1,976,000 for Nebraska's Intelligent Transportation System (ITS). This funding, which was requested by this Member 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 urban and rural transportation. For instance, the proposed State-wide Joint Operations Center would provide a unifying element allowing ITS components to share information and function as an inter-modal transportation system. Among its many functions, the Joint Operations Center will facilitate rural and statewide maintenance vehicle fleet management, roadway management 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, the Transportation appropriations bill for fiscal year 2002.

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 OSEY, Subcommittee Chairman ROGERS, and Ranking Member SABO for their efforts to craft a bill that addresses the unique transportation needs in this country.

I would like to commend Chairman ROGERS and Ranking Member SABO for crafting a bill that addresses the unique transportation needs in this country. Though this bill takes into account the demands and constraints of the current transportation network throughout the country, I would like to make special mention of certain aspects of this bill that have a tremendous impact on my constituents in the 7th Congressional district of New York.

I do have a few concerns, however, regarding transit funding. As many of you know, New York relies heavily on public transportation, and as such, we have a number of projects which are essential to the economic stability, as well as to the environmental quality, of the city. I would like to thank the Committee for including funds for one of these projects, 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. As 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 that same vein, 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, Tex. 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 identification information.

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 provided in this innovative program that will save lives.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 2299, the fiscal year 2002 Transportation Appropriations bill and I believe my colleagues 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 Elford 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 westbound 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 expensive repairs to the highway may not be completed until this October. My constituents—these commuters stuck in traffic—know only too well 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 are critical 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, with the budget allocation, which keeps our commitment to the Balanced Budget Agreement of 1997. I am also pleased to note that President Bush recognized the need for these projects and fully funded them in his 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 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, which connects New York and Boston.

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 program. 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 will be 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.
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 Represented States 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

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $57,726,000: Provided, That notwithstanding any other provision of law, therefrom 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, $400,000.

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

For necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $125,323,000, 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 limitations on expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: Provided further, That no assessments may be levied against any program, budget activity, subcontractivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $500,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $15,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,000,000, to remain available until September 30, 2003: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

( AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, to be derived from the Airport and Airway Trust Fund, $13,000,000, to remain available until expended.

Page 5, line 8, COAST GUARD OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five privately owned vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare, $3,382,586,000, of which $340,000,000 shall be available for defense-related activities; and of which $21,945,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That none of the funds appropriated in this or any other Act shall be available for pay of administrative costs 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 yachts under 46 U.S.C. 12109, 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 along the following lines:

Amendments offered by Mr. LoBIONDO:

Page 4, line 25, after the dollar amount insert (increased by $38,000,000).

Page 5, line 19, after the dollar amount insert (increased by $59,323,000).

Page 5, line 18, after the dollar amount insert (increased 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 $16,196,000).

Page 5, line 12, after the dollar amount insert (increased by $19,056,000).

Page 6, line 2, 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 Congress on the Budget to ensure that the function 400 allocations in the fiscal year 4002 budget resolution not only accommodated the TZA-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. 2299 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. Those 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 of 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 Coast Guard needs.

The amounts authorized by H.R. 1699 are budget. Unfortunately, the 302(b) allocations approved by the Committee on Appropriations failed to include funds that would address critical Coast Guard needs.

Should my amendment not be accepted today, I would urge the House and the Senate conferences 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. Mr. ROGERS of Kentucky. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.
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 section 302(b) allocation is about $690 million above the House. 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 the 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 Jersey was permitted to have 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 Senate 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. The 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.

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The CHAIRMAN. Does the gentleman from New Jersey (Mr. LOBIONDO) respond to those challenges by boosting the Coast Guard’s operating budget for the next year by $1 billion, in the 0 million, and in the appropriations process, that promise stands unfulfilled.

We have to do better. We have to find a way, otherwise we face the predictable consequences of a crippled Coast Guard, lost property, lost commerce and, of course, lost lives, both the lives of the men and women in the Coast Guard who serve us every day, as well as those who use the seas either for enjoyment or to secure a livelihood.

Mr. Chairman, I urge the House to support the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO) to respond to the operational emergencies from oil spills, to intercept illegal drugs into this country, to stop the flow of illegal drugs into this country, and to save our depleted fishery resources. To 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 $1 billion, in the 0 million, and in the appropriations process, that promise stands unfulfilled.

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 fishery resources. To 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.

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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 $1 billion, in the 0 million, and in the appropriations process, that promise stands unfulfilled.

We have to do better. We have to find a way, otherwise we face the predictable consequences of a crippled Coast Guard, lost property, lost commerce and, of course, lost lives, both the lives of the men and women in the Coast Guard who serve us every day, as well as those who use the seas either for enjoyment or to secure a livelihood.

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 by 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 in all likelihood 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, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $600,000,000, 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 personnel and training, including costs and related costs, to remain available until September 30, 2003; and $300,000,000 for the integrated deepwater systems program, to remain available until September 30, 2004; Provided, 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 offsetting 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 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. Chairman, I rise to support the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO), chairman of the Subcommittee on Coast Guard and Maritime Transportation.

Just 2 weeks ago we passed a Coast Guard authorization that increased their 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 (IDS) equipment 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.
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 read as follows:

ALTERNATION OF BRIDGES
For necessary expenses for alternation or removal of obstructive bridges, $15,486,000, 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 and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependent Medical Care Act (10 U.S.C. ch. 55), $676,346,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
For necessary expenses, not otherwise provided for, for applied scientific research, development, evaluation, man- nance, rehabilitation, lease and operation of facilities and equipment, and as authorized by law, $21,722,000, to remain available until expended, of which not to exceed $25,800,000 of funds made available under this heading may be transferred to the Coast Guard “Operating ex- penses” or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve: Provided further, That none of the funds in this Act may be used by the Coast Guard to assess direct charges on the Coast Guard Reserves for items or activities which were not so charged during fiscal year 1997.

FACILITIES AND EQUIPMENT
For necessary expenses, not otherwise provided for, for construction of facilities and equipment, and for the operation of aircraft, $3,492,000,000, of which not to exceed $192,585,000 shall be available for activities related to the air traffic services program; not to exceed $135,949,000 shall be available for the operation and maintenance of airport air navigation facilities; not to exceed $6,870,000,000, of which $5,773,519,000 shall be available for civil aviation security program activities; not to exceed $10,000,000 shall be available for research and acquisition program activities; not to exceed $377,100,000 shall remain available until expended, of which $3,492,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That there may be credited to and used for the Coast Guard Reserve for the fiscal year 2001, from the Oil Spill Liability Trust Fund, $191,481,000, to be derived from the Airport and Airway Trust Fund and to be available until expended: Provided further, That there may be credited to and used for the planning or execution of programs the obligations for which are in excess of $3,300,000,000 in fiscal year 2002, notwithstanding section 47117(h) of title 49, United States Code.

RESEARCH, ENGINEERING, AND DEVELOPMENT
For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subchapter IX 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 be available until expended: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-ΑΙΔΙΟΓΡΑΦΟΙ ΑΕΡΟΠΟΡΙΚΩΝ ΣΥΣΤΗΜΑΤΩΝ (LIQUIDATION OF CONTRACT AUTHORIZATION)
For necessary expenses for the Air Force, in aid of states and local governments, $191,481,000, of which not to exceed $31,722,000 shall be available for the planning or execution of programs the obligations for which are in excess of $3,300,000,000 in fiscal year 2002, notwithstanding section 47117(h) of title 49, United States Code: Provided further, That the funds limited under this heading for small airports due to returned entitlements, $10,000,000 shall be utilized only for the small community air service development program authorized in section 203 of Public Law 105–181: Provided further, That upon initial sub-
that, under chapter 471 and section 48103 of Title 49 U.S.C., is authorized only for grants, not administrative expenses. This is an unauthorized earmark of funds.

This language clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

Mr. Chairman, I also make a point of order against the language found on page 14, beginning on line 12 with the word “Provided” and continuing to end the end of line 20.

The language on lines 12 through 17 before the words “Provided further” would fund the cost of the Small Community Air Service Development Pilot Program from contract authority that is authorized only for AIP grants under chapter 471 and section 48103 of Title 49 U.S.C. Although I support this program, I must object to funding it with AIP grants as this would constitute an unauthorized earmark of funds.

This language clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

Mr. Chairman, the language found on page 14, beginning on line 17 with the words “That notwithstanding” and continuing through the end of line 20 would fund the cost of administering the Airport Improvement Program from contract authority under chapter 471 and section 48103 of Title 49 U.S.C., that is authorized only for grants, not administrative expenses. This supercedes existing law and clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Yes, I do.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) is recognized.

Mr. ROGERS of Kentucky. Mr. Chairman, I will concede the point of order in just a minute, but it is unfortunate that the point of order is made. It would defer the beginning of an important and authorized program. These funds would help promote development of smaller airports and promote competition where there is none.

As I indicated, the program is authorized, just not from this particular funding source. But we believe it is appropriate to use funds otherwise available to small airports for this new program, which only benefits small airports.

But, Mr. Chairman, I concede, technically, the point.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) concedes the point of order. The point of order is conceded and sustained. The provisions are stricken from the bill.

The Clerk will read. The Clerk read as follows:

GRANTS-IN-AID FOR AIRPORTS (AIRPORT AND AIRWAY TRUST FUND) (RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $301,720,000 are rescinded.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DEFAZIO:

Page 2, line 8, after “$67,726,000” insert “(increased by $720,000)”.

Page 9, line 14, after “$6,870,000,000” insert “(reduced by $720,000)”.

Mr. DEFAZIO. Mr. Chairman, this amendment, which is coauthored by the gentleman from Connecticut (Mr. SHAYS) and myself, would enable American consumers to have a centralized place to go to file complaints on a toll-free number with the Department of Transportation.

An office already exists, but in lengthy hearings last year over the delays at the Detroit airport involving Northwest Airlines, one aggrieved consumer stood up and said, you know, I spent over $100 on toll bills before I found out there was anybody at the Department of Transportation in a subcategory of the General Counsel’s Office who would listen to my complaint. This amendment would labor the phone with a phone recording, people leave their complaints, and sometimes to advocate on the behalf of those with disabilities.

This amendment would increase the rescission of funds on line 25 by $720,000, and it would allocate those funds in the Secretary’s office to the Office of General Counsel, to the people who handle it in the Aviation Consumer Protection Division. It would be funds that could establish a 1-800 number and would also provide for some funding for staff for that number.

I have consulted with the former general counsel a number of times over this over the gentleman would contact the Department. They feel that, although this is a relatively modest amount of money, that given the existing number of complaints and the complaints they feel would warrant further action by the Department of Transportation and by that office, they believe it would be adequate funds to begin to better serve aviation consumers.

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

Mr. DEFAZIO. Yes, I yield to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, do I understand the gentleman’s amendment is intended to provide funds which the Secretary of the Department of Transportation would be able to use to establish a hotline for consumers to complain of airline delays, cancellations, problems and so forth associated with air travel?

Mr. DEFAZIO. Yes, Mr. Chairman, the gentleman from Kentucky, the able chairman, is absolutely correct.

Mr. ROGERS of Kentucky. Mr. Chairman, in that instance, I have no objection to the amendment.

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 also 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 thank the gentleman.

Mr. Chairman, I just want to clarify. I read and printed in the RECORD.

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 were no objections.

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 read 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 our section 4733 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 growth.

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 midsized community by making money available to subsidize air carriers' operations. Officials for years 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, 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 kind of 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 traffic 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.

Mr. OBERSTAR. Mr. 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 to the authority 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.

But I am forced to make a point of order against the amendment because it is in violation of 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations fields a suballocation of budget totals for fiscal year 2002 on June 13, 2001. This amendment would provide new budget authority in excess of the subcommittee's suballocation made under section 302(b) and is in violation of 302(f) of the Act. I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Alaska (Mr. YOUNG) wish to be heard on the point of order?

Mr. YOUNG of Alaska. I do, Mr. Chairman. I agree with the gentleman that one of the most unfortunate things that occurred to the Subcommittee on Transportation is the fact they do not have the money. I do think the gentlemen did a bad thing. Four percent is not enough. I said this all along. So I will continue to try to seek funding of this program as we progress with this bill and other bills to see if we cannot accomplish what we are all seeking.

I have more small airports than any place in the United States and most of my people do not have highways, so I am very supportive of this program, but we also have to make sure it is funded adequately and appropriately and I concede the point of order at this time.

The CHAIRMAN. The gentleman from Alaska concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield 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.

Mr. OBERSTAR? Mr. Chairman, I move to strike the last word.

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

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

Mr. CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS. Mr. Chairman, I do. Mr. Chairman, 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.

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

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

Mr. CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS. Mr. Chairman, I do. Mr. Chairman, 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.

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

Mr. ROGERS. Mr. Chairman, I move to strike the last word.
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 110 of title 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 fund under section 110 of title 23, United States Code; and in violation of clause 2 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. No, Mr. Chairman.

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 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 people out of the Texas Medical Center, Southwestern Bell’s main switching station, and the Civic Center garage were all 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 office. 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 the Harris County Sheriff’s department and the coordination of the Harris County air search and recovery unit.

Two times I lifted off in a helicopter, one a Black Hawk, to be able to survey the damage, to be able to get a better view of the area; and it was from Houston TranStar that I was able to see the damage that was 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. Providing safe and efficient 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 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 anchor, 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 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 people out of the Texas Medical Center, Southwestern Bell’s main switching station, and the Civic Center garage were all part of Houston TranStar.

Tropical Storm Allison 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 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 personally, and it 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 expanding and expediting the recovery that is going on now in Houston, Texas.
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 San Jacinto River, and getting 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 $21 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, marshals 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 gentleman 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 $417 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 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 authority 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 the obligations for which are in excess of $31,716,797,000 for Federal-aid highways and highway safety construction programs for fiscal year 2002.

FEDERAL-AID HIGHWAYS [LIQUIDATION OF CONTRACT AUTHORIZATION] [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, $390,000,000,000 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 3 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 53, line 14 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 (reading 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 authorizing clauses that have 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 [LIQUIDATION OF CONTRACT AUTHORIZATION] [HIGHWAY TRUST FUND]
For necessary expenses for administration of motor carrier safety programs and motor carrier safety research, pursuant to section 108(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: Provided, That such amounts shall be available to carry out the functions and operations of the Federal Motor Carrier Safety Administration.

NATIONAL MOTOR CARRIER SAFETY PROGRAM [LIQUIDATION OF CONTRACT AUTHORIZATION] [HIGHWAY TRUST FUND]
For payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106, and 31309, $205,856,000, 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 $305,856,000 for “Motor Carrier Safety Grants”, and “Information Systems”.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION [LIQUIDATION OF CONTRACT AUTHORIZATION] [HIGHWAY TRUST FUND]
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 which in fiscal year 2002, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

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.

For expenses necessary to discharge the functions of the Secretary of Transportation for the purpose of carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411, to remain available until expended, $223,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2002, are in excess of $223,000,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411, of which $160,000,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402, $15,000,000 shall be for “ Occupant Protection Incentive Grant Program” under 23 U.S.C. 405, $38,000,000 shall be for “Alcohol-Impaired Driving Countermeasures Grants” under 23 U.S.C. 410, and $15,000,000 shall be for the “State Highway Safety Data Grants” under 23 U.S.C. 411: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $8,000,000 of the funds made available for section 402, not to exceed $350,000 of the funds made available for section 405, not to exceed $1,900,000 of the funds made available for section 410, and not to exceed $1,500,000 of the funds made available for section 411 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: Provided further, That not to exceed $500,000 of the funds made available for section 410 “Alcohol-Impaired Driving Countermeasures Grants” shall be available for technical assistance to the States.

For necessary expenses of the Federal Railroad Administration’s programs authorized by chapter 53 of title 49, United States Code, $13,400,000: Provided, That of the budget authority available for these purposes: Provided further, That of the funds in this Act available for the execution of contracts under section 5304 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.

For necessary expenses for the National Railroad Passenger Corporation: Provided further, That $5,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)), $55,422,400 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305), $11,577,600 is available for State planning (49 U.S.C. 5313(b)), and $31,500,000 is available for the national planning and research program (49 U.S.C. 5314).

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended, $50,000,000 shall be transferred to the Federal Transit Administration: Provided further, That none of the funds transferred shall be available for budget authority in excess of $6,000,000 for budget authority shall be available for these purposes.

For necessary expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, $13,400,000: Provided, That of the budget authority available for these purposes: Provided further, That 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 replacement, rehabilitation, and construction of temporary transportation facilities for the XIX Winter Olympic and the VIII Paralympic 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 none of the funds provided under this Act or the Federal Transit Act, as amended: Provided further, That notwithstanding section 3008 of Public Law 105–178, the $50,000,000 to carry out 49 U.S.C. 5308 shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under “Federal Transit Administration, Capital Investment grants,” that notwithstanding section 3008 of Public Law 105–78 and ending on page 25, line 2, with “capital investment grants.”

This language violates the guarantees of TEA–21 to provide funds for the Capital Investment Grants program to the other discretionary grant program. This language supersedes existing law and clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the House of Representatives.

The CHAIRMAN. The gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, the point of order is conceded.

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.

Mr. ROGERS of Kentucky. Mr. Chairman, I am making a point of order against the language found at page 23, beginning on line 20 and continuing to page 24, line 2, which begins “Providing fur-
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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 Public Law 105-178; Provided further, That notwithstanding the provision of law, there 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, Formula grants”; and there shall be available for new fixed guideway systems $1,136,400,000, together with $8,128,338 of the funds made available under “Federal Transit Administration, Discretionary grants” in Public law 105-66, and $22,023,391 of the funds made available under “Federal Transit Administration, Capital investment grants” in Public law 105-277, to be available as follows:

$10,296,000 for Alaska or Hawaii ferry projects;
$25,000,000 for the Atlanta, Georgia, North line extension project;
$10,087,000 for the Baltimore, Maryland, central light rail transit double track project;
$11,203,169 for the Boston, Massachusetts, South Shore commuter rail project;
$5,000,000 for the Charlotte, North Carolina, south corridor transitway project;
$34,000,000 for the Chicago, Illinois, Douglas branch construction project;
$23,000,000 for the Chicago, Illinois, Metra North central commuter rail project;
$19,718,735 for the Chicago, Illinois, Metra South West commuter rail project;
$20,000,000 for the Chicago, Illinois, Metra Union Pacific West line extension project;
$2,000,000 for the Chicago, Illinois, Ravenswood reconstruction project;
$5,000,000 for the Cleveland, Ohio, Euclid corridor transportation project;
$70,000,000 for the Dallas, Texas, North central light rail transit extension project;
$60,000,000 for the Denver, Colorado, Southeast corridor light rail transit project;
$132,000,000 for the Denver, Colorado, Southwest light rail transit project;
$25,000,000 for the Dulles corridor, Virginia, bus rapid transit project;
$30,000,000 for the Lauderdale, Florida, Tri-Rail commuter rail upgrades project;
$3,000,000 for the Johnson County, Kansas-Kansas City, Missouri, I-35 commuter rail project;
$60,000,000 for the Largo, Maryland, metro-rail extension project;
$1,800,000 for the Little Rock, Arkansas, river link project;
$10,000,000 for the Long Island Rail Road, New York, East Side access project;
$49,686,460 for the Los Angeles North Hollywood extension project;
$5,500,000 for the Los Angeles, California, East Side corridor light rail transit project;
$3,000,000 for the Lowell, Massachusetts-Nashua, New Hampshire commuter rail extension project;
$12,000,000 for the Maryland (MARC) commuter rail improvements project;
$13,370,000 for the Memphis, Tennessee, Medical center rail extension project;
$5,000,000 for the Miami, Florida, South Miami-Dade busway extension project;
$10,000,000 for the Minneapolis-LeSourdine, Minnesota, Northstar corridor commuter rail project;
$56,000,000 for the Minneapolis-St. Paul, Minnesota, South Central light rail transit project;
$4,000,000 for the Nashville, Tennessee, East corridor commuter rail project;
$20,000,000 for the Newark-Elizabeth, New Jersey, rail link project;
$4,000,000 for the New Britain-Hartford, Connecticut, busway project;
$114,000,000 for the New Jersey Hudson Bergen light rail transit project;
$13,800,000 for the New Orleans, Louisiana, Canal Street car line project;
$1,100,000 for the New Orleans, Louisiana, Desire corridor streetcar project;
$15,000,000 for the Oceanside-EScondido, California, light rail extension project;
$16,000,000 for the Phoenix, Arizona, Central Phoenix/East Valley corridor project;
$6,000,000 for the Pittsburgh, Pennsylvania, North Shore connector light rail transit project;
$20,000,000 for the Pittsburgh, Pennsylvania, stage II light rail, transit reconstruction project;
$70,000,000 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;
$328,810 for the Sacramento, California, light rail rail transit project;
$15,000,000 for the Salt Lake City, Utah, CBD to University light rail transit project;
$715,906 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;
$80,665,331 for the San Francisco, California, BART extension to the airport project;
$113,336 for the San Jose Tasman West, California, transit light rail 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 31, beginning on line 9 and continuing to line 10 which begins “Notwithstanding section 3037(l)(3) of Public Law 105-178, as amended,”

This language waives the statutory distribution of funds specified in TEA-21 for the Job Access and Reverse Commute Grants program and explicitly supersedes existing law. This language critically constitutes an appropriation bill 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, 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. The provisions are stricken from the bill.

The Clerk will read.

The Clerk read as follows:

Job Access and Reverse Commute Grants

Notwithstanding section 3037(l)(3) of Public Law 105-278, as amended, for necessary expenditures to carry out section 3037 of the Federal Transit Act of 1998, $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. 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 states: “Notwithstanding any other provision of law” and also against the language found on page 26, beginning on line 15 and continuing to line 16 which states “together with $50 million transferred from “Federal Transit Administration, Formula grants”: this clause “notwithstanding any other provision of law” explicitly supersedes existing law and clearly constitutes legislation on appropriations bill in violation of clause 2 of rule XXI of the rules of the House of Representatives.

Mr. ROGERS of Kentucky, 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. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

Saint Lawrence Seaway Development Corporation

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 accordance with this Act, 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, $13,328,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.
RESEARCH AND SPECIAL PROGRAMS
ADMINISTRATION

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $36,487,000, of which $654,000 shall be derived from the Pipeline Safety Fund, and of which $2,170,000 shall remain available until September 30, 2004: Provided, That any fees collected under 45 U.S.C. 6108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That the sum herein appropriated for the general fund shall be reduced on a dollar-for-dollar basis as such other fees are received by the Secretary, during fiscal year 2002, to result in a final appropriation from the general fund estimated at no more than $17,613,000.

TITLE II
ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,046,000: Provided, That, notwithstanding section 505 of title 5, United States Code, for the fiscal year ending September 30, 2002, such fees shall be used to acquire and hold lands, water, easements, and rights-of-way for purposes of the public domain: Provided further, That none of such fees shall be used for salaries and expenses of employees other than the Secretary of Transportation or his designee.

OFFICE OF INSPECTOR GENERAL

Salaries and Expenses

For necessary expenses of the Office of Inspector General for the fiscal year ending September 30, 2002, $5,046,000, of which $4,344,000 shall be derived from the Pipeline Safety Fund, to remain available until September 30, 2004: Provided, That not more than $14,300,000 shall be made available for services as authorized by law (5 U.S.C. 5901-5902), of which not to exceed $2,000 may be used for official reception and representation expenses.

TITLE III
GENERAL PROVISIONS

INCLUSION OF FEE FUNDS

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowance therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 302. Such sums as may be necessary for fiscal year 2002 shall be available for services as authorized by law (5 U.S.C. 5901-5902).

SEC. 303. Appropriations contained in this Act for the Federal Aviation Administration shall be available for services as authorized by 5 U.S.C. 3109, 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).

SEC. 304. None of the funds made available by this Act shall be available for salaries and expenses of more than 105 political and Presidential appointees in the Department of Transportation: Provided, That the funds made available under this heading shall be used to hire employees, pursuant to section 7012 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

Salaries and Expenses

For necessary expenses of the Surface Transportation Board, including services to be authorized by 5 U.S.C. 3109, $18,563,000: Provided, That notwithstanding any other provision of law, not to exceed $850,000 from fees established for services of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated for the general fund shall be reduced on a dollar-for-dollar basis as such other fees are received by the Secretary, during fiscal year 2002, to result in a final appropriation from the general fund estimated at no more than $7,613,000.
fiscal year under section 105 of title 23, United States Code (except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years).

(c) Reimbursement of Certain Authorized Funds.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to each State that is authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and highway-related programs under chapter 4 of title 23, United States Code, the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6).

(d) Special Rule.—Obligation limitation distributed under subsection (a)(4) of this section for a section set forth in subsection (a)(4) shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highways and highway safety construction programs for future fiscal years.

(e) Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under “Federal Transit Administration, Capital investment grants” for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2004, and other recoveries, shall be made available for other projects under section 5309 of title 49, United States Code.

SEC. 315. Notwithstanding any other provision of law, and any funds appropriated before October 1, 2001, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section pursuant thereto.

SEC. 316. None of the funds in this Act may be used to compensate in excess of 335 technical and scientific persons engaged in Centers for Disease Control and Prevention research and development and education programs in fiscal year 2002.

SEC. 317. Funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account, the Federal Transit Administration’s “Transit Planning and Research” account, and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspections and trainees participating in training pursuant to 49 U.S.C. 20165.

SEC. 318. Funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities may be used and obligated pursuant to this Act. Funds made available for construction of ferries or ferry terminal facilities, or for acquisition and modernization of ferries, or funds made available in accordance with the provisions of section 7 of the Federal Ferry Act (46 U.S.C. 751) may be used to construct new vessels and facilities, or to improve existing vessels and facilities, including both the passenger and vehicle-related elements of such vessels and facilities, and for repair facilities.

SEC. 319. Notwithstanding section 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal Highway Administration. Such funds are available for the purpose of reimbursing the Bureau for such expenses; Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 320. None of the funds in this Act may be reused or expended for purposes which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the training and written end of course evaluations; (d) contains any methods or content...
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 language. I do not intend 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 before the Committee?

The Clerk will read.

The Clerk read as follows:

SEC. 323. Notwithstanding any other provision of law, of the $23,896,000 provided under section 324 of this Act, that, such funding is only available to the extent the Secretary evaluates the need 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 5% of the amount originally reserved, consistent with section 110 of title 23, U.S.C., for the motor carrier safety grants program: Provided further, That on July 1, 2002, the Secretary shall distribute to the States any remaining undistributed amounts consistent with section 110 of title 23, U.S.C., for the motor carrier safety grants program.

AMENDMENT NO. 1 OFFERED BY MR. ANDREWS

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: 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.
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 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 the 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 Texas, with both Houses, the Senate and the House, to announce that a 7.5 mile METRORail line in Houston will be able to work together on securing that authorization and funding for TranStar.

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 in 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 personnel, nurses, technicians, doctors 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 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, Mr. Delainey said, "When will it come into my neighborhood?"

I believe that there are good will people and there are people who will work with us, including members of my own delegation who will make sure this rail will 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 retool the transportation system for the 21st century.

Conventional wisdom also suggests that the light rail project would be an immensely useful compliment 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 the traffic congestion problem, 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 inevitably 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 our country.

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 match ingenuity being shown by other transportation agencies utilized by other major metropolitan cities. With a continued collective effort from local, regional, and Federal resources, I believe the light rail system will help transform Houston’s transportation system into one of the premier systems in America.

I know that Congress needs to move forward on this bill, and we cannot debate local issues. But I hope the Congress realizes that this is not a local issue. This is a question of equality and parity when all of the other areas of the nation are able to get dollars for light rail. I myself want light rail to meet 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 that would remove the prohibition affecting the City of Houston in the bill. 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 voters 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.

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 these 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 heavily, and the fact that it already provides a mechanism for votes 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?

Mr. CULBERSON. I yield to the gentlewoman from Texas.

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 it is 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 election. There is a design ready 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 voter approval. 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 rider is about $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...
an election and I strongly support the gentleman from Texas (Mr. DeLAY) in his call for an election before any transportation dollars are spent on the construction of a rail system in Houston. I urge Members to vote against the amendment so that there can be a vote on the city of Houston.

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

Mr. Chairman, I oppose this amendment because the Houston Metro bureaucracy has not resolved its primary shortcoming. They have not assembled the facts and they have not placed those facts before our community. 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 with no price tag, tag, tag, performance, and an undetermined impact on our most pressing problem in the Houston-Galveston area, 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 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 amendment 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 gives 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 impact on the region.

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 the different options to reduce congestion. And it should mean, and compare the cost of those options. 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 economic development 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 $50 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 to make sure that we are able to replace 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 Department of Transportation all must support the impact of this amendment.

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

Mr. Chairman, I yield to my friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. 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; Washington, D.C.; Cleveland; Oakland, California; Denver, Colorado; the Dulles Corridor; Fort Lauderdale; Largo, Maryland; Little Rock, Arkansas; Long Island Railroad, New York; Los Angeles; Maryland; New Britain, Hartford, Connecticut; New Jersey; New Orleans; Phoenix, Arizona; Pittsburgh, Pennsylvania; Portland, Oregon; Puget Sound, Washington; Raleigh, North Carolina, and others that are engaged in securing transit dollars and in particular many of them 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 inner-city district that consensus occurs locally. A 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 joined together around light rail. We are seeking to earn the support of Houstonians. We would not do to overlook their input.
The reason why we are using other funds is because it was suggested to us to use economic development funds. I can only say that I started out by saying I am an eternal optimist, but the Texas Southern University, University of Houston, and downtown Houston and into the suburbs have all come together suggesting that light rail is a people-mover and an effective transit vehicle.

Why are we standing here in the 21st century and having Houston denied? This is a viable amendment. I believe the delegation can sit down and have the issues resolved. Metro has been given the facts. They are seeking input from others. They are planning a comprehensive plan, and I do not know why an inner city has to be ignored and prevented from having the light rail system when all of us can come together on all kinds of large highways and byways and Members from the inner city can vote on a plan, but yet an inner-city district, economically in need, cannot have the light rail system that would then generate to all parts of our community, including the suburbs. For the first time, we have friends in the suburbs. We have friends in the inner city and a community all saying that they want light rail.

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 litany of other cities, the opportunity to design a comprehensive plan, and I do not know why an inner city has to be ignored and prevented from having the light rail system that would then generate to all parts of our community, including the suburbs. The first time, we have friends in the suburbs. We have friends in the inner city and a community all saying that they want light rail.

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 referendum 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 subcommittee’s funding deadline, which was April 6. In February, Senator G Dole presented the High Speed Rail Authority Act on May 2 and the Florida house on May 3. Our Florida Governor signed this measure 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 subcommittee to support and assist and consider this in the future.

Mr. Chairman, I hope that the gentleman from Kentucky (Mr. ROGERS) will be able to work with my colleagues in the Florida delegation and help us identify and secure funding for this project, which was authorized under one of the high speed rail corridors.

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

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

Mr. ROGERS of Kentucky. Mr. Chairman, let me thank the gentleman from Florida (Mr. MICA) for offering his comment. We would be pleased to work with the gentleman as this transportation bill moves through the appropriations process, especially as the gentleman is the chairman of a very important subcommittee over there on the Committee on Transportation and Infrastructure.

Mr. MICA. Mr. Chairman, I prepared an amendment to earmark funds for fiscal year 2002 funds for the Florida project, but I will not offer that amendment today. I want to thank the chairman for his intention to work with us on this project. It is most important to the people of Florida.

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to. According to Mr. EMERSON having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole on the House on the State of the Union, reported that that Committee, having 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.)

Mr. YOUNG of Florida. Madam Speaker, I want to announce to the membership that it is my intention to file the fiscal year 2002 energy and water development appropriations bill this afternoon, which we will do following this colloquy; that the Committee on Rules has agreed to meet this afternoon at 5:00 to receive testimony to grant a rule on that bill. The House would then consider the energy and water appropriations bill sometime this afternoon, and I would like to indicate that the first vote would be midday because in the morning the two subcommittees of the Committee on Appropriations will mark up their bills. It will be midday before we could get to the energy and water bill.

With respect to the agriculture bill, it is my intention not to file the fiscal year 2002 agriculture, rural development, Food and Drug Administration and related agencies appropriations bill until the applicable legislation is resolved. If an agreement can be reached on apples, I would expect to file the agriculture appropriations bill tomorrow.

The Committee on Rules would then meet tomorrow evening to report the rule, and the House would work into the evening on Thursday night, hoping to complete that bill before adjourning for the July 4 recess.

I share the Members’ desire to finish the agriculture bill by midnight Thursday day or earlier if possible. In order for us to meet this ambitious schedule, it will require the cooperation of all of our colleagues in the House, and, of course, the cooperation of the Committee on Rules, which is always cooperative.

In order for the House to complete action on the agriculture bill, I would expect that the gentleman from Wisconsin and his leadership would be prepared to enter into time agreements, as we have done on previous appropriations bills, and limitations on amendments to be offered on the agriculture appropriations bill. Since we all would like to get home to our districts for the 4th of July holiday, we desire not to have a hard drive into the wee hours of the morning Friday to finish the work. Rather, if necessary, we could complete the work on the agriculture bill when we return in July.

Mr. OBEY. Madam Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, I thank the gentleman from Florida (Mr. Young) for his statement.

Madam Speaker, essentially for the benefit of the Members, what that means is that we would expect tomorrow after the committee is finished with its work in committee to finish action on the energy and water bill, which is being filed right now, and which will be in the Committee on Rules very shortly. On Thursday, if the agriculture bill is brought to the floor, we will work out time agreements and try to get as much done as possible, and have it finish. If we do not, it can be finished whenever the leadership decides it ought to be dealt with, and that would mean that Members would have notice that we would not be in session on Friday. Is that right?

Mr. YOUNG of Florida. The gentleman is correct. It is our intention if, in fact, we are able to take up the agriculture 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 hour 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.
Mr. OBIEY. If the gentleman will yield further, it is also my understanding, frankly, that there will be not all that extended a discussion tomorrow 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 the bill on the floor until those two markups are completed.

Mr. OBIEY. 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 XXI, 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.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with Mr. CAMP in the chair.

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 take 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 provides funding for only 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 criteria, it is the analyst 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 be accommodating to the greatest extent possible to ensure that Federal funding for this project is continued 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 requests for 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. 320. 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.

SEC. 331. 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 Meeting 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 or to the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

AMENDMENT OFFERED BY MR. OLIVER

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 Island nations and coastal regions throughout the world; and pointed out at that time that the United States has ratified the United Nations framework
and to continue, anthropogenic emissions of carbon dioxide from that, that country parties should take the lead in combating climate 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 the 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.

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. 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 cap and trade, that might not be related to Kyoto, 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 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 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 corresponds to CO2 and other greenhouse gases 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 and so forth. 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 a 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 on and 55 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. Chairman, 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 overlooking 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.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. Gilchrest) has expired.

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 of 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, reclaiming my time, if I could just respond to the chairman, 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.

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 about 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, the south Atlantic, into the Pacific and then back up to the Arctic. That great ocean circulating current from time to time disappears. The world enters an ice age, and it occurs on regular currents of about 100,000 years.

It also occurs with a tilt of the earth’s axis a half a degree away further from the sun than it does now. That last occurrence made of the disappearance of the circulating current was followed by a warming period that ended with the great Ice Age, which itself ended over 10,000 years ago and was followed by the lesser Ice Age, the period of roughly 1,300 to 1,400 in the modern era. And then about 750 years ago we experienced another lesser ice age known as the Younger Dryas.

We are now in a period of extended warming. We are beyond those ice age periods and into a new cycle of climate. As the atmosphere has warmed and as the surface of the waters of the Pacific Ocean have warmed more than any other region since the beginning of this century, the ocean waters are expanding. As they warm, they expand, and so it is happening with the Atlantic waters. And as those waters expand and as the atmosphere is warmer, it holds for every degree of temperature 6 percent more moisture. And with more moisture in the atmosphere, more of a collision of warm and cold forces, we are seeing these violent storms. Fifteen years ago, my colleagues and I paid more than $1 billion a year in disaster assistance programs. Within the last 5 years, we have expended over $5 billion a year, and last year with the private insurance and the public funds, expended over $10 billion responding to natural disasters. It is incontrovertible that serious things are happening in our climate. And what has changed is not the forces of nature, but man’s application to them.

The gentleman from Maryland said we have contributed carbon into the atmosphere, and those very thoughtful remarks of the gentleman from Maryland.

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June 26, 2001

CONGRESSIONAL RECORD — HOUSE

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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. OLVER. 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. OLVER. 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 limitations 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 address these concerns in the conference that will come forward.

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

Mr. OLVER. 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, to the request of the gentleman from Douglass Road

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Mr. ROGERS of Kentucky. Mr. Chairman, I will be happy to consider it as time passes, but I was sort of hoping, to the request of the gentleman from Douglass Road

Douglas Road

transportation system, the Administrator is

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. OLVER. 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 limitations 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 address these concerns in the conference that will come forward.

Mr. ROGERS of Kentucky. Mr. Chairman, I will be happy to consider it as time passes, but I was sort of hoping, to the request of the gentleman from Douglass Road

Douglas Road

transportation system, the Administrator is
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, I yield to the distinguished gentleman from Kentucky. Mr. Chairman, the Trafficant amendment is a good one. We accept it.

Mr. TRAFFICANT. Mr. Chairman, I yield to the distinguished gentleman from Minnesota (Mr. Sabo), the ranking member.

Mr. Sabo. Mr. Chairman, we accept the amendment.

Mr. TRAFFICANT. 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 $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 Links will measurably improve the quality of life for residents in the area by reducing traffic and increasing air quality and providing public parks and walkways.

Long Island City, Mr. Chairman, 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 northwestern Queens—MetLife recently decided to relocate approximately 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.

Interestingly, 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 Bakersies, and Schick Technologies, are continually growing and expanding.

Recently welcomed retail chains include Home Depot, Tops Appliance City, Costco, Saks, Marshalls, Barnes & Noble, Marshall's, Conwy, Ethan Allen, 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 in the City that is experiencing tremendous economic activity, it is 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 new section: SEC. ___. 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 through El Sereno, South Pasadena, and Pasadena, California.

Mr. SCHIFF. (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 California?

There was no objection.

(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 as passed 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 projects 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.

The 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 new section: SEC. ___. 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. 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.

Let me review where we are at this point. The Committee on Rules did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been struck. Today I think close to $90 million for the bill, and facilities did not make our amendment in order. We heard a great deal about the money that we were going to make available for facilities and inspectors in this bill. A significant part of that money has been strike...
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 provisions. That is 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 an amendment 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 are bound by it. However, it is 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. There, if they want to 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 rulemaking 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 who want to bring 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 a 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.

There is money in the rulemaking. The DOT will be going to Mexico. For those carriers who want to bring 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 a Mexican carrier.

Mr. OBEY. 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 would 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 that money is 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 $18 million for the State supplements for States around the border, all that money is gone.

So 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 perfect.
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 full confidence in the ability of the gentleman from Kentucky to fix this 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.

(On unanimous consent, Mr. Obey was allowed to proceed for 5 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 last. 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 tweak 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 fair procedure the rest of the time. We are not fooled by that. American drivers are not going to be fooled by that. The only people you might be fooling are yourselves.

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

Mr. Chairman, I rise in opposition to the amendment. I have listened with interest to this debate. I do rise in strong opposition to this amendment.

I think that sometimes the rules of the House work to help to show the real true intent of what is involved here. I have said all along in the debate in committee and before on this, in the years that it has been before, that this is really an issue about trying to block Mexican trucks from the United States highways, that there are interest groups here in the United States that do not want under any circumstances to have Mexican trucks driving on our highways.

Well, today we see that with this amendment. Granted, as the gentleman from Wisconsin (Mr. Obey) said, it is the only amendment that can be offered, or something like this amendment can be offered under the rules. With this amendment, it is very clear.

Block all trucks from coming into the United States. The heck with an inspection procedure. The heck with anything else. Block all trucks.

I might add, within only in his State, 20 miles in my State is okay under this amendment, but in other areas, it is not okay. So somehow it is okay for us not to have safe trucks since he is worried about safe trucks.

So I think it is very clear what we are talking about here. We are talking about blocking trucks from coming in the United States. Let us face it, there are interest groups in the United States that do not want those trucks here. They are joined by interest groups in Mexico. The Mexican Trucking Association does not want American trucks coming down into Mexico. So they join you in this. They want to make sure there are not trucks in the United States to have an opportunity to compete there.

If we get this, we get reciprocity; and we have an opportunity to have Mexican trucks to go down there. There are Mexican truck associations that do not want us. So there are joint interest groups on both sides that do not want this.

But let us review the facts here. We adopted NAFTA. It was adopted in this body at a time in fact when the other party controlled this House. It is the law of the land that took effect on January 1, 1994. It stipulated that, by January 1, 2000, that is 18 months ago, we would allow trucks to cross at all points of the border into the United States. Here we are at June 25, and it still has not occurred.

Mexico filed a complaint against us under the terms of NAFTA for not meeting the deadline; and in February of this year, the panel concluded that the U.S. was indeed in breach of its NAFTA obligations.

The sanctions that are being talked about could be as much as $1 billion a year. That is $1 billion on American industry. That is $1 billion for American consumers that they are going to pay more.

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 get by building new bridges, not barriers to our neighbors from the south.

Let us be clear about this. This issue is not about the safety of the truck, it is about paperwork. The issue as was presented earlier by the gentleman from Minnesota was about paperwork. Of course we want to be sure that all trucks traveling on our highways are safe, but the States along the border, for example, Colorado, they are prepared to do that. How come the States that have the responsibility for enforcing this, along with the Department of Transportation, are prepared to do this? We have the regimen in place to check the safety of trucks 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, and the percentage 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 at 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, 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 operating 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 a requirement 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 that the amendment now 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 was 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. So there is no question. We are prepared to inspect. We are prepared to look at these trucks. 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. The gentleman must acknowledge 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 Arizona (Mr. KOLBE) has again expired.

Mr. KOLBE. Mr. Chairman, the time of the gentleman from Arizona (Mr. KOLBE) has again expired.

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

Mr. KOLBE. Mr. Chairman, I yield to the gentleman from Minnesota.

Mr. SABO. As I was saying, I have here a letter from the Commercial Vehicle Safety Alliance, which is an association of State, provincial, and Federal officials responsible for the administration and enforcement of motor carrier regulations. I was writing to him to express their strong support for the amendment that I had before the Committee on Rules. They are hardly a self-interest group. Their interest is in enforcing the laws that we pass.

Mr. KOLBE. Mr. Chairman, I appreciate what the gentleman is saying, but I would say to the gentleman in response to it that it is very clear to me that the ability to do this, we have the wherewithal to do it, we have the desire on the part of both Federal and State authorities to do this checking, and they are capable of doing this.

Why is this amendment not including Canada? Why are we singling Mexico under this? Canada is a NAFTA partner. Why do we discriminate against the one? That is what makes this violative of NAFTA.

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 Wisconsin (Mr. OBEY) has 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 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 put up a wall out this Latin American country, this neighbor to the south of us, to say that we do not believe your trucks can travel here in the United States. I think it is just plain wrong.

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

(On request of Mr. BONILLA and was given permission to revise and extend his remarks.)

Mr. BONILLA. 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,
for anyone to argue that these trucks coming in from Mexico would not be forced to comply with the same standards as American trucks on our highways. This is simply a ploy, a naked ploy now, because it is not masked as an earlier amendment was trying to be masked of inefficiency that is actually behind a safety issue. This is just a clear effort to try to stop these trucks from coming in all together.

Let me also say to many of my colleagues who are supporting this amendment, this is an attack on many border communities who have seen an incredible economic boom as a result of free trade over the last 20 years. To support this amendment stops the progress, stops the jobs from being created in many of the communities close to the border. I do represent almost 800 miles of the Texas-Mexico border and have seen incredible opportunities come to these neighborhoods because of free trade. These people want more opportunity and trade, not to slow that down. We are allowing these trucks to drive through these communities. And we know that they would not be held to any less a standard than an American truck driving through the community. So, I see this for what it is, it is a discriminatory attack against Mexico. It has already been pointed out that no one else is being forced to comply with this standard. No one else would fall under this amendment. Our friends in Canada would not fall under this amendment. This is simply another effort to discriminate against our friends in Mexico who have been good trading partners and have helped create thousands of new jobs in this country. I urge defeat of this amendment for those reasons.

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

Mr. Chairman, I want to attempt to bring some rationality to this debate and historical perspective. The issue is not, as previous speakers have tried to make it, no Mexican trucks in the U.S. or sinister special interest forces trying to keep Mexican trucks from entering the United States. That is not the issue. The issue is safe trucks, safe U.S. trucks, safe trucks from Canada, and safe trucks from Mexico.

In 1982, the then Committee on Public Works and Transportation brought to this nation, to prohibit trucks from Canada and Mexico entering the United States unless the President of the United States would issue a finding of safety that legislatively imposed moratorium on truck entry into the United States. That was 1982. In 1984, President Reagan lifted the moratorium with respect to trucks from Canada but did not lift it with respect to trucks from Mexico. In 1986, 1988 the President again lifted the moratorium on Canadian trucks but not on Mexican trucks. In 1992 lifted the moratorium on Canadian 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, Canadian trucks are lower than that of trucks in the United States. Seventeen percent of Canadian trucks are found to be out of compliance with safety standards, while 24 percent of U.S. 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 asking for is simple, a fair system that is dedicated, a lot of paperwork. No, no. I know safety from the aviation standpoint, from the rail standpoint, and I have looked at it for many, many years from the surface transportation standpoint, trucking issues as well. We do not just look for this truck that is out of compliance, we are looking for a system of safety, for a system, a structure of compliance.

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 like those in place in the United States, different methods of ensuring compliance with U.S. regulatory regime may 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) is expired.

(By unanimous consent, Mr. OBERSTAR 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 concert 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 resolve them. If a trucker from another country under the NAFTA will be in compliance with our safety rules. The Sabo amendment provides that opportunity.

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

Mr. Chairman, I rise in strong support of the Sabo amendment. I, like my colleagues, regret that the Sabo-Ney amendment was not made in order. However, I do not regret being in strong support of this amendment, because I believe it is very important for this House to have a clear vote on this issue.

This issue in my view is not about NAFTA; it is about truck safety and whether we can properly inspect the trucks that are entering the United States. Not too long ago, the Subcommittee on Highways and Transit had a site visit to San Diego and La- redo, Texas, where there is 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 found and 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 a 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?
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 1st under 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 load more harm to NAFTA than our insisting 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 we may inquire 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. How many on the gentleman’s side?

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

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

Mr. ROGERS of Kentucky. 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 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 Mexican truck brakes have failed and 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. KOLOŠE) and myself, 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. BOYSE) 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 the States. No State 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. They 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 only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself. Very little inspection only deals with the safety of the chassis itself.

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 have the safety record of that driver. 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.

Mr. Chairman, the gentleman from Pennsylvania (Mr. BOYSE) 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. They take years away from having 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.
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 Brownsville crossing into Texas. This is an increase of 4 million truck crossings last year. The volume of truck traffic is expected to increase by 85 percent. As of now, we do not have the ability to inspect and regulate these trucks. A total of 1 percent of the truck traffic that crosses into Texas 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 rules as we are. 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 shouldn’t they also wait in the same line? 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 discrepancies persist. Mexican trucks tend to be older, heavier and more likely to transport unmarked toxic or hazardous material. Mexico has not yet developed hours of service requirements for commercial drivers. Mexico does not have a laboratory certified to U.S. standards to perform drug testing. Mexico does not have a roadside inspection program.

On our side, in Texas alone, I sent a letter to then Governor Bush when he was there almost 4 years ago. At that time we had 17 workers part time doing the inspections. Now we have 37 part-time people, yet we have 70 percent of the traffic. Texas was supposed to hire 171 new commercial vehicle inspectors. They did not. They did not get the resources. 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 couple of days ago, they received no additions to this purpose due to 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 to 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 from the fact that we insist that Mexican trucks that are crossing into Texas 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.

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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 enforcement on our northern 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 asked 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 railroads that cross 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 aircraft, boats or cars, we 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 not 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. Chairman, I yield the balance of my time to the gentleman from Oregon (Mr. DeFazio).

The CHAIRMAN. The gentleman from Oregon is recognized for 5 minutes.

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

The previous speaker in the well talked about this being a thinly veiled safety amendment. It is not. It is all about safety. Plain and simple that is what we are talking about, the safety of the driving American public on U.S. highways paid for with taxpayer dollars, and they can expect a little bit of protection from their Federal Government. I think, I hope.

We do inspect U.S. trucks. We do pull them off the roads when they are unsafe. We do require drug and alcohol testing. I went through that debate here on the floor of the House, and I supported that. We do require log books. We do require restrictions on duty time. And we enforce those laws. For the most part those laws do not exist in Mexico, and where they do exist, they are not enforced.

Now, no one has contested that fact. They are saying, oh, that we just do not want to be good neighbors. We do not want to be good neighbors, but we do not want to be good neighbors with people who are endangering the lives of the traveling public.
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 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 at the end they are going to come to a conclusion that we have just got to go ahead and pass this. That would not be the right way.

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 the right way. But what would happen is those trucks that we know are heavier, with drivers who generally are not meeting U.S. standards for safety, for training, for obtaining for long books, for records of offenses being kept in a central data file, perhaps for insurance, for labeling for hazardous materials, 25 percent of the trucks coming across the border carry hazardous materials; 1 in 14, 7 percent, are labeled. What is going to happen when one of those goes somewhere on I-5 in California or in a heavily populated part of Oregon or Washington? We will not know what is in it. We will not know how to deal with it. We are going to put the traveling public at risk, we are going to put communities 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 great 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 record, as requested 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.

The Second Avenue Subway was not in operation 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 CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Department of Transportation and Related Agencies Appropriations Act, 2002”.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2290) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 176, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The motion is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 1, not voting 6, as follows:

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The vote was taken by electronic device, and there were—yeas 21 and received funds for a Major Investment Study, which was completed last year.

The Speaker pro tempore (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.

Just as a word of history, I want my colleagues to know, first of all, that the mother and the daughter are doing

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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.)
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. Speaker, 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 to their baby Abigail. 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 8 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 YMCA’s have touched the lives of virtually every United States family for 150 years, pioneering various activities, including camping, public libraries, night schools, group swimming lessons and lifesaving, and teaching English language;

Whereas YMCA’s are dedicated to building strong youth, strong families, and strong communities;

Whereas YMCA’s serve people of all ages, genders, incomes, and abilities through a wide variety of services designed to meet changing community and societal needs;

Whereas YMCA’s have provided more than 2,400 YMCA’s in the United States live their missions through programs that build healthy spirit, mind, and body for all;

Whereas the YMCA invented the sport of volleyball;

Whereas YMCA’s 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 YMCA’s 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, responsibility, and respect;

Whereas each YMCA is volunteer-founded, volunteer-based, and volunteer-led;

Whereas YMCA’s have a long history of partnerships with other community organizations, including schools, hospitals, police departments, juvenile courts, and housing authorities;

Whereas YMCA’s have provided war relief services since the Civil War, aiding millions of soldiers at home and abroad;

Whereas YMCA programs inspire a spirit of adventure and challenge individuals to learn new skills, try new activities, and explore other cultures, while being good citizens of their communities;

Whereas Father’s Day in its present form was created at a YMCA;

Whereas many organizations began at YMCA’s, including the Boy Scouts of America, the Camp Fire Girls, the Negro National Baseball League, the Gideons, and the Toastmasters;

Whereas YMCA’s have helped found 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 150 years of building strong youth, strong families, and strong communities in the United States; and

(2) expresses support for 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).

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.

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

There was no objection.
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 in my college years.

In the late 1800s. 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. It was established in Montreal on November 25, and then in Boston on December 29 of that year.

The idea proved popular everywhere. In 1853, 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 30,000 members in 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, towns, states and communities.

In 1851, there were 24 Ys in Great Britain. In 1945, there were 397 separate YMCAs in 7 Nations with 30,369 members.

In 1853, the first YMCA for African Americans was founded right here in Washington, D.C.

In 1854, the YMCA moved to New York City, where many local leaders were celebrating in this great city.

In 1859, the YMCA opened its doors in Newark, New Jersey. Since its inception in 1881, the New York YMCA has been an integral part of the Newark community.

The programs offered by the YMCA and YWCA have helped young men and women in their day-to-day lives. For example, the YMCA 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 community, as they celebrate this 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.

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 preventive and volunteer programs to increase the involvement of youth in community service. In the country’s largest provider of after-school programs, the kids see the YMCA as a 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 innovation 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.

In fact, YMCA partnerships make the YMCA the largest non-profit community service network in the United States.

(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, 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 Camplights, 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.

1945

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June 26, 2001

The YMCA currently makes a difference in the lives of all 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. Isakson. The question is on the motion offered by the gentleman from Nebraska (Mr. Osborne) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 172, as amended.

Mr. Speaker, I want to congratulate these fine individuals on their appointments, and look forward to their report.

The SPEAKER pro tempore. Mr. DeFazio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. 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 Oregon (Mr. DeFazio) is recognized for 5 minutes.

Mr. GUTKNECHT is recognized for 5 minutes.

Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. Norton) is recognized for 5 minutes.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Montana (Ms. Noorroo) is recognized for 5 minutes.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Tiberi) is recognized for 5 minutes.

Mr. Speaker, I am also asking the Congress to help Anna Kate Gunn. 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 10 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.

Some 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 afflicting 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 diseases and 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 funds 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 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. The circumstances surrounding the Bailor’s case qualifies under the rules of private legislation. I believe so firmly in the importance of this case that I have introduced this legislation the 105th, the 106th, and the 107th Congresses.

The facts surrounding this case are clear and undisputed. Adela Bailor, while working for Federal Prison Ministries in Fort Wayne, Indiana was raped on May 8, 1991 by a Federal prisoner who had escaped from the Salvation Army Freedom Center, a halfway house in Chicago, Illinois.

What makes the Bailor case special is that they were caught in a legal Catch-22. The Bailors filed suit against the Federal Government and the Salvation Army which ran the halfway house to which Mr. Holly was assigned.

One of the requirements for all inmates at a halfway house is that they remain drugfree and take a periodic drug test. Mr. Holly had a history of violence and drug abuse, including convictions for possession of heroin.

On May 6, Mr. Holly was called into the Salvation Army office and was told that his drug test was positive for cocaine. The Salvation Army had the obligation of informing Mr. Holly of the failed drug test with a U.S. Marshal present, but chose not to. When advised of his GPO’s PDF drug test failure, Holly simply announced that he was out of here and walked through the unlocked door.

In the lawsuit, the Bailors lost on a legal technicality. The 7th Circuit Court of Appeals recognized this technicality. The technicality was that, under the law, apparently no one had held Mr. Holly in the true custody of William Holly. The Federal Bureau of Prisons had legal custody of Holly, but not physical custody. Salvation Army had physical custody of Holly, but not legal custody.

Recognizing that this was legally untenable, the 7th Circuit Court recommended that Ms. Bailor apply to Congress for private relief.

I ask my colleagues to join in this effort to eliminate this gross injustice for Ms. Adela Bailor and Darryl Bailor. Because we recognize our rights, then we must hold those who are responsible for the incarceration of violent criminals accountable for such conduct.

Interestingly and profoundly, Adela Bailor is an honorably discharged Marine Corps veteran. At the time of the attack, she was helping to make this country a better place. We cannot and should not turn our back on her because of a legal loophole.

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 fallen into an unusual legal situation.

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 Claims, 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. KERNS). Under the Speaker’s announced policy of January 3, 2001, the gentleman from Vermont (Mr. SANDERS) is recognized for 20 minutes as the designee 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 at the heart of all this, 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 these people 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 prescription 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
our country, California, Texas, and Arizona. Americans are going across our southern borders into Mexico for the same exact reason that Americans in the northern part of this country are going into Canada. But it is not just Mexico and Canada that have inherently lower prices for prescription drugs. It is every other major country on Earth.

Mr. Speaker, for every $1 spent in the United States for a prescription drug, those same drugs are purchased in Switzerland for 65 cents, the United Kingdom for 64 cents, France for 51 cents, and Italy for 49 cents. The same exact drugs. Meanwhile, while the pharmaceutical industry rips off the American people, causes death, causes suffering, that same industry year after year is at the top of the charts in terms of profits.

Last year, for example, the top 10 pharmaceutical companies earned $26 billion in profit. Twenty-six billion dollars. 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 money 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, people knocking 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 perpetrated 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. Year after year those poor people come up here, bla, bla, bla, and year after year every effort is defeated because the pharmaceutical industry and their money machine prevents any real reform.

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 available 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, where 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 last year. And as many people know, Dr. Kessler is the former FDA commissioner, I believe under both former Presidents Bush and Clinton, and this is what he stated 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 strictest 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 the authentic product, 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 of 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 gentleman from Connecticut (Ms. DELAUNO), 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 overtime. 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-Delauro 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 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-Delauro 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 care.

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 house. 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 KENEDY, and Senator EDWARDS, and that has been introduced in the House by the gentleman from Iowa (Mr. GANSEK) 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-Ward, 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 across the country. One is, generally, 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 the 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 they have a plan for post 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 pains 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 recurring condition, 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.

The Patients’ Bill of Rights also allows direct access to an OB-GYN. It allows the woman to have direct access to OB-GYN care without having to get a referral from her HMO. Women would also have the option to designate their OB-GYN as their primary care physician. This is very important to women.

Finally, and 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 obtain needed 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 the 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 people feel that these bills 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 that you cannot talk to the doctor about it 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 types of services a patient needs.

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 the idea 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 Democratic bill, are that a lot of States have already enacted legislation that would protect patients, and so 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 that are primarily the focus of the States’ bills are really sort of like a patchwork quilt, and there are a lot of holes in it and a lot of differences from State to State. There are a lot of differences in the protections that are afforded to people. There are enormous differences that a person can redress their grievances, what kind of external review they would have, what kind of ability to sue that they would have. Also, let me just get into basically three areas, if I could, where we see the State laws different and I can explain why we need a Federal bill.

Of the 10 areas of consumer protections that are primarily the focus of the Patients’ Bill of Rights, only one State has adopted some of these protections. 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 employees in self-employed health care providers. 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 State laws differ in terms of who is covered.

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. That 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 that we do not need the Federal law 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 sue 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, 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 they would not 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 defeated last week related basically to tax breaks. This was a Republican proposal to add a provision speeding up tax breaks to cover costs of health insurance for the self-employed. I mention that only because 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 interests, efforts are being made to weaken the Democratic bill, that we could not be sued and that is only if they have 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 Republican 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 interests, efforts are being made to weaken the Democratic bill.
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 if I pick it 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 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 by the House.

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 industry rights bill, of course, you know, of a 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 patient rights out 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 tells us, tell our constituents, tell us, not a phony one.

The legislation that the Republican leadership introduced today does not provide many of the assurances that I talked about tonight, 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 bill 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 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 they 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 Republicans have done. Let me tell you, it makes a big difference.

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, the physicians, the technicians, 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 upcoming week 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. KERN). 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 the best interests of the United States 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 their 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 about $3 a gallon. High fuel costs also are destroying many, many jobs. For example, trucking companies and bankruptcies are at an all-time high. Farm production costs are spiking sharply because of high energy prices, and thus farm income remains low. Surging natural gas prices have increased the prices of fertilizer by 90 percent since 1998.

I can read a lot of the talking points on this about a national energy policy, but I think I can speak from the heart being from California and dealing with our energy crisis and the blackouts that we have. Many, many people say that California is an example of how not to deregulate and because of that they face rolling blackouts. Graciously, and thank God there was no direct loss of life attributed to the blackouts that we have had so far, but there is no guarantee that we will not face them in the future. In California’s energy problems, it was as much mismanagement of the issue from the State level as it was an energy crisis that hit this year; but had there been good management, California could have hit sooner rather than later, and the number of the dramatic increase in energy needs in California and the lack of California’s ability to meet those needs through increased power generation.

There has not been a new generation plant in California in the last 10 years. So many, many buried their heads in the sand thinking that the increased population was not going to have an effect on the infrastructure of California, when indeed, of course, it did, and it caught up with us in the form of blackouts.

So I do commend the President for his desire to want to piece this thing together and diversify our energy base so that we are not so reliant on natural gas.

I have with me today a dear friend. My mom was born in his district in Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague, the gentleman from Arizona (Mr. RADANOVICH), for scheduling this hour to discuss the challenges a household faces in the West and elsewhere. In 1994, a State with about 12 percent of the Nation’s energy needs in the last 8 years tripled.

For many, many people, that was the introduction of the term ‘energy crisis’ for the first time. California, when indeed, of course, it increased population was not going to have an effect on the infrastructure of California, when indeed, of course, it did, and it caught up with us in the form of blackouts.

I have with me today a dear friend. My mom was born in his district in Arizona. 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.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague, the gentleman from California (Mr. RADANOVICH), for scheduling this hour to discuss the challenges a household faces in the West and elsewhere. In 1994, a State with about 12 percent of the Nation’s energy needs in the last 8 years tripled.

Mr. RADANOVICH. Mr. Speaker, I want to take the example of the gentleman from Arizona (Mr. HAYWORTH) and put an environmental approach to it, because I am in the Congress continuously amazed about the hypocrisy of the extreme environmentalist movement in this Nation. I really believe that the current style of...
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 the September 11 attacks, it has also been a question 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 fueled a lot 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. RADANOVICH. I yield to the gentleman from New Jersey (Mr. PALLONE) on another matter.

Mr. KINGSTON. Mr. Speaker, I want to thank my colleague, the gentleman from California (Mr. RADANOVICH) 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 the 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 that.

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 one of the things that I was concerned 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 GDP. Now, part of that is we have a more efficient economy, done real well, demand has grown. In fact, 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 it, 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 only save money and our resources 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 growing 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 gasoline 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, the Department of Energy, 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 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 has 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 you add power plants as the demand has grown. That was the crisis in California. What 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 and 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 gentlewoman would yield, does Governor Gray Davis in California think he is going to get new energy ideas from David Letterman, or is he just making a charade out of this?

Mr. RADANOVICH. I will say again what the problem was in California was a lack of leadership. I think the Governor is going to get new energy ideas from David Letterman, or is he just making a charade out of this?

Mr. RADANOVICH. 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, 10 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 energy 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. HAYWORTH. If my friend from California would yield, because this points out 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, or the political kingpin in Sacramento who is gubernational 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 even I hear 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 and his folks claim that there do not belong to a union, why, then it was not worth opening the power plant.

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 the Governor 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 comedic shows like David Letterman and come out in Washington, D.C., Democratic fund raisers, and come back East to raise came 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 unpacked 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 down to this that is where this problem was going to be called.

After a series of mistakes, refusing to impose modest rate increases, galvanizing 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 two long questions: What the heck did you do with our $12 billion surplus? So, unfortunately, the politics do not allow for the solution in California. Just know for a fact that there is no solution to this paying four to seven times more for the energy in California than what is being gathered up by the utilities.

The reason that that is happening is because it is not politically expedient to solve the problem in California. They try to tell the President, there is too much need to verify Members of Congress, those of us on the Committee on Commerce, because then the issue becomes why did you wait so long to solve this, when it could have cost millions in money in and in damage to the State?

Mrs. WILSON. If the gentleman would yield, I am a New Mexican. I have never met Gray Davis, I would not know him if he walked in the room, but I do know people want us to get down to solutions and stop the blame game and get some things done.

I think that this House over the next 6 weeks has got a strategy for dealing with the energy problem that really stresses four things, and they are the four important things for a long-term balanced approach to America’s energy needs. Those include things like conservation, increasing supply, fixing our infrastructure and government reform. When we talk about conservation, or what there are so many things that we can do. Sandia National Laboratory is in my district in New Mexico and has done some of the leading-edge research on energy conservation in areas that most folks do not think about.

About 70% of the electricity used in America is used to put the lights on. Yet we have made so few innovations in lighting in America, to reduce the use of energy in lighting.

Super conductivity. That is kind of a long word, but what it really means is that when electricity goes down the wires, whether it is transmission wires that take electricity from New Mexico to Southern California, or even just the wiring in this building that keeps the lights on, we lose electrons as it is getting to where you want it to do the job.

In fact, one of the executives with a public service company in New Mexico told me that because California is so big and New Mexico is really kind of small in comparison as far as number of people, we actually lose more electricity of that natural gas and less of that coal and natural gas, and turn that into electricity; and when we make those more efficient, we use less of that natural gas and less of that coal in order to make the electricity to light our homes. But we also have to increase supply.

I want to say something here about nuclear energy. Nuclear energy is one of the safest forms of energy. It has some of the fewest emissions of any kind of energy that we have, and it is time now to take nuclear energy out of the “too-hard” column where it has languished for almost 20 years. We are going to have a hydro-licensing bill, and it will come out of the Committee on Commerce, I hope within the next month.

Hydropower is one of the cleanest powers we have, and yet there are dams in this country that have existed for 200 years and they are under State control. What most folks do not know is that if you build on a dam, it comes under Federal regulators, not State law; and it is a nightmare because it takes almost 10 years to get that turbine licensed to provide power and, in the process, you can be ordered to breach the dam, which would anyone in their right mind take the risk of putting a turbine on an existing dam that has been there for hundreds of years? And as a result, we have clean, safe energy that is going over spillways and dams in this country because we cannot get our licensing right for hydropower.

There are wonderful things we can do with clean coal technology, with natural gas, where we have natural gas on nonpark public lands that we cannot get access to because the Bureau of Land Management is no longer focused on how we steward our resources, but how to keep people off the land that we enjoy in the West.

There are so many things that we will do in this House to lead the way, to stop the blame game, to give ourselves a long-term policy on energy, to conserve, to increase supply, to fix our infrastructural and to reform our government. I am very glad that this House is focusing on those things and not on politics.

Mr. RADANOVICH. Mr. Speaker, I would like to say, continuing to defend California, it was an issue of supply I think that is at the heart of California’s energy problems. But the way out of the energy crisis in California is, first number one, get the governor out of the energy purchasing business; and, number two, work over time to get those utilities creditworthy again so that they can begin to get back into the energy purchasing business, and then get them off the spot market as much as possible. Really, that is the way out of California’s energy crisis, in addition to aggressively working on new power supply in the State.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from California.
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 far, far reaching. 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 solar 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 bring on line new technologies, should prevail.

I listened to the gentlewoman from New Mexico talking about the role of the Committee on Commerce, not to become proud of different committee jurisdictions, but as the first Arizonan 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 online 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, but the technology had not caught up with the vision. Now, we have made changes, to the point where residentially, for heating water, for cooling our homes, we have the opportunity to look to the sun, solar power and solar energy on a residential basis. Many Americans have their own garden in the backyard, we can look to a sound alternative form of energy with technological advancements and, in the long run, not only save on power bills, but save on taxation too.

Mr. Speaker, we should look to those types of commonsense policies. We should never forget that the term “conservative” and “conservation” share the same root, the same notion, that we preserve in a commonsense fashion, in so doing, free up other sources for those who need them. That is something we need to remember. Conservation plays a key role; not the only role, but an important part to play, just as we look at tax policy and new exploration and streamlining regulation.

Mr. KINGSTON. Mr. Chairman, if the gentleman will yield, I wanted to touch base on the thing he is saying in terms of nuclear energy and what the gentlewoman from New Mexico was saying. In France, 76 percent of the homes and buildings are powered by nuclear energy; in Belgium, 56 percent; in America, most people do not know this, it is 20 to 25 percent already, and it is safe.

I represent Kings Bay Naval Base and all the subs down there are nuclear submarines; yet ironically, people in that county will say, well, I am against nuclear energy; it might be dangerous. So you have more nuclear power plants in your county than most of the States in the entire country.

But nuclear energy is safe. It is low cost, it has fewer disruptions of power. One out of every five homes in America are powered by a nuclear plant. It is 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 a 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 on. 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 homes 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 houses 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 is because their electric bill had gotten so high. They talked about their home being built 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 if they can take advantage of 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 power out of the solar panels. We are on the verge of innovations and technology that will just be as cheap to put on solar shingles on our houses as it is to put on tar paper shingles on our roofs. The 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 house 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 disinformation or demonization, 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 this 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 we look for environmentally sensitive ways to explore for new energy options, that do the research to bring on line the innovative new sources of energy and that realize that our destiny is within our grasp in terms of energy self-sufficiency. Certainly this can be the watchword for new energy options, that do the research to bring online the innovative new sources of energy and realize that our destiny is within our grasp in terms of energy self-sufficiency. Certainly this Nation, with the best minds at the fore, working together with sound policies that streamline regulation, to make it reasonable that we look for environmentally sensitive ways to explore for new energy options, that do the research to bring on line the innovative new sources of energy and realize that our destiny is within our grasp in terms of energy self-sufficiency. Certainly this Nation, with the best minds at the fore, working together with sound policies that streamline regulation, to make it reasonable that we look for environmentally sensitive ways to explore for new energy options, that do the research to bring on line the innovative new sources of energy and realize that our destiny is within our grasp in terms of energy self-sufficiency. Certainly this Nation, with the best minds at the fore, working together with sound policies that streamline regulation, to make it reasonable that we look for environmentally sensitive ways to explore for new energy options, that do the research to bring on line the innovative new sources of energy and realize that our destiny is within our grasp in terms of energy self-sufficiency.
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 theater of politics 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 late 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 water 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 infrastructure.

So it is not an easy job. I think, but I want to applaud the President for taking this on, because it is not a real popular thing. It not something that will shoot him up in the polls for a popular thing. It not something 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) and the gentlewoman from New Mexico (Mrs. WILSON) 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.

Mr. Speaker, I also applaud the gentleman from Arizona (Mr. HAYWORTH) and the gentlewoman from New Mexico (Mrs. WILSON) 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.

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 what the impact, could we understand to propose a toast to the country you helped to found? And he stood up there, stiff-legged, still the strong voice, and he offered two words: "Independence forever." They said, Mr. President, do you want to add anything else to that? And he said, no, not a word, that suffices.

Indeed, not only in the tradition of this constitutional Republic, but for the future of a sound energy policy with an enlightened environmentalism, let that again be our cry: Independence forever.

Mr. RADANOVICH. Mr. Speaker, I want to thank the gentlewoman from 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 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. This has no good intent whatsoever, not 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
September. First, it has not met its goal. It has not stopped the loss of family farms, 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 a tax 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 that national policy.

Mr. Speaker, I think it is important to understand clearly I have an interest in this. I come from America’s Dairyland, 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. 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 to be 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 peaceful 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 Minnesota. 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 compacts upon passage of 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 price-fixing compacts 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 our cheese market. In fact, the Northeast Dairy Compact was fined $1.76 million in 1996 for the extra amount of money they were consuming 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.

Orange juice. What if we decided that we are going to have an 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 Minnesota, Wisconsin, the upper Midwest and other States around the country is something that is beyond me. If it is something that the American people understand 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 farmers they had 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 four dairy farms each and every day. Over the last 10 years, we have lost 13,000 dairy farms. In fact, we as a State 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 successful, 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 pit farmer against 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 that we have had, so many of us who are so opposed to the Northeast Dairy Compact, is that, when we tell people what we cannot do and why and how 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 many important issues.

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

Mr. KENNEDY of Minnesota, Mr. Speaker, I would like to say that this dairy compact is kind of like salt in the wounds that are already being put in place by an underlying milk marketing order. Again, how do we get ourselves into this? How do we get into this? The milk marketing orders and the natural dairy producing States of this country.

When in the 1930s we implemented milk marketing orders, that was designed to make sure that fresh milk was available all over the country. It may have made sense back then; but right now, it divides milk into four classes, all of which receive a different price.

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. So 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 dairy farmers I have been in contact with have been penalized. They have not been able to overcome because of the resistance of people in the northeast. We are already being penalized.

These efforts have gone to the larger farmers who are the beneficiaries. They received the lowest payments for their milk; and those from the least efficient regions received the highest. The system, by design, punishes the efficient farmers and rewards inefficient ones. This is not the way that America becomes strong and stays strong.

I urge our Members to vote against the dairy compact. I urge voters to contact their legislators and express their views on this very important subject.

Mr. GREEN of Wisconsin, Mr. Speaker, I thank the gentleman; and he has made some great points. In our States the Dairy Compact because this is just the northeast now, but I have a map here of those areas that want to go into dairy compacts. It includes just about every State in the country that is not a producer of dairy over and above their other needs. This is something other than just about Minnesota, Wisconsin, Idaho, California, other large dairy producing States.

Again, I go back to my examples of cars outside of Michigan, citrus outside of Florida, movies outside of California.

What if one decided that one cannot do financing, we put a wall around New York and say all of the financing outside of New York has to be self-sufficient, and, therefore, New York can only finance New York. Do my colleagues know what would happen to Manhattan Island that could only finance New York? Do my colleagues know what kind of an effect this is having on Minnesota and Wisconsin and our other natural dairy States.

As the new republic says, this is a situation where we are penalizing those that are the smaller ones, 50 cows or less, suited to dairy farming. They received the lowest payments for their milk; and those from the least efficient regions received the highest. The system, by design, punishes the efficient farmers and rewards inefficient ones. This is not the way that America becomes strong and stays strong.

I urge our Members to vote against the dairy compact. I urge voters to contact their legislators and express their views on this very important subject.
from Vermont (Mr. SANDERS), my good friend, if he wants to help the little guy in dairy farming, abolish the Northeast Dairy Compact. It punishes the family farm. It makes it harder. It makes it harder for them to get by, and it rewards the largest farmers.

So even if this started with noble intentions, the reality, the stark reality is it has not worked. It is time to end it. It is time to go to a nationwide policy that does not pit farmer against farmer. It is time for a national policy that works.

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

Mr. KENNEDY of Minnesota. Mr. Speaker, I would just say that we are going to be debating foreign trade and giving our President trade promotion authority coming up here very soon. We know, many of us know the benefits that we receive from trade.

Classic economics would teach us that, if we can do something better than what we do here, and we know that what we do best, all benefit. We all benefit from having lower cost of goods. We all benefit from higher employment, higher income levels. The increased prosperity around the world has more farmers from countries opening up their markets and each focusing on what they do best.

If foreign trade is so beneficial to the world, if opening up markets with other countries is so beneficial to us, why should we have open markets with Europe, with Asia, if we cannot even have open markets with Vermont?

Again, I have to go back to what you have said. When you tell people about this, they cannot believe it. We are used to being pitted against each other when the Packers play the Vikings, and we are used to having our rivalries; but we all come together when it comes to singing that national anthem at the beginning of our games. This does in a nonsportsman-like fashion pit one region of the country against the other in a very unfair way that undermines one region’s strength and subsidizes another region that does not have those natural strengths when in fact they have natural strengths that are still benefiting them, but they are not letting us benefit from our natural strengths.

Again, this is something that I implore our colleagues to do everything they can to oppose and certainly we will continue to try to spread the message across the land. That is something that is un-American and should not be supported.

Mr. GREEN of Wisconsin. The gentleman from Minnesota is right that our two States have football teams that are great rivals. I guess the Northeast Dairy Compact would be like giving the Packers an extra player. Maybe we disagree, but that is another debate. I think, though, that 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 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 barriers that we do not 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 if we are 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 great work of the gentleman he has any final thoughts that he wants to share with our colleagues. I implore our colleagues to do everything they can to oppose and certainly we will continue to try to spread the message across the land. That is something that is un-American and should not be supported.

Mr. Speaker, I yield to 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 our country, just a few 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 it comes to agriculture, we have barriers between our State compact has been aallowed to create the cartel, the OPEC that you opened with and have price-fixing and get away with it. This sets a very bad precedent for any number of other things that our way of life, our State near you and hurt your local economy, hurt your consumers and undermine the very freedoms and civil liberties upon which this country was based and is based.

Again, I thank my colleague from Wisconsin for the leadership that he has taken on this issue. I pledge to work with him and our other colleagues around the country that believe very strongly that this is wrong, that this ought to be opposed. I implore our listeners and our fellow colleagues to really dig in and understand this and really understand how this is undermining America.

Mr. GREEN of Wisconsin. I appreciate the great work of the gentleman from Minnesota in this area. Again, he may be a new Member; but he is already showing great leadership, particularly in agricultural issues, and I know the issues that are important to rural Wisconsin.

I guess to summarize, what we have started tonight, Mr. Speaker, we hope
is an important stride in an educational effort to help our colleagues here in this institution and the people around America to understand what this bizarre thing called the Northeast Dairy Compact really is, what has been called the OPEP of milk. It is bad because it is the price of milk. It is bad because it does not work, it does not prop up the dairy farms of America. In fact, it accelerates their decline. Do not take our word for it. You can listen to groups like the Wall Street Journal, the New Republic Magazine, the National Review. How many times do you get the New Republic and the National Review to agree on something? Citizens Against Government Waste, the National Taxpayers Union. Group after group after group has said to us and we are saying to you, this is wrong, it is bad public policy, it is time for it to end so we can move forward.

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 pursuant to your recognition to speak on behalf of a special group of veterans, all World War II survivors, who are special veterans of Bataan and Corregidor. They are special veterans of Bataan and Corregidor because they are military veterans of the Philippines. These are the brave heroes of that operation itself. So the decision to rally and to come back. 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 more 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 battling bastards of Bataan, no mama, no papa, no Uncle Sam.

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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; some Filipinos refused to leave; they are no better than an animal because at that time the Japanese culture, felt they were dealing with subhumans and animals. 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 for 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 about going to get 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 facts in this country have been corrected. We paid an awful price. In the Civil War, we paid a price of hundreds of thousands, of millions of our own people who died trying to correct this evil in our society.

The Japanese people of today who admit that their country in the past has done wrong need not hang their head in shame, but it will be a shame, and it will be a black spot on the Japanese people if these crimes are covered up, if they are forgotten. 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. But 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 Japanese-occupied 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 surrenders, they are no better than an animal because they have no honor. But the 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
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 effort so the American soldiers would die. Most of these men, 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 military. Understanding the horrid conditions at war, they tell their stories, they will never forget how much we owe these heroic individuals.

Frank Bigelow, 78 years old, from Brookville, Florida, was taken prisoner at Corregidor. Mr. Bigelow was shipped to Japan, where he performed hard 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 anesthesia. At war’s end, though standing 6’4”, Mr. Bigelow weighed 95 pounds. 

Lester Tenney, 80 years old, of 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 seeing the civilians workers 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 cause should be the cause of all American patriots, and especially should be the cause of the American Government, which they defended with their lives.

What makes all of this more difficult to understand is why the State Department refuses to assist these heroic veterans. It is hard toathom why the State Department was willing to help facilitate the claims of victims of Nazi Germany but not these victims of militarist Japan.

Certainly the Germans committed atrocities during the war. Nazi Germany was a place of horrors, and the German people have admitted it and tried to make good and tried to bring justice to these claims, and we have backed them up. We have backed them up because it is the right thing to do. They backed up those people making the claims, and we have encouraged the Germans to move forward in this way.

There is no reason on God’s Earth, there is no reason in the cause of patriotism that the United States should not be assisting those Americans that were used as slave laborers by the Japanese corporations. These American heroes who survived the Bataan Death March, these heroes who received the 1951 treaty, who set these Japanese corporations. There is no reason that we should not be with them 100 percent.

Instead, they fight a lonely battle. The lawyers for the State Department are alloying themselves with these war profiteers in Tokyo against the Americans they victimized. The best legalese they can muster is being used to undercut the claims of our American heroes. They say that the peace treaty with Japan bars these veteran heroes from making legal claims against these Japanese corporations that used them as slave labor.

It is wrong, and it is utter nonsense, and it is nonsense because of the 1951 treaty. It is an utter contradiction to say that the 1951 treaty bars these claims when it clearly does not. It has been confirmed by virtually every government in the world that the 1951 treaty does not bar these claims. It is wrong, and it is utter nonsense, and it is nonsense because of the 1951 treaty. It is an utter contradiction to say that the 1951 treaty bars these claims when it clearly does not.

What that means is that it is unprecedented, that the United States is claiming that our own citizens cannot sue another company in another country, especially when there are human rights violations involved and international violations of law. This is unprecedented. It has never happened before, but now they will not have the opportunity to 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 the crimes committed by these very same Japanese corporations.

Let us again remember, these Japanese corporations are the very same corporations that existed in World War II. These are corporate entities. As long as they themselves exist, we are not asking for some type of legal right to sue the Japanese Government, but those corporations have legal responsibilities as corporations. They have these responsibilities, just as individuals do, to pay for their crimes.

Second, if we take a close look at the history of the 1951 treaty, it reveals 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, but just 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 wronged them to compensate them, yet our government is taking their side in this issue.

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 mass 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 and 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 slaves and saw their fellow countrymen gunned down and die of starvation. The very least these heroes deserve is some type of justice for their claims before they die of old age. We deserve to stand with them, and their government should stand with them. It is a shame for our government to be on the side of the enemy which these heroes fought.

The treaty we are talking about also includes a clause which automatically and unconditionally 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 other Allied powers, other countries in the world, have a right to sue, and there have been settlements, claim settlements with the people from Russia, Burma, Spain, Switzerland, Sweden, the Netherlands and others. Yet these same rights to allow the
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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 waives the rights of 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 the State Department’s erroneous and unyielding stand against our heroes, our World War II heroes’ right to sue their Japanese torturers, their Japanese corporate torturers. He provided hope to the survivors. That justice will be served.

And 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, that he would hope that the bureaucrats at 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. 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 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. 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 American in this body, but one. The only Japanese American 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 be, and they are. But what the moral structure of the way things are going 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立法is going to 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 keep just stirring the pot and trying to keep this situation confused until it goes away. And “goes away” do you know what “goes away” means? It means those heroic men who gave their lives and sacrificed so much, those heroic men of the Bataan Death March. Many are their most heroic soldiers of World War II, that they are dead. That is when this “goes away.” That is what our State Department is waiting for.

Well, the rest of us perhaps have a greater and a higher standard than that, and a higher appreciation of what that generation, that World War II generation, did for us, and we are not about to stir the pot. We are working now to have justice for these men, and it should be an issue at the summit with a new Japanese 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 profited from slave labor, these corporations that threatened the world.

The bill is H.R. 1198. I will urge my fellow colleagues to do the same.

Today there are fewer than 5,400 surviving former Japanese POWs. These survivors are pushing for justice; just for themselves, but also for their widows and the families of those POWs who died prematurely due to the horrific 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 never should 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 who were hoping that this 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 them to be abandoned, it would be a slap at the Japanese people. 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 co-author 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 “The Justice for United States POWs act of 2001,” and I urge for your support.

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 any 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 rectified, 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 actions of our State Department, acting with the support of 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 am very proud of the things he did. But he harbored no grudges against the Japanese. He was proud of the things he did. But he harbored no grudges against the Japanese. He was proud of the things he did. But he harbored no grudges against the Japanese.

Uncle Lou is not this man’s real name, but everyone calls him Uncle Lou. His friends call him Lou. Uncle Lou’s real name is Arthur Campbell, Army Air Corps, 1941. Uncle Lou was unfortunate enough to have been stationed in the Philippines shortly before the war broke out and was captured by the Japanese. He spent the Bataan Death March, the horrific death march. He was then taken on a hell ship to the Pacific, and he survived the Bataan Death March, the horrific death march. He was then taken on a hell ship to the Japanese and survived the Bataan Death March, the horrific death march. He was then taken on a hell ship to the Japanese and survived the Bataan Death March, the horrific death march.

Uncle Lou survived. Uncle Lou was a strapping young man who, by the time he was freed at the end of the war, was under 100 pounds. As I say, we call him Uncle Lou because Uncle Lou was called by his Japanese guards as, this man must be Lou, Lou. He was a strong man. He was lucky to have survived at all with a defiant attitude, and all of the rest of the prisoners kept calling him Lou at that point, and he adopted the name. Uncle Lou told me about what happened to him, and I met with some of the fellow prisoners that served with him in the prison camp at Mukden. The stories will just tear your heart out.

We cannot permit Uncle Lou and the Uncle Lou of this world to go without justice. Uncle Lou will not live forever. Uncle Lou is in his 80s right now, and he will not live forever. He has a pacemaker in; and the fact is that when he breathes his last breath and he takes a look around him, I want him to know that his country has done justice by him. I think every American who has a goal, who has a vision of what Japan should be, that the Uncle Lou of this world, that we do right by them, whether they are the survivors of the Bataan Death March or the other people who fought for this country during the Second World War.

As Tom Brokaw says, this truly was the greatest generation; and we insult them, we do them a grave injustice, we trash their sacrifice by having our own government involved with legal wrangling to try to prevent their claims against these Japanese corporations that use them as slave labor. This is sinful. We cannot permit it to go on. We must do this before these people leave the scene. We must honor them. This is a civil matter. My father was a combat veteran of World War II. My father was a Marine pilot. He passed away 3 years ago. I looked into his trunk after he died and out came the Japanese battle flags and the memorabilia from World War II, and it seems that my father too fought in the Philippines. He was one of the pilots, Marine pilots that flew up and down the Philippines during the effort to recapture the Philippines from the Japanese in 1944.

He died away 3 years ago. 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 fought with 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 contributed much of their 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 them behind. We three 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. This is the world today, or dominate Asia and the Pacific, maybe the best friends of the United States in the Pacific, 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 Spratley Islands, and we can see it in the Paracel 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
people, just like we liberated the Philippines from Japanese militarism. We liberated the Japanese people the same, but today this other militaristic power is on the march. They too are racist, they are expansionary, they are militaristic, and they too understand that only the United States of America stands in their way, and that the Philippines is a friend of the United States of America.

I am talking about, of course, the Commies again. I am talking about the People’s Republic of China, which is now engaged today in military naval exercises off the coast of the Philippines. This is an alarming piece of news.

The security of the Pacific was won and the peace of the Pacific was won by the blood and the sacrifice of American military personnel during the Second World War. People like Lou, my father, and Uncle Lou. We cannot permit the militarists to expand their domain and to take over where the Japanese militarists left off.

During the 1930s, the Japanese sank a U.S. patrol boat, the Panay, U.S.S. Panay, killing several of the people on board. The Chinese jetfighter knocked one of our planes out of the air several months ago while it was on a routine mission in international waters, knocking it out of the air, and they took 21 American military personnel and kept them as hostages for 11 days. Things are getting worse with China and in the Pacific. We must do justice to those people who fought in the Pacific by ensuring that the Pacific remains free, remains prosperous and at peace; and today, there are ominous clouds on the horizon. Yet as things get worse, as they were getting worse in Japan, corporate America still demands on doing business as usual with the Communist Chinese.

It is very similar, as we have heard so often quoted, where it is deja vu all over again; and I am afraid that this is a very frightening deja vu. The Japanese in the 1930s were insisting that America continue to sell them scrap metal and oil and aerospace, or I should say aero plane, because there was not any “space” with it in that day, aeronautical technology. Many of the Japanese aircraft that fought against us in World War II actually were at least partially designed by American manufacturers. The scrap metal and the oil that was used to fuel their war mission can be traced back to the United States. Corporate America was willing to close its eyes to the threat that faced us in the Pacific back in the 1920s and 1930s, just as corporate America is trying to close our eyes today to the threat of Communist China.

Mr. Speaker, we do not, we do not do justice to the survivors of the Bataan Death March by doing so. We do not 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 other 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. Ms. SCHIFRIN, 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. 697. 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. 107–97) to the Committee on Appropriations and ordered to be printed.

2671. A letter from the Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department’s final rule—Voluntary Conversion of Developments From Public Housing Stock; Required Initial Assessments (Docket No. FR–4716–F–03) (RIN: 2577–AC02) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2672. A letter from the Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department’s final rule—Section 8 Homeownership Program; Pilot Program for Homeownership Assistance for Disabled Families (Docket No. FR–4661–I–01) (RIN: 2577–AC24) received June 22, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.


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; Proposed Blood Components, and Blood Derivatives; Donor Notification (Docket No. 98N–0697) 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 Engineered Food—Genetically Engineered Food Components, and Blood Derivatives; Donor Notification (Docket No. 98N–0697) 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. 2776(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. 2776(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 forwarded under a contract to Taiwan [Transmittal No. DTC 052–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2679. A letter from the Assistant Secretary for Legislative 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 Personal 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 Personal 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 Education, 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 Mailing Address; Additional Technical Amendments and Corrections (FR–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 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.

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 America, and for other purposes (Rept. 107–111). Referred 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.

Mr. PRYUS of Ohio. Committee on Rules. H.R. 2310. A bill to increase the rates of pay for military personnel for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–111). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. H.R. 2310. A bill to increase the rates of pay for military personnel for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–111). 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. 2303. A bill to amend the Small Business Act to provide loans to eligible small business concerns for emergency costs; to the Committee on Small Business.

By Mr. MURTHA: H.R. 2311. 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. 2311. 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. 2312. 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 tax on corporations, to impose a 10 percent tax on dividends (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. MILLENDER-MCDONALD of California):
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 such plans access to obstetrical and gynecological care; to the Committee on Education and the Workforce.

By Mr. FLETCHER (for himself, Mr. PETTENKOPF of Minnesota, Mrs. JONES of Connecticut, Mr. BURK of North Carolina, Mr. THOMAS of Georgia, Mr. TAUCIN of New York, Mr. BOEHNER of Ohio, Mr. BILIRAKIS of Florida, Mr. SANDERS of Vermont, Mr. BROWN of Florida, and Mr. CONYERS):
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. HULSHOF:
H. R. 2316. A bill to make permanent the tax credits and expensing provided 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. O'BRIEN of Minnesota, Ms. KAPITUR, Mr. JACKSON of Georgia, Mr. HAYES of Florida, Mr. PAYNE of Georgia, Ms. SHAYS of Connecticut, Mr. WICKER of Georgia, Mr. PICKERING of Connecticut, Mr. MCCURRY of Georgia, and Mr. CAMP):
H. R. 2317. A bill to make permanent the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp in order to help provide funding for breast cancer research; to the Committee on Government Reform, and in addition to the Committees on Energy and Commerce, and Armed Services, 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 for non-compliance the overissuance of food stamp benefits; to the Committee on Agriculture.

By Mr. TIERNEY (for himself, Mr. SERRANO of Florida, Mr. HINCHY of Florida, Mr. FRANK of New York, Ms. MCVILLY of Texas, Mr. HILLARD of Louisiana, Mr. NADLER of New York, Mr. SANDERS of Vermont, Mr. DEFAZIO of New York, Ms. KAPRT of Wisconsin, Mr. BONIOR of Montana, Ms. PELOSI of California, Mr. ABERCROMBIE of Hawaii, Mr. GEORGE MILLER of California, Mr. SANDERS of New York, Mr. LEE of Mississippi, Ms. WINKER of Washington, Ms. EVANS of Florida, Mr. RUSH of Oklahoma, Mr. MCQOVEN of Georgia, Mr. STARK of Georgia, Mr. FILNER of California, and Mr. WOLSELEY):
H. R. 2320. A bill to amend the National Labor Relations Act and the Railway Labor Act to provide additional penalties based on participation in labor disputes; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, 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. TRAFFICANT:
H. R. 2321. A bill to require that the General Accounting Office study and report on possible connections between the recurring incidence of violence by postal employees and workplace-related frustrations experienced by postal workers generally; to the Committee on Government Reform.

By Mr. WATTS of Oklahoma (for himself, Mr. WATKINS of Oklahoma, and Mr. LUCAS of Oklahoma):
H. R. 2322. A bill to amend the Internal Revenue Code of 1986 to provide credits for individuals and businesses for the installation of certain wind energy property; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself, Mr. BOUCHER of Georgia, Mr. SHIMKUS of Connecticut, Mr. MOLLOY of New York, Mr. LEWIS of Kentucky, Mr. PHILIPS of Kentucky, Mr. MARTIN of Nebraska, Mr. DORAN of Oklahoma, Mr. DOYLE of Pennsylvania, Mr. TIBERI of Ohio, 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 electricity generating facilities and to amend the Energy Policy Act of 1992 to make permanent the accelerated research and development program for advanced clean coal technologies for use in coal-based electricity generating facilities; to the Committee on Resources.

By Ms. PRYCE of Ohio:
H. Res. 179. A resolution providing for consideration of motions to suspend the rules.

H. Res. 180. A 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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H. R. 7: Mr. HALL of Texas.
H.R. 17: Mrs. LOWEY.
H.R. 24: Mr. ROYCE.
H.R. 98: Mr. HOUGHTON and Mr. HERGER.
H.R. 123: Mr. NYE and Mr. WICKER.
H.R. 162: Mr. MEEHAN.
H.R. 168: Mr. LEACH.
H.R. 175: Mr. BILLY of Texas, Mr. MANZULLO, Mr. SESSIONS, Mr. STEARNS, and Mr. DEAL of Georgia.
H.R. 179: Mr. MCDERMOTT.
H.R. 218: Mr. OSE, Mr. MCQOVEN, and Mr. LAUNCH.
H.R. 264: Mr. BAIRD.
H.R. 365: Mr. FRANK and Ms. JACKSON-LEE of Texas.
H.R. 367: Mrs. BONO and Ms. BERKLEY.
H.R. 280: Mr. RYUN of Kansas.
H.R. 293: Mr. WAXMAN.
H.R. 294: Mr. PETERSON of Pennsylvania.
H.R. 324: Mr. SUNUNU.
H.R. 425: Ms. NAPOLITANO and Ms. CARSON of Nevada.
H.R. 488: Mr. SAM JOHNSON of Texas.
H.R. 519: Mrs. NAPOLITANO.
H.R. 602: Mr. MILLER of Florida, Mr. SOUDER.
H.R. 612: Mr. CLYBURN, Mr. HOLT, and Mr. TAUTZ.
H.R. 631: Mr. HOSTETTLER.
H.R. 641: Ms. DELAUR, Mr. TAYLOR, and Mr. REPOLA.
H.R. 655: Mr. PENCE.
H.R. 664: Mr. HOBSON and Mr. THOMPSON of California.
H.R. 690: Ms. JACKSON-LEE of Texas.
H.R. 717: Mr. NADLER, Mr. DEAL of Georgia, Mr. ROBERTS and Mr. BROWN of Texas, Mr. RICHARDSON, Mr. HOBSON.
H.R. 744: Mr. DOLLEY, Mr. AKIN, Mr. SHADEG, Mr. FORBES, and Mr. RUSH.
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. 1: In title III, in the item relating to "Weapons Activities", after the aggregate dollar amount, insert the following: "(reduced by $122,500,000)"

In title III, in the item relating to "Defense Nuclear Nonproliferation", after the aggregate dollar amount, insert the following: "(increased by $66,000,000)"

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. Tarkanian

Amendment No. 4: In title I, strike section 105 (relating to shore protection projects cost sharing).
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.