

THE INTRODUCTION OF THE FERRY INTERMODAL TRANSPORTATION ACT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1997

Mr. MENENDEZ. Mr. Speaker, I am introducing the Ferry Intermodal Transportation Act. The ferry program in the Intermodal Surface Transportation Efficiency Act [ISTEA] is a small but vital program that has benefitted 38 States. Ferries are an essential component in many communities, providing vital transportation services for passengers, automobiles, buses and trucks in locations where there are no alternatives. Since ferries do not require costly infrastructure such as roads, bridges, or tunnels, there are great savings in time, capital, and environmental resources. Ferries are effective because they use nature's own highways, rivers, lakes, and bays.

Looking around the Nation, ferries are quietly and efficiently serving their communities. In the northeast, ferries are used in Maine, Massachusetts' Martha's Vineyard and Nantucket Islands, and New Jersey's Cape May. In the South, you will find ferries in Florida, Texas, Louisiana, and North Carolina, which has the most extensive commitment to the ISTEA ferry program. The Great Lakes have entire communities which are wholly dependent on ferries in places like Mackinaw Island, Beaver Island, and Washington Island. The West has the famous Catalina ferry in southern California and extensive fleets in the San Francisco Bay. The City of Seattle heavily depends on the Nation's largest capacity ferries to move citizens from Whitby Island and around the Puget Sound. The name, Alaskan Marine Highway System, underscores the importance of ferries to this huge State's transportation needs. Many cities like Boston, Baltimore, and Fort Lauderdale have found water taxis are an effective way to reduce congestion in heavily frequented tourist attractions. The transportation flexibility that ferries provide to communities has been proven time and again. In the most recent San Francisco earthquake, the combined ferry fleets completely took over the functions of the Bay Bridge and kept the Bay Area functioning. During the historic, massive flooding of the Mississippi River, the State of Missouri brought in ferries to replace bridges which had washed away. Time and again, in their quiet way ferries have shown themselves to be an economical, efficient, and effective means of transportation which deserve to be considered in transportation planning.

Let me illustrate what commuter ferry service in the New York Harbor means in my region. Since 1771, there has been a long history and great demand for inter-harbor ferry service. Alexander Hamilton and Aaron Burr ferried themselves here to Weehawken to fight their duel. John Stevens of New Jersey and Robert Fulton of New York competed in developing the steamboat in their efforts to dominate the ferry market and ultimately revolutionized the maritime industry. We have been through many transportation trends since that time: railroads, streetcars, subway, super-highways, and the era of great bridges and tunnels. Everything old is new again. Ferries, one of our oldest forms of transit in our region, is, when combined with the urban core mass

transit project on the New Jersey side and the vast New York transit system, a seamless web of transportation options to get our people to their places of work and recreation.

The traffic congestion in our streets and on our bridges can only be reduced by the creative use of alternatives. The New York Harbor is now home to the largest and fastest growing network of commuter ferry services. Ferries connect two locations in Weehawken, three locations in Jersey City, Highlands and Atlantic Highlands in New Jersey with the Manhattan Central Business District, Staten Island, Brooklyn, Hunter's Point and Laggard airport in New York. Ferry ridership now exceeds 2.5 million passengers every year. By 2005, 8.5 million passengers will be using ferries annually.

Building on the vision that began in the Intermodal Surface Transportation Efficiency Act [ISTEA], I am proposing new legislative flexibility to help finance comprehensive ferry programs for the nation. We are reauthorizing the original ISTEA ferry program and creating new options for creative entrepreneurship for the financing and construction of ferry systems. This legislation would establish alternative financing for both public and private resources similar to those now used for mass transit. It directs transportation planners to incorporate ferry service in their regional transportation plans. It encourages public private partnerships, joint ventures and flexible options to maximize low cost efficient service.

ISTEA can be proud of the achievements that have been initiated. In the New York Harbor, the ISTEA ferry program was the source for grants of \$1.7 million in loan guarantees for the construction of a new 399-passenger ferry; a total of \$9.2 million in grants and loan guarantees provided by the Clinton administration through the ISTEA ferry program to improve commuter transportation in the New York/northern New Jersey metropolitan area. We must build on this legacy. The Ferry Intermodal Transportation Act is the renewal of this commitment. I urge its passage.

IN RECOGNITION OF NATIONAL PEACE OFFICERS' DAY

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1997

Ms. GRANGER. Mr. Speaker, as we honor our Nations' peace officers today, I rise today to honor an outstanding officer in my hometown of Fort Worth. This week, Brad Patterson was recognized as Fort Worth's Officer of the Year at the 45th annual Police Appreciation Dinner.

Brad is an example of an ordinary person doing extraordinary things. A 20-year veteran of the Fort Worth police force, Brad is a forensic crime-scene investigator who has expertise in fingerprint identification and in homicide investigation.

His selection for the award was unanimous. Fort Worth Chief of Police Thomas Windham praised Brad at the ceremony, echoing the strong sense of appreciation for Brad that we all have.

I came to know Brad during my years in the Fort Worth city government, first on the city council and then as mayor. And I can say

from personal knowledge that Brad is a wonderful person, and I can't think of anyone more deserving of this award than he. Brad is an officer of courage and commitment, and man of conviction and character.

Brad Patterson, we in Congress salute you today, and peace officers from around the Nation, as we recognize your accomplishments on National Peace Officers' Day.

STATEMENT IN SUPPORT OF EMERGENCY BROADCAST FREQUENCY ASSIGNMENT BILL

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1997

Ms. HARMAN. Mr. Speaker, my colleague, JULIAN DIXON, and I are frustrated by the failure of the Federal Communications Commission to act on applications from emergency broadcasters to use several unused common carrier frequencies. Because we are persuaded that the allocation of these frequencies is critical to protect the safety of our constituents and our police, we are introducing legislation establishing standards to assign them to emergency broadcasters in Southern California and the State of New Hampshire. In the absence of FCC action or the prospect for any action in the near future, this avenue seems to be the only way left for us to proceed.

The South Bay Regional Communications Authority [SBRCA], one of the petitioners to the FCC, is comprised of law enforcement and public safety agencies in the cities of El Segundo, Gardena, Hawthorne, and Manhattan Beach. Three of these cities are in my Congressional district.

In June 1995, the Authority filed an application with the FCC requesting assignment and authority to use four vacant Public Land Mobile Service [PLMS] channels for critical public safety communications needs.

In an order released April 24, 1996, the Commission denied the application. The Commission cited as its reason an ongoing "refarming" proceeding that will presumably benefit the Authority by increasing the number of frequencies devoted to emergency broadcast requirements. SBRCA appealed the decision and filed an application for reconsideration. That application is still pending.

What is disturbing about the decision is the reference to the "refarming" proceeding. "Refarming" may not be completed for several more years and, once announced, may require emergency broadcasters to purchase new equipment in order to avail themselves of the increased number of frequencies. In the meantime, public safety agencies, including the South Bay Authority, have a critical need for new frequencies. At present, there are no common police and fire voice channels available for interoperability among these agencies and neighboring jurisdictions in the South Bay. According to the police chiefs in my District, interoperability and greater capacity are among the most critical problems facing the Authority now.

Because the public safety cannot wait for the Commission to finalize its "refarming" proceeding, on at least two occasions, Mr. Dixon and other members of the LA County Congressional Delegation joined me in requesting

the Commission to review its rules so that the frequencies requested may be awarded to the Authority on a temporary basis.

Such a Commission decision is not unprecedented and occurred, for example, when the Commission granted a waiver to allow New York City area public safety agencies to use vacant UHF television channel 16 for land mobile operations. Granting a similar waiver and assigning additional frequencies would be invaluable to the Authority as it meets its obligations to protect the public safety.

In response, and clearly misunderstanding my reference to the New York City precedent, the Commission replied that the Authority had not requested the use of vacant UHF television channels.

The State of New Hampshire has had a similar request pending before the Commission for more than three years. The State wants to construct and operate a new statewide mobile radio system to serve the public safety needs of its citizens. The petition was denied in May, 1996, the Commission saying that these needs would be addressed in a yet-to-be-issued rulemaking concerning public safety spectrum needs through the year 2010.

Also weighing-in on this matter, and underscoring the importance to law enforcement nationwide, then-Deputy Attorney General Jamie Gorelick wrote to the Commission in support of South Bay's application. In her August, 1996 letter, Ms. Gorelick reiterated that from law enforcement's perspective the Commission's "solution" to increase spectrum availability is still several years away. "In the meantime, law enforcement and public safety agencies in densely populated areas such as that served by South Bay are being faced with immediate and very real problem of insufficient spectrum."

This should be a simple issue for the Commission. Under the policies outlined in its February 9, 1995 report on "Meeting State and Local Agency Spectrum Needs Through the Year 2010," the FCC said that one of its policies is to handle critical public safety spectrum requirements on a case-by-case basis, including allowing the use of non-public safety frequencies where necessary. This seems to me to be a reasonable, common sense policy. The policy, however, has been implemented only in one recent instance involving a New York City request and, more recently, the FCC Wireless Bureau denied two similar requests, which are the basis of this legislation. This inconsistency raises questions about the adequacy of the FCC's existing policy and whether it is being applied in a fair and evenhanded manner.

Complicating this matter further is the Commission's just-announced plans for the transitioning to digital television and the reallocation for public safety use of 24 MHz of spectrum—4 existing unused TV channels—in the lightly used Channel 60-to-69 range. Unfortunately, because of the understandable need to accommodate all existing Los Angeles area television stations, it now appears that the plan will not work in Los Angeles and that no channels in the 60-to-69 range will be available for public safety use. This makes the full implementation of the Commission's Policy Statement even more important. As the most spectrum-congested region in the country, the Commission must be in a position to use whatever tools are available to make vacant spectrum available to meet public safety needs in Los Angeles.

If there was ever a circumstance warranting application of Policy Statement's preference for case-by-case waivers, this is that circumstance. But both the New Hampshire and South Bay decisions by the Wireless Bureau seem to be premised on a contrary policy of handling spectrum use matters only through general allocation proceedings.

Let me quote from the decision "In the Matter of License Communications Services, Inc. and South Bay Regional Public Communications Authority" in which the FCC said that "rather than undermine our existing allocations framework by permitting ad hoc private use of commercial spectrum, we believe the public interest is better served by increasing frequency availability through the rulemaking process."

In the same order the FCC said "the creation of additional 470–512 MHz frequencies by the Commission's actions in our 'refarming' proceeding will benefit part 90 licensees, such as South Bay, that seek additional frequencies for system expansion. We, therefore, are denying the South Bay Petition for Waiver."

Last, let me also quote from a May 1996 letter to me in which the FCC said "South Bay will have increased opportunities to expand channel capacity within existing frequency allocation as a result of our 'refarming' proceeding."

The Commission can't have it both ways. How can it square these inconsistent policy statements? How long do public safety agencies have to wait before the FCC makes up its mind as to which policy should prevail? Why can't the Commission grant operating authority, even interim authority, for the frequencies requested by South Bay Regional Communication Authority and the State of New Hampshire?

Mr. Speaker, the answer to these questions may be months, even years, away. Consequently, there is a need for the bill Mr. DIXON and I are introducing today. Emergency broadcasters in southern California and New Hampshire, and the public, have waited long enough.

SEEKING A JUST AND PEACEFUL RESOLUTION IN CYPRUS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1997

Mr. GILMAN. Mr. Speaker, the Cyprus problem has been a matter of concern to the U.S. Congress now in excess of twenty-two years. It is a situation that cries out for just redress and an end to the occupation of Cyprus by foreign troops. Although the world has dramatically changed for the better during this decade, Cyprus remains as a pressing international problem. Indeed Cyprus has almost become a codeword for intractability in the realm of diplomacy.

I have been encouraged, nevertheless, by recent statements from high level officials of the Clinton Administration, including the President himself, that indicate that there may be new willingness on the part of our government to exert its leadership in promoting a solution to the Cyprus problem. I strongly believe that our government should invest some of our prestige in such an effort, because Americans

have always supported justice, and because we have significant interests that can be affected by instability in Cyprus.

Over the past year there have been a number of events and incidents that have increased tensions in Cyprus and in the Eastern Mediterranean region. There is a disturbing trend of increased militarization of the island, already one of the most highly militarized parts of the globe. There are, however, also positive developments that could act to catalyze a peaceful and just solution. One of these is the pending negotiation on Cyprus' accession to the European Union that may begin by the end of the year. There has been increased diplomatic activity in Europe and in the U.N. to bring the two sides together.

The Resolution I am introducing today points out the interests and developments regarding the Cyprus situation and urges the President to keep his pledge to give increased attention to Cyprus. I am pleased to be joined by a group of distinguished cosponsors, including Mr. HAMILTON, Mr. BILIRAKIS, Mr. PORTER, Mr. ENGEL, and Mrs. MALONEY, that have shared an interest in Cyprus and the concern over what may arise from a continued stalemate on the island. It is our hope that this resolution will help spur the resolve of the Clinton Administration to indeed make 1997 the Year of Cyprus.

Mr. Speaker, I request that a full text of H. Con. Res. 81 be inserted at this point in the record.

H. CON. RES. 81

CONCURRENT RESOLUTION

Calling for a United States initiative seeking a just and peaceful resolution of the situation on Cyprus.

Whereas the Republic of Cyprus has been divided and occupied by foreign forces since 1974 in violation of United Nations resolutions;

Whereas the international community, the Congress, and United States administrations have called for an end to the status quo on Cyprus, considering that it perpetuates an unacceptable violation of international law and fundamental human rights affecting all the people of Cyprus, and undermines significant United States interests in the Eastern Mediterranean region;

Whereas the international community and the United States Government have repeatedly called for the speedy withdrawal of all foreign forces from the territory of Cyprus;

Whereas there are internationally acceptable means to resolve the situation in Cyprus, including the demilitarization of Cyprus and the establishment of a multinational force to ensure the security of both communities in Cyprus;

Whereas the House of Representatives has endorsed the objective of the total demilitarization of Cyprus;

Whereas during the past year tensions on Cyprus have dramatically increased, with violent incidents occurring along ceasefire lines at a level not reached since 1974;

Whereas recent events in Cyprus have heightened the potential for armed conflict in the region involving two North Atlantic Treaty Organization (NATO) allies, Greece and Turkey, which would threaten vital United States interests in the already volatile Eastern Mediterranean area and beyond;

Whereas a peaceful, just, and lasting solution to the Cyprus problem would greatly benefit the security, and the political, economic, and social well-being of all Cypriots, as well as contribute to improved relations between Greece and Turkey;