

The only reason that we did not have an election is because the county attorney, a Republican, said that we could not have an election because we were not offering funding from Metro in the 7-mile experimental light rail system that is in place now.

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, downtown Houston and out 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 support it; 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 surrounding areas 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 and construct its plan with the input of the larger body of citizens in our area. We have tried over and over again. I am going to come back here, if I am re-elected, every single year and beg this House for light rail because I am appalled that Houston, Texas, would be isolated and segregated as opposed to all the rest of the people that are getting light rail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

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

Mr. Chairman, I will be brief. I rise to engage the chairman of the committee in a colloquy regarding the Florida high speed rail project.

Mr. Chairman, last November 7, the voters of Florida passed a State referendum requiring 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 fact, the Florida Senate passed the High Speed Rail Authority Act on May 2 and the Florida house on May 3. Our Florida Governor signed this meas-

ure 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's support and assistance and consideration 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 also has been 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.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. EMERSON) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, 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 for 1 minute.)

Mr. YOUNG of Florida. Madam Speaker, I wanted 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 midday tomorrow; and I say midday because in the morning 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 appropriation bill until the apples issue 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 could 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 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 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, hope to 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 dark of night to try to finish it. We would try to finish it at an early time. We will not go into 2:00 or 3:00 or 4:00 in the morning.

The gentleman is correct, the majority leader has agreed that there would be no session on Friday; that we could complete the agriculture bill, if necessary, when we return.

□ 1700

Mr. OBEY. If the gentleman will yield further, it is also my understanding, frankly, that there will be not all that extended a discussion tomorrow on the energy and water bill. I think it is relatively uncontroversial. So I understand the majority party has an event tomorrow evening, and it would certainly be our understanding we would be finished well in time for that to occur.

Mr. YOUNG of Florida. Madam Speaker, reclaiming my time, the gentleman is correct. We do not anticipate a lengthy debate on the energy and water bill, which the gentleman from Alabama (Mr. CALLAHAN) will file here very shortly. In the full committee it was handled expeditiously, and I believe the same thing would happen on the floor tomorrow. But, understand, the Committee on Appropriations has two markups in the morning, so we cannot get to that bill on the floor until those two markups are completed.

Mr. OBEY. Madam Speaker, if the gentleman will yield further, I thank the gentleman. I think that the Members will appreciate the information.

#### REPORT ON H.R. 2311, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

Mr. CALLAHAN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-112) on the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to clause 1 of rule 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.

□ 1702

#### IN THE COMMITTEE OF THE WHOLE

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 move to strike the last word to engage the chairman of the Committee on Appropriations Subcommittee on Transportation in a colloquy.

Mr. Chairman, I note that the subcommittee's recommendation for the New Starts program does not include any funding for the Second Avenue Subway in New York City. This is an important transportation investment planned in the metropolitan area, and it is vitally necessary to ensure fluid transit in an already over-congested metropolitan area. The project received \$3 million for continued analysis and design in fiscal year 2001.

I understand that the subcommittee's recommendation provides funding 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 important that the analysis and design continue on this important project. The MTA assures me that the project will be in preliminary design by the end of fiscal year 2001.

The State and the MTA have made a major commitment for the project and have included \$1.05 billion in the MTA's capital budget.

I ask the chairman that if the Senate were to include an appropriation for the Second Avenue Subway in its fiscal year 2002 Department of Transportation and Related Agencies Appropriations bill, that the subcommittee 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. 330. 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 Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

AMENDMENT OFFERED BY MR. OLVER

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

The Clerk read as follows:

Amendment offered by Mr. OLVER:

Page 54, line 7, insert before the period at the end the following: "except that this limitation does not apply to activities related to the Kyoto Protocol that are otherwise authorized by law (including those activities authorized by the United Nations Framework Convention on Climate Change with respect to which the Senate gave its advice and consent to ratification in October 1992)".

Mr. OLVER. Mr. Chairman, I rise reluctantly, because this bill is an excellent bill, and I respect very much the work of the chairman of the subcommittee, the gentleman from Kentucky (Mr. ROGERS), as well as my ranking member on the subcommittee, the gentleman from Minnesota (Mr. SABO), but I do take exception to the language of section 331.

The language in section 331 is language which has been included several times over the last few years, at a time when it was legitimately believed by the majority that the President in charge of the executive departments would have conducted the very actions which are prescribed by section 331 in the present legislation.

On the other hand, President Bush has made it clear that he has no intention of implementing the Kyoto Protocol as it has been worked out, and has even used much stronger language, that the Kyoto protocol is "dead." So, at the very least, the language is unnecessary and shows perhaps a disbelief 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