

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

Mr. SMITH of New Jersey. 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.

INTELSAT IPO EXTENSION ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2810) to amend the Communications Satellite Act of 1962 to extend the deadline for the INTELSAT initial public offering.

The Clerk read as follows:

S. 2810

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

SECTION 1. EXTENSION OF IPO DEADLINE.

Section 621(5)(A)(i) of the Communications Satellite Act of 1962 (47 U.S.C. 763(5)(A)(i)) is amended—

(1) by striking "October 1, 2001," and inserting "December 31, 2003,"; and

(2) by striking "December 31, 2002;" and inserting "June 30, 2004;".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of S. 2810 and urge swift passage of this noncontroversial legislation. Prior to adjourning in August, the Senate passed legislation, S. 2810, to extend the deadline by which INTELSAT is required to conduct its IPOs. I commend my colleagues in the other body and thank them for addressing this important issue.

Under the Open-Market Reorganization for the Betterment of International Telecommunications (ORBIT) act, INTELSAT is required to privatize, and as part of that effort, INTELSAT is to conduct an IPO by December 31 of this year. As detailed by the FCC, INTELSAT has made significant progress in its privatization efforts. Moreover, INTELSAT has made substantial preparations to conduct its statutorily mandated IPO.

However, volatility in the financial markets in general, and the tele-

communications sector specifically, make this statutory deadline unrealistic. Indeed, one is hard-pressed to select a worse time for a satellite company IPO. Equally important, such an ill-timed IPO runs counter to one of the central policy objectives of ORBIT, dilution of foreign government ownership. If this IPO is forced to take place now, it is very likely that the foreign governments holding nonstrategic investments in INTELSAT will decide not to sell in this unattractive market. Rather, they will decide to hold on to their investments until a more attractive market price is available. The end result: no foreign government dilution in the near future.

S. 2810 would therefore give INTELSAT another year in which to conduct its IPO. It also provides the FCC authority to allow an additional extension of time if warranted by market conditions. Congress provided identical relief last year to Inmarsat. I urge all of my colleagues to support this important yet noncontroversial legislation.

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

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

Mr. Speaker, the legislation before us is unopposed, and I support House passage of this bill today, as does the gentleman from Michigan (Mr. DINGELL) and all of the members of the Committee on Commerce who sit on the Democratic side.

This legislation simply extends the date by which INTELSAT may have an IPO and offer advanced satellite services to U.S. customers. The IPO was put into the law to induce INTELSAT to diversify its ownership and vastly diminish the international governmental ownership and control of the organization, with all of the advantages and disadvantages such international governmental ownership brings. The new date for an IPO will now be December 31, 2003, rather than the end of this year.

I want to commend the gentleman from Michigan (Mr. UPTON) for his work on this bill and urge Members to support the legislation.

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

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 2810.

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

A motion to reconsider was laid on the table.

PROVIDING TEMPORARY WAIVER FROM CERTAIN REQUIREMENTS UNDER CLEAN AIR ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3880) to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3880

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

SECTION 1. CLEAN AIR TRANSPORTATION CONFORMITY; TEMPORARY WAIVER FOR NEW YORK AREAS.

(a) TEMPORARY WAIVER.—Notwithstanding any other provision of law, until September 30, 2005, the provisions of section 176(c) of the Clean Air Act, and the regulations promulgated thereunder, shall not apply to transportation projects, programs, and plans (as defined in 40 C.F.R. Part 93, Subpart A) for the counties of New York, Queens, Kings, Bronx, Richmond, Nassau, Suffolk, Westchester, Rockland, Putnam, or the towns of Blooming Grove, Chester, Highlands, Monroe, Tuxedo, Warwick, and Woodbury in Orange County, New York. The preceding sentence shall not apply to the regulations under section 176(c)(4)(B)(i) of such Act relating to Federal and State interagency consultation procedures.

(b) INTERIM PROGRESS REPORT.—Not later than January 1, 2004, the Governor of New York shall submit to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, the Administrator of the Environmental Protection Agency, and the Secretary of Transportation a report regarding the status of the State's progress towards achieving compliance with the provisions of law and regulation subject to the temporary waiver provided by subsection (a). Such report shall explain in detail the steps that the State has taken towards achieving such compliance and identify the necessary steps that remain to be taken by September 30, 2005, in order for the transportation projects, programs, and plans for the counties referred to in subsection (a) to be in compliance with the provisions of section 176(c) of the Clean Air Act, and the regulations promulgated thereunder, by September 30, 2005. The report shall also include a regional emissions analysis generally consistent with the requirements of 40 CFR 93.122, together with the relevant air quality data.

SEC. 2. METROPOLITAN PLANNING REQUIREMENTS; TEMPORARY WAIVER FOR NEW YORK AREAS.

Notwithstanding any other provision of law, until September 30, 2005, the provisions of sections 134(h)(1)(D), 134(i)(3), 134(i)(5), and 134(l)(1) of title 23 of the United States Code and sections 5304(a)(1), 5305(c), and 5305(e)(1) of title 49 of the United States Code and the regulations promulgated thereunder, shall not apply to the New York Metropolitan Transportation Council or to the Metropolitan Planning Organization designated under section 134(b) of title 23 of the United States Code.

SEC. 3. ADDITIONAL REQUIREMENTS.

(a) PROHIBITION ON CAPACITY EXPANSION.—During the period of the temporary transportation conformity waiver for transportation plans, programs, and projects under section 1, no regionally significant capacity expanding

highway project shall be added to the Regional Transportation Plan for the counties referred to in section 1 and no such project may be advanced from the out years of the Plan into the TIP, except as provided in subsection (b).

(b) *EXCEPTION.*—Any regionally significant capacity expanding highway project south of Canal Street and West of Broadway in Manhattan may be added to the Plan referred to in subsection (a) if—

(1) the project is part of a redevelopment plan for lower Manhattan subject to NEPA and the New York State Environmental Quality Act, as applicable; and

(2) any projected increases in transportation related emissions resulting from the project are offset by corresponding reductions within the affected county, with best efforts made to secure reductions from within the immediate area affected by the project's emissions.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Virginia (Mr. BOUCHER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

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

Mr. Speaker, today the House will consider important legislation that will help New York rebuild Lower Manhattan after the tragic events of September 11.

Before I briefly discuss the purpose and effect of H.R. 3880, I want to thank the gentleman from New York (Mr. FOSSELLA) and his fellow Committee on Energy and Commerce New York members, the gentleman from New York (Mr. TOWNS) and the gentleman from New York (Mr. ENGEL), for their great leadership in developing this legislation and moving it through the committee in a very strong bipartisan manner.

As a result of this team effort, H.R. 3880 enjoys not only the support of the City and State of New York, but also the support of the Department of Transportation, the Environmental Protection Agency, and the environmental group Environmental Defense.

This legislation is needed because New York's transportation planning office was located in the World Trade Center and was destroyed on September 11. Three staff members were killed; and for all practical purposes, the planning office's records and complex computer models simply disappeared.

While tragic, this is not the sole reason New York needs a temporary extension from the Clean Air Act transportation conformity requirements. As we all know, September 11 changed the shape of New York. Thousands and thousands of offices have been moved to new places and commuters now travel different routes. Complying with the transportation conformity regulations and other metropolitan planning requirements would require a full understanding of these changes in the development of a new, corresponding computer model.

EPA and DOT all agree that this task would be impossible for New York to complete by next month, which is New

York's existing conformity deadline. Without H.R. 3880, when New York misses next month's conformity deadline, progress would cease on over \$4.6 billion worth of transportation projects, all at a time when the rebuilding of Lower Manhattan and its transportation infrastructure is of paramount importance.

So as to avoid this untenable outcome, H.R. 3880 provides a temporary 3-year waiver necessary for New York to develop new computer models and meet the requirements of the next conformity planning cycle in October of 2005.

I note that during full committee markup of H.R. 3880, the bill was amended in a bipartisan manner to address specific concerns raised by environmental groups with regard to regionally significant highway projects which now are generally prohibited unless they obtain emissions offset credits. Accordingly, H.R. 3880 has been endorsed by Environmental Defense.

In addition to the Committee on Energy and Commerce's New York delegation, I wish to thank the chairman of the Subcommittee on Energy and Air Quality, the gentleman from Texas (Chairman BARTON); the subcommittee's ranking member, the gentleman from Virginia (Mr. BOUCHER); and, of course, the ranking member of the full committee, the gentleman from Michigan (Mr. DINGELL), for their bipartisan cooperation in providing this timely relief for the City of New York. I also wish to thank the gentleman from Alaska (Chairman YOUNG), chairman of the Committee on Transportation and Infrastructure, for his cooperation with our request that this measure be considered by the full House promptly after our full committee markup.

In addition to the committee's report filed on H.R. 3880, the committee understands that New York State is working on expanding ferry service into New York City from Westchester and Rockland Counties and encourages this process to move forward as a means of providing alternative mass transit options which help to reduce traffic and improve the air quality of the region.

Mr. Speaker, in closing, I urge the House to vote for H.R. 3880, a bipartisan measure that will allow New York to continue the important task of rebuilding after the tragic events of 1 year ago.

Mr. Speaker, I ask unanimous consent that the managing of this bill go to my colleague, the gentleman from New York (Mr. FOSSELLA).

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

There was no objection.

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

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

Mr. BOUCHER. Mr. Speaker, I rise this morning in support of H.R. 3880,

which will provide to the New York City metropolitan area a temporary and necessary waiver of Clean Air Act conformity requirements until September 30, 2005.

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Mr. Speaker, I urge approval of this measure by the House. Section 176(c) of the Clean Air Act requires that transportation activities conform to State air quality plans before the Federal Government is authorized to fund those transportation activities.

The region-only mission analysis used to establish conformity and subsequent eligibility for Federal funding must be, under this statutory provision, less than 3 years old. New York's current regional emission analysis will reach its 3-year expiration date on October 1, 2002. Then, under the provisions of the Clean Air Act, the New York conformity determination will lapse, jeopardizing the area's Federal transportation funding for most projects. It is estimated that the region stands to lose up to \$1 billion in Federal transportation funding, should a conformity lapse occur.

The headquarters of the New York Metropolitan Transportation Council, and that is the agency that serves as the New York area's transportation planning office, was destroyed in the attacks of September 11. Due to the unprecedented loss of personnel, resources, and records, it will be impossible for New York to establish a current regional emissions analysis in order to meet the October 1, 2002 deadline for obtaining a conformity determination.

In addition to the loss at the New York Metropolitan Transportation Council headquarters, the attacks of September 11 have significantly altered the distribution of jobs and transportation patterns within the New York metropolitan area. These changes add to the impossibility of the data collection necessary to develop an accurate regional emissions analysis during the near term.

Given these extraordinary events, it is appropriate that we take action to provide temporary relief to the New York City area. The legislation before us today would grant a temporary waiver from the Clean Air Act transportation conformity requirements and selected metropolitan planning requirements of TEA-21 through September 30, 2005.

The bill received unanimous approval in the Committee on Energy and Commerce, and it is supported by the Environmental Protection Agency and by the U.S. Department of Transportation.

I urge that the House lend its approval to this necessary legislation, which will assist in easing the burden faced by the New York City area as the region continues to recover from the attacks of last September.

Mr. Speaker, I want to join my friend, the gentleman from Michigan

(Mr. UPTON), in commending the gentleman from New York (Mr. FOSSELLA) and the other gentlemen from New York, Mr. ENGEL and Mr. TOWNS, for their sponsorship of this measure, which is most appropriate and deserves approval by this House.

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

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

Mr. Speaker, at the outset, let me thank the gentleman from Virginia (Mr. BOUCHER), because he has been really great in his assistance and in his efforts to bring this to the floor, and the people in the city and in the State of New York are grateful for his support.

I thank as well my colleagues, the gentlemen from New York, Mr. RANGEL and Mr. TOWNS. We have tried to do this really in a nonbipartisan way because it is so critical to the future of rebuilding New York City.

I also thank the gentleman from Louisiana (Chairman TAUZIN) and the gentleman from Texas (Chairman BARTON), as well as the chairman, for being cooperative and understanding the plight of New York.

Mr. Speaker, I have a full statement that I will submit for the RECORD, but just to highlight, I think, as has been said by the gentleman from Michigan and the gentleman from Virginia, sadly, another consequence of September 11 was the fact that New York City almost was destroyed. The loss of life was tragic, but in addition, the infrastructure is destroyed.

Many Members in both the House and in the other body were in New York on Friday and saw what was once the World Trade Center, and saw underneath what was once the PATH station, the PATH train, or the 1 and 9 subway line, or so many of the buses that really interweave throughout downtown New York.

For all intents and purposes, things have changed in New York. New York was required to comply with the Clean Air Act as of October 1. Now, if the infrastructure has changed, the modeling to evaluate that infrastructure has changed, and the analysis, therefore, that was required has changed, so all bets are off.

In addition, and this is the saddest, obviously, some employees lost their lives in that attack.

So we have a combination of tragedies that brings us to this point. That, essentially, is to grant New York City and New York State temporary relief under the Clean Air Act. Without that, upwards of \$4 billion to \$5 billion, the estimates range, but the reality is that it is hard and it is real that those Federal dollars that fund needed Federal projects will stop, and it will stop the rebuilding efforts of New York City that have moved wonderfully in the last year. It will mean so many jobs will be put at risk, upwards of 200,000 jobs directly and indirectly related to the rebuilding of New York City.

This underscores, I think, what we all want to do; that is, to improve the quality of our air and the emissions surrounding New York City. But understand that this is a commonsense approach to a terrible accident that happened.

So I want to commend all those who recognized this necessary, really, legislation, and to thank all those in the staff that brought us here. I would hope, since time is of the essence, that the other body would join hands with us and give New York what it needs.

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

Mr. BOUCHER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New York (Mr. ENGEL), one of the sponsors of this measure.

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

Mr. Speaker, the Committee on Energy and Commerce has worked in a truly bipartisan fashion to bring this legislation to the full House today. The three of us on the committee that represent New York City, myself and the gentlemen from New York (Mr. TOWNS and Mr. FOSSELLA) have all worked very closely with the leadership of the Committee to put this before our colleagues.

Mr. Speaker, helping New York has been something that has been done in a bipartisan fashion since the tragic events of last September 11. This, of course, is part and parcel of that. New York City was hit not because it was some random place that was picked, but because New York is a symbol of what this country is, a symbol. That is why when New York was hit, everyone responded, because everyone understands that New York is a symbol of our great country.

As we know, and was mentioned by my colleagues, New York is facing a conformity lapse on October 1 of this year. H.R. 3880 will grant a temporary limited waiver for New York's Clean Air Act conformity requirements.

Mr. Speaker, the New York Metropolitan Transportation Council is the main agency that conducts the regional emissions analysis for New York, and as my colleague, the gentleman from New York (Mr. FOSSELLA), just mentioned, the NYMTC offices were on the 82nd floor of New York World Trade Center One, and were destroyed in the attacks of September 11. Three staff members are still missing and presumed dead, and all the vital data and institutional knowledge of the staff were lost on that fateful day.

As such, it is impossible for New York to meet its conformity requirements. I want to stress that without this waiver, New York will lapse out of conformity in less than a month, and many vital transportation projects will be halted, which threatens to cripple the region at a time when it is still struggling to recover.

The Clean Air Act sets out strict air quality standards to ensure that metropolitan areas remain at safe air qual-

ity levels. The Clean Air Act is vital to the health and welfare of residents across the country. That is why I have worked very hard to balance the need for the legislation with the best interests of my fellow New Yorkers and the environmental community, as well.

I have similarly been working to promote better and less polluting transportation throughout the New York metropolitan area, and have coordinated closely with Governor Pataki on this matter.

On July 22, 2002, I wrote to the Governor to urge his support for expanded ferry service from Rockland County to Manhattan and Westchester County to Manhattan, and I am pleased to announce that the Governor has responded favorably to my request and has assured me that he will make clean air transportation projects such as these a priority.

I want to also mention that in discussions with the chairman of our committee, the gentleman from Louisiana (Chairman TAUZIN), we were supposed to have report language about the ferry service from Rockland and Westchester Counties in the bill, and through an oversight it was omitted. But I want to assure my colleagues that the chairman of the Committee and others on the committee in a bipartisan fashion have assured me that they will work with us to make this ferry service a reality.

There are provisions in the legislation that require New York to report to the Committee on Energy and Commerce, EPA, and DOT on the air quality during the waiver period. These reports will allow us to monitor New York's progress to get back into conformity by the year 2005.

I am pleased that this legislation has the support of the Environmental Defense Fund and the environmental defense community, and I will continue to work with them and Governor Pataki to ensure that air quality standards will be of the utmost priority during the waiver period.

Mr. Speaker, it is truly fitting that the House of Representatives is considering this legislation today. It will be a year tomorrow since the terrorist attacks, and this great body has shown its solidarity with New York. In fact, it is 52 weeks today, to this very day, that the tragedy happened. It is important that the Congress continue its commitment to see us through as we continue our recovery in New York.

I was pleased to be with my colleagues just last Friday when we had this special session in New York. I want to thank, in conclusion, the chairman and ranking member of the Committee on Energy and Commerce, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL), for all of their hard work on this issue, and I urge my colleagues to support this much-needed legislation.

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

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

Mr. Speaker, I would just thank, from the committee, Joe Stanko, Michael Geffroy, as well as those from Governor Pataki's office and the mayor's office and the city of New York; also, the gentlemen from New York (Mr. RANGEL and Mr. TOWNS), the chairman, the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Michigan (Mr. DINGELL), the gentleman from Texas (Mr. BARTON), and of course, the gentleman from Virginia (Mr. BOUCHER).

From my staff, I thank Julie Walker, who has really worked a lot and very hard on bringing this to the floor.

I would note, as well, if it has not been noted, that the 14 affiliated building and trade unions support this bill. I have a letter that I have been asked to submit for the RECORD from the Environmental Defense Fund.

The letter referred to is as follows:

ENVIRONMENTAL DEFENSE,

Washington, DC, September 10, 2002.

Hon. VITO FOSSELLA,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN FOSSELLA: We are writing about H.R. 3880, The Clean Air Transportation Conformity Temporary Waiver for the New York Areas, as recently amended. That bill would provide certain counties of the New York City metropolitan region with an extension of deadlines under the transportation conformity provisions of the Clean Air Act while containing protections for continued efforts to improve air quality in New York City.

The State of New York requested this extension on the grounds that the events of September 11, 2001 directly and substantially affected the offices and staff of agencies involved in making conformity determinations. Offices of both the New York Metropolitan Transportation Council (NYMTC) and the Port Authority of New York and New Jersey were destroyed on September 11, and, tragically, both agencies suffered loss of life. According to the state, these agencies also suffered unprecedented loss of agency records and institutional capacity. New York has stated that it is seeking this extension in order to ensure that federal transit funds essential to the rebuilding of lower Manhattan are not placed at risk by these unfortunate circumstances.

In December 2001, the original version of H.R. 3880 was introduced in the House. Because of its unnecessarily broad scope and lack of air quality protections, Environmental Defense opposed that bill, as originally introduced. We requested that, if any flexibility in meeting federal clean air transportation planning requirements were to be granted, it be done in a narrowly crafted way that include protections for air quality and public health. We are pleased that the bill has now been narrowed, and that New York has committed to take new steps to protect air quality and health. The changes include:

No "free pass" for highway projects: Regionally significant capacity-expanding highway projects not already in the adopted Transportation Improvement Program are specifically excluded from the waiver and cannot be advanced during this period excepting projects related to reconstruction of Lower Manhattan (whose emissions must be offset locally).

Transportation Conformity only: It is clear, based on a recent change to the legis-

lative language, that H.R. 3880 applies only to "transportation projects, programs and plans as defined in 40 CFR Part 93 Subpart A", and that the waiver therefore does not apply to port projects, airports, or other transportation projects that are subject to the requirements of general conformity under Clean Air Act regulations.

Local emission offsets to protect public health in Lower Manhattan: New highway projects for lower Manhattan (i.e., the depressing of West Street) must include air quality offsets within the affected county (with best efforts to secure even more localized offsets).

Detailed Interim Milestones: New York has committed to meet detailed interim milestones on the way to attaining conformity by 2005. These include commitments to improved best practices transportation and air pollution modeling and other updated models and data for the region.

Report to Congress, EPA and DOT: New York must report to Congress, EPA and DOT on progress being made toward achieving conformity by the new 2005 deadline, including new emission reduction strategies adopted to offset revised estimates of air pollution emissions from cars and trucks that result from newer assumptions, data, and emission models.

Significantly, New York has also committed to take additional steps to protect air quality during the course of the waiver. These include:

A commitment to make the reconstruction of lower Manhattan a model for clean-air construction practice statewide, by using clean fuels and retrofits to cut emissions from non-road machinery throughout lower Manhattan. Non-road engines, like the construction machinery at work on the reconstruction of the World Trade Center site and transportation infrastructure in lower Manhattan, emit more fine particulate matter than cars, trucks and powerplants combined and are important sources of NOx, a precursor to the formation of urban smog.

Commitments by key state agencies, including for example the New York State Department of Environmental Conservation, Department of Transportation and the Port Authority of New York and New Jersey, to identify and adopt new transportation control measures, such as incentives for increased use of transit, to be implemented in the new term to cut emissions from the transportation sector.

We recognize that September 11 has presented New York and the country with a unique and unprecedented set of circumstances. We further understand that the State of New York, at its highest executive leadership levels, has agreed to the conditions outlined above and is prepared to implement them vigorously. With these conditions, and under these unique circumstances, we support the amended version of H.R. 3880.

Sincerely,

JOHN BOWMAN,

Legislative Counsel, Environmental Defense.

Mr. TOWNS. Mr. Speaker, I'm very pleased to see the quick action of the House Leadership to bring this important legislation to the floor. H.R. 3880 is a bill that will provide a temporary limited waiver to the Clean Air Act's transportation conformity requirements within the New York City regional planning area (which includes, New York City, Nassau, Suffolk, Westchester, Rockland and Putnam counties as well as seven towns in Orange County). This waiver is necessitated as a direct result of the tragic events of 9/11. The New York Metropolitan Transportation Council (NYMTC), the office responsible for compiling the transportation conformity plan—was lo-

cated in the World Trade Center, three of its staff members, and much of the progress that had been made in preparation for filing up to that date was lost in the terrorist attacks. In addition, as a result of the 9/11 destruction 100,000 jobs have been displaced and commuter and traffic patterns have changed significantly. For example, The World Trade Center PATH Train Station was lost and a number of businesses have relocated away from lower Manhattan. Without this waiver, New York's conformity will lapse on October 1, 2002. As a result, a number of non-exempt transportation and transit projects will come to a halt until a new conformity plan is filed.

New York should not be penalized any more for the disaster of 9/11. A halt to transportation and transit construction projects will be devastating to an economy that has already suffered significant losses. Moreover, this will likely have the unintended consequences of hindering New York's efforts to achieve improved air quality, as projects such as the 2nd Avenue Subway and the East Side Access will not be able to move on to a new phase of work because they are considered non-exempt.

It should go without saying that no one takes this request lightly. New York, similar to most metropolitan regions, struggles to conform to clean air requirements. The events of 9/11 have made clean air an even bigger issue for many New Yorkers. However, I believe there has been some confusion over this waiver request. This request has nothing to do with the post 9/11 EPA cleanup and everything to do with the need to rebuild lower Manhattan and continue important transportation and transit projects on their current schedules throughout the region. There have been erroneous claims that there is no need to provide a waiver because it takes eighteen months for the lapse to take effect. This is not an accurate claim. In fact, some projects will begin to stop in October depending upon their implementation phase. Projects will be able to complete their current phase but not be able to progress to the next phase. As you can see from the list before us, numerous projects would be impacted without this waiver.

Working in a bipartisan fashion with my New York committee colleagues, Mr. FOSSELLA and Mr. ENGEL, I believe we have reached an acceptable compromise with the Environmental Defense to address to any outstanding environmental issues. This legislation is an important step forward in rebuilding the infrastructure that was destroyed on 9/11, strengthening our economy, and allowing the New York Metropolitan Transportation Council the opportunity to develop a new conformity plan that reflects the new traffic patterns of the post September 11th city. I urge my colleagues to support this effort to keep New York moving and restore New York's economy to the driving force that it always has been. I would urge my Senator colleagues to move this bill with all delivered speed. We cannot afford for New York's transportation infrastructure to experience any delays because of Clean Air restrictions. I'm hopeful that final congressional action will occur before the October 1st deadline.

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion

offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 3880, as amended.

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

Mr. FOSSELLA. 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 today, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. FOSSELLA. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill.

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

There was no objection.

EXPRESSING THE SENSE OF CONGRESS REGARDING SCLERODERMA

Mr. FOSSELLA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 320) expressing the sense of Congress regarding Scleroderma, as amended.

The Clerk read as follows:

H. CON. RES. 320

Whereas scleroderma is a debilitating and potentially fatal autoimmune disease with a broad range of symptoms which may be either localized or systemic;

Whereas scleroderma may attack vital internal organs, including the heart, esophagus, lungs, and kidneys, and may do so without causing any external symptoms;

Whereas more than 300,000 people in the United States suffer from scleroderma;

Whereas the symptoms of scleroderma include hardening and thickening of the skin, swelling, disfigurement of the hands, spasms of blood vessels causing severe discomfort in the fingers and toes, weight loss, joint pain, difficulty swallowing, extreme fatigue, and ulcerations on the fingertips which are slow to heal;

Whereas people with advanced scleroderma may be unable to perform even the simplest tasks;

Whereas 80 percent of the people suffering from scleroderma are women between the ages of 25 and 55;

Whereas scleroderma is the 5th leading cause of death among all autoimmune diseases for women who are 65 years old or younger;

Whereas the wide range of symptoms and localized and systemic variations of scleroderma make it difficult to diagnose;

Whereas the average diagnosis of scleroderma is made 5 years after the onset of symptoms;

Whereas the cause of scleroderma is still unknown and there is no known cure; and

Whereas the estimated annual direct and indirect costs of scleroderma in the United States are \$1,500,000,000: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring)

That it is the sense of the Congress that—

(1) private organizations and health care providers should be recognized for their efforts to promote awareness of and research on scleroderma;

(2) the people of the United States, including the medical community, should make themselves aware of the symptoms of scleroderma and contribute to the fight against scleroderma;

(3) the National Institutes of Health should continue to take a leadership role in research efforts regarding the fight against scleroderma and should allow for broad dissemination of the information learned from such research; and

(4) the Centers for Disease Control and Prevention should consider additional methods to improve disease surveillance of scleroderma.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. FOSSELLA) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. FOSSELLA).

GENERAL LEAVE

Mr. FOSSELLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on House Concurrent Resolution 320.

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

There was no objection.

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

Mr. Speaker, I am pleased that the House is considering today House Concurrent Resolution 320, introduced by the gentleman from Illinois (Mr. GUTIERREZ) to raise awareness about a terrible disease, Scleroderma. House Concurrent Resolution 320 was reported favorably by the Committee on Energy and Commerce last week, and I encourage my colleagues to express their support for the resolution on the floor today.

Over 100,000 Americans are affected by Scleroderma, a chronic connective tissue disease that is debilitating and potentially fatal. Scleroderma is actually a symptom of a group of rare diseases that involve the abnormal growth of connective tissue.

Scleroderma is derived from the Greek word sclerosis, literally meaning hard skin. The symptoms include hardening and thickening of the skin, swelling and disfigurement of the hands, weight loss, joint pain, difficulty swallowing, as well as extreme fatigue.

With this wide range of symptoms, scleroderma is often difficult to diagnose. For some patients, these diseases cause hard, tight skin; for others, the problem is much greater, affecting blood vessels and internal organs like the heart, lungs, and kidneys.

□ 1230

Scleroderma affects people of all races and ethnic groups, men, women and children. For some Americans affected by scleroderma, recovery comes with time. For many others, there is no treatment that controls or stops the progression effectively. While scientists at the National Institute of Arthritis and Musculoskeletal and Skin Diseases continue to learn more about scleroderma, unfortunately, they do not know exactly what causes scleroderma, and there is still no cure.

The resolution before us today recognizes the work of private organizations and health care providers to raise awareness about scleroderma and encourages Americans to learn more about scleroderma. The resolution encourages the National Institutes of Health to continue to play a leadership role in discovering new treatments and disseminating information learned from their research. Finally, the resolution encourages the Centers for Disease Control and Prevention to consider how to improve disease surveillance of autoimmune diseases, including scleroderma.

Mr. Speaker, I encourage my colleagues to support the resolution.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, we are considering an important resolution today sponsored by my colleague, the gentleman from Illinois (Mr. GUTIERREZ). I am pleased to be a co-sponsor of this legislation, which is intended to raise the profile of scleroderma, a debilitating autoimmune disease that affects around a third of a million Americans every year.

Diagnosis can be difficult in the early stages. Many symptoms of scleroderma are common to or may overlap those of other diseases. The disease is highly individualized. While scleroderma can show mild symptoms in some, it can also deliver a more life-threatening prognosis in others.

Scleroderma can show symptoms on the surface as in a skin rash or disguise itself by affecting the organs, the muscles or blood vessels. Diagnosis can require consultation with rheumatologists and dermatologists, in addition to blood studies and specialized tests depending on which organs are actually affected.

The Committee on Energy and Commerce last week passed this resolution unanimously. I urge my colleagues to support it.

Mr. GUTIERREZ. Mr. Speaker, I am grateful that my bill, the Support Scleroderma Research bill (H. Con. Res. 320) has been scheduled to be considered in the suspension calendar today. The speed with which this bipartisan bill has traveled from the committee mark-up to Floor consideration is a testament to the importance of this bi-partisan and non-controversial measure.

Scleroderma is a chronic, often progressive autoimmune disease in which the body's immune system attacks its own tissues. The disease can manifest itself in two forms: localized scleroderma, affecting the skin and underlying tissue and systemic scleroderma, also known as systemic sclerosis, a potentially life-threatening disease that attacks internal organs including the lungs, heart, kidneys, esophagus and gastrointestinal tract.

The wide range of symptoms and localized and systemic variations of the disease make it especially hard to diagnose. In fact, the average diagnosis is made five years after the onset of symptoms. Once diagnosed, however, people with this incurable disease can only look forward to symptomatic relief.