

The importance of the surface transportation systems to our Nation's economic health cannot be overstated. Highway and transit investments stimulate economic activity. These investments increase productivity by decreasing time spent on the road, encouraging new economic development, and increasing property values. Transportation investment generates a 6-to-1 net return on investment. The linchpin of economic vitality is free movement of people and goods. In the U.S., more than 75 percent of the Nation's freight moves on highways—an annual value to the economy of more than \$5 trillion. And, for every \$1 billion in federal highway and transit spending, more than 42,000 jobs are created or sustained.

Despite the gains of TEA 21, transportation investment has fallen short of what is needed. The Department of Transportation estimates that the cost to improve highway and transit conditions to optimal levels would require more than doubling our current combined federal program size to \$74 billion per year. Meeting these needs will require a variety of strategies, including better use of existing systems, application of advanced technology, innovative financing, and public-private partnerships. It is our goal to develop a bill that increases transportation investment to improve and maintain this world-class system.

Reauthorization is the top priority of the Subcommittee on Highways, Transit and Pipelines. In the second session of the 107th Congress, the Subcommittee held a series of 17 TEA 21 oversight hearings and received testimony from 140 witnesses. The hearings gave many interested Members, the Administration and affected groups the opportunity to testify and present their views. We would be happy to make copies of these hearing transcripts available to any interested Members.

We anticipate that the bipartisan legislation we develop this year will be based largely on the information obtained at last year's extensive programmatic hearings. As we begin the process this year, we would like to encourage Members to inform the Subcommittee about any policy initiatives that they want the Subcommittee to consider in the reauthorization of TEA 21. Members having such specific policy requests should inform the Subcommittee in writing no later than March 14, 2003.

Many Members have already contacted the Subcommittee to inquire about, or to request, specific funding for critical transportation needs in their districts. On January 8, 2003, Transportation Committee Chairman DON YOUNG and Ranking Member JIM OBERSTAR sent a Dear Colleague that included a 21-question evaluation form for consideration of projects of importance to members. This form is reprinted in its entirety below. All project requests should be submitted no later than March 14, 2003. (Please note that this is a 2-week extension beyond the original deadline of February 28th.) Such submissions should be transmitted to us via the intranet website, <http://ushrtrans.house.gov>, and in writing, attached to a signed letter on the letterhead of the sponsoring Member.

We will also be holding a series of Subcommittee hearings in March and April, at which time Members and local officials will have an opportunity to testify on behalf of those requests. While these hearings are intended to give Members an opportunity to present information about specific project needs and policy requests, it is not necessary for Members to testify.

We look forward to working with all Members of the House as we prepare this important legislation that will set the course for our nation's surface transportation programs.

TRANSPORTATION PROJECT EVALUATION CRITERIA COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE SUBCOMMITTEE ON HIGHWAYS, TRANSPORT AND PIPELINES

1. Name and Congressional District of the primary Member of Congress sponsoring the project.

2. Other Members supporting the project.

3. If the project is a highway project, identify the State or other qualified recipient responsible for carrying out the project.

4. If the project is a transit project, please identify the project sponsor (must be an eligible recipient of Federal transit funds).

5. Please categorize the project. (Check one)

Highway or bridge

Transit rail new start

Bus, bus equipment, or bus facility

Intermodal facility (passenger)

Intermodal facility (freight)

Bicycle and Pedestrian

Other (please identify)

6. Is the project eligible for the use of Federal-aid highway or transit funds under Title 23 or Title 49 of the United States Code?

7. If the project is a highway or bridge project, is it on the National Highway System?

8. Briefly describe the total project.

a. Is it part of a larger system of projects?

b. What is the total estimated cost of the project?

9. Please identify the specific segment for which project funding is being sought, including terminus points.

10. What dollar amount are you requesting in the authorization for this project or segment of a project?

11. Project Schedule:

a. What is the proposed schedule and status of work on the project?

b. What is the current stage of development of the project? (If the project is a transit new start, please specify whether the project is in alternative analysis, preliminary engineering, final design, has been issued a record of decision, under environmental review, or already has a current full funding grant agreement.)

c. Will the requested funding for the project be obligated within the next six years?

12. Project Plan:

a. Is the project part of the State's long-range plan?

b. Is the project included in the metropolitan and/or State Transportation Improvement Program(s)?

13. Is the project considered by the State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not.

14. Does the project have national or regional significance? Describe.

15. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns? If yes, please describe.

16. Describe the economic, environmental, congestion mitigation, and safety benefits associated with completion of the project.

17. Has the project already received funding through the State's federal-aid highway or transit formula apportionments or from other Federal, State, local, or private funds? If yes, how much and from what source?

18. Has the project received funding in a previous authorization act?

19. If the project has received funding in a previous authorization act, please cite the act(s) and amount(s) authorized.

20. Has the project received funding in a previous appropriations act?

21. If the project has received funding in a previous appropriations act, please cite the act(s) and amount(s) appropriated.

PERSONAL EXPLANATION

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 2003

Mr. GONZALEZ. Mr. Speaker, on rollcall Nos. 18 and 19 on February 5th, had I been present, I would have voted "yea."

INTRODUCTION OF THE URBAN SPRAWL AND SMART GROWTH STUDY ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 2003

Mr. UDALL of Colorado. Mr. Speaker, today I am reintroducing the "Urban Sprawl and Smart Growth Study Act." This bill, similar to one I introduced in the 107th Congress, is designed to shine a bright light on the influence of federal actions on urban sprawl and assure that federal agencies consider how their actions may add to this problem.

Mr. Speaker, communities in Colorado and throughout the country are struggling to preserve their special charter and quality of life in the face of burgeoning populations. Especially in the West and South, extreme population growth has resulted in the continual build-out of cities and the loss of surrounding farmland and open space. In my state, this growth is also spreading along interstate highways into the mountain valleys and forested regions. The resulting sprawl is creating congested highways, more air pollution, overtaxed city services, and crowded schools and shopping centers.

According to the recent census, Colorado is one of the most rapidly growing states. Between 1990 and 2000, the population growth in the United States was 13.1 percent. During the same period, Colorado's growth was 30.6 percent! And in many of our counties, the rate was even higher. What does this mean?

The City of Broomfield has grown so much that it has now become its own county. Traffic is so heavy in the area that Congress appropriated \$1 million to study a new interchange at the intersection of U.S. 36 and Highway 287.

The cities of Fort Collins, Loveland, and Greeley are growing so fast, it's becoming difficult to tell where one ends and the other begins. These three cities are likely to become one in the next 10 years.

The south Denver portion of Interstate 25 near the Tech Center not only services the many offices in that area, but metro area sprawl has added more houses and towns on that end of Denver. Traffic is always bad there, no matter what time of day, and rush hour starts earlier and last longer now too.

Citizens in Colorado are asking their leaders to address the symptoms of sprawl and to

help them control and manage growth more effectively. We got started with this effort in 1994, when then Governor Roy Romer initiated his "Smart Growth and Development Initiative." That initiative focused attention on the problems of sprawl, the unevenness of growth (some rural areas welcome more development), and the role of federal, state and local governments in creating and managing sprawl and its impacts.

Other states from North Carolina and Georgia to California and Oregon have been experiencing similar growth problems. Many are developing processes and mechanisms to deal with these problems. Some states have used growth control legislation creating urban service areas. Others have relied on their local communities to slow down or temporarily cease the issuance of building permits. Many have appropriated funds or created sales tax initiatives to purchase and protect open spaces and agricultural lands.

All of this has been done with an understanding that state and local governments are in the best place to plan for and manage growth and sprawl issues. Armed with zoning and other authorities, they are best suited to gauge the pulse of their citizens and determine where, when and how growth should best occur.

But the efforts of state, local and tribal governments to plan for and manage urban growth and sprawl can be thwarted by actions taken at the federal level. A well-developed plan by a local community can be swept aside by the routing of a major highway or the construction of a poorly cited post office. The cumulative effects of a number of smaller federal actions and policies together create or foster the very sprawl that communities have fought so hard to control.

NEED FOR LEGISLATION

The bill I am reintroducing today is designed to focus attention on the many federal decisions and projects that can either foster or ameliorate sprawl. It does this through the National Environmental Policy Act (NEPA), one of our nation's premier environmental laws. It requires all federal agencies to evaluate their activities and projects for social and environmental impacts and thereby take steps to avoid or mitigate these impacts.

Specifically, NEPA requires all federal agencies to include for all "major federal actions significantly affecting the quality of the human environment" a detailed statement by the responsible official on the environmental impacts of the proposed action, any adverse environmental effects that can't be avoided, alternatives to the action, the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity, and any irreversible and irretrievable commitments of resources should it be implemented.

This is what is essentially required of an environmental impact statement (EIS). It is not, itself, a decision making document but is meant to guide agencies in making important decisions.

Generally speaking, most federal agencies have done a reasonably good job in implementing NEPA. However, when it comes to the cumulative impacts and indirect effects of federal actions—such as on sprawl—much of the NEPA analysis has not been adequate. Too often, federal agencies look at the specific, localized impacts of a proposed project

and neglect to review the broader "spill-over" impacts that it may have on a region.

This observation was in fact identified in a September 2000 General Accounting Office report entitled "Community Development: Local Growth Issues—Federal Opportunities and Challenges." This report looked at the various ways that federal actions can foster sprawl or assist communities to better address sprawl impacts.

The report also noted that although NEPA provides that federal agencies review the "indirect and cumulative" impacts of federal actions or projects (such as sprawl), often that review is rather thin and not well explored. The report noted that when it comes to evaluating the "indirect and cumulative" effects of proposed federal actions (such as highways), "few agencies consider the effect of a proposed [federal] project on growth" in their NEPA reviews.

Contributing to this is the fact that Federal agencies often substitute an environmental assessment for a full EIS. On average, in recent years, Federal agencies prepared 30,000 to 50,000 environmental assessments annually compared to only 500 to 700 EIS's.

An environmental assessment is usually much shorter and less comprehensive than a full EIS. Generally, the purpose of the assessment is to help determine whether a proposed action would result in an impact significant enough to require preparation of an EIS. Unlike an EIS, however, the treatment of alternatives is often cursory. No formal public review or comment process is required. Indeed, it is difficult to obtain a copy of an assessment, since there is no requirement that it be made publicly available nor is it sent to a public repository.

CEQ STUDY

The bill that I am introducing today will address these problems. Specifically, this bill would direct the Council on Environmental Quality (CEQ), the agency that implements NEPA, to study how well federal agencies evaluate sprawl impacts of proposed federal action in conducting their environmental reviews. CEQ has done this type of review in the past. In 1974, CEQ studied the impacts of sprawl and produced a report entitled "The Costs of Sprawl." In 1981, the CEQ also looked at the loss of agricultural land due to sprawl in its study entitled "National Agricultural Lands Study."

My bill would require the CEQ to update these studies by reviewing a variety of EISes and environmental assessments from at least 15 federal agencies. CEQ would analyze how well these documents have examined the impacts of proposed Federal actions on growth and urban sprawl. Among the programs to be reviewed are land management programs, such as those in the Departments of the Interior and Agriculture and Defense and the General Services Administration; transportation programs, such as those of the Federal Highway Administration and other agencies within the Department of Transportation; regulatory programs, such as those of the Federal Energy Regulatory Commission; and development assistance programs such as those in the Department of Housing and Urban Development, to name a few.

The bill further requires the CEQ to involve the public in this review by holding hearings in at least different regions throughout the country that are experiencing an increase in urban

sprawl. A city like Denver or Boulder would be a prime place, along with others in the northeast, south, mid and far west.

Within 18 months, the CEQ would be required to provide a report to the Congress on its review. This report would include findings concerning the economic, environmental and land use effects of urban sprawl. It would describe how well federal agencies have been examining the sprawl impacts of their actions and projects, and make recommendations on how their environmental reviews can be improved.

CEQ would also make recommendations for nonregulatory actions that Federal agencies can take to assist States and local communities in promoting the beneficial effects of smart growth and to minimize actions by the agencies that result in adverse effects of urban sprawl.

CONSULTATION

The bill also does one other very important thing. It would require greater interaction between the federal agencies and those persons affected by agency decisions.

As the effect of federal actions or projects will be most acutely felt at the state and local level (including by Indian Tribes), it is critical that federal agencies work with them to ensure that growth and urban sprawl effects are addressed in Federal environmental reviews.

In that regard, the bill would require federal agencies to be more open early in the process of preparing environmental assessments as well as EISes. Agencies would be required to notify persons that may be significantly affected by the proposed action, including each State and local government, Indian tribe and private property owner. Agencies must conduct discussions with such persons on their proposed actions and alternatives, and seek to address their concerns, if any.

This process would assure a more thorough NEPA analysis if a state governor or a lead local or tribal governmental official requested the preparation of a full EIS, due to the proposed project's impact on urban sprawl. Although the decision is not dictated by such a request, the agency would be required to give it great weight in deciding to whether to do an EIS.

Through this process, state, local and tribal governments extra power to make sure that the sprawl impacts of federal actions or projects are thoroughly identified and reviewed—and potentially mitigated or addressed. In so doing, the bill would help communities plan for and manage such impacts to their communities and help federal agencies develop actions and projects that do not exacerbate sprawl.

Obviously, this bill addresses just one federal dynamic related to sprawl. There are hosts of other ways that the federal government can help communities address sprawl issues and retain their quality of life. These include federal assistance for open space purchases, providing incentives to preserve and keep agricultural land productive, affordable housing assistance, alternative energy planning, mass transit options, and so on.

But the first step in helping communities grapple with growth and sprawl is to give them the tools they need and to make sure that federal policies and action are not working at cross purposes. My bill is an attempt to increase the coordination between federal actions and local efforts so that communities can

preserve the quality of life for their citizens and still grow in a positive, more sustainable and livable fashion. It is our obligation as federal officials to make sure the federal role is similarly positive, complementary and preserves quality of life.

OVERVIEW—URBAN SPRAWL AND SMART GROWTH STUDY ACT

SUMMARY

Federal actions and projects can significantly impact the ability of States, Tribes and local governments to plan for and manage growth and urban sprawl. The Urban Sprawl and Smart Growth Study Act would help address these impacts in two ways:

(1) Direct the Council on Environmental Quality (CEQ) to review how well federal agencies are considering the impacts their actions have on urban growth and sprawl; and

(2) Require Federal agencies to give greater weight to the input of state, local and tribal officials in considering these impacts.

BACKGROUND

One mechanism to address the federal role in sprawl is the National Environmental Policy Act (NEPA). This Act requires federal agencies to analyze the social and environmental impacts of major actions and to take timely steps to avoid or minimize these impacts. A September 2000 GAO report, "Community Development: Local Growth Issues—Federal Opportunities and Challenges" identified this mechanism and noted that federal agencies could do a better job of reviewing projects for sprawl impacts.

What the bill does:

Smart Growth Study: The bill would require the Council on Environmental Quality (CEQ) to review environmental documents of at least 15 federal agencies and examine how well they are considering urban sprawl and growth impacts of their projects.

Public Participation: In conducting this review, CEQ would be required to hold at least 5 public hearings throughout the country to gather public input on the adequacy of the review of growth and sprawl impacts of federal action or projects.

Smart Growth Report: CEQ would be required to issue a report to Congress on its findings and make recommendations on how federal agencies could do better in incorporating potential sprawl impacts in environmental reviews.

Comments on Sprawl: Agencies would be required to include written comments of sprawl impacts of federal actions or projects as part of Federal environmental documents.

State, Local and Tribal Governmental Consultation: In preparing environmental documents, federal agencies would notify affected state, local and tribal governments, who could then request that the agency conduct a more thorough environmental analysis under NEPA if the project would have an effect on sprawl. Federal agencies would be required to give great weight to such requests and document their decisions in writing.

What the bill does NOT do:

Amend or alter NEPA: The bill does not amend or otherwise alter NEPA and the rules and procedures adopted under this law.

Address the Totality of the Federal Role on Sprawl and Growth: The bill does not attempt to address the full range of federal policies and actions that can have effects on growth and sprawl; it focuses on the environmental analyses that are required under NEPA.

Overturn any particular Federal Action or Project: The bill does not overturn past Federal decisions, but would increase the coordination between federal actions and local efforts so that communities can preserve the quality of life for their citizens and still

grow in a positive, more sustainable and livable fashion.

HONORING THE 50TH ANNIVERSARY OF SPECIAL CHILDREN INCORPORATED

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 2003

Mr. COSTELLO. Mr. Speaker I rise today to ask my colleagues to join me in recognizing the 50th Anniversary of Special Children Incorporated of Belleville, Illinois.

Special Children Incorporated is a not-for-profit organization which began in 1953 as "The Parent Group for Mentally Retarded Children, Incorporated", when a group of parents came together to address their concerns over a lack of appropriate education for children with special needs. After developing and holding classes in local churches and homes, a permanent site was constructed in 1971 at 1306 Wabash Avenue in Belleville. A 10,000 square foot addition was completed in 1993 to meet the expanding needs of the agency. This building was constructed completely from the fundraising efforts of parents and community volunteers.

Special Children, Inc. continues to provide services for individuals in the St. Clair, Monroe, Randolph and Madison county area. The mission of Special Children, Inc., is to provide educational and early intervention services to children developmentally and or physically disabled from birth through 21 years of age and to provide education and support to the parent/guardian in hopes that these children can continue to reside in the most supportive and least restrictive environments.

Mamie O. Stookey School is approved by the Illinois State Board of Education as a Non-Public Facility in the State of Illinois to educate trainable mentally handicapped and severe profound handicapped students. Special Children develops an individual education plan, which provides a comprehensive assessment of the student's health, education, and social needs. An interdisciplinary team trained to provide specialized pediatric treatment is provided, as is a low pupil-teacher ratio. Special Children also provides for an adaptive physical education program including swimming, bowling, and adaptive therapescrotoscrotoutic playground. Daily progress reports to the family/guardian of each student are given as well as linkage and coordination to other community resources.

The program has eight self-contained classrooms that provide individualized instruction in the area of motor skills, language and communications, socialization; self help skills of daily living, and pre-vocational activities. The program focuses on a developmental curriculum, which include a variety of support services; Physical Therapy, Speech Therapy, Occupational Therapy consultation, adaptive physical education, social services, and nursing.

The family has the primary responsibility for the child's early learning environment. What happens in these early years is crucial to the child's success during the school year. Born of this belief and commitment to help parents of young developmentally delayed children do their job more effectively and enjoyably, the

PRIME/CARE program started in 1974. An Individual Family Service Plan (I.F.S.P.) provides a comprehensive assessment of the child and family's health as well as their education and social needs. An interdisciplinary team has also been trained to provide specialized pediatric treatment and case management. Special Children follows an interagency approach to treatment designed to enhance coordination and ease the transition between medical, social, and educational services in the community.

Special Children provides for comprehensive developmental assessment at referral and also schedules assessments by other professionals for coordination and individualized planning. They provide progress review and a program update every three months. All assessed, but not eligible, children are referred to appropriate community resources. Special Children Service teams represent these area disciplines; Special Instruction, Speech and Language Therapy, Physical Therapy, Occupational Therapy, Social Work and Service Coordination

Additional Special Children Services include; PRIME (home based)—Weekly home visits, CARE (toddler Classroom), Parent Support Groups and a Parent Education Group. Special Children Inc. also serves Newborns Through Two Year Olds, primarily infants at risk for developmental disabilities as the result of prenatal, perinatal and neonatal factors; such as: severe respiratory distress, prematurity, seizures and feeding problems. Special Children also treats infants and toddlers with diagnosed medical disorders such as; Rubella, Tuberos Sclerosis, Cerebral Palsy, Microcephaly and Down's syndrome. Infants, Toddlers and Preschoolers with delayed development (25 percent or more) in one or more areas are also treated for analysis in: cognition, expressive language, receptive language, fine motor development, gross motor development and affective/social/emotional development.

Mr. Speaker, I ask my colleagues to join me in honoring the 50th Anniversary of Special Children Incorporated and recognize the work that they do in the community to benefit the health, safety and welfare of children.

THE DIETARY SUPPLEMENT INFORMATION ACT AND THE EPHEDRINE ALKALOID CONSUMER PROTECTION ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 12, 2003

Mrs. DAVIS of California. Mr. Speaker, today I am re-introducing two bills that address an important public health issue: the safety of dietary supplements. Walk into any neighborhood drug store or discount store and you will find yourself surrounded by a variety of dietary supplements. Their labels tout promises ranging from "safe and easy" weight loss to increased muscle gain to lower cholesterol. However, dietary supplements are not subject to rigorous safety or efficacy standards and face only limited regulatory oversight under federal law.

My bills will protect consumers and increase the flow of information to the public. They will