

I urge support for this amendment.

#### HIGH-RISK NON-PROFIT SECURITY ENHANCEMENT ACT

(Mr. NETHERCUTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NETHERCUTT. Mr. Speaker, this morning I will be joining with my colleagues, the gentleman from New York (Mr. NADLER), the gentleman from Connecticut (Mr. SHAYS), and the gentleman from Indiana (Mr. PENCE), to introduce the High-risk Non-profit Security Enhancement Act.

Our legislation has three key components. It directs the Department of Homeland Security to provide \$100 million in grants and loan guarantees for security enhancements at non-profit organizations that are at high risk of international terrorism. It assists local law enforcement agencies that provide security for regions with high concentrations of non-profits with \$50 million in grants. And the bill establishes an Office of Community Relations and Civic Affairs at the Department of Homeland Security to facilitate this program.

Since September 11, the Federal Government has dedicated significant resources to improving the security of government facilities. We have successfully deterred attacks for more than 2 years, but we must remain vigilant and continue to devote resources to potential targets.

As government facilities have fortified against the threat of terrorism, terrorists may turn their attention to less fortified, but equally symbolic, targets. Leading non-profit organizations may become targets as an unintended consequence of our efforts. They represent the heart and soul of our communities, and the forces that want to destroy America understand their value. They believe they understand the importance of these organizations in our culture and our society.

This legislation will protect non-profit organizations throughout America, and I urge my colleagues to support this very important legislation.

#### GENERAL LEAVE

Mr. YOUNG of Alaska. 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 material on H.R. 3550.

The SPEAKER pro tempore (Mr. NETHERCUTT). Is there objection to the request of the gentleman from Alaska?

There was no objection.

#### TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, March 30, 2004, and rule XVIII, the

Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3550.

□ 1027

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 consideration of the bill (H.R. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with Mr. SHAW in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, March 30, 2004, the bill is considered as read the first time.

General debate shall not exceed 2 hours and 40 minutes with 2 hours and 10 minutes equally divided and controlled by the chairman and ranking member of the Committee on Transportation and Infrastructure including a final period of 10 minutes following consideration of the bill for amendment and 30 minutes equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means.

The Chair now recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I feel somewhat like the sinner appearing before the bishop when Your Honorable is in the Chair; but with all due respect, I do relish this moment. We are here today to support H.R. 3550, the Transportation Equity Act: A Legacy for Users, known as TEA LU.

This bill is a result of a great deal of hard work and cooperation by the Members of the Committee on Transportation and Infrastructure on a bipartisan basis.

I want to first thank the ranking minority member of our committee, my good friend, the gentleman from Minnesota (Mr. OBERSTAR). He has been a real champion of transportation, working with me to craft this legislation.

I also want to thank the chairman of the Subcommittee of Highways, Transit and Pipelines, the gentleman from Wisconsin (Mr. PETRI). His leadership and dedication contributed greatly to bringing this bill to the floor today.

□ 1030

He has traveled many, many miles to try to bring the information and gather the information from the citizens of this great Nation.

In addition, I appreciate the support and cooperation of the gentleman from Illinois (Mr. LIPINSKI), ranking minority member of the subcommittee. This effort demonstrates that, through bipartisanship, working together in cooperation, we can achieve I believe great things and legislate great things in this body.

I particularly want to thank our Speaker, the gentleman from Illinois

(Mr. HASTERT), for his leadership in moving this important legislation along. He has ensured that this body will be able to work its will and proceed as an independent branch of our government under our Constitution, and I do deeply appreciate his support.

In addition, we could not have brought this bill to the floor today without the support and assistance of the gentleman from California (Mr. THOMAS) from the Committee on Ways and Means. Chairman THOMAS is proposing some changes to existing law that will provide additional revenues into the Highway Trust Fund. His proposal makes it possible to achieve a better bill, and I appreciate his advice and counsel.

Lastly, I want to thank the gentleman from Iowa (Chairman NUSSLE) of the Committee on the Budget. He and his staff have been invaluable in ensuring that we continue the principles contained in TEA 21 that guarantee that highway trust funds will be spent on transportation, as promised to the American people. We have worked closely together to reach an agreement that meets both our needs at this point in time.

We have worked with other committee chairmen on provisions contained in the bill; and, without their help, we would not have been able to bring this bill to the floor today. We will continue to work with other committees in a cooperative fashion as we proceed to conference.

Mr. Chairman, traffic congestion, poor roads and hazardous highways are not Republican or Democrat problems. These are problems shared by all Americans, from all walks of life or economic conditions and all political parties.

Today, congestion on our highways is greatly reducing the quality of life for American families. Congestion, congestion, congestion causes over \$67 billion in lost productivity and wasted fuels, \$67 billion lost that produces nothing. It costs the average driver \$1,160 a year and more than a week and a half spent stuck in traffic. I want to stress that again. Average driver, \$1,160 a year and more than a week and a half spent stuck in traffic.

H.R. 3550 provides a new emphasis and a new program to relieve congestion, maximize roadway capacity and remove bottlenecks. In addition, more than 42,000 Americans are killed and 3.3 million are seriously injured each year on our highways. Nearly a third of the fatal crashes are caused by poor roads and roadside hazards. These fatalities are totally preventable.

H.R. 3550 creates a new core program for highway safety infrastructure improvements, a new high-risk rural road safety program and supports a number of safety programs aimed at human factors that contribute to accidents.

Mr. Chairman, we live in a global economy. Moving freight quickly and on time is absolutely essential to remain competitive and to retaining our

economic well-being. Other countries, such as China, are investing first in their transportation infrastructure because they know that without roads they cannot grow their economies. The United States must be willing to make transportation a top priority if we are to retain our economic leadership.

H.R. 3550 funds five programs designed to improve movement of freight, including funding for border infrastructure, intermodal connectors, projects of regional and national significance and a new corridor infrastructure program.

The bill also provides funding for construction of dedicated truck lanes. This will mean not only faster moving of freight but a vast improvement in safety on increasingly crowded interstates.

Public mass transportation is a key component in our cities. Seniors, the disabled and low-income families rely heavily on public transportation. In addition, without transit our highways would be so congested that we would not be able to move at all.

Therefore, H.R. 3550 continues our commitment to provide for public transportation both to our cities and to many rural areas where the need is great.

America's transportation needs are obvious to anyone who spends time on our roads and highways. We are a Nation stuck in traffic. We based the funding level of H.R. 3550 on the administration's conditions and performance report which set forth the needs of our transportation system.

In addition, we received far more requests from Members for funding of projects than we could possibly accommodate. That proves to me that the needs are real and that they are growing.

Mr. Chairman, this has been never been a want bill. This is a needs bill for this great Nation. So I am disappointed we have had to reduce the funding for many of the very good programs that we proposed in H.R. 3550 as introduced.

Failure to address our transportation needs will leave our country behind in protecting our economy. Mr. Chairman, that is not acceptable to this chairman. It will reduce the quality of life of our citizens if we do not pass this bill.

H.R. 3550 is a bill which embodies our vision for a better transportation legacy for America's future. I urge everyone during this debate and discussion of the bill to be able to listen to the merits of the legislation and support what is right for America.

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

Mr. OBERSTAR. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I am very deeply touched by the words of the gentleman from Alaska (Mr. YOUNG), our committee chairman. We have worked closely together on shaping this legislation.

In a time when the image of the U.S. Congress to the rest of America is one

of divisiveness and partisanship, this committee may well have set a model for how a legislative body ought to work, an interplay of ideas coming at the same issue, toward the same objective, with different viewpoints, openly debated, intensively discussed, thoroughly explored and a resolution that is in the public interest. It has been inclusive. It has been partnership rather than partisanship on this committee.

That is a great tribute to the gentleman from Alaska (Chairman YOUNG), the gentleman from Wisconsin (Mr. PETRI), and the gentleman from Illinois (Mr. LIPINSKI), who have put their best efforts forth, and to our respective professional staff who have carried the burden of the day time and again on what to others might be an arcane aspect of very complex issues but which are vitally important.

So, as the Chairman said, we come to the floor with a bill that serves the best, broadest interests of transportation in America. It is a bipartisan product. It is one that should be \$100 billion more, as the Chairman alluded to, without using that number, but we all know where we need to be, and to the gentleman from Alaska's (Chairman YOUNG) great credit, Mr. Chairman, he has advocated openly, vigorously in every venue, in this body, with the executive branch and in the public, as I have, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI) have done for a more robust funding which we need, which we all know is necessary to address the transportation needs of America, keep our economy mobile, growing, productive and competitive in the world marketplace.

We do in the political arena what we can do, and what we can do here today under the circumstances is bring a bill at \$275 billion that is good policy, sound policy for America, will move America forward.

Congestion is clogging the arteries of transportation in our urban areas, in our close-in suburban areas and is affecting rural America as well. Congestion is slowing the movement of people and goods, extending our daily commute, driving the cost of goods up in the marketplace, driving up the frustration of American drivers, making our roadways less safe, costing America more in the long run.

UPS, for example, estimates that for every 5-minute delay they lose \$40 million nationwide. There are numerous other examples of costs of delay. The Texas Transportation Institute annually does a study of congestion in America. Their report in January of this year of 75 major metropolitan areas put the cost of congestion at \$69.5 billion in just those 75 major metropolitan areas. That means that people are spending a week longer in their cars than they would if they could drive at posted highway speeds, buying four tanks of gasoline more than they would if they could drive at posted highway speeds, and using the name of

the Lord more frequently in traffic on weekdays than they do in church on Sundays, I suspect.

We propose to address that problem by attacking bottlenecks in our transportation system, addressing with a megaprojects program huge conflagrations of people, goods, all modes of transportation, passenger rail, freight rail, trucks, passenger cars, maritime, aviation, and loosen the bonds of congestion in those areas with an initiative we call megaprojects, whose result will be net national benefits, net regional multistate benefits and net benefits to our national economy.

We are not just a continental economy. We are a global economy. China is investing, Japan is investing in its infrastructure, Europe is investing in its infrastructure to move goods and people faster, more efficiently, but America is not moving fast enough.

The study that in TEA 21 we commissioned the Department of Transportation to do, an assessment of pavement conditions, bridge conditions, congestion and safety, produced a report that recommended an investment of \$375 billion on the grounds that we ought to be investing at all levels of government \$125 billion a year in infrastructure improvement and we were only investing \$75 billion. We are \$50 billion a year short.

So, to keep our place in the competitiveness in the world marketplace, we need to do this. This is an investment that stays here in America. It stays home. The jobs created are American jobs. They are not created in Taiwan or Korea or Japan. They are created here in America, with American goods, American materials; and we ought to make that investment to make our economy move more efficiently, to put 1.7 million more construction workers back to work, generate an additional \$80 billion a year in economic activity and keep America moving.

This bill will get us on the right track toward that objective.

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. PETRI), the chairman of the Subcommittee on Highways, Transit and Pipelines.

Mr. PETRI. Mr. Chairman, I would first like to salute the chairman of our committee for bringing us to this day and to the gentleman from Minnesota (Mr. OBERSTAR) and my colleague, the gentleman from Illinois (Mr. LIPINSKI), the staff on both the majority and minority of the committee. It has been a lot of work and a long road, and we still have far to go, but this is an important milestone in the passage of our Nation's transportation policy for the next 6 years.

This legislation will have an impact on each of our constituents literally every day as they go about their daily lives, whether it is driving kids to school, hopping on a train as part of a daily commute or picking up a gallon

of milk that has been brought over the road on a truck.

We on the committee had hoped to be discussing a somewhat different bill today. TEA LU, as introduced at \$375 billion, is the right thing to do. It was fashioned to start to address the needs as identified by our own United States Department of Transportation. Anything less will not maintain and improve our transportation system. Nonetheless, this bill at \$275 billion is a step toward meeting the needs we as a Nation have with a reduced amount of resources and is the best that we can achieve at the current time, given the situation that we find ourselves in.

This bill provides increases each year in funding for the core highway formula programs for the States so that every State will see an increase in its funding. It includes important programs for safety, infrastructure safety on the road, work safety, motor carrier safety and behavioral safety programs to address drunk driving, occupational protection programs and other hazards.

There are many provisions that facilitate the movement of freight, an important element to interstate commerce and a primary Federal interest in transportation. It will allow us to meet the needs of emerging trade corridors in this post-interstate construction era and other projects that have regional or national benefits that overwhelm the capabilities of any one State.

We retain funding for transit at the 80/20 split and include programs that will help States meet the mobility needs of both urban and rural communities and improve opportunities for the elderly and for the disabled.

It is forward looking in providing for a robust research program and innovative payments in bridges, recycled materials, freight movements and environmental programs. We prepare for the future in beginning to tackle the problem of identifying new financing mechanisms to replace the gas tax as a source of revenue for the Highway Trust Fund in the future and consider the future of the interstate system.

□ 1045

Are there concerns about funding formulas or other policy issues? Of course. In a bill of this size it is inevitable. We face the same questions literally every time that the House considers a reauthorization bill.

In order to make progress in providing what some are calling for in terms of equity and donor State issues, you need more funds. Unfortunately, we do not have that today. But as we move through conference and in the future, we want to try to address those needs, if given the resources to do so.

It is important to note, too, that the spending in this bill is paid for by the revenues coming into the Highway Trust Fund. We retain the guarantees that we fought so hard for in TEA 21 and maintain the trust with the traveling public that the gas taxes they

pay will actually be spent on transportation improvements.

So, Mr. Chairman, I would ask support for the bill so we can provide jobs, protect our citizens' safety and maintain and improve our economic standing in a fast-changing world.

Mr. OBERSTAR. Mr. Chairman, I yield myself 25 seconds to express my deep gratitude to the gentleman from Illinois (Mr. LIPINSKI), ranking member of the Subcommittee on Highways, Transit and Pipelines. He has been a true partner in this enterprise with the chairman of the full committee, the gentleman from Alaska (Mr. YOUNG), the chairman of his subcommittee, the gentleman from Wisconsin (Mr. PETRI), and myself, contributing his time, days and nights and weekends, calling from home, calling from his district office, lending his consummate grasp of transportation issues from the transportation hub of America, Chicago, where all of America's complexities are joined.

Mr. Chairman, I yield 6 minutes to the gentleman from Illinois (Mr. LIPINSKI), who is a great friend and a great contributor to this product.

Mr. LIPINSKI. Mr. Chairman, I want to thank the gentleman from Minnesota (Mr. OBERSTAR), my partner in this endeavor, very much for those extremely kind words and for yielding me this time. It is always a pleasure working with him on any transportation issue, because no one, not only in this country but no one on this Earth, knows as much about transportation as the gentleman from Minnesota does.

I want to begin today by thanking all of my colleagues on the Committee on Transportation and Infrastructure from both sides of the aisle for all of their efforts and dedication. Many of my colleagues in this body have spent many, many hours meeting with countless numbers of individuals and organizations to hear their views.

In particular, I give special mention to three individuals, the chairman of our committee, the gentleman from Alaska (Mr. YOUNG), who has been tireless in trying to develop a bill that will aid and assist us in this country in improving our transportation and infrastructure; the gentleman from Minnesota (Mr. OBERSTAR), who I mentioned earlier, and who, as I said, knows more about transportation than anyone that you will ever encounter, for the great help that he has been in formulating this bill; and the gentleman from Wisconsin, (Mr. PETRI), who has gone around the country and seen firsthand so many, many of the needs we have here. He has really been the individual who has brought so much information back to us, telling us where the needs really existed in this country.

These three Members have provided tremendous leadership in getting this bill to where we are today. However, it should not be viewed that this bill was crafted only by members of our committee. Since our committee began to

work on this bill, we have asked for and received input and comments from almost every single Member in this body. We have held dozens of hearings, with the active participation of many of my colleagues in this Chamber. And, most importantly, we have listened to what they had to say.

Because of this and the bipartisan history of this committee, I believe we have a very good piece of legislation that reflects many different priorities promoted by Members who represent diverse constituencies and interests. It truly is democracy at work.

As I have said, I believe we have a very solid piece of legislation. While I will be the first one to say that it is not entirely perfect, there is no doubt in my mind that at this particular time this bill is as perfect as we can make it. We have made some significant strides in improving this country's infrastructure, and these accomplishments will benefit Americans now and into the future.

In this bill we have increased funding from \$218 billion to \$275 billion. While this is not the original funding level proposed by the committee, this still represents a decent increase.

It is important to bear in mind that this legislation is not just about money. It is not just about funding. It is also about innovation and moving transportation policy in new directions. There are many, many things we can point to in this bill. This bill contains new initiatives that will improve our quality of life. We have strengthened current programs to meet our existing conditions, and we have expanded and created new programs to address the needs of today and prepare for the needs of the future.

This bill creates a number of such programs, such as a new and improved National Corridor Infrastructure Improvement program, Highway Safety Improvement program, Small Starts Transit program, and Safe Routes to Schools. This is certainly not the entire list of new programs, but these are examples of new programs that will represent the collected efforts of many individuals and many organizations that have contributed to this bill on the floor today.

Other important programs included are an improved clean fuels formula grant for nonattainment areas like northeastern Illinois, Southern California, New York City, and Washington, D.C. These funds will help transit agencies purchase clean fuel buses and help improve our air quality. Improving air quality is just one of the many important public policy needs that the TEA LU bill addresses.

In this bill, it is recognized that transit is not just for big cities; it is also a growing need in rural communities. To help meet the needs of rural America, we have increased funding to the section 5311 program.

Time after time, survey after survey, Americans point to traffic congestion as a growing and serious problem in

this country. In 2001 alone, congestion costs this country \$69.5 billion. And, on average, Americans lose 27 hours a year due to delays. As congestion levels continue to rise in the United States, we must focus on modernizing our vital transportation infrastructure and improving the quality of life for all Americans. By targeting Federal resources for specific purposes, this bill would also help improve congestion in major urban areas across this country by creating a safer, more efficient infrastructure for the millions of Americans who use our roads, highways, railroads, and bridges each day.

As we continue to move forward with TEA LU, it is easier to think about what may have been. Yes, it would have been nice to have a \$375 billion bill; but because of this administration's opposition to raising the highway user fee, this is the hand that we have been dealt. Right here and right now, this is the most practical way to maintain highways, roadways, buses and subways, and protect the safety of the American public.

This bill is a significant step in the right direction. It is a step towards improving our communities, a step towards helping folks spend less time commuting and more time with their families and loved ones; it is a step towards safer travel; and it is a step towards cleaner air. I hope you will take this step with me and lend us your support.

I urge my colleagues to support H.R. 3550, the Transportation Equity Act: A Legacy for Users.

Mr. PETRI. Mr. Chairman, I yield 3½ minutes to the gentleman from east Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Chairman, I rise in strong support of this very important legislation, which will improve our transportation infrastructure and create millions of jobs, and I want to thank the gentleman from Wisconsin (Mr. PETRI) for yielding me this time.

I especially want to commend the chairman, the gentleman from Alaska (Mr. YOUNG); chairman of the subcommittee, the gentleman from Wisconsin (Mr. PETRI); and the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI), all very close friends of mine, who are to be commended for their great leadership on this bill.

Mr. Chairman, this is the biggest jobs bill that we will vote on in this Congress. I am sick and tired of seeing millions of American jobs go to other countries. All over this Nation there is tremendous concern about this. We are spending hundreds of billions in other countries. This bill is one that puts our own people first once again.

But it is more than just a jobs bill, Mr. Chairman. This is a safety bill. I chaired the Subcommittee on Aviation for 6 years. Unfortunately, there are more people killed on our Nation's highways in just a little over 4 months than in all U.S. aviation accidents

combined since the Wright Brothers flight of 1903. This bill is one that will make our Nation's highways much safer and will save many thousands of lives.

We need to take terrorism very seriously, Mr. Chairman; but we are spending hundreds of billions on terrorism, when we count up all the military and Federal, State and local spending, and what all the private companies are doing on security. Yet, as the very respected National Journal magazine pointed out a few months ago, people are thousands of times more likely to be killed in a car wreck than by a terrorist. Surely we can spend \$45 billion a year on our Nation's highways and our National Transportation System.

This is an efficiency bill. One leading national magazine said recently, "Congestion costs the Nation about \$67 billion a year. Americans waste 3.6 billion hours and 5.7 billion gallons of gas sitting in traffic, all at an average cost of \$1,160 per commuter per year."

This bill will save huge amounts of tax dollars by speeding up the time in which projects can be completed. Everything in our economy, Mr. Chairman, everything in our personal lives depends on, or is affected by, a good transportation system.

I am especially pleased that in this bill there is language promoting technology to decrease or cut down or eliminate the time that trucks have to idle at truck stops. I also want to work on the language, though, that is in the bill concerning parking areas for trucks along our Nation's interstate highway system so that those parking areas do not compete against companies in the private sector.

No one on our committee, Mr. Chairman, wants to pave over the entire country, but vehicle miles traveled keeps going up at three to five times the rate of our population growth. This means we have to improve and widen our highways.

Paul Craig Roberts, the nationally syndicated conservative columnist wrote recently: "Before we can reconstruct the rest of the world, we need to stop deconstructing our own country." I have nothing against any other Nation, but this is one bill that is pro-American. It is not only pro-American, it is pro-jobs, pro-environment, pro-safety; and I urge its passage because this is one of the best things we will be able to do this year in this Congress.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. Holden), a distinguished member of our committee.

Mr. HOLDEN. Mr. Chairman, I want to take this opportunity to commend the chairman of the full committee, the gentleman from Alaska (Mr. YOUNG), and the chairman of the subcommittee, the gentleman from Wisconsin (Mr. PETRI), and the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI), for all their hard work in bringing this legislation to the floor.

This legislation is very important to my home State of Pennsylvania where we have more road miles to maintain than our friends in New Jersey, New York and New England combined. But, Mr. Chairman, this is not only important to Pennsylvania; it is important to every one of our congressional districts where we have congestion problems, safety hazard problems, and economic development needs and concerns.

I want to thank my leader and my friend, the gentleman from Minnesota (Mr. OBERSTAR), for personally not once but twice coming to my congressional district and looking at the problems we face, where we are, in Harrisburg, Pennsylvania, looking at that unbelievable amount of truck traffic that comes through every day; and in Lebanon, Pennsylvania, where we have the Norfolk Southern coming through 50 times a day, not only disrupting traffic but also the safety concerns of having ambulance crews and fire companies being able to address concerns in the city; and in Schuylkill Haven, Pennsylvania, where there is a bike path that has been on the books for 2 decades.

This legislation will allow us to move forward on projects like that. So I want to commend the big four for all their hard efforts in bringing this legislation to the floor. And as was mentioned by the gentleman from Minnesota (Mr. OBERSTAR) and by the gentleman from Tennessee (Mr. DUNCAN), not only is this good for our highway and transit systems, this legislation is good for our economy.

This legislation truly is a jobs bill, and I commend the big four for all their hard efforts.

Mr. PETRI. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. LATOURETTE).

□ 1100

Mr. LATOURETTE. Mr. Chairman, I want to give a piece of praise this morning to the gentleman from Alaska (Mr. YOUNG), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI) for the mighty work and just the first names of some people on the staff: Levon and Liz and Lloyd and Fraser and Graham and some other people that I will forget because they literally had to write this bill three, four, five different times from where it started at \$375 billion.

So when the gentleman from Minnesota was talking rightly about the contributions that the gentleman from Illinois has made, the staff of both the majority and minority have done yeomen's work to produce this piece of legislation, a piece of legislation that is desperately needed in the United States.

But I do feel constrained this morning to say despite the need, despite the need that everybody on the committee recognizes, this bill has been bungled,

not bungled by the able leadership of the committee but it has been bungled. By not getting a signal to reauthorize this legislation when TEA 21 expired last September, AASHTO tells us that we have cost the economy over \$2 billion, and 90,000 jobs that could have been created have not been created.

The failure to make this bill \$375 billion, and the gentleman from Minnesota was right on the money. This is not a number that the committee made up. Those numbers came from the Department of Transportation as the need that exists in this country.

When I go home to Ohio, a lot of people say to me, I see that you're spending \$18.4 billion this year alone to rebuild the infrastructure of Iraq. That is again something that a lot of people in this House think that we need to do after what we have done in Iraq. We are begging, trying to squeeze out \$18 billion over 6 years to build roads in the United States. My constituents do not understand that and they have difficulty and, quite frankly, so do I.

There was a lot of talk yesterday in our Republican Conference and criticism of Chairman YOUNG that this bill does not embrace Republican principles. I have said it on the floor before: Abraham Lincoln in 1865, I just saw the special on the History Channel, got the guy that ran the Ames Shovel Company in Massachusetts to build the transcontinental railroad. That is a Republican principle. Dwight David Eisenhower was the spearhead behind the national highway system that we enjoy and use today for national defense. Richard Nixon, Ronald Reagan, George H.W. Bush all recognized, and it is not to say anything about Democratic values, that Republican values in this country are based upon a strong defense and a strong infrastructure in this country.

We are told that 32 percent of our major roads are in poor condition and that 26 percent of our bridge infrastructure is totally deficient. Last year, 1,400 Ohioans died on the roads in Ohio. One-third of those deaths, Mr. Chairman, are directly attributable to poor roads and roadside hazards. So why some bean counters have determined that we can do this bill on the cheap when the infrastructure needs of this country are crying out for repair is beyond me.

But, having said that, again the gentleman from Alaska, the gentleman from Minnesota and the chair and ranking member of the subcommittee have done their level best. This is a good bill, it will help us, but we need about \$100 billion more to get the job done.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, let me rise to thank the chairman and the ranking member for their leadership and also the subcommittee chair and ranking member.

I am talking about the gentleman from Alaska (Mr. YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI). These are the leaders that put this bill on the floor today. They are the ones who have heard from the mayors and the county supervisors about the congestion that is on our roads. They are the ones who have brought forth this very principled and balanced bill.

This bill speaks to, and the initial bill that we had for \$375 billion, Mr. Chairman, did speak to recommendations and needs, assessments, provided by the Department of Transportation. That first bill was based on the administration's own numbers. But this bill speaks to the traffic congestion that costs American motorists some \$67.5 billion a year in wasted time and fuel cost. Americans spend an additional 4.5 billion hours a year stuck in traffic.

This bill addresses the immediate needs of our communities. Our communities have spoken loud and clear: They want congestion relief. This bill also speaks to projects of national and regional significance.

I want to thank the leadership again, the chairman and the ranking member, the gentleman from Wisconsin and the gentleman from Illinois, of the subcommittees, for their leadership in bringing this particular language to the bill. This bill and that language, Mr. Chairman, speaks to a new program that will go a long way in relieving our Nation's congestion on the roads and those choke points that will help to reduce that congestion in our cities and in our communities.

This program and funding addresses the increasing importance of moving goods safely, securely and efficiently among our freeways and highways. It also speaks to the mobilization of people. This bill is good for not only communities, mayors and county supervisors but also for businesses. This is why the U.S. Chamber of Commerce, the Conference of Mayors and all are supporting this bill as it is. They recognize that when we go to conference, there will be some adjustments made, but they want this bill to go out as it is because it represents all that is necessary for a balanced approach in the national scope of providing relief from congestion.

This bill also speaks to I-710, which is a high-priority corridor in California. Fifteen percent of our Nation's total commerce of inbound and outbound containerized goods are moved along I-710. This is truly a high-priority corridor.

This is also a jobs bill, Mr. Chairman, because we recognize that over 3 million jobs have been lost. This bill creates the type of opportunities for jobs. What else can we say? This is a win-win bill, and this bill should pass off the floor.

Mr. PETRI. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. QUINN).

Mr. QUINN. Mr. Chairman, I want to join the others associating myself with the remarks of the gentleman from Ohio (Mr. LATOURETTE) in thanking the gentleman from Alaska (Mr. YOUNG), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI) for actually trying to hit a moving target these last months. That is not an easy thing to do here in Washington.

But this bill, as important as it is, and those remarks and numbers that the gentleman from Ohio just offered could not be truer in Buffalo and western New York.

Mr. Chairman, when I came here I followed a great public works Member, Henry Nowak, who understood the importance not only in western New York but all across the country of public works projects. He taught me that a public works project and the things that we do or are trying to do in this bill is a double win. It is almost like chopping your own firewood. You chop the firewood, and you are warmed. You are also, when you use the firewood, warmed.

These public works kinds of projects are a double win. We as country, as a nation, get the projects; and we also get jobs that go with those projects. At a time when our country talks about losing jobs more and more, this is the jobs bill of this session of Congress. It is not the number that we wanted. It is not high enough. A little give and take in compromise here I believe will get us to where we want to be for this part of the Congress, and I am hopeful that we renew ourselves next year to get to this kind of planning that is necessary all across the country.

When we talk to our local and State representatives, they know they need 5 and 6 years to plan some of these important projects. It gets the money out.

I do want to say a word, if I might, Mr. Chairman, about the railroad situation. As the chairman of the Subcommittee on Railroads and my partner, the gentlewoman from Florida (Ms. CORRINE BROWN), we know that we are not going to have a discussion about the rail issues in this bill today.

We had some plans in the manager's amendment to talk about the R-RIF program, a renewed loan program to get loan money out to railroads to better put themselves in a position for the railroad business of the country. We also talked about the short lines and some infrastructure money for them. No word is going to be mentioned here today in the bill on the floor about Amtrak. These are all important projects for all of us in the House and across the country.

I am hopeful, as the gentlewoman from Florida and I continue our work on the Subcommittee on Railroads this year, to work with both sides of the aisle and our counterparts in the Senate to get a bill where we can talk about rail infrastructure and railroad needs.

Certainly we have spoken at all of our hearings about a backup to our airline industry. We have talked about the need for rail to take congestion off the roads and away from the airports. Whether it is passenger or freight, the railroad system in this country desperately needs some help. We, although silent on it here today and tomorrow in this discussion, fully expect to be engaged in every bit of the process.

Mr. Chairman, I want to thank both sides of the aisle for their help. We look forward to our continued work as probably the most bipartisan committee in the House of Representatives to get the job done.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), our resident urban planner and thoughtful member of this committee.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in permitting me to speak in support of what is the most important jobs and environmental bill of this session. Because of the structure that has been maintained under ISTEA, this legislation also is the most important tool for the preservation and revitalization of our communities.

This is an opportunity to give a balanced approach. In some cases, it is a need for repairing crumbling bridges. In some cases, it is new roads. In others, it is bike paths, transit, street cars, historic preservation. This legislation has a wide range of options that is available to America's communities, and it gives them the flexibility to use those tools.

Sadly, what it does not give them is enough resources really to meet the needs that have been identified by this administration and which have so ably been championed by the leadership of our committee.

There has been a lot of talk about the costs that are involved. We have documented time and time again that the American public is paying the price right now with increased pollution, with delays as a result of congestion, with load limits on bridges, with the lost opportunity for the economy, as our friend from Ohio mentioned, of several billion dollars lost just in the delay that we have reached to this point.

We all know that this investment in our communities is going to spur additional private sector and public investment. This bill will pay for itself many times over if we are only able to move it forward.

What we have seen, Mr. Chairman, has been the hard choices. In the last 24 hours there has been a great deal of controversy by some. In some cases, they are saying their States do not get back enough. In others, they are concerned that there are specific things that are not met. That is a product of not having a bill that is right-sized.

Our committee leadership brought forward and worked very hard to bal-

ance the safety, the equity, the environment and Members' requests. The gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Alaska (Mr. YOUNG), the gentleman from Illinois (Mr. LIPINSKI) and the gentleman from Wisconsin (Mr. PETRI) worked very hard to weave it together. But the fact is, at \$275 billion, it is a very tenuous prospect and it may well crumble if we are not careful.

It was wrong for the President of the United States to draw a line here that he is going to veto his very first bill. I, frankly, do not think he will. It would be a tragedy for our communities, and I know that many of my Republican friends do not think that that is appropriate. I note that the Senate bill at \$318 billion passed with over 70 votes. I do not think that this is the place to try to make the claim for fiscal responsibility. I have stood in this well and I have watched this House move forward legislation that frankly were not America's priorities. It is the wrong time to do that now.

I would suggest that this is a vote for America's future. We should keep faith with the broadest coalition of interests we have seen, from the Sierra Club to the Chamber of Commerce, from the bicyclists to the truckers, pass this bill and work to right-size it in the future, not bring it down.

Mr. PETRI. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I rise today in strong support of H.R. 3550, the Transportation Equity Act: A Legacy For Users, or affectionately known as TEA LU.

I want to begin by extending my appreciation to the chairman of the full committee as well as the ranking member for their work in this extremely important bipartisan piece of legislation. They have fought the good fight, and here we are today. We need to pass this important legislation to improve our transportation system.

I would like to remind my Republican colleagues who may have some questions about this bill, whether we should pass it or not, that the Founding Fathers charged the Federal Government, the United States Congress, to oversee interstate commerce, to encourage interstate commerce. That is what this bill is all about, interstate commerce, improving the efficiency of our economy.

In addition, as the gentleman from Ohio reminded us, this is a core principle, a core legacy of the Republican Party in this country, from Abraham Lincoln and the transcontinental railroad, to Teddy Roosevelt and the Panama Canal, Eisenhower and the interstate highway system. This is extremely important for us as Republicans. We can be proud to pass this and improve our country and improve this economy.

The modern highway and transit system maps this Nation's economic strength as it weaves through our cit-

ies and small towns. However, heavy traffic and increased congestion have taken a heavy toll on our highways, bridges and transit systems. As stewards of our highways, we cannot wait any longer to fix transportation systems that are listed as substandard or poor or bridges that are considered structurally deficient.

As a Pennsylvanian who represents a broad geographic region, I know the issue of transportation is critical to our constituents. I hear it each day and every day from small business owners, from large employers and from even average family members who sit on the front porch and watch the traffic back up over the horizon. Our roads, highways and transit systems link our cities, businesses and lives to one another. To let them deteriorate is unjust to any one person who uses them.

□ 1115

The need, Mr. Chairman, is clear. While I am disappointed that we were unable to pass a larger bill, I believe that the legislation before us today will go a long way in alleviating the troubles that plague our highway and transit systems. Over the 6-year life of TEA LU, it will provide \$232 billion in funding for highways and highway safety, \$52 billion for our transit system. These funding levels take critical steps to ensuring our Nation's infrastructure remains strong.

A key component of this bill is the fulfillment of a longstanding need to improve safety, and it takes steps to combat the 42,000 lives that are lost each year on our Nation's highways.

As a Member who represents a rural area of Pennsylvania, I am very pleased that we are including a new program to upgrade and make improvements to roads and rural areas where over 60 percent of auto fatalities take place. This legislation includes important measures to relieve congestion on our Nation's highways. The investment of our transit system not only strengthens transit, but also encourages the use of mass transit to relieve congestion. It also creates a program to help fund smaller transit programs, offering States more options in improving their transit systems.

To further relieve bottle necks on our roads, TEA LU contains innovative real-time and intelligent transportation initiatives that allow States to monitor and improve traffic flow and enhance safety. Building on these innovative programs, I also encourage support of an amendment that will be offered by the gentleman from Minnesota (Mr. KENNEDY) to create voluntary toll lanes, or fast lanes, which pay for new lanes and highways to increase capacity. Drivers who choose these fast lanes will be charged electronically, eliminating the toll booths that add to the backups and congestion.

And finally, I was very pleased that TEA LU funds Maglev. Maglev is an exciting new transportation technology that is a vital next step in the future of

our Nation's transportation system. Additionally, funding for Maglev is an essential step in addressing some of the most pressing needs facing our domestic steel industry by creating the demand for steel. For instance, a typical Maglev project would require 4,000 tons of plate steel per mile for the tracks.

Mr. Chairman, this is a good bill and a solid step in the right direction, providing State DOTs with the long-term stability they need to plan for projects. I want to again thank the gentleman from Alaska (Chairman YOUNG), the gentleman from Wisconsin (Chairman Petri), the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Illinois (Mr. LIPINSKI) for their tireless efforts and leadership on behalf of American motorists, passengers, and transit systems. We need to pass this bill to increase the efficiency of our economy, to create jobs, and improve safety. I urge passage.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Chairman, I rise in support of this legislation. I concur with many of the previous comments about the need for greater investment than what this legislation calls for, but this is such an important step. I also rise to praise the gentleman from Alaska (Chairman YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI), and the gentleman from Illinois (Mr. LIPINSKI), the leadership of this committee. They have operated in the great tradition of the Committee on Transportation and Infrastructure, working together to pursue a bipartisan outcome. I am proud to be associated with this committee because of that type of leadership. I think everyone in Congress could take a good cue from taking a look at the behavior exhibited by leadership of this committee.

This is a program that represents an investment. People talk about whether this is increased spending or whatnot. The reality is when we spend money on infrastructure, we are investing. We are investing in good jobs, and we are investing in our economy. And in an increasingly globalized world where we feel the pressures of globalization and competition from around the world, the notion of investing in our own transportation infrastructure and making our economy more efficient in the way we move people and the way we move products seems to be all the more compelling in our current circumstances. That is what this legislation helps to do.

There are significant and important needs in this country to invest in this type of infrastructure to allow our economy to realize those efficiencies, to put the United States in a better position to compete with the rest of the world.

We hear so much these days about job loss. We hear so much about outsourcing. We hear so much about

globalization. Vote for this bill today because it puts us on a path to take on those issues. I wish we were at the higher number, a majority of the Committee on Transportation and Infrastructure, I suspect, wishes we were at that number as well. But this is an important first step and the legislation will give us opportunities in the future to address adjusting that level of investment in the future. But today is the day, with this bill in front of us. I encourage all of our colleagues to support this legislation.

Mr. PETRI. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Chairman, I thank the gentleman for yielding me this time. And I too want to extend kudos to the gentleman from Alaska (Chairman YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI), and the gentleman from Illinois (Mr. LIPINSKI), and for that matter members and staff on both sides of the aisle who sit on the Committee on Transportation and Infrastructure. This has been a team effort personified.

I am an avid supporter, Mr. Chairman, of H.R. 3550, the Transportation Equity Act: A Legacy for Users; and I am pleased it is now being considered on the floor today.

I realize that Members have worked tirelessly at the end of a long day, but at a time when we have much work to do to address our Nation's critical infrastructure, while this country is indeed in dire need of upgrade and repair, this legislation is also a jobs bill; and I think some people casually overlook that fact. And the fact that it is a jobs bill will offer new opportunities to many of our Nation's recently unemployed workers. I want to thank the gentleman from Alaska (Chairman YOUNG) and the gentleman from Wisconsin (Mr. PETRI), with whom I have talked concerning an ancillary problem which involves the donor States of which North Carolina is one, among several others. First of all, I thank them for recognizing the problem, and I hope that we will be able to resolve this problem which continues to plague donor States such as my home State.

This bill, Mr. Chairman, as I have said before the full Committee on Transportation and Infrastructure, has jobs written all over it. It is an important step to address the problems that are a direct result of unsafe bridges and highways that continue to deteriorate. Mr. Chairman, unsafe bridges and unsafe highways abound in this great country from border to border, from ocean to ocean; and improvements must be forthcoming.

This bill, it is my belief, will have the assurance that vehicular traffic will be allowed to flow more freely, resulting in the delivery of people and goods at their respective destinations in a safe and timely manner. I again thank the gentleman from Wisconsin, the chairman of the subcommittee, for yielding me this time.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, before I begin my remarks, I would like to also add my voice to thanks for the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR), ranking member. Sometimes I think they represent my community as well as I do, and I appreciate the help; also the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI) for their leadership in getting this bill to the floor today.

This bill is one of the most important pieces of legislation that we will vote on in this Congress. While the amount is significantly less than what I would like and what I believe the country needs, I rise in strong support. This bill will alleviate congestion, address air quality needs, and improve the quality of life in all of our communities. My district, the Las Vegas Valley, is the fastest growing community in the country, and we are struggling with the needs for new roads and highways and more transit options. Without this investment in our transportation programs, Las Vegas will be unable to complete the projects needed to keep traffic moving and to keep our commuters safe.

Sitting in traffic takes precious time from families spending time together, and it forces businesses to pass along higher costs for goods and services, and it adds to air pollution problems as drivers sit stuck in traffic wasting gas and money. Without this bill we will also increase the risk to drivers as too many cars crowd our roads causing accidents to rise. Increased funding for pedestrian overpasses, new traffic safety devices, and information systems to alert drivers to dangers ahead are all investments in saving lives.

And finally, Mr. Chairman, this is a jobs bill. In the past 3 years we have seen the highest job loss in this Nation since the Depression. Today we have a chance to do something about it. For every billion dollars invested in highway and transit programs, we stand to create 47,000 jobs, real good-paying jobs. This is 12,500 jobs in my home State of Nevada.

I cannot emphasize the importance of this particular highway bill. I urge all of my colleagues to join me, join with the people of the State of Nevada, and let us vote for this legislation with great enthusiasm.

Mr. PETRI. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Chairman, once again I want to voice the strong opinions of the fair coalition in my home State of New York that we preserve the highway equity established in TEA 21. Transportation is one of the only programs where my State gets back from

the Federal Government more than it contributes in taxes. Every year New York sends \$20 billion more to Washington than it receives back in various Federal assistance programs. That is a fact. In this bill we have to strive to be fair. What is fair is that we preserve a needs-based highway and transit program and create a stronger integrated national transportation system.

New York's highways and transit infrastructure serve the entire Nation through its roads and its ports and its rail facilities and its airports. However, our infrastructure is aging, and much of it needs to be repaired or replaced. With 33 percent of the Nation's transit riders, New York receives only 14 percent of the total transit funding. We simply cannot afford any changes to a formula that would give us even less. We have Federal support capped at 10 percent for our bridges; yet we have 20 percent of the identified national need.

As a result, the most critical feature of the bill is that we make no immediate changes to the current minimum guarantee of 90.5 percent. If the overall level of funding does not remain at its current level, it would be unfair to New York and many other States.

Next I want to thank the T&I staff for working so hard with my staff to include language in the manager's amendment to support efforts to reduce wildlife vehicle collisions. In America last year, accidents involving wildlife took over 200 lives. It cost more than \$2 billion in property damage and killed over a million game animals. In many parts of the country, cars are killing more game than hunters. So I look forward to continuing to work on conservation and wildlife measures with my colleagues.

Finally, I want to voice my support of the House language governing charter service. The language helps clarify charter service rules. Without this, all across America providers of transportation services including school bus contractors will be irrevocably harmed.

Last but not least, while this is a massive infrastructure bill to take care of identified needs across this Nation, it is also a bill that concentrates on my favorite four-letter word, and do not get nervous. People can use it in polite company. This is a jobs bill. This will get more Americans back to work, good pay, good benefits, doing things that all America needs.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON), our committee resident legal scholar.

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time. And I thank the so-called big four, the gentleman from Alaska (Mr. YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI), and the gen-

tleman from Illinois (Mr. LIPINSKI), who stood tall and strong for this bill. We do have a stripped-down bill fiscally. Although they took the number, the \$375 million number, from the Department of Transportation which regarded it as the minimum number for our infrastructure this year. One would think that everybody would rush forward to embrace that number 2 years into a jobless recovery. Nevertheless, I strongly support this bill. It must, in fact, be passed. It is full of good provisions. I particularly commend the minority business section and the training to take advantage of minority businesses. There are many new sections as well.

I want to concentrate on one issue, the issue that drove African Americans and people of color to the polls in 2000, and that was racial profiling on the roads of the United States bought and paid for by the U.S. Congress. It is the last remaining widespread, overt and intentional discrimination in our country.

□ 1130

Racial profiling is a violation already of title VI of the 1964 Civil Rights Act, because it means that the government is subsidizing discrimination. That is why there have been so many successful lawsuits in the States. It is an unconstitutional violation of the 14th amendment, because it is carried out by police officers.

The President understood this. This is why he instructed his own Justice Department to issue guidance on racial profiling for Federal officers. It is excellent, tough guidance. I asked for the same in this bill.

I regret we were not willing to do for the States what the President has done for the Federal service. I wrote a provision that would have been parallel to what we have done with speeding and drunk driving. Nevertheless, we have a grant provision that encourages the States to create racial profiling laws and allows the States that do so to get funded to develop and maintain data and do law enforcement training. This is a tough provision. States must show that they have tough racial profiling laws.

It also is time that we had racial profiling as part and parcel of our civil rights laws. That is why I am a cosponsor of the bill introduced by the gentleman from Michigan (Mr. CONYERS) that would do just that. (H.R. 3847)

Meanwhile, this is the first racial profiling provision in Federal law. Every Member of this House should be proud we were willing to put it in this bill. It is an important start.

Mr. PETRI. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. GILCREST).

Mr. GILCREST. Mr. Chairman, I rise in strong support of this legislation coming up this afternoon, the highway transportation bill. I implore that my other colleagues in the House also support this measure.

One of the sticking points here is the highway formula about donor States and donee States. I would like to remind my colleagues, Maryland is a donor State through the formula.

I would like to remind my colleagues that everybody that goes through your State, from near or very far away, pays those gasoline taxes, pays those tolls, et cetera, et cetera. So we as Americans contribute in a collective way all across this country to ensure that the interstate highway system provides sufficient opportunity and avenues to continuously stimulate our dynamic economy.

There are some questions about the formula here, but those questions I think should not hold up this important piece of legislation.

Our truckers, the people that ride trains, the cargo that go across this country on trucks and trains, our commuters, our salesmen, our vacationers, our explorers, they travel across the Nation's highways, which is the foundation for the infrastructure of this Nation. I hope my colleagues will vote for this piece of legislation.

There is one provision that is in the Senate version of the highway bill that is not in the House version of the highway bill, and that is a 2 percent set-aside to understand how you can engineer, in other words, do it right the first time, a highway, so you do not contribute to the pollution of the Nation's waterways, which is also important for the infrastructure, the environmental infrastructure, of this Nation.

So I would like to work with the House and the Senate and will work with the chairman of the Committee on Transportation to ensure that that Senate version provision, the 2 percent set-aside to engineer our highways, to reduce or eliminate storm water runoff into the Nation's water system, remains intact.

This is a bill that deals with human infrastructure, and we have an opportunity to take the first big step to ensure that human infrastructure is compatible with nature's infrastructure.

Mr. PETRI. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. MCCREERY).

Mr. MCCREERY. Mr. Chairman, I thank the gentleman for yielding me time. It is a pleasure to be on the floor this morning to talk about some of the advantages that are in the 6-year reauthorization of our transportation funding.

One of the innovations that the committee came up with that I think is remarkably farsighted is setting aside some of the Highway Trust Fund money, in particular funds that will be available for grants to States to participate in building highways of national significance. These are highways that could be very important for trade in our hemisphere, they could be very important for easing congestion, they could be very important for moving

commerce from one region of the country to other. But in each case they will be highways that truly have national significance.

What is just as important as these highways, in the main interstate highways, probably would not be built were it not for the availability of funds in these particular categories that are set up by this bill. Because if the funding were not available through these categorical grants or these categorical funds, the States individually would not be able to build these highways out of their regular annual allocations.

So I think that is a very innovative, far-sighted approach to solving the problem of continuing to improve our highway infrastructure, particularly in terms of those highways which will add significant economic benefits to not just one particular region of the country but to the whole country.

So as we move forward in this age of increased global trade, of increased need to create jobs and grow our economy, these highways of national significance are going to be extremely important in moving us forward.

So I commend the committee for their far-sightedness in making it possible for these highways of national significance to be built in the next 6 years; and then, of course, I would expect this to be continued until we have quite a more extensive network of highways across our Nation, which will enable us to grow jobs and grow our economy.

Mr. PETRI. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. EHLERS).

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

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

Our transportation system continues to face tremendous challenges. Tens of thousands of lives are lost each year on our highways. More drivers are driving more miles, causing severe congestion. An aging infrastructure is putting a strain on State and local transportation budgets. The public rightly demands safer, less congested roads and more transportation choices.

Fundamental improvements to the entire transportation system depend on solid research. Solid research will translate to saved lives, saved money and saved time by providing the tools and information needed to produce solutions. How many of us have used an EZ Pass to breeze past congestion at a toll booth? Or been gently reminded to stay on the road by a rumble strip?

Examples abound of these sorts of benefits gained by transportation research, such as research on pavements focuses on manipulating substances at the molecular level to create materials that are more durable and last significantly longer. This saves money, because more durable pavements need less maintenance and are replaced less

frequently. It also saves time, reducing construction zones that are a major cause of congestion.

Furthermore, research on transit focuses on how to make transit systems more cost-effective and efficient. Better transit systems give people more choices and save time by reducing the number of cars on the road.

Research in the social sciences focuses on understanding how future changes in where people live and work will affect future transportation usage, so that planners can make early, smart investments to ensure that we meet future transportation needs.

As chairman of the Subcommittee on Environment, Technology, and Standards of the Committee on Science, I introduced H.R. 3551, the Surface Transportation Research and Development Act. This legislation, which was approved by the full Committee on Science on February 4, increases stakeholder input, expands competition and peer review of research proposals, and ensures greater accountability so that this research actually supports the goals of our transportation system.

I am pleased that the gentleman from Alaska (Chairman YOUNG) and his staff have worked very closely with me and my staff to incorporate much of the Surface Transportation Research and Development Act and its intent into TEA LU. While I wish we could have provided more funding for research, I must especially thank the gentleman from Alaska (Mr. YOUNG) for ensuring that, as funding for TEA LU was reduced from \$375 billion to \$275 billion, research was treated fairly. That was not the case 6 years ago during consideration of TEA 21.

I especially wanted to thank the gentleman from Alaska (Mr. YOUNG) for his pledge to work with me to continue to improve the research title and its funding as we discuss this issue with the Senate.

Mr. Chairman, when most of us think about the highway bill, we tend to focus on funding levels for our States and projects. Few of us think about transportation research. But transportation research is fundamental to all aspects of our transportation system. How many of us have used an EZ Pass to breeze past congestion at a toll booth? Or have been gently, or not so gently reminded to stay on the road by a rumble strip? How many of us have benefited from pavements that are quieter and last longer than they did 30 years ago? Every driver and passenger is better off today because of past investments in transportation research and technology development.

Our transportation system continues to face tremendous challenges. Tens of thousands of lives are lost each year on our highways. More drivers are driving more miles, causing severe congestion. An aging infrastructure is putting a strain on State and local transportation budgets. Changing patterns of where people live and work demand innovative planning for our future needs. The public rightly demands safer, less congested roads, and more transportation choices realizing that we can't simply

build more roads to address all of these challenges, especially in urban areas, we must look for new ways to improve the overall system.

Fundamental improvements to the entire transportation system depend on solid research. Solid research will translate to saved lives, saved money and saved time by providing the tools and information needed to produce solutions. For example:

Research on pavements focuses on manipulating substances at the molecular level to create materials that are more durable and last significantly longer. This saves money, because more durable pavements need less maintenance and are replaced less frequently. It also saves time, reducing construction zones that are a major cause of congestion;

Research on operations focuses on improving the design of dangerous merges and intersections. This research saves lives by providing planners the information to design safer roads. It also saves time by reducing accidents, which cause congestion;

Research on transit focuses on how to make transit systems more cost-effective and efficient. Better transit systems give people more choices, and save time by reducing the number of cars on the road; and

Research in the social sciences focuses on understanding how future changes in where people live and work will affect future transportation usage, so that planners can make early, smart investments to ensure that we meet future transportation needs at lower costs.

As chairman of the Environment, Technology and Standards Subcommittee of the Committee on Science, I introduced H.R. 3551, the Surface Transportation Research and Development Act. This legislation, which was approved by the full Science Committee on February 4:

Provides necessary but prudent increases to transportation research funding;

Increases stakeholder input to ensure that the people who must implement and use the research agree that it is worthwhile and applicable;

Creates the highest quality research through increased competition and peer review; and

Ensures greater accountability so that this research actually supports the goals of our transportation system.

I am pleased that Chairman YOUNG and his staff have worked very closely with me, and my staff, to incorporate much of my legislation and its intent into TEA-LU. While I think we all agree that we wish we could have provided more funding for research, I must especially thank Mr. YOUNG for ensuring that as funding for TEA-LU was reduced from \$375 billion to \$275 billion, research was treated fairly. That wasn't the case 6 years ago during consideration of TEA-21. And I want to thank Mr. YOUNG for his pledge to work with me to continue to improve the research title and its funding in conference as we discuss these issues with the Senate.

Mr. PETRI. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. On behalf of the Committee on Ways and Means, the gentleman from Louisiana (Mr. MCCRERY) and the gentleman from

North Dakota (Mr. POMEROY) are recognized for 15 minutes each.

The Chair recognizes the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today this transportation bill contains a number of tax-related provisions, and I am going to summarize those very quickly. But the thrust of what we are doing here with these tax provisions, and I think the most important thing to point out, is that with these changes we have added \$18 billion over 6 years to pay for highway funding here in the United States, and that was a very important part of getting the number high enough so that we could do at least the basic necessities through the transportation bill that is on the floor today.

So I want to commend my chairman, the gentleman from California (Mr. THOMAS), for working with the chairman of the full Committee on Transportation, the gentleman from Alaska (Mr. YOUNG), in arriving at these approaches to increasing the revenues going into the Highway Trust Fund. I will just briefly summarize what those are.

The tax provisions of this bill extend the authority to spend money out of the Highway Trust Fund and updates the purposes for which that money can be spent.

It extends the gas tax through 2011 at current rates and maintains the current law deficit protection rule that requires a 2-year cushion of reserves in the Highway Trust Fund.

It increases Highway Trust Fund receipts by \$18 billion over 6 years to pay for the highway spending authorized in this bill. Receipts are raised by, number one, reducing the fuel tax evasion that goes on around the country; number two, crediting the Highway Trust Fund with the full gas tax; and, number three, by restructuring the ethanol subsidy so that the trust fund is made whole, so the trust fund does not lose money to the general fund as a result of the ethanol subsidy.

The bill also extends the ethanol subsidy through 2010.

It simplifies and reforms the rules relating to certain highway excise taxes.

It provides alternative minimum tax relief, particularly for small businesses and farmers.

□ 1145

Finally, it extends the enhanced section 179 expensing for small businesses, allowing them for 2 more years to expense up to \$100,000 of purchases for use in their small business.

So, Mr. Chairman, those are the essential provisions of the tax portion of this bill.

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

Mr. POMEROY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, included in this bill is a provision drawn from H.R. 3119, the

“Renewable Fuels and Transportation Infrastructure Enhancement Act of 2003.” This is a proposal which I introduced along with my friend and colleague on the Committee on Ways and Means, the gentleman from Missouri (Mr. HULSHOF). I am very pleased that this provision has, through this action, been included in this legislation.

The bill restructures the ethanol tax incentive from an excise tax exemption to an excise tax credit, and it eliminates hundreds of millions of dollars of waste, fraud, and abuse by those blending gasoline with ethanol.

The provisions attributed to the ethanol tax incentive will add up to \$14.2 billion in revenues to the Highway Trust Fund over the 6-year life of the transportation bill. As we wrestle with the size of the highway package, let us keep in mind this provision alone relating to ethanol is generating \$14.2 billion in revenues.

Mr. Chairman, the provision is important for a number of reasons, but I want to especially mention the jobs that will flow from this highway bill. According to the U.S. Department of Transportation, each billion dollars spent on transportation and highway projects creates 47,500 jobs. Therefore, the ethanol proposal will create an additional 674,500 jobs, much-needed jobs, in this economy.

Separately, the ethanol industry itself is a significant generator of additional jobs for our economy. The industry has built 74 ethanol plants, created nearly 150,000 new jobs, 12,000 jobs in America’s beleaguered manufacturing sector. In 2004 alone, the industry will add 22,000 new jobs and more than \$1.3 billion to the gross output of the American economy.

The industry is going to continue to grow with this legislation. There are thirteen plants already under construction and dozens more in the final planning stage.

Further, as newly-drafted, this ethanol tax incentive will have no negative impact on the Highway Trust Fund. According to the U.S. Department of Agriculture, it will save the Federal Government more than \$3.2 billion in lower farm program payments this year.

The ethanol tax incentive makes a particular difference with the creation of jobs in rural America. The one new 40 million gallon ethanol plant can expand the economic base of the local economy by \$110 million, creating as many as 694 permanent new jobs throughout the entire economy and generating \$1.2 million in new tax revenues for State and local governments. Beyond all of that, it increases the local average basis of corn by an estimated 5 cents to 10 cents per bushel.

Mr. Chairman, our Nation is suffering from a growing energy crisis, a stagnant economy where job development is scarce, particularly across rural America. That is why Congress’s commitment to the increased production and use of ethanol is so important.

This brings me to my next point, the one issue where the gentleman from Missouri (Mr. HULSHOF) and I will continue to work, because this provision was left out of the bill. Other domestically-produced renewable fuels can and should have a role in our total fuel strategies as a Nation. To this end, I specifically encourage the inclusion of a new tax incentive for biodiesel, consistent with the agreement reached during the energy bill conference last year.

Together, ethanol and biodiesel can enhance the country’s energy independence, increase domestic fuel supplies, reduce crude oil imports, reduce the U.S. trade deficit, and improve air quality. Together, the transportation and ethanol sectors are creating jobs across America. This bill establishes that good transportation policy and good energy policy can go hand in hand.

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

Mr. MCCRERY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW), a distinguished member of the Committee on Ways and Means.

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

There are many good things in this highway bill. One that I would like to highlight at this particular point came out of the Committee on Ways and Means which I had the privilege to offer, and that was the provision that repeals the 4.8 cents-per-gallon of fuel receipts from the use in motor boats and small engine equipment be retained in the general fund. As a result, the full fuel tax will be credited to the Highway Trust Fund and subsequently transferred to the Aquatic Resources Trust Fund where it belongs. It increases the Aquatic Resources Trust Fund receipts by .7 billion dollars over 6 years.

Anyone who is concerned about the waterways, as I know the gentleman in the chair is certainly concerned about the Chesapeake Bay, these are very important dollars that are desperately needed in these areas; and I congratulate my colleagues on the Committee on Ways and Means for including that.

Unfortunately, when this comes up to a final vote sometime tomorrow on the highway bill, unless there is a dramatic correction in the way the funds are distributed, I will be forced to vote against it. In my 24 years in Congress, I have never voted against a roads bill. I have supported it; and, as a matter of fact, I very much enjoyed the time that I spent on the Committee on Transportation and Infrastructure.

The committee has been frustrated by the reduction in the funding that they had anticipated and, as a result, they have treated the donor States very, very unfairly. Right now, the donor States are guaranteed approximately 90 percent of the monies that they pay into the Federal fund. This is

dramatically reduced. States such as Ohio, Tennessee, North Carolina, South Carolina, Georgia, Florida, Texas, California, Arizona, and that is not a complete list, are going to find themselves losing up to 25 percent of their gas revenue that will no longer come back into their State.

I would ask my colleagues from New York and Massachusetts to look carefully at what is going on here. Even though the New England States and many of those States will be gaining, it is still wrong. It is wrong. Those of us in these States that are donor States are all fast-growing areas. We have a desperate need for highways and improvements.

I would like to support this bill, and I will, if the gentleman from Georgia's amendment is passed by the House. I would be proud to stand by my colleagues and vote for this bill, even though we would only receive back approximately 90 percent of what we paid in, but at this time we just have to wait and see.

Mr. Chairman, I would ask at the appropriate time that all Members not only just consider their own district but also consider the fairness of their vote. This matter must be corrected, and I would hope that the committee would look very, very hard at the amendment that is offered by the gentleman from Georgia (Mr. ISAKSON) at the time that it is voted on, whether it be this evening or tomorrow morning.

Mr. POMEROY. Mr. Chairman, I have learned that my cosponsor on the portion of ethanol tax that is included in this bill, the gentleman from Missouri (Mr. HULSHOF), is not participating in debate this morning because he is attending, tragically, the funeral of his mother. We will all remember the gentleman from Missouri in our thoughts and prayers as he deals with this issue, even while the work of the Congress continues.

Mr. Chairman, I yield 4½ minutes to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Chairman, I want to thank my colleague, the gentleman from North Dakota (Mr. POMEROY), for yielding me this time.

I want to add my condolences also to our colleague, the gentleman from Missouri (Mr. HULSHOF). I had an opportunity to speak with him yesterday, and as well as he can be he is doing okay, and for the RECORD, we did win the basketball game for the gentleman from Missouri (Mr. HULSHOF) last night against the Georgetown faculty. He is a member of my team.

Mr. Chairman, I rise in support of H.R. 3550 as it currently stands but ask that we take into account the need to do some work in conference. Transportation is a crucial aspect of our economy. This bill is not only a transportation bill, but it is also a jobs bill. We must work together to put forth a comprehensive highway bill.

I want to give my colleagues some general economic facts. Maybe I will skip over a few.

According to the American Road and Transportation Builders Association, the transportation construction industry employs 2.5 million Americans and generates more than \$200 billion in U.S. economic activity. A \$100 million investment in highway and bridge improvements yields 4,750 jobs across the economy, with less than 25 percent of those in the actual construction field. This same level of investment also generates \$200 million in family income, \$54 million in Federal income tax and Social Security and more than \$6 million in State and local tax revenues.

Assuming a similar effect in the great State of Ohio, the Ohio Department of Transportation's 2004 major new construction program totals \$400 million, and that will support the employment of 19,000 people. The top 12 percent of Ohio's most congested freeway sections experience 45 percent of all freeway accidents in the State. The Ohio Department of Transportation's major new construction program is expected to total \$400 million during the next several years, and it will help to improve many of these high-crash and congested locations and reduce accidents by between 30 and 50 percent.

There is one place right in my congressional district that is called Dead Man's Curve, and the reason it is called Dead Man's Curve is because the curve is so distinct that it has caused the death of so many truckers and regular passengers or drivers through my area.

The National Highway Traffic Safety Administration estimates that each critically injured survivor of an auto accident costs an average of \$1.1 million in medical costs and lost productivity. Each fatality of a crash represents a loss of \$977,000 in lifetime economic costs to society.

Ohio is only 35th in geographic size but has a disproportionately large transportation system. Ohio has the Nation's tenth largest highway network, the fifth highest volume of traffic, both car and truck traffic, the Nation's fourth largest interstate network, and the second largest inventory of bridges. Ohio has such a large transportation system because it is a populous State with a manufacturing economy, and it lies in the middle of America's population and economic centers.

Within a day's drive, Ohio is accessible to 50 percent of North America's population and 70 percent of North America's manufacturing capacity. Ohio's transportation supports the vast Ohio economy. If Ohio were a nation, it would be the world's 20th largest economy.

Ohio faces unprecedented transportation challenges. It must expand its 1960's transportation system to meet the 21st century demands. Ohio's vast interstate system was built from 1950 to 1960 to meet the demands of the 1980s. It is now 2004, and nearly all of our urban interstate routes are over capacity.

Mr. Chairman, I just want to close with this: This bill is so very important to the State of Ohio. We are a donor State. We want to see that this gets done. We need the jobs in Ohio, and I encourage all of my colleagues to work in support of this legislation.

Let us get to conference. Let us take care of the issues and get it done. Jobs are needed in Ohio.

Mr. MCCRERY. Mr. Chairman, I have no further speakers at this time, and I reserve the balance of my time.

Mr. POMEROY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, this bill is long overdue, and I want to thank the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR). They have been working hard for a long time on the bill. The committee has put together the best bill they could, working within the constraints imposed upon them.

The obstacle here comes from an administration that is fundamentally opposed to government investment in the infrastructure. I fear that the President's opposition will further slow our economic recovery and put a brake on economic growth for years to come.

My hometown of Los Angeles has a well-earned reputation as the most congested region of the country, a status that it has held for many years. Each Angeleno wastes an average of 52 extra hours stuck in traffic each year, time that could be spent working or with their families. The overall economic costs of this congestion is estimated at \$12.8 billion per year, just in the Los Angeles area.

□ 1200

That is close to \$13 billion that could be better invested in business and job growth. Instead, it is being burned up in traffic.

Frustrating as it is for the people who live there, Los Angeles' congestion causes problems for the rest of America too. The seaports of Los Angeles and Long Beach are the first and second busiest container ports in the United States. More than 20 cents of every dollar of goods exported from the United States each year, and that is \$42 billion of goods, passes through California ports every year. Getting these goods from American factories to foreign consumers is critical to our economic recovery. And the goods cannot get to the foreign consumers if they cannot get across the highways to those ports.

We need this bill. I am disappointed that the constraints imposed on us have prevented Congress from doing all it must do to improve our transportation infrastructure.

I urge full support of this bill.

Mr. MCCRERY. Mr. Chairman, I have no further speakers. I yield back the balance of my time.

Mr. POMEROY. Mr. Chairman, I have no further speakers. I urge passage of this bill and yield back the balance of my time.

Mr. PETRI. Mr. Chairman, I reserve my time.

Mr. LIPINSKI. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the Subcommittee on Aviation.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman from Illinois (Mr. LIPINSKI) for his hard work on this bill. This bill will fund thousands of critical highway bridge and transportation projects across the United States, putting millions to work, maintaining and improving our critical transportation infrastructure. Unfortunately, it is not enough to both catch up with the maintenance backlog and make the needed capacity improvements.

It is not for lack of trying by the gentleman from Illinois (Mr. LIPINSKI) or the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), or the chairman or the gentleman from Wisconsin (Mr. PETRI), but at the insistence of the White House they insisted that the bill be reduced by \$100 billion.

That means thousands more weight-limited bridges across this country and detours; it means more congestion because the White House says we cannot afford to invest in America. That means 800,000 jobs a year that will not be created, 4.8 million over the life of the bill.

The White House also objects to the fact that this bill does not gut the environmental laws, so they have threatened to veto. If I were sitting in the White House and I presided over the lives of 2.8 million jobs, as has President Bush in a so-called jobless recovery, I would be a little bit more anxious to get out and cut ribbons for critical projects to put real Americans to work on real needs and create real jobs. But not this White House. They say they will veto the bill. Is it an April fool or are they just fools at the White House?

Mr. LIPINSKI. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, I would like to begin by commending the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Ranking Member OBERSTAR), as well as the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI), for their hard work, superb leadership, and commitment to bipartisan and sound transportation policy.

There is a great deal in this legislation for which to be proud. The bill protects the core transportation programs while creating new programs to fund projects of regional and national significance and to improve national corridors.

The bill also bolsters its requirements, recognizing that it is not feasible simply to build more highways. However, there is one area in which this bill is grossly deficient and that is funding. Let there be no mistake, the \$275 billion bill before us today is not the committee's first choice. Rather,

the committee first marked up a \$375 billion bill, a level commensurate with the U.S. Department of Transportation's own estimation for the maintenance and improvement of our Nation's highways, bridges, and transit systems.

Unfortunately, that \$375 billion bill has been shelved in response to the President's threat to veto any properly funded surface transportation bill.

Remembering how he so artfully pushed through sweeping tax cuts for the wealthy, I am appalled that he now practices a misguided form of fiscal discipline that undermines State and local efforts to enhance transportation infrastructure and that also thwarts job creation.

The Department of Transportation has determined for every \$1 billion invested in Federal highway and transit spending, 47,500 jobs are created or sustained. It is daunting, then, to consider the impact that the \$100 billion cut in TEA LU will have on job creation in the U.S. For all its promises, this legislation represents a lost opportunity to reignite the slow job growth that plagues our Nation.

I hope that this legislation moves forward, that we can achieve the Senate passed level of \$318 billion, a level that would create 1.8 million more jobs and \$235 billion more economic activity than the level imposed upon us by the Bush administration today.

I would like to thank the chairman and ranking members of the Committee on Transportation and Infrastructure for their unwavering dedication to sound transportation policy.

Mr. LIPINSKI. Mr. Chairman, I yield ¾ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I thank the gentleman from Alaska (Chairman YOUNG), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Minnesota (Ranking Member OBERSTAR), and the gentleman from Illinois (Mr. LIPINSKI). I think they should be commended for the great job they have done given the absurdly arbitrary constraints they were forced to work under. They have done a terrific job. I mean that sincerely.

After decades of investments to meet an expanding Nation and a growing population, the gentleman from New Jersey, who 12 years ago, 13 years ago started the whole process of TEA 21, Congressman Bob Roe from the eighth district, is very happy with the work, I am sure, that we have done over the last several months.

I supported TEA LU because it was the right thing to do. This administration has threatened a veto. We shall see what we shall see.

In terms of family-wage job creation, in terms of reducing congestion, in terms of remaining competitive with other nations, I believe we are missing a great opportunity to make a difference in our economic future. As the process moves forward, we must band together and fight for a better bill. I believe we will.

I would like to bring to my colleagues' attention, the chairman's attention, one of what I consider the very important provisions that will be included in the manager's amendment: the Department of Transportation should give priority to those public transit projects which add to our system of national defense. Historically, we built our highway system for national defense. We made many needed changes to our aviation system to improve its ability to withstand threats to national security. 9/11 highlighted for those of us living with families in the tri-state area, for instance, how dependent we are on our Nation's transportation system, particularly in a time of crisis.

According to the report of the National Academies on "Making the Nation Safer, the Role of Science and Technology in Countering Terrorism," the ability to quickly recover and reconstitute transportation systems and services is crucial for limiting the cascading effects of terrorist attacks.

We cannot overstate the importance of mass transportation and mass transit to moving people safely at critical times and places.

I want to thank the manager for addressing the essence of the national security amendment I offered in committee. We are authorizing a study in this bill to look at the value of public transportation systems, the value placed on national security in project planning. It will also examine the ability of such systems to accommodate the evacuation from critical locations and in times of emergency. The information we learn should assist metropolitan areas in the development of the regional emergency response plans that coordinate highway and public transportation systems.

I am hopeful the results will ensure that transit agencies and the TSA are looking at response plans in terms of a comprehensive vulnerability assessment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. PITTS) for the purpose of a colloquy with the chairman.

Mr. PITTS. Mr. Chairman, I first want to thank the gentleman from Alaska for his assistance over the past several years regarding an issue that is negatively impacting two transit systems in my congressional district: Red Rose Transit in Lancaster and BARTA, Berks Area Reading Transit Authority.

They join over 50 other transit agencies across the country facing the same problem. And I have a list of these systems that I will submit for the RECORD.

As the chairman knows, under current law transit systems that serve communities in urbanized areas exceeding 200,000 in population according to the most recent census lose their local flexibility in the use of section 5307 Federal transit funds.

The chairman has been very helpful in protecting these systems from losing

their flexibility over the past couple of years to provide a bridge to the reauthorization of the transportation spending that we are considering today.

While I appreciate the language that is currently in the bill extending the flexibility protection through fiscal year 2005, it does not go far enough to mitigate the financial crisis facing small transit systems in the fastest growing communities throughout the country. Instead of encouraging the growth of transits in these emerging communities, current law penalizes them.

Red Rose Transit and BARTA stand to lose access of upwards of \$1 million in Federal transit funds. They are being treated more like transit systems in big cities than the more suburban and rural communities that they actually serve.

Mr. Chairman, we need a long-term or permanent solution to this problem. The current language in this bill does not go far enough. It is not a matter that these systems need more time to get their books in order; it is that they cannot financially make ends meet under current law.

They are already looking beyond 2005 to see what routes to cut, which workers to lay off, and which buses to park in the garage because they cannot afford to run them. Passengers will lose their transportation to their jobs, the elderly will lose their transportation to the doctor, and low-income families will lose their ride to the grocery store.

I close by asking that, as you go to conference on this transportation bill, you keep in mind the difficult future these transit systems face and that you would work with us to find a solution that would help these transit systems sustain their operations and meet the growing needs of their communities.

□ 1215

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the gentleman from Pennsylvania very frankly for his hard work on this issue. It is a pleasure to work with him.

I understand the needs these small transit systems face. I certainly support the growth, as I told the gentleman personally, of transit throughout the United States, especially in the thriving smaller communities such as in the gentleman's congressional district.

I want to assure my colleague that, as we go forward with this bill, I welcome his continued assistance on this matter and the gentleman's knowledge. I look forward to working with my colleague on this issue as we go through the conference to finding a reasonable and responsible solution to this problem, and I can assure my colleague that probably will happen.

Mr. PITTS. I thank the gentleman.

Mr. LIPINSKI. Mr. Chairman, I yield such time as she may consume to the

gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI) for the efforts which they have put forth in working on this bill.

I would like to talk to the gentleman from Illinois (Mr. LIPINSKI) for just a moment about the continuing challenges before us in getting our State transportation departments to fully obligate funds under the Congestion Mitigation and Air Quality Improvement Program known as CMAQ.

In my State of Texas, more than \$230 million in unobligated CMAQ balances have piled up, even though areas like my own district in the Dallas-Fort Worth area are challenged in their efforts to address the harmful health effects of mobile sources and other emissions upon my constituents. Other regions in my State and many other parts of the country are challenged as well.

This bill, like the two before it in 1991 and 1998, provides targeted resources to the States to help fund the mandate of clean air in many metropolitan and local areas across the country, areas that account for about one of every two people in this Nation.

We allocate clean air funds, CMAQ spending authority, to States based on local air quality needs. Yet, there is no requirement that States spend a fair share of the funds we provide air quality improvement projects.

All of us have heard the pleas from our State officials, governors and legislators alike, about unfunded mandates and how they challenge our States. Yet, in this case, States do not want us to include any assurances to local areas that they can count on a steady and predictable flow of CMAQ dollars to help them meet mandates under the Clean Air Act.

Today, this Congress is again providing the resources for this purpose but not requiring States to pass these funds to the local areas.

In this Chamber, our States and many other interests have also told us that the certainty of a 6-year bill is crucial to the States as they plan for transportation investments.

My simple request is that we provide more certainty to local areas over the next 6 years as well. After all, the CMAQ funds we are providing under this legislation are for local areas to assist their compliance efforts in meeting federally-established, health-based standards for clean air.

Finally, there is added urgency to this matter. As early as next month, the U.S. Environmental Protection Agency will be making its final designations under the new 8-hour ozone standards. A predictable and timely flow of CMAQ dollars will be crucial to their success in achieving compliance with these standards.

It is my hope that my colleague and other House leaders in the conference committee will strive to deliver more certainty to local areas about CMAQ funding over the life of this renewal legislation.

I would like some assurances that we will continue to work to provide local areas with more certainty about their CMAQ funding over the next 6 years in this legislation.

Mr. LIPINSKI. Mr. Chairman, will the gentlewoman yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Illinois.

Mr. LIPINSKI. Mr. Chairman, I would also ask that the committee give this issue more review and consideration as we consider future legislation, be it a technical correction amendments or the reopener legislation that the bill before us envisions.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank the gentleman for his consideration of these issues, and I pledge my strong support to his efforts and any other member of the committee's efforts to make progress in this area.

Mr. LIPINSKI. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I would rather be standing here today supporting a \$375 billion transportation bill. \$375 billion is what the U.S. Department of Transportation has said is necessary to meet our most basic infrastructure needs over the next 6 years. Unfortunately, the President insists that we not fund our transportation system adequately and that we not fund the hundreds of thousands of jobs that such a bill would create, but we must do what we can, and despite the funding constraints, there are many things to be proud of in the bill before us.

The committee has done a remarkable job of preserving many of the important new initiatives in TEA LU, such as safe routes to school, freight intermodal connectors and, in particular, projects of national and regional significance. At the same time, we have maintained our core highway and transit programs and increased funding for critical initiatives such as senior transportation services and the ferry boat discretionary program.

This legislation maintains the minimum guarantee funding formula established in TEA 21, but it contains a provision that essentially cuts off highway funding in fiscal year 2006 unless a law is passed in the interim raising the minimum guarantee to 95 percent, while guaranteeing States that they would receive no less than subsequent years, plus the cost of inflation.

I understand the frustration expressed on this floor by the so-called "donor" States. New York, as a whole, is a donor State. We send about \$18 to \$20 billion more to the Federal Government every year than we receive in total Federal spending. Transportation

is one of the few areas in which this is not the case.

New York has invested huge amounts of money in mass transit. Therefore, we are more energy efficient than the country as a whole. We buy less gasoline, and we pay fewer gas taxes into the Highway Trust Fund, and apparently, because we are more efficient, because we are saving the country on sending money to the Middle East, we must be punished by getting less highway funds. That is the idea of the 95 percent guarantee.

Yet, New York has a lot of transportation needs with older, aging infrastructure, and one out of every three transit riders in the country, which is capped at 15 percent. It is just not right to punish States for being energy efficient, and, therefore, I am generally opposed to this provision, but it does not do it right away. It puts off a final decision for 2 years.

Because of the many good features in the bill, I urge its enactment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Chairman, first, I would like to thank the gentleman from Alaska (Chairman YOUNG), the gentleman from Wisconsin (Chairman PETRI), as well as the gentleman from Minnesota (Ranking Member OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI). Their dedication and leadership on this legislation is commendable. I would also like to commend the committee staff for all their hard work on this bill. It has truly been a pleasure to work with them.

Mr. Chairman, H.R. 3550, the Transportation Equity Act: A Legacy For Users, is legislation our country needs to not only maintain but also to grow our Nation's infrastructure.

When I came to Congress, I followed a visionary member of the House Committee on Transportation and Infrastructure, Mr. John Paul Hammerschmidt. Congressman Hammerschmidt served on the Committee on Transportation and Infrastructure for decades, and he was instrumental in advancing our Nation's transportation infrastructure into the 21st century.

Like Mr. Hammerschmidt, I understand the importance of passing a robust transportation bill that provides for infrastructure development across the country.

During the last year, I traveled with the Committee on Transportation and Infrastructure to examine our transportation needs. From Fort Smith, Arkansas, to Chicago, Illinois, we heard the same thing: Our Nation must invest in transportation infrastructure. Each city and town, even the rural areas in our States, are in dire need of infrastructure dollars.

Our Nation is growing and prospering. However, our cities and towns are suffering from congestion and poor roads. We must continue growth by passing this legislation, which will allow for continued development. This

will not only lessen congestion on our roads, but it will also provide for economic development across the country. This bill provides for growth, it provides for jobs, and it provides for increased safety to our traveling public.

Mr. Chairman, I thank the committee for their dedication to passing this critical legislation, and I encourage my colleagues to support H.R. 3550.

Mr. COSTELLO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON of Indiana. Mr. Chairman, I thank the gentleman very much, my prestigious leader of the region, and certainly to the chairman and chairpersons of the Committee on Transportation and Infrastructure.

I rise today in support of H.R. 3550, the Transportation Equity Act: A Legacy For Users, TEA LU. This 6-year reauthorization is needed to continue our commitment to our Nation's infrastructure.

Transportation is central to our Nation's economy, creating more jobs, and helping Americans get to work every day. Investment in our highways and public transportation systems results in a net gain for our taxpayers.

The bill responds to many of the critical transportation problems facing our country.

\$67 billion is lost in worker productivity and wasted fuel every year because of traffic congestion. Americans sitting in traffic lose 5.7 billion gallons of fuel and 3.6 billion hours annually.

Investment in highways is part of the answer, but we must also be sure to invest in our public transit systems as well. Public transit decreases congestion, decreases pollution, and decreases costs for millions of workers.

Unfortunately, many States are discouraged from investing in transit. Thirty-four States, including my home State of Indiana, has statutory or constitutional prohibitions on using money from the Highway Trust Fund for public transit. I offered an amendment to the Committee on Rules establishing a flexibility incentive grant program to address this problem and trust that as we move into the future that we will be able to get this concept put into law to enable the moving around of money for our transportation system.

TEA LU provides \$1.4 billion in funding for improving intermodal connections. So in order to fully utilize the potential of these intermodal centers, we must be sure to invest in our railroads, our ports.

In the Committee on Transportation and Infrastructure, I asked the railroad people if they did not think that was a unique idea to put people to work and that is to rebuild and modernize the railroads.

I thank the chairman and ranking member, my leader, for this opportunity.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN), my good friend.

Mr. MORAN of Kansas. Mr. Chairman, I am delighted to rise in support of a piece of legislation that I think is very important not only to the folks back home in Kansas but to the folks of this country, and I am here to in part commend the gentleman from Alaska (Chairman YOUNG) and his colleagues on the House Committee on Transportation and Infrastructure but also especially the gentleman from Illinois (Mr. HASTERT) for his continued efforts in trying to fashion a piece of legislation that can succeed here in the halls of Congress.

This legislation matters a lot to us as a Nation, matters a lot to Kansans that I represent. In many ways, this is about the creation of jobs at home. I think we often think about jobs being something that we see construction workers on highway projects, but I can tell my colleagues, from a Kansas perspective, our ability to get our manufactured goods to market, our ability to get our agriculture commodities sold in the world, very much depends on our ability to do that in a cost-effective, efficient way.

This country must invest in its infrastructure. We talk today about the outsourcing of jobs. One of the components that can help to address this issue, one of the things that can make a difference, is to make sure that the ability to get goods to market, manufactured goods, agriculture commodities can be taken to market in a way that allows us to continue to be competitive in world markets.

There are concerns here about the deficit. This is a bill that is funded by the Highway Trust Fund. What we are asking to have occur here is dollars that are paid for by users, by taxpayers, set aside for this purpose, be utilized for that purpose.

There are many things we do in this Congress that add to the deficit, but spending money in a trust fund for purposes of infrastructure is not one of those things. I, as a conservative Member of Congress, if I am going to put resources dollars, hard-earned, taxpayer funding into the spending here in our Nation's capital, I will tell my colleagues my constituents are better served by the utilization of those dollars in building infrastructure as compared to additional bureaucracy in our Nation's capital.

Put the money into projects, construction, infrastructure across our Nation.

□ 1230

And, finally, I know that there are concerns about the donor and donee issue, that States may contribute more than they receive. My State of Kansas is kind of neutral on this issue. We get about as many dollars back as we pay. And I would urge my colleagues to give the chairman and others the opportunity to work on this.

It reminds me of my days in State legislature. I was a State legislator for 8 years. School finance is always an

issue, and as we tried to change the formula to improve the quality of education and to fund our schools across the State, you could not do it without additional dollars so that at least a majority of the school districts in our State and, therefore, their State legislators felt like they were better off.

So it is important as we work on this donor-donee issue that we take a look at the number of dollars available for spending on the highway bill so that we can address the inequities that may occur if you are a State that is paying more money into the trust fund than you are receiving.

Mr. COSTELLO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Chairman, I want to thank the gentleman from Alaska (Mr. YOUNG), the subcommittee chairman; the gentleman from Wisconsin (Mr. PETRI); and the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI); for their hard work in pushing for the highest amount possible for our Nation's transportation systems. It will not be easy, but I believe we can pass a bill that can improve our transportation system, even without the help of this administration.

Why the Bush administration would be opposed to a bill that has the potential to create millions of jobs is beyond me. I can assure the President that reauthorizing TEA LU at an appropriate level will do a heck of a lot more for the economy than outsourcing our jobs to other countries.

Transportation funding is a win-win for everyone involved. States will get an improved transportation infrastructure that creates economic development, puts people back to work, enhances safety, and improves local communities. America's transportation infrastructure is in need of significant additional funding, particularly as we struggle to finance the security upgrades needed to protect our transportation system from terrorist attacks.

Unfortunately, we were unable to add a rail title to this bill, but that does not mean our rail infrastructure is taken care of. We have dangerously underfunded rail security, and we are now scrambling to protect our transit passengers. We have also ignored an underfunded high-speed rail, which is one of the best ways to improve citizens and improve congestion on our highways.

This certainly is not the bill that most of us hoped for; but it is a first step, and we have nowhere to go but up. We have compromised on a \$275 billion bill. We need to have many opportunities to make this bill our own and do the right thing for the traveling public.

We need to do the right thing for this Nation's citizens. Let us pass this bill and let us override the President's foolish veto threat.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, I thank the gentleman from Alaska, the chairman of the largest standing committee in the free world, for yielding me this time.

Mr. Chairman, the United States has benefited greatly from having a strong transportation network, but we are in fact approaching a crossroads. I am hopeful that our work on H.R. 3550 brings us one step closer to finding solutions to this growing problem.

I believe H.R. 3550 is bringing us closer to our goals in my State of Texas to achieve our State's goal of an efficient and seamless transportation corridor. I commend the chairman for including the section addressing the streamlining of the design-build process. I was also pleased to see inclusions of sections that focused on interstate system toll pilot programs.

Mr. Chairman, I want to assure you I will continue to work with you and your staff to streamline the Federal design-build process to allow for a rolling environmental review of a multi-modal transportation project. I believe the inclusion of these sections are good steps in the right direction to address these concerns.

I was also pleased to learn the committee leadership included sections for a National Corridor Infrastructure Improvement program and a Coordinated Border Infrastructure program, projects of national and regional significance. I believe that the current programs do not fully address the problems created by the explosion of the NAFTA trade traffic, and funding has often been misdirected to nonborder States and corridors lacking international significance. I believe the provisions included in this bill will greatly improve my State's transportation infrastructure being truly impacted by our country's increased trade traffic.

In Texas, our identified transportation needs outstrip available funding three to one. I support legislative language that will guarantee States at least a 95 percent rate of return on their contributions to the Federal Highway Trust Fund. I look forward to continuing to work with the chairman and the committee to produce a bipartisan transportation reauthorization bill that will truly improve transportation infrastructure nationwide.

We continue to work to produce a bill that adequately provides for our economic security, creates and sustains jobs, enhances safety, and continues to improve mobility for our Nation's citizens, especially my constituents back in Texas. We need to do no less than ensure that our families can spend as much time at the dinner table as they do in traffic now.

Mr. COSTELLO. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN), a member of the committee.

Mr. LARSEN of Washington. Mr. Chairman, I want to rise in support of

H.R. 3550, but I do want to note that this bill barely scratches the surface of America's transportation needs. At \$275 billion, this bill is certainly a lot, but it is only slightly more than an inflationary increase over TEA 21. Furthermore, at this amount, the United States loses out on almost 4.8 million new jobs in Washington State. Specifically, my State could lose out on thousands and thousands of jobs as a result of the funding level in this bill.

In a year when millions of Americans are looking for work, this does not come close to helping the thousands of Americans get back to work. I hope as this bill moves through this House and to conference, we can pursue a funding level that will meet the needs of our transportation systems and help provide job opportunities for more Americans.

Having said all that, I surely want to thank the chairman of the committee, the gentleman from Alaska (Mr. YOUNG); the chairman of the subcommittee, the gentleman from Wisconsin (Mr. PETRI); and the ranking members, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI), for their work on this bill, which has helped out the Pacific Northwest.

Specifically, TEA LU doubles the funding for the Ferry Boat Discretionary program. The Puget Sound is home to the largest ferry system in the country, and these funds are vital to the Washington State ferries' efforts to service and replace aging vessels. I look forward to working with all of you in conference to increasing these funds in order to keep America's ferry systems afloat for years to come.

In addition, the bill includes funding for projects of national and regional significance. The Alaskan Way Viaduct in Seattle, damaged by an earthquake in February 2001, is threatening to collapse and shut off the transport of goods from ports in Washington State to locations all across the country. So I hope we can further improve this new and exciting program.

In conclusion, I want to say that I hope the final version of this legislation will make very clear that the existing high-priority corridors continue to be eligible for funding. I also hope that the House conferees in this legislation will make every effort to strike the restrictions in the trade corridor provision approved by the other body limiting freight corridor only to multi-State corridors.

Mr. Chairman, again I want to thank the committee leadership and the committee staff for their hard work on this bill, and I look forward to working with all of you on these issues as the bill moves forward.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

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

Mr. HAYES. Mr. Chairman, I want to thank the chairman for his incredibly hard work. As I look back over the process and the number of things that he has had to balance, the needs and the desires, most of which are somewhat in sync with each other, in that everyone wants to have the best possible transportation system, the gentleman from Alaska has worked very, very hard to do that.

This is a bill that improves infrastructure for America. It is a bill that creates jobs. It is a bill that creates economic development. In my district in North Carolina, we have a distinct shortage of interstate highways. And it is a known fact that 80 percent of all businesses like to be and need to be within 10 miles of an interstate highway. So for that reason alone, I would ask support of all our colleagues on this bill that provides the economic development and attracts capital to areas all over our country and gives us the ability to distribute goods and services, which stimulates that economy, which brings and attracts capital, and which creates jobs.

The issue of highway safety, the issue of congestion is addressed very well in this bill. All of us, especially the chairman, wish that this were a larger bill. However, we are suffering through some very tough economic times, fighting and winning the war on terrorism. The chairman has addressed this issue. He has made it very plain, as the gentleman from Minnesota (Mr. OBERSTAR) has as well, that we will quickly revisit this whole subject of the size of the bill and continue to improve our infrastructure for Americans and job creation.

So, Mr. Chairman, in conclusion, I would again like to thank both our chairman, the gentleman from Alaska (Mr. YOUNG), and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for balancing the many critical needs, the desires, and the wants of all Americans to move this country forward, to create opportunities, to create jobs, to grow this economy, and to keep us free, financially viable, and in a position to support the military that is doing so great a job, along with our coalition partners, in winning the war on terrorism.

Mr. COSTELLO. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON), a member of the committee.

Mr. LAMPSON. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of H.R. 3550, the bill that provides \$275 billion over the next 6 years for highways and public transit throughout the country.

Originally, the Committee on Transportation and Infrastructure introduced a bill that ensured that at a \$375 billion level we would be able to sustain both our Nation's infrastructure and encourage sustained commercial growth over the next decade. Well, this debate is about difficult choices. It is easy to stand in front of this House and

demand more tax cuts, but it is a greater challenge to own up to our responsibilities as elected officials and to ensure that our Nation has the capability to expand our avenues of commerce.

Our Nation's highway system is an irreplaceable cog in the movement of goods and services and our Nation's role in international trades. I represent a district with six seaports, and my constituents recognize the need for a seamless intermodal system that incorporates ports, rail, and highways. And I would be lying today if I said that I was not disappointed that the Republican leadership has limited the size and scope of commercial growth in this bill; yet I feel this legislation and its passage today is vital to our Nation because it represents an investment and a commitment to our infrastructure.

One of the critical elements of this legislation is the creation of jobs. Every \$1 billion invested in our Federal highway and transit system creates 47,500 jobs. And given the net job loss over the last 3 years in this country, this bill will provide needed relief to workers.

This legislation is also environmentally responsible and will help communities achieve greater environmental benchmarks. This legislation ensures the protection of the CMAQ program, which is crucial to addressing concerns arising from highway congestion and insufficient air quality.

With the Houston, Galveston and Beaumont, Port Arthur areas that I represent classified as nonattainment areas, it is important to the region that I represent to ensure the viability of the CMAQ program. So let us do the right thing for working Americans. Let us pass this bill for the good of our economy and to create more jobs.

And I want to take a few seconds to thank Chairman YOUNG and Ranking Member OBERSTAR, Chairman PETRI, and Ranking Member LIPINSKI for their hard work and leadership on this bill. These Members and the committee staff have worked tirelessly on the legislation, and their efforts should not go unnoticed.

Mr. YOUNG of Alaska. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, may I have a compilation of the time remaining?

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentleman from Minnesota (Mr. OBERSTAR) has 12¼ minutes remaining, and the gentleman from Alaska (Mr. YOUNG) has 10 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FILNER).

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

We have heard the expression, "It's the economy, stupid." Well, it's the infrastructure, stupid. It's jobs, stupid.

I know that the chairman, the gentleman from Alaska (Mr. YOUNG),

thinks about jobs all the time, as does our ranking member, the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI). It is jobs, jobs, jobs. And that is what the infrastructure of this country provides.

We have a bill here that is \$100 billion less than it should be. To my simple math that works out to a loss of 4.5 million jobs. We are losing \$600 billion worth of economic activities over the next 5 or 6 years. I do not understand an administration that is a "donor" administration in terms of its jobs that it has not created. By supporting a bigger bill, it could be a "donee" administration and actually create jobs, and that is what we need in this country today.

There is a controversy, I understand, about donor-donee. There does not have to be. The gentleman from Alaska (Mr. YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), both want a 95 percent guarantee for every State, and they had it in the bill that we should have passed. And I say to the people who want to have that 95 percent guarantee, do not change this bill; vote for a bigger bill. We can afford it. We can be fiscally responsible. It is an investment in this Nation to have the bigger bill.

□ 1245

But we will do part of the job by passing this one today.

I happen to represent the whole California-Mexico border in this country. I have in my district 250,000 people crossing the border every day and thousands and thousands of trucks. I want to thank our committee for providing a "border infrastructure fund" to help address the needs that this international traffic places on our local communities. These local communities do not have the funds and should not be responsible. The border infrastructure fund gives us the ability for the Federal Government to meet its responsibility.

So I say, Let's have the jobs. Let's get rid of the donor-donee controversy. I know the gentleman from Alaska wants to do that and the gentleman from Minnesota wants to do it. Hopefully, down the line we will do it.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Chairman, it is incomprehensible that we are considering this legislation today under the threat of a Presidential veto. This is, first and foremost, a jobs bill. If the administration follows through with the threat to veto this bill, they will be denying tens of thousands of workers in New York and nationwide good jobs.

I am confused by those who wrap themselves in a cloak of fiscal responsibility when it comes to government spending and yet blindly support tax

cuts which have not produced new jobs. Jobs, not tax cuts that benefit the wealthiest Americans, stimulate the economy and put food on the table of working families.

Most disturbing about the President's veto threat is that even the bill we are considering today provides inadequate funding to meet our Nation's overwhelming transportation needs. The bill we are being asked to consider falls \$100 billion short of the \$375 billion bipartisan bill initially passed by our committee based on the Department of Transportation's own assessment of our Nation's needs.

Transportation spending is a win-win proposition. It creates jobs and improves safety and efficiency on our roads. This veto threat is just the latest example of continued misplaced priorities from this administration.

We need a real economic stimulus. We know that each \$1 billion of Federal funds invested in infrastructure creates approximately 47,000 jobs and generates \$6.2 billion in economic activity. That is the kind of boost that our economy needs.

I would like to thank the gentleman from Alaska, the gentleman from Wisconsin, the gentleman from Minnesota and the gentleman from Illinois for bringing this bill to the floor. I will support this bill because we must move this process forward. However, this bill is a far cry from the real investment needed to improve our infrastructure.

Finally, I would like to stress the importance of ensuring that the minimum guarantee formula stays at 90.5 percent. Our transportation policy now directs funding to the areas of the country where it is needed the most. It would be unwise to punish States with aging infrastructure and efficient mass transit systems by cutting off their funding. There is simply no way to reach a 95 percent minimum guarantee in a \$275 billion bill.

Mr. YOUNG of Alaska. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I want to thank the gentleman for yielding me this time. I rise in strong support of this legislation.

First of all, I want to commend the gentleman from Alaska (Mr. YOUNG), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI).

This bill will obviously provide opportunities for the creation of jobs in all of the districts across the country and especially in mine. However, the bill comes up a bit short because I do not think that we paid enough attention to rail transportation. Amtrak runs 50 trains out of my district in Chicago each and every day. Yet there is no money for Amtrak, and there is no money for rail safety.

I do want to highlight the fact, though, that this bill does in fact increase funding for the Access to Jobs program, a program that will take individuals from the inner cities and rural communities to where 75 percent of the new jobs are being created in what we call suburban outlying districts.

Overall, it is a good bill. I wish there were more money. I wish we could have looked at Amtrak in a different way and rail safety. I strongly support it.

Mr. Chairman, I rise today in support of the reauthorization of the Transportation Equity Act for the 21st Century. I commend Chairman YOUNG, Chairman PETRI, Ranking Member OBERSTAR, and especially the senior Democrat from Illinois Republican LIPINSKI for all of your hard work on this bill.

Our transportation system is vital to democracy. It is through our transportation network that we are able to move commerce and people with reliability and consistency. Every day millions of people travel our highways, and transit systems. This bill helps to ensure that we modernize our ailing transportation system and protect workers.

The bill contains a number of projects that will directly improve the roads and infrastructure in my Congressional District. This bill comes at a time when our economy is in need of a significant boost. We have lost over 3 million jobs in the last 3 years. My Congressional District has lost over 140,000 jobs in the last 30 years. While this bill is a modest investment in our Nation's highways and transit systems, I am disappointed that we did not report out the original bill, which contained a \$375 billion funding level. That kind of funding level would have given us an historic opportunity to put Americans back to work.

Also, I am disappointed that more was not done to stabilize Amtrak. In fact, the House Bill contains no funding for Amtrak. Amtrak is a vital part of the economy in Chicago, and the Nation. Amtrak operates more than 50 trains into and out of the City of Chicago each day. These include an extensive network of long-distance trains that provide service to the East and West coasts, the Gulf of Mexico and Canada. Last year, Amtrak transported more than 2 million passengers. The failure to include funding for Amtrak sends a negative signal. In addition, this bill provides no funding for rail security to adequately address concerns regarding terrorism. We must learn from the tragedy in Spain and other attacks on rail systems throughout the country.

I am pleased with the increase in funding for the Job Access and Reverse Commute Program. This program assists low-income individuals and welfare recipients get to where the jobs are being created. In other words, data suggests that three-fourths of new jobs are being created in the suburbs. Therefore, we must find ways to get people from the inner cities and rural areas to where the jobs are. The Job Access and Reverse Commute program will provide over \$1 billion in funding over the next six years.

Therefore, I am pleased that this important bill is finally moving forward. While I wish that the Committee had done more in funding important priorities—failure to act could lead to terrible consequences as it relates to our transportation infrastructure. Thus, I am pleased to support this bill.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER).

(Mr. GARY G. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GARY G. MILLER of California. Mr. Chairman, the gentleman from Alaska has dedicated years to this bill. I applaud him for that. I know it is less dollars than he would like to see because he does understand the problems we face in this Nation. The gentleman from Wisconsin has done an excellent job on the subcommittee. The gentleman from Minnesota has done a wonderful job working his side of the aisle trying to bring together a good bill for this country.

I represent California. I have parts of Orange County, L.A. and San Bernardino Counties. We are right on what is called the Alameda Corridor. All the trucks and trains coming from the harbor at Long Beach and Los Angeles come through our districts. Unless you live there, it is almost unbelievable to realize the impact that we face and our commuters face trying to go to and from work not only with the truck traffic from the harbors and the airports on our freeways but with the trains when you are trying to cross railroad tracks and at-grade crossings. Nothing that I can think of is more important that what we are doing this year and we have done in recent years in this bill.

The Founding Fathers had an idea of what the Federal Government should do, and one is to protect and defend our borders which we are trying and I believe we are doing an excellent job through the budget on, and the other is to ensure interstate commerce. In this generation, ensuring interstate commerce is making sure that goods can flow on our freeway systems and our rails to provide the goods and services that we need in this Nation. Our roads are coming close to being in a gridlock level in the Los Angeles area and Orange County. We need to resolve the problems we face there today.

TEA LU does pay special attention to the infrastructure deficiencies facing our Nation's truck traffic and the freight and it is tremendous some of the issues we have to deal with.

In Orange County alone, in my district on the Alameda Corridor through our cities currently we have 50 trains a day. In the near future, those trains will go up to 135 trains per day. The people who have to cross those crossings realize that that is a tremendous burden placed upon them and a tremendous burden placed upon businesses who have to ship their goods and people have to get to and from work. It is just unbelievable.

In one city that I represent, Placentia, in a 5-mile-long stretch, there are 11 at-grade crossings plus the associated communities around them. When a train starts going through that town, the whistle blows from the beginning they reach that city limit till the

projects that need to be put in this budget up front to help resolve some of the immediate impact that has been placed upon our State. He has made countless trips to California, I met with him on several different functions, explaining his vision for the future. That is why he calls it a legacy for our future, because of his vision of what should happen in the future of this Nation and how people should benefit, from the minute they get up in the morning and get in their car till their car comes home at night.

We have a wonderful bill before us. There are going to be some amendments, some I am going to oppose, but I honor the gentleman from Alaska for this great bill.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. OLVER).

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

Mr. OLVER. Mr. Chairman, I rise in support of the Transportation Equity Act. I thank the gentleman from Alaska (Mr. YOUNG), the gentleman from Wisconsin (Mr. PETRI), the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI) for their hard work on the legislation.

Mr. Chairman, this legislation is critical to meeting our country's transportation needs, but it also addresses a very serious problem that many of my colleagues who represent rural areas face. That problem is the virtually total absence of broadband services in rural areas.

The rural interstate corridor communications study included in this legislation will examine how fiber optic cable and wireless technology can be deployed to establish high-speed broadband service in rural and underserved areas, to improve intelligent transportation systems and homeland security applications, and to spur economic development in those rural areas. This important feasibility study is the first step toward increasing the access to affordable high-speed Internet services in rural areas. The benefits of this study will be of tremendous assistance to attracting technology-based companies and information age jobs to those rural communities.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in support of TEA LU because it is the most effective economic stimulus package this House has considered since our economy began to slump. No, I am not talking about another tax cut. I am talking about a transportation bill. Infrastructure investments are the smartest, most profitable long-term job creation initiatives available to us at the Federal level at this time.

By investing our resources in transportation projects, we accomplish what annual tax cuts have thus far failed to do. We create good jobs, jobs that actually pay a living wage. Workers in these jobs support their families by performing tasks that also improve their communities. Efficient transportation systems will also allow people to spend less time commuting and more time with their families. Traffic adds hours to a parent's workday, making it even more difficult to balance the competing demands of work and family.

Vote for TEA LU.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished ranking member and the chairman for the hard, collaborative work that was done.

I, too, rise in support of TEA LU and with a particular inquiry and that is to the President of the United States. Mr. President, work with us. Jobs are needed, but, more importantly, security is needed and improved infrastructure is needed.

Let me applaud this committee for acknowledging the needs in the 18th Congressional District that include a number of very vital projects. One, for example, project is Row House, a community development corporation to construct bicycle and pedestrian trails to enhance an already depressed neighborhood that is coming back. Let me be grateful for the project dealing with the Old Spanish Trail and Alameda Corridors that will assist in our technology center.

But, more importantly, I need to cite for this body the importance of language that was agreed to that dealt with racial profiling. We all know the story of I-95, but how many of us know the story of 59 North? I appreciate very much the idea that racial profiling language was put in the bill to inhibit racial profiling in transportation facilities across the motion. I ask my colleagues to support the legislation and to support my amendment regarding flexibility in funding for bicycle paths and other transportation needs.

Mr. Chairman, I rise in support of this bill, H.R. 3550, the Transportation Equity Act, A Legacy for Users. Before this bill went to the full committee markup, I submitted the following project requests:

For the City of Houston, I made the following requests: \$1,000,000 to extend Munn Street from Demaree Lane to Gellhorn Drive; \$1,000,000 to construct and rehabilitate pedestrian walkways along the Main Street corridor to improve transit-related accessibility; \$1,000,000 to converge a hike and bike trail into Gellhorn Drive, providing an improved multi-modal transportation facility; \$1,250,000 to pave East of Enwood Forest and west of I-45 and from Little York to West Gulf Bank.

For the Greater Houston Development, Inc. CDC, we requested \$4,000,000 for the installation of infrastructure including concrete streets, curbs, and gutters along the three

major thoroughfares of E. Tidwell, Ley Road, and East Little York Road.

For the Row House CDC, we requested \$750,000 to construct bicycle and pedestrian trails in Houston's historic Third Ward.

For the Old Spanish Trail and Alameda Corridors Redevelopment Authority, we requested \$2,000,000 to construct landscaping and other pedestrian amenities in segments of the Old Spanish Trail and Griggs Road rights-of-way.

For the Texas Department of Transportation, we requested \$2,000,000 to widen Hempstead Highway from 12th Street to Washington Avenue from four (4) lanes to six (6) lanes and for the improvement of the urban facility.

All of these projects, if funded as they appear in the bill as drafted, would serve to make Houston's transportation network more efficient and comprehensive, and I thank the Committee on Transportation and Infrastructure as well as the Subcommittee on Highways, Transit, and Pipelines for all of their hard work in getting these projects included.

#### AIRPORT POLLUTION

While I applaud the Committees' inclusion of projects that will help transportation systems, I must counter this discussion with a request that, in finalizing this bill, provisions be made to mitigate the problem of airport pollution.

A large number of my constituents in Houston have, for some time, complained about planes flying dangerously low and about the unbearable noise levels at Bush Intercontinental Airport. A gentleman who lives near the airport reported that "[he] cannot enjoy a day in [his] backyard, a barbecue, with all the noise, all the pollution going on." Attempts have been made to mitigate this impact such as temporarily diverting flights, reversing the FAA regulations that called for lowering flight altitudes, and constructing alternate runways. However, these efforts are "band-aids" for a larger problem. I ask that the Chairman and Ranking Member of the Transportation and Infrastructure Committee work to achieve a solution to this problem.

#### RACIAL PROFILING

As we work to craft legislation that will facilitate the modes and roads for transportation, we cannot forget about the issue of racial profiling that runs part and parcel with interstate and intrastate transportation. As a Member of the House Judiciary Committee, I have been able to hear testimony and to read accounts of the horrible and disparate effects of racial profiling—largely in response to this country's growing task of securing the homeland. In addition, I have had the opportunity to contribute to the crafting of legislation to combat this problem.

I support and have co-sponsored the End Racial Profiling Act of 2003 (ERPA). Racial profiling occurs when law enforcement relies on race, ethnicity, national origin, or religion in selecting which individuals to subject to routine or spontaneous investigatory activities, except when relying on a specific suspect description. This practice violates our Nation's basic constitutional commitment to equality before the law. Racial profiling is also contrary to effective law enforcement—whether used as a tool in the war against drugs or the war against terrorism, profiling fuels the perception in minority communities that the criminal justice system is unfair and undermines the trust between the police and the communities they serve.

To comply with the Aviation and Transportation Security Act, the Transportation Security Agency under the Department of Homeland Security developed and implemented a passenger screening system called the "Computer Assisted Passenger Pre-Screening System II" (CAPPS II). The objective of this system is to ensure passenger and aviation security. Under this system, all travelers passing through a U.S. airport will be scored with a number and a color that ranks their perceived threat to the aircraft.

Using easily falsified information such as a name, home address, home phone number and date of birth, this system would screen the airline passenger's name through credit databases and then run his information through secret government databases to make a judgment about his security risk. These secret databases would be compiled using intelligence and law enforcement records that could include personal information gleaned from commercial data such as purchase history and banking records.

Individuals singled out by this program would have no way of knowing why they have been targeted. They would not know if they are the victims of the widespread inaccuracies that riddle government and private databases. Nor would they know if they have been falsely accused of wrongdoing, or have been discriminated against because of their religion, race, ethnic origin, or political beliefs.

Therefore, it is of paramount concern that, in passing legislation that aims to facilitate transportation and travel, we also end racial profiling and maintain respect for individual liberty. Language that begins to address this problem has been included in H.R. 3550.

Similarly, I co-sponsored the Hate Crimes Prevention Act of 2004. The FBI has reported a dramatic increase in hate-motivated violence since the September 11th terrorist attacks. While the overall crime rate has grown by approximately two percent, the number of reported hate crimes has increased dramatically from 8,063 in 2000 to 9,730 in 2001 (a 20.7 percent increase). Racial bias again represented the largest percentage of bias-motivated incidents (44.9 percent), followed by Ethnic/National Origin Bias (21.6 percent), Religious Bias (18.8 percent), Sexual Orientation Bias (14.3 percent), and Disability Bias (0.4 percent).

#### RAIL SECURITY

As a Member of the House Select Committee on Homeland Security, however, the issue of rail security must be addressed when it comes to transportation funding. Within the context of this legislation funding, I feel that priority should have been given to the improvement of our critical infrastructure, to enhance our emergency preparedness, and to aid our first responders who are responsible for the operation and maintenance of our local, State, and interstate railways. Especially in light of the recent subway explosions that took the lives of over 200, it is urgent that we take measures to increase our rail security whenever there is an opportunity—this bill and the upcoming Transportation Appropriations bill are such an opportunity.

On March 11, 2004, an al Qaeda bombing of commuter trains in Madrid, Spain killed nearly 200 people and wounded more than 1,500 others. A minor fire incident in Washington, D.C.'s subway system recently gave us a glimpse of the potential for disruption to our

public transit systems. Failure to invest in the security of passenger rail and public transit could leave these critical systems vulnerable to terrorist attack. Millions of Americans rely on mass transit systems on a daily basis. Making these systems as safe as they can be from terrorist attacks must be a high priority for the Department of Homeland Security.

I have signed onto a letter from my Texas colleague and the Ranking Member JIM TURNER to Secretary Tom Ridge expressing the need to increase our rail security.

Between 1997 and 2000, more than 195 terrorist attacks occurred on surface transportation systems worldwide. There are over 140,000 miles of train routes in the U.S., 500 Amtrak stations, and 500 major urban transit operators. Nearly nine billion passenger trips are taken on U.S. mass transit systems every year. Since the attacks of September 11, the U.S. Department of Transportation and the Federal Bureau of Investigation have warned transit and other railroad systems of possible terrorist strikes.

In sum, Mr. Chairman, I support the inclusion of the projects which I cited that have been included in the bill that will improve Houston's transit system; however, in the course of finalizing its language in House and Senate conferences, I hope that my colleagues will look to make provisions for more rail security, given the urgent need.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. ENGEL). (Mr. ENGEL asked and was given permission to revise and extend his remarks.)

Mr. ENGEL. Mr. Chairman, I rise in strong support of this bill because this bill means jobs for many Americans currently unable to find employment. This bill is about bolstering our Nation's transportation infrastructure which has a direct impact on our economy. I believe that this is a good bill. I wish it was even more money because we can use the transportation infrastructure money.

I am very sorry that the administration is threatening to veto this bill because it goes above the \$256 billion limit they set. I do not know why they do not seem to get it. They do not get the fact that America's workforce and floundering economy would benefit tremendously from this legislation. It is unbelievable that at a time of high unemployment this administration is threatening to veto legislation that would actually create real jobs.

I do not want to hear phony cries about budget restraint. The tax cuts for the rich rob us of our ability to have good programs. This is a great program. The administration says that anything above \$256 billion is too expensive. This is ludicrous because the transportation bill is self-funding. The former chair, Mr. SHUSTER, did a wonderful job in ensuring that revenues generated for the trust fund would only be used for transportation projects.

I commend the gentleman from Alaska (Mr. YOUNG), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPIN-

SKI). I think this is a marvelous bill, and I wholly support it.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of TEA LU. However, I am disappointed that it does not include language to close a dangerous loophole in a 30-year-old law that allows school districts to use 15-passenger vans to transport students to and from athletic trips and other school activities.

I have introduced legislation, H.R. 1641, to remedy the problem. It would prohibit the purchase, rental or lease of 15-passenger vans for use to transport students. I understand that the ranking member is amenable to working with me and others in conference to ensure we put an end to this practice that puts schoolchildren's lives on the line every day.

Is this the understanding of the gentleman from Minnesota?

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. UDALL of Colorado. I yield to the gentleman from Minnesota.

□ 1300

Mr. OBERSTAR. Mr. Chairman, the gentleman from Colorado has identified an issue that has been highlighted by the National Transportation Safety Board. I am in full sympathy with the gentleman, and we will work to accomplish that objective.

Mr. UDALL of Colorado. Mr. Chairman, I thank the gentleman from Minnesota for his remarks and look forward to working with him.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I thank my colleague for yielding me this time.

I rise in support of H.R. 3550, a bill that is bipartisanly crafted by both the gentleman from Alaska (Chairman YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR), ranking member; and they have made the best out of what is a bad situation. The fact that the administration is threatening to veto this legislation at the level of \$270 billion shows the irrational negotiating posture of the opponents of infrastructure improvement and investment.

I support the \$375 billion transportation infrastructure bill. And where does that number come from? It comes from the level that the U.S. Department of Transportation says is necessary to improve the mobility in our country. Mr. Chairman, if we do not improve the mobility of our country, just in Houston we lose \$2.1 billion every year in productivity in fuel and congestion, and it is getting worse. And these are not my figures. These are figures from the Texas Transportation Institute's 2003 Urban Mobility study. This highway bill is not pork barrel politics. It makes investment in mobility that the public desperately

wants and needs. Our gasoline user fees are for our public highways by tapping revenue from those who benefit from them, motorists and truckers.

Mr. Chairman, I rise in support of H.R. 3550, a bill where our bipartisan Transportation Committee leadership, Chairman YOUNG and Ranking Member OBERSTAR have made the best out of a bad situation.

The fact that the administration is threatening to veto this legislation, at the level of \$275 billion, shows the irrational negotiating posture of the opponents of infrastructure investment.

I support a \$375 billion transportation infrastructure bill. Where does that number come from? That is the level that the U.S. Department of Transportation says is necessary to improve mobility in the country.

Frankly, I support indexing the gasoline user fee to inflation, a method that is far simpler than having to stop every few miles and dig around for change in the car seat to pay a toll. Under this bill, tolls will too often be the only option available to make infrastructure improvements.

The funding level the administration supports barely allows us to tread water, while China, India, Japan, Europe, and other competitors are investing heavily in infrastructure to strengthen their economies.

It is frustrating to be confined by inadequate transportation funding during tough economic times because infrastructure investment brings major employment and development benefits.

Each billion spent on infrastructure creates 47,500 American jobs. At least 3.5 million jobs would be generated and sustained through 2009 under the \$375 billion level in the original H.R. 3550, including over 200,000 jobs in Texas.

Under this bill, we will get significantly less employment and economic activity than that.

The administration and self-proclaimed fiscal conservatives in Congress do not seem to understand that residents in my community are idling away an average of 37 hours and 60 gallons of gas this year in congested traffic.

Just in Houston, we lose \$2.1 billion, every year, in productivity and fuel, and congestion has been getting worse. These figures are according to the Texas Transportation Institute's 2003 Urban Mobility Report.

This highway bill is not pork barrel politics; it makes investments in mobility that public desperately want and need. Our gasoline user fee funds our public highways by tapping revenue from those who benefit from them—motorists and truckers.

This bill has important projects for our area in Houston and across Texas, particularly U.S. 90, Clinton Drive, and a Harris County Freight Railroad Corridors and Urban Mobility Program.

This railroad project in particular needs more study and involvement by all stakeholders before we get to implementation, but the problem of grade crossings and mobility does need to be addressed urgently.

Some important policy provisions regarding transportation conformity are also included in this legislation, such as making the conformity process a four year cycle, voluntary limiting of conformity planning to 10 years, and allowing a 12-month grace period in the event of a conformity lapse.

I do not believe that these provisions solve all our problems, and I would hope that the

cosponsors of our legislation in the conference will include further necessary improvements to the conformity process.

Our area of Houston is struggling to meet Clean Air Act requirements by statutory deadlines, and I think we will have success.

But to have our mobility crippled by losing transportation funding due to a confusing and contradictory process would be the worst public policy disaster in decades for our area.

Looking ahead to a conference with the other body, I want to congratulate the bipartisan Transportation Committee for its best work in a bad situation.

The closer we get our funding to the U.S. Department of Transportation recommended level of \$375 billion, the better off our economy will be.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

We have heard a wide range of thoughtful views, some of them expressed in very hurried fashion due to the time limitations. But if we had 24 hours of debate, there would not have been enough time to hear all the views of all Members because transportation really undergirds our entire economy.

I leave one statistic with my colleagues. In 1987 the cost of logistics, moving people and goods, consumed 16 percent of our gross domestic product of this country. Last year logistics consumed just under 10 percent of our gross domestic product. That is a gain of \$600 billion in our \$10 trillion economy. That investment gain is due to the investments that we have made through this committee in cooperation with States and localities improving our infrastructure. That is the core of why we are on the floor today, to advance the Nation's economy, productivity, and competitiveness at home and abroad.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

In closing, I would like to thank all the Members who have spoken in favor of this bill. There is no one who spoke against the bill. There will be approximately 11 more amendments offered. I believe this bill is properly structured.

And I have to say this. I again want to stress one thing. I came to this House 31 years ago. I came to this House to work to achieve legislation, and I believe we can only do that by working together. It is something I believe very strongly in. And I know there are those who do not agree with me, who do not want to achieve, but to bicker; and I do not think this is what this House is all about.

So I again congratulate the other side, the minority, at this time for their willingness to work with me and I to work with them to achieve a goal. And I think we have partially reached it in this legislation.

Because of certain media reports about the 375, I have to remind those that might be listening to this or are watching that the 375 that I chose 2½ years ago with the gentleman from Minnesota (Mr. OBERSTAR) was not an artificial number. It was not a

“wanna” number. This is a number that came from this administration just to maintain and improve a little bit. There was only one way we could have gotten there, and that was by, in fact, increasing user fees. And of course that has run into tremendous opposition from different people, everybody knows who. But I hope they understand what we are really trying to do in this legislation; and what we should have been doing with the 375 is the future of this Nation because at this period of time before elections, we hear a lot of people talking about Social Security, Medicare, education, border patrol, homeland security, prescription drugs; and they are all good and they are all needed. But there is only one way we can have the financial revenue to get those achievements done, and that is to have a good infrastructure system in place for the future. Without a good infrastructure system, we do not have the economic capability of doing those things everybody wants us to do.

This is not a new idea. Eisenhower saw it and built the interstate system 50 years ago and made this the greatest Nation not just for security purposes, but to be able to move goods and products and people to and from and establish industries because of that infrastructure system put in place 50 years ago.

Now we have competition internationally. We have nations that recognize this. We did not win the Cold War because of our military might. In fact, we did not even win the Second World War because of our military might. We won it because we could deliver troops, products, food, and people across this Nation to the manufacturing points. China, as said in my opening statement, now recognizes that. And we hear a lot of China, about outsourcing. We hear a lot about China and their economic growth; but they recognize why we were great, and I stress that word “were,” because they are going to build in 15 years the same amount of highways that it took us 60 years to build in the United States to tie their provinces together, like we tied our States together, so there would be no more warlords. They will have a united China with 4.5 billion people to be able to produce and compete with anyone in this world and probably beat them on all forms of products, especially when Russia is right next door with all the natural resources that they use to do that production.

And the foresight, I believe, the gentleman from Minnesota (Mr. OBERSTAR) and I have had to see that challenge and try to rise to that occasion to make sure this Nation has the ability to compete internationally, that is what this bill is about and what it should be as more.

And that is why in this bill I have a reopener, and I have people objecting to that, because I believe our economy is coming back, but our needs to move people is also increasing at a dramatic

rate, and I want to have my grandkids and my great grandkids and my great, great grandkids to have the advantages and ability to compete globally because of the infrastructure system that we will put in place.

I have told my adversaries that are against my 375 that I will be back. I will continue this fight because I believe in it so strongly for this Nation. I believe this House has a responsibility to leave a proper legacy behind for the future generations of this great Nation. I hope everybody that listens to the debate as far as the amendments go understands that we are going to listen to them. We will vote some down; we will accept them, but when it is all said and done that we step forth with this bill tomorrow I hope in the near hours to start the process to leave a legacy behind for this great Nation.

Mr. PASCRELL. Mr. Chairman, I rise in strong support of the amendment offered by my friend Mr. LOBIONDO.

What Mr. LOBIONDO has put forward is a common sense measure that is long overdue. Our home state of New Jersey has recently enacted John's Law, which allows police agencies to impound the vehicles of drunken drivers.

John's Law is named after Navy Ensign John Elliott. John was driving from Annapolis to his home in Atlantic County, New Jersey for his mother's birthday. En route, his car was struck by a drunken driver. Both Elliott and the other driver were killed.

Three hours earlier, the other driver had been arrested and charged with driving under the influence of alcohol. He was released into the custody of a friend, who drove him back to his car and allowed him to get behind the wheel. This tragedy brought attention to a loophole in State law which has since been corrected.

The LoBiondo amendment would not mandate any action by the states. Rather, we hope it will encourage them to impound vehicles of DWI drivers as another important tool in the arsenal of alcohol-impaired countermeasures.

If someone is arrested for drunk driving, it is logical that they not be allowed to get right back behind the wheel of their car, endangering other drivers. Police and public safety groups in New Jersey have praised this policy and I hope that other states will do the right thing by enacting similar laws that will save lives.

On a personal level, I want to recognize the efforts of Bill Elliott, John's father, who has not rested in his work to ensure that such a tragedy would never be repeated.

Passage of the LOBIONDO amendment will help Bill in his quest for better public policy. We can all hope for a day when what happened to the Elliott family will never happen to other families.

I urge a "yes" vote on this amendment and I thank my friend for bringing this laudable policy before the House.

Mr. ORTIZ. Mr. Chairman, I rise today in support of H.R. 3550, Transportation Equity Act: A Legacy for Users . . . and I commend Chairman DON YOUNG and Ranking Member OBERSTAR for their leadership on a difficult bill before the House. I also thank Chairman PETRI and Ranking Member LIPINSKI of the

Subcommittee on Highways, Transit, and Pipelines for their hard work on this legislation the last couple of years.

Despite the funding level limitations placed on the committee the committee has done an outstanding job in bringing a good bill to the floor that provides \$275 billion for highways and transit. I was hopeful we would be moving the bill preferred by the Senate, with a higher investment in national transportation system. By improving our infrastructure in the United States, we grow our economy. This is the best sort of job-creation bill.

With the Southwest international border shouldering a greater and greater load of NAFTA commercial traffic, there is a greater and more urgent need for an interstate highway corridor down to Southern border. The border corridor infrastructure will help our local communities through which so much of the commercial trade passes.

Investing in these inter-modal improvements means investing in the future of efficient movement of people and goods in the 21st Century to remain competitive, reduce congestion, reduce pollution, and provide for the safety of everyone traveling along our roads and highways.

Investments to improve the security of America's critical infrastructures, including passenger rail and public transit, will benefit not only our national security but also our economy and the safety and reliability of systems that Americans rely on every day.

This bill provides important funding to the state of Texas and my district. While there are still issues to be resolved, in particular the donor-donee issue, I am confident that this will be addressed as we move this bill further along through the process and on to the conference.

Transportation is literally the lifeblood of trade and commerce that winds its way through South Texas, creating and supporting a number of jobs. The funding the Committee included in the bill for our neck of the woods will help with a number of safety issues, as well as generally contributing to creating new commercial opportunities for our area.

The Committee included several public transportation projects for our area. Utilizing public transportation helps move people around more economically, it reduces pollution, and it reduces traffic in the area . . . all of which will go a long way to provide congestion relief for area commuters and a new level of safety for South Texans.

Mr. YOUNG of Alaska. Mr. Chairman, I submit the following two letters for the RECORD.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
*Washington, DC, March 26, 2004.*

Hon. DON YOUNG, Chairman,  
*Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC.*

DEAR CHAIRMAN YOUNG: I am writing with regard to H.R. 3550, the Transportation Equity Act: A Legacy for Users, which was ordered reported by the Committee on Transportation and Infrastructure on March 24, 2004. As you know, the Energy and Commerce Committee has jurisdiction over matters involving air quality planning and the air quality impact of transportation projects, the Congestion Mitigation Air Quality Program, provisions involving energy production, supply and storage and other matters contained within H.R. 3550 as reported.

I recognize your desire to bring this legislation before the House in an expeditious manner. Accordingly, I will not exercise my Committee's right to a referral. By agreeing to waive its consideration of the bill, however, the Energy and Commerce Committee does not waive its jurisdiction over H.R. 3550. In addition, the Energy and Commerce Committee reserves its right to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask for your commitment to support any request by the Energy and Commerce Committee for conferees on H.R. 3550 or similar legislation.

I request that you include this letter as part of the Committee's Report on H.R. 3550 and in the Record during consideration of the legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

JOE BARTON,  
*Chairman.*

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE,

*Washington, DC, March 26, 2004.*

Hon. JOE BARTON, Chairman,  
*Committee on Energy and Commerce, U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter of March 26, 2004 regarding H.R. 3550, the Transportation Equity Act: A Legacy for Users. Your assistance in expediting consideration of the bill is very much appreciated.

I agree that there are certain provisions in the bill that are of jurisdictional interest to the Committee on Energy and Commerce and I agree that by foregoing a sequential referral, the Committee on Commerce is not waiving its jurisdiction. Be assured that I will support your request to be represented in the conference on those provisions in the jurisdiction of the Energy and Commerce Committee.

As you have requested, I will include this exchange of letters in the Committee report on the bill and in the Record when the bill is on the Floor. Thank you for your cooperation and your continued leadership and support in surface transportation matters.

Sincerely,

DON YOUNG,  
*Chairman.*

Mr. PORTMAN. Mr. Chairman, I rise to express my support for my Drug Impaired Driving legislation, which is included in the H.R. 3550, the Transportation Equity Act: A Legacy for Users.

I know it would probably surprise most of my colleagues to learn that up to 20 percent of drivers involved in motor vehicle accidents were under the influence of illegal drugs, or that in 2002 almost 11 million people drove a car or truck while under the influence of drugs.

Over the past decade, our Nation's aggressive response to the problem of drunk driving has greatly reduced the number of drunk drivers on the road. But the Nation's 16 million current users of illegal drugs have faced no similar effort as they continue to drive under the influence of drugs such as marijuana, cocaine and heroin.

I believe a more effective public policy for detection and prosecution will not only improve traffic safety and create a deterrent, but would get those drivers who violate the law into treatment.

The Drug Impaired Driving Research and Prevention Act, which I introduced with my colleagues SANDER LEVIN, JON PORTER, MARK SOUDER, JERRY COSTELLO, STEVEN

LATOURETTE, JIM RAMSTAD and DAVID HOBSON, will provide assistance and guidance to States as they begin to address drug impaired driving. The language calls on the U.S. Secretary of Transportation to craft a model State drug impaired driving law and helps ensure that drivers in need of drug treatment are identified and provided with the appropriate assistance. The legislation enhances the training of police officers and prosecutors to detect, enforce, and prosecute drug impaired driving laws and also funds research to develop field tests to be able to identify drug impaired drivers.

This legislation will greatly improve traffic safety and reduce traffic fatalities as has been the case with drunk driving laws. It is time to deal with these undetected dangers on our roads and highways before more damage occurs and more lives are lost. I thank Chairman YOUNG for including this important legislation in the Highway bill.

Ms. DEGETTE. Mr. Chairman, I rise today in strong support of the Transportation Equity Act: A Legacy for Users. The reauthorization of TEA-21 offers the opportunity to celebrate some of that landmark legislation's visionary projects.

The Southeast Corridor—or T-REX as it is affectionately known in my home district of Denver, Colorado—is one of TEA-21's best projects. It is currently on time, on budget and already providing essential transportation services. Upon completion in 2006, T-REX will connect the region's two largest employment centers through an improved interstate highway system and additional light rail transit. These roadway and transit improvements will significantly enhance inter-regional and intra-regional transportation of people and goods.

T-REX is quite literally driving Colorado's economic engine.

I would be remiss, however, if I did not express my disappointment with the funding levels of the bill before us. I concur with the State Departments of Transportation's assessment of our nation's infrastructure needs. That is why I am a proud cosponsor of this legislation as originally introduced by the estimable Chairman DON YOUNG and Ranking Member JIM OBERSTAR.

It is unfortunate and dismaying that the President has chosen to wield the club of a veto threat on what is essentially the only jobs creation legislation before this Congress. I deeply regret the missed opportunity that the \$275 billion price tag represents. We will be unable to address the donor state issue, which affects the transportation dollars Colorado receives, among other important changes we should be examining.

Having said that, I applaud the Committee on its excellent work. I appreciate their recognition of the gains embodied in TEA-21 and of the growing infrastructure needs our nation faces.

Mr. OXLEY. Mr. Chairman, I stand in support of H.R. 3550, the Transportation Equity Act: A Legacy for Users (TEA-LU).

In my congressional district, the rural highways that served our Nation for decades can no longer sustain the increasing numbers of cars, semis, and other vehicles that use them every day. Many of these roads cannot meet the expanding needs of the communities and growing economies that they serve. U.S. Route 30, the prime east-west truck route in my district, continues to exemplify this problem.

As the chief alternative to the Ohio Turnpike and Interstate 70, Route 30 has seen drastic increases in truck traffic over the years—more than 63 percent in the last decade alone. This has led to a tragic number of fatal accidents on the narrow two-lane segments of this road. Obviously, the need for a four-lane upgrade has never been more crucial.

Six years ago, as part of TEA-21, I was able to secure more than \$11 million for the purchase of right-of-ways for the Route 30 modernization throughout my congressional district. Since then, I have been honored to join my constituents at a groundbreaking ceremony in Crestline and a ribbon-cutting ceremony near Beavertown to mark further progress on this lifesaving project, for which they have been waiting for more than four decades. Construction work continues between Upper Sandusky and Mansfield, with completion of the various upgraded segments slated for later this year. I'm grateful that TEA-LU will provide an additional \$10 million in direct funding for continued Route 30 construction from State Route 235 in Hancock County to the west end of the Upper Sandusky bypass in Wyandot County, bringing much-needed relief to those who drive and live near this major highway.

I'm also pleased that the bill provides \$2.3 million to continue U.S. Route 68 bypass construction efforts in Urbana. In 1958, the State of Ohio launched this project to connect Interstate 70 to U.S. Route 33 west of Columbus, purchasing significant parcels of land for the new road. Little progress has been made to date, though, hampering the ability of local officials to promote and develop the area west of the city. This bill will advance the second phase of the overall project by providing needed design and right-of-way funds.

In accord with TEA-LU's expansion of rail/highway crossing safety programs, I am grateful to the Committee for including important rail grade separation projects in the reauthorization. In the city of Lima, the construction of new grade separations will alleviate the potential dangers that arise when stopped trains cut off an entire sector of the populace from emergency services. A similar project in Urbana will allow for the rehabilitation of the rail bridge over U.S. Route 36.

Mr. Chairman, I applaud the stalwart leadership and commitment of Chairmen DON YOUNG and TOM PETRI in setting a course toward meeting our nation's growing transportation needs. I also salute the continuing hard work of STEVE LATOURETTE and BOB NEY in securing the best possible rate of return for Ohio and other donor states to the Highway Trust Fund. As we move to conference, their efforts in support of highway funding equity and fixing the ethanol tax penalty will help our state to complete Route 30, Route 68, and many vital infrastructure projects that have been on the shelf for years due to lack of funding. I look forward to working with them and with our outstanding senators, MIKE DEWINE and GEORGE VOINOVICH, to ensure that our state and nation have the best and most modern transportation systems in the world.

Mr. SENSENBRENNER. Mr. Chairman, I reluctantly oppose this bill. I do so for two reasons. I believe that the bill spends too much money, and it contains too much pork. Many highway projects are good uses of the public's money, but many are not. I think this bill has

too many of the latter. We are never going to balance the budget if we do not rein in wasteful spending, and today is a good place to start.

Second, I do not believe that the jurisdictional concerns of the Committee on the Judiciary have been fully addressed. Numerous provisions of the bill fall within our jurisdiction. We requested a sequential referral of the bill, which we received, but it did not provide sufficient time for a markup. I appreciate the many conflicting pressures that leadership faces, and I do not criticize them for that decision.

We have also worked with the Transportation Committee to try to resolve our concerns, but we have not yet been successful in fully doing so. For example, only yesterday I have learned of a provision tucked away in the bill that I understand would extinguish a particular pending federal False Claims Act lawsuit brought by the Department of Justice. I am very concerned about the ramifications of this kind of legislation. I will certainly be seeking conferees as to that provision and seeking its removal from the bill.

Among my other concerns is that the bill as currently drafted would give the Secretary of Transportation some independent litigating authority with respect to certain hazardous materials actions. It is the longstanding position of the both the Department of Justice and the Committee on the Judiciary that litigation authority for the federal government should remain unified in the Department of Justice. We cannot yield on that point. Chairman YOUNG has partially resolved that problem in the manager's amendment, and I look forward to continuing to work with him to fully resolve that issue.

I also appreciate his willingness to include language I requested to clarify that Congress has the right to alter, amend, or repeal certain interstate compacts that are authorized in the bill.

I remain concerned about a new grant program included in the bill that deals with racial profiling. I am hopeful that we will be able to work together in conference to improve that provision.

There is also new material in the manager's amendment that falls within our jurisdiction which we have not yet had time to thoroughly study, so we will be looking at those sections.

Finally, I will request that Members of the Judiciary Committee be appointed as conferees on all sections of the bill that fall within our jurisdiction, and I will continue to work cooperatively as we go forward to work out these concerns.

But, for the reasons I have stated, I must reluctantly oppose the bill at this point.

Mr. COSTELLO. Mr. Chairman, first let me say thank you for a job well done to Chairman YOUNG, Mr. OBERSTAR, Mr. PETRI, and Mr. LIPINSKI for their leadership on bringing this bill to the floor today.

Without their leadership and persistence we would not have a bill to even consider today.

Despite a threat of a veto and suggestions that we should have a scaled down bill that would not even provide enough funding to the states to do general operations and maintenance of their transportation systems and other suggestions that we should have a 2-year bill, we are here today to consider a good, six-year bill.

While I would have preferred the original bipartisan bill that the committee supported at

the \$375 billion funding level over 6 years, I support the bill before us today in hopes that we can make the bill even better in conference.

The bill before us provides \$275 billion over 6 years and maintains roughly an 80/20 split in hwy and transit funding.

Also, I am pleased that we have a section in the bill for mega projects—projects that are very important to our nation's transportation system that otherwise could not be funded out of the normal state funding formula.

Finally, it is important that we pass this bill out of the House and conference quickly. When we invest a billion dollars in our infrastructure we create 47,500 new jobs and \$6.2 billion in economic activity. This bill will help our economy at a time when our economy needs it most—we must act now so that we can put people to work during this construction season.

Mr. Chairman, I again salute and thank Chairman YOUNG, Mr. OBERSTAR, Mr. PETRI, and Mr. LIPINSKI for their leadership and hard work.

Mr. DUNCAN. Mr. Chairman, vicarious liability laws in 3 states (NY, ME, CT and DC) impose unlimited liability on car and truck renting and leasing companies for injury and property damage solely because they own the vehicles. Eight other states have some limited form of vicarious liability. Vicarious liability is "liability without fault" in that these companies have no involvement in or ability to prevent the accident. They cost consumers an average of \$100 million annually. Companies nationwide are affected, not just in the few vicarious states, because the laws apply based on where the accident occurs, not where the car or truck is owned or registered. As a result, a car registered and rented in a non-vicarious state that gets into an accident in a vicarious state is subject to that state's vicarious laws. Companies have no way to protect themselves against these laws.

I propose adding to H.R. 3550 (TEA LU) a provision to eliminate vicarious liability nationwide. Under this provision, only a company that is at fault or negligent in an accident could be held liable for damages. T&I Chairman YOUNG, Highways Subcommittee Chairman PETRI, and Highways Subcommittee Ranking Member LIPINSKI all support this provision; Ranking Member OBERSTAR is non-committal at this point.

The amendment eliminates liability under state law for an owner of a motor vehicle who is engaged in the business of renting and leasing motor vehicles provided there is no negligence or criminal wrongdoing on the part of the motor vehicle owner; the owner must maintain the required state limits of financial responsibility for each vehicle in accordance to the state where the vehicle is registered; elimination of vicarious liability commences on the date of enactment; and defines "motor vehicle" and "owner."

Mr. BEREUTER. Mr. Chairman, this Member rises in strong support of H.R. 3550, the Transportation Equity Act: A Legacy for Users.

This Member would like to begin by thanking the distinguished gentleman from Alaska (Mr. YOUNG), the Chairman of the Transportation and Infrastructure Committee, and the distinguished gentleman from Minnesota (Mr. OBERSTAR) for their extraordinary efforts in bringing this bill to the Floor. This Member would also like to express sincere appreciation

to the distinguished gentleman from Wisconsin (Mr. PETRI) and the distinguished gentleman from Illinois (Mr. LIPINSKI) for their hard work on this important legislation, which is designed to enhance our nation's highways, bridges, and transit, while improving safety and creating jobs.

Clearly, a higher level than the nation currently spends on our highways and bridges is justified. Due to the dramatic deterioration of our nation's transportation infrastructure and the substantial growth of our population with attendant travel, our country must make a significant investment in our roads, bridges, and transit systems.

This Member believes that is important to recognize that transportation funding must be based on needs. It is clearly necessary to address the very real and pressing transportation requirements of this nation. Substandard roads contribute to increased congestion and greater danger for motorists. Better roads improve safety and efficiency.

It is important for the new surface transportation bill to not only maintain our current infrastructure of highways and bridges, but to improve it. Last year, the Federal Highway Administration released its 2002 version of the Conditions and Performance Report on the Status of the Nation's Highways, Bridges, and Transit. According to this document, the previous Highway Bill—TEA 21—has had a positive effect on improving road conditions generally. The report also noted that states and local governments have also increased their investment in transportation projects. Despite these improvements, the performance report stated, "There is significant room for increases in highway capital investment that would result in positive net benefits to the American people, in terms of reductions in travel time, vehicle operating costs, crashes, emissions, and highway agency costs."

Improving our transportation system is good for the economy and it benefits each American. In fact, accelerating the funding for transportation infrastructure is in itself one of the best economic stimulus actions.

This Member would like to take this opportunity to mention several issues of importance to Nebraska and the First Congressional District.

First, this Member is very pleased that TEA-LU authorizes funding to address the problem of railroad-highway crossings and the elimination of road hazards. This issue—which was the focus of the field hearing in Lincoln, Nebraska, last year—affects many states, but the problem is especially acute in Nebraska, which has 4,000 public and 2,700 private rail grade crossings.

Nebraska has the highest number of rail/highway grade crossings per mile in the U.S. and has the most heavily used rail corridor in the nation. Nebraska is taking action to ensure that the safety issues surrounding the rail crossings are addressed. However, the state clearly lacks the financial resources to finance the hugely expensive program to reduce the safety risk associated with the more important of these crossings.

Nebraska is served by both the Union Pacific and the Burlington Northern Santa Fe railroads. Combined, these railroads account for 70 to 140 trains per day using their two main lines across the whole west-east distance of Nebraska. The railroads continue to play an important economic role in the state, but addi-

tional, dramatically increased efforts must be made to improve the rail crossing issue.

According to Nebraska Governor Mike Johanns, a state rail study found that public crossings are blocked by moving trains over 2,300 hours a day and that even in a low population state like Nebraska, its drivers spend an estimated 6,350 hours a day waiting for trains to pass. This problem will not go away on its own. In fact, the average coal train length has also grown from 110 cars to 135 cars, while the number of trains has doubled in the past 20 years.

Governor Johanns has further noted that the State of Nebraska currently receives about \$4.7 million of Federal and \$3.3 million of state rail safety funds per year. However, the needs are much greater. The state's total rail/highway safety funding needs are more than \$420 million which would cover just 85 possible rail/highway grade separations from a much larger total.

This Member would also like to emphasize support for including in the final surface transportation bill the provisions from two bills he has introduced in the 108th Congress.

This Member believes that it is important that the final version of the surface transportation legislation ensures that agricultural transporters would continue to be exempt from hours of service requirements when operating within a 100 mile radius of their point of origin during planting and harvesting season. This is a matter of great importance to the transporters of agricultural commodities and supplies as well as to consumers. Although the 1995 National Highway System Designation Act included my proposal which led to a rule creating the exemption, this relief has been threatened by proposed hours or services rule changes. This provision, based on a bill this Member introduced last year—H.R. 871—is needed to safeguard this necessary exemption and provide a clearer definition of "agriculture commodities." The bill has been endorsed by the Agricultural Retailers Association and the Agricultural Transporters Conference of the American Trucking Associations.

This Member also supports inclusion in the final version of the legislation a provision based on the "Safer Roads Everywhere Act" introduced by this Member last year. This proposal—H.R. 1226—is designed to enhance global traffic safety and would benefit Americans who are traveling or living abroad. The legislation also is designed to provide the National Highway Traffic Safety Administration (NHTSA) with the authority it needs to conduct activities to improve worldwide traffic safety. Furthermore, it would provide the Department of Transportation with opportunities to gain knowledge about international traffic safety practices and programs which could be incorporated in the U.S. The bill is supported by the Association for Safe International Road Travel, the Advocates for Highway and Auto Safety, and the Institute of Transportation Engineers. My staff has worked with NHTSA and the World Health Organization in developing the legislation.

This Member is also supportive of a provision which is designed to improve public safety through improved enhanced emergency response and increased security of intermodal containers. This provision would also authorize a pilot project to demonstrate emergency communications systems that provide wideband, two-way information transfer capabilities.

This Member is pleased that H.R. 3550 includes provisions approved by the Ways and Means Committee designed to address the ethanol issue as it affects the Highway Trust Fund. Importantly, the Ways and Means Committee increased the funding available for transportation while protecting ethanol by shifting the cost of the Federal ethanol subsidy from the Highway Trust Fund to the general fund. The Committee did this by creating an equivalent tax credit in place of the ethanol tax exclusion of 5.2 cents per gallon. In addition, the Committee transfers an existing 2.5 cents per gallon ethanol tax from the general fund to the Highway Trust Fund. These actions are important not only for transportation, but also for Nebraska's agricultural community.

This Member is also very pleased that H.R. 3550 includes funding for several projects which would provide significant benefits to the 1st Congressional District, Nebraska, the region, and the nation.

NEBRASKA HIGHWAY 35—\$13,000,000

The intent of the Nebraska Highway 35 project is to develop the most efficient route from Norfolk to South Sioux City. Currently, this route is comprised of several short segments of highway winding its way to the northeast. This project has significant regional and national importance. The 68-mile project will provide a more direct regional connection and greatly facilitate travel, for example, between the Twin Cities of Minnesota and Denver as well as regional north-south traffic. It is also a project of great importance to the area's local communities.

The new corridor will provide significant safety, congestion mitigation, and economic development benefits and reduce travel time. The Nebraska Department of Roads classified the Highway 35 project as a "planned expressway" in 2001.

LINCOLN SOUTH BELTWAY—\$14,566,300

The South Beltway is a vital component of Lincoln, Nebraska's long-range transportation plans and will be an important solution to the highway traffic congestion in a wide swath of central Lincoln with the substantial truck traffic resulting from the newly completed State Highway 2 Expressway connection to Interstate I-29 in western Iowa.

The South Beltway is a vital component of the City's long-range transportation plans and will be an important solution to the traffic congestion that is beginning to affect this growing community. This Member has been personally interested in advancing this project, which will be beneficial to the entire region. Funding is needed to build upon past congressional support for the South Beltway.

ANTELOPE VALLEY (LINCOLN)—\$4,000,000

The Antelope Valley project is a comprehensive plan to protect and enhance highways and flood control in downtown Lincoln that has emerged from a partnership between the City of Lincoln, the State of Nebraska, the University of Nebraska-Lincoln (UN-L), the Lower Platte South Natural Resources District and the Army Corps of Engineers. The project involves transportation, flood control, and community revitalization, many portions of which must be developed concurrently for maximum efficiency. For Phase I of the transportation component of the Antelope Valley Project, funding is needed for a new north-south roadway and a new east-west roadway within the redevelopment corridor. Between \$7-8 million

in Federal highway funding has already been devoted to this large-scale project.

FREMONT RAILROAD GRADE SEPARATION—\$1,807,300

Funding is needed to create a grade separation structure across a railroad corridor in the western part of the City of Fremont. This location is at the top of the Nebraska Department of Roads' list of grade separation needs across the state. The project will create significant safety and economic benefits.

LOUISVILLE BYPASS—\$1,626,400

This project, which has the support of the Louisville mayor and city council as well as the Cass County Commissioners, to implement a Nebraska Department of Roads study, would relieve severe truck/traffic problems on Nebraska Highway 66 in the community and thus provide significant safety and economic development benefits for the area. This state highway is becoming more frequently used as a short-cut between I-29 and I-80 and that trend will accelerate when the two new Missouri River bridges in Sarpy and Cass counties are put in place.

U.S. 34 IOWA/NEBRASKA MISSOURI RIVER BRIDGES—  
\$12,000,000

The distinguished gentleman from Nebraska (Mr. TERRY) and the distinguished gentleman from Iowa (Mr. KING), whose districts are also part of the site for the two-bridge, bi-state project across the Missouri River in Cass and Sarpy counties for access to I-29 support its construction as does this Member. The total funding represents the separate but complementary requests of the distinguished gentleman from Nebraska (Mr. TERRY), the distinguished gentleman from Iowa (Mr. KING), and this Member. This important project is urgently needed to replace two obsolete and deteriorating bridges crossing the Missouri River. The construction of these replacement bridges will result in increased safety and improved economic development in the area.

The agreement leading to this request for funding was the result of intensive discussions and thus it continues to represent the consensus of city, county and state officials as well as the affected Members of Congress. We believe it is the best approach for Nebraska, Iowa and the entire region.

PFLUG ROAD & I-80 INTERCHANGE—\$3,000,000

A future interchange at Pflug Road would provide a major catalyst for the development of southern Sarpy County. The existing Pflug Road bridge over I-80 will be removed as a part of the I-80 widening project between Omaha and Lincoln. In order to accommodate the interchange, the new Pflug Road bridge will be constructed approximately 1/4 mile to the south of the existing location. Currently, the nearest interchange south of Pflug Road is Nebraska Highway 66, which is about five miles southwest, while the closest interchange north of Pflug Road is Nebraska Highway 31, about two miles northeast. This Member is pleased to join the distinguished gentleman from Nebraska (Mr. TERRY) in supporting this project. The total funding represents the separate but complementary requests of the distinguished gentleman from Nebraska (Mr. TERRY) and this Member.

CORDOVA ROAD—\$1,500,000

This project would involve paving 5.5 miles of road north of Cordova to I-80. Paving this road would provide an important long-missing transportation link in Seward County, Nebraska, (and for areas south of the county)

which currently lacks the funds to complete the project. It would also provide economic development benefits in the area.

NEBRASKA STATEWIDE RURAL TRANSIT NEEDS  
ASSESSMENT—\$300,000

This project is needed to assess capital and operating financial needs of rural transportation in Nebraska.

This Member would also like to express strong support for designating the University of Nebraska—Lincoln as a participant in the University Transportation Center (UTC) program. The UTC provisions in H.R. 3550 currently provide for a competitive selection process among the universities. However, if this process is revised and universities are designated in the final version of the legislation, this Member strongly urges that the University of Nebraska—Lincoln be included.

UN-L is uniquely qualified to be included in the UTC program. UN-L has already developed a strong area of expertise in the area of transportation safety research; therefore, this Member believes that it would be an excellent addition to the UTC program.

In recent weeks it has come to this Member's attention that an important project—Antelope Valley in Lincoln—may require clarifying language to help ensure that work may continue in a timely manner. This Member urges the final version of the legislation to include the following provision or something similar:

(A) ANTELOPE VALLEY PROJECT.—The Secretary shall enter into an agreement with the Corps of Engineers to allow for the Federal flood control funds to be matched with Federal surface transportation funds as the non-Federal match. The Antelope Valley Project in Lincoln, NE, has successfully demonstrated the cost savings that can be derived from a coordinated effort between federal, state, and local agencies to study, plan, and construct a major infrastructure project that will mitigate flooding and transportation congestion while revitalizing the heart of downtown.

This Member strongly supports H.R. 3550 and urges his colleagues to vote for it.

Ms. DELAURO. Mr. Chairman, I rise in support of this legislation. Few responsibilities of the Federal government touch the lives of American families like funding for our Nation's highways. Whether you are a business owner moving product or a parent getting the kids to school before going to work in the morning, we all recognize the importance of well-designed and maintained roadways.

And with almost 9 million Americans out of work and 47,500 jobs created for every billion dollars put toward federal highway and transit spending, we recognize that investing in our highways is an investment in our Nation's future, in our families and in our quality of life.

While all of our States have transportation needs, by no means are they equal. At the same time I-95 truck traffic is expected to double in 10 to 15 years, the Northeast has one of the oldest highway and transit infrastructure systems, as well as some of the oldest and most heavily used bridges in the United States. Last week's fuel tanker crash on I-95 in Bridgeport only highlighted these shortcomings, pointing to Connecticut's dire need for a viable alternative to our congested highways.

I believe most members of the Transportation and Infrastructure Committee would agree we should provide at least as much funding nationally as the other body has.

I remain concerned about ongoing attempts to raise the minimum guarantee rate in this bill to 95 percent. Raising the minimum guarantee not only destroys the concept of needs-based aid, it does so at a time when assistance is most urgently needed.

Mr. Chairman, as this legislation moves to conference, it is critical that we remain committed to providing funding to the States that require improvements the most. That is how this body can serve the Nation best, and that is what this bill should aspire to.

Mr. RAHALL. Mr. Chairman, I rise today to quote the words of President Dwight Eisenhower, the father of our Highway Trust Fund, who rightly said "A network of modern roads is as necessary to defense as it is to our national economy and personal safety." President Eisenhower's words ring as true now as they did then.

Traditionally, the Transportation bill has been free from partisan differences. We have an old saying on the Transportation Committee, "There are no Republican bridges, no Democratic bridges, just America's bridges."

Unfortunately, Mr. Chairman, this year, the bill has fallen victim to political differences—within the divided Republican Party. Even though we've had enough support to pass the bill since last year, the divided Republican Party has held up passage of this bill for months. The President opposes Congressional Republicans from both the House and the Senate. House Republicans are divided against each other. The President has even gone against his own Department of Transportation.

House Republicans go along with the President on tax cuts, a Medicare bill with an uncertain price tag, and funding infrastructure in Iraq. And, then he publicly belittles their transportation spending efforts by calling the highway bill an "entitlement."

The division within the Republican Party also extends to their traditional allies in the business community. The President opposes the bill because he claims it spends too much. The U.S. Chamber of Commerce says it might oppose the bill because it doesn't spend enough.

I hope that when we get to conference with the Senate, we increase the level of funding—as the majority of Members from both parties want. When we get to conference we also need to maintain several key protections that are in this bill.

To ensure that adequate funding is available across our National network, this bill guarantees each State a minimum rate of return equaling 90.5 percent of each dollar invested in the Highway Trust Fund. Each State is also guaranteed a minimum apportionment in funds.

But now, some States want to turn back the clock to some sort of Articles of Confederation, and keep the gas tax money for themselves. Doing so would rip apart the very fabric that binds our Nation together: our surface transportation system.

Many of those same States also want to alter the proposed scope of the minimum guarantee program, which will penalize States whose needs are regional, or even national, in scope. An error in the Fiscal Year 2004 Appropriations is already costing my State \$20 million in badly needed highway funds. Altering the proposed scope of the Minimum Guarantee program, now, would only worsen this situation.

I supported H.R. 3550 months ago, with its equitable minimum guarantee program. I don't support making dramatic changes in the bill, now, after supporting the underlying bill for months.

It is important to bear in mind what President Eisenhower understood: that our transportation system is an integrated, coordinated, national network. It seamlessly crosses State borders regardless of the differences within those States, as the business community clearly understands. To be truly national, it must address measurable needs nationwide—taking into account the greater difficulty some States have at roadbuilding, or the greater needs some States have for transit.

Mr. Chairman, I come from West Virginia—one of the most difficult States for constructing highways. Transportation in—and through—my State is critical not just to West Virginians, but also to trucks, tourists, and commuters from other States.

And, if you cut equitable funding for highways this time, what will prevent cuts next time to the mass transit funding that States such as Illinois, New Jersey and California depend upon?

Just like other national programs where West Virginians' tax dollars go to help other States—such as the location of defense bases, or the Farm program—some contribute more than they get back.

That is appropriate. You can't drive across Mickey Mouse roads when you're traveling crosscountry to see Mickey, himself.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in support of H.R. 3550, the Transportation Act—A Legacy for Users (TEA-LU). I am pleased that my good friends Chairman DON YOUNG and Ranking Member JIM OBERSTAR of the House Transportation Committee have agreed to increase transportation funding for the Territories.

Congresswoman MADELEINE BORDALLO, Congresswoman DONNA CHRISTENSEN and I have worked on this issue for the past year and Congressman NICK RAHALL, ranking member of the House Resources Committee, has supported our efforts.

As a result of our work, the Territorial Highway Program (which includes American Samoa, Guam, the U.S. Virgin Islands and CNMI) will be increased from \$33 million to \$40 million for FY04, FY05 and FY06. For FY07, FY08 and FY09, funding will increase to \$50 million. Despite the Transportation Act (now known as TEA-LU) being \$100 billion less than what was originally proposed, the Territorial set aside will increase by 23.6 percent.

Moreover, I have worked closely with Chairman YOUNG and Ranking Member OBERSTAR to include \$14 million for high priority projects in American Samoa. This funding is in addition to American Samoa's annual Federal highway funds and will be used for village road improvements, drainage mitigation, shoreline protection and upgrades and repairs of the Ta'u ferry terminal facility.

In consultation with the Honorable Togiola Tulafono, Governor of American Samoa, I have asked the Committee to set aside \$9.4 million for village road improvements in the Eastern, Western, Central and Manu'a districts of American Samoa.

In further consultation with Senator Tuaoilo Fruean and High Paramount Chief Mauga and members of the Pago Pago council of chiefs,

we have also set aside \$1 million for drainage mitigation for Pago Pago village roads.

In consultation with Senator Tago Suilefaiga, Representative Fagasoia Lealaitafea and Representative Mary Taufete'e and members of the Nuuli council of chiefs, we have set aside \$1 million for shoreline protection and drainage mitigation for Nuuli village roads.

In consultation with Senator Faamausili Pola and members of the Ta'u village council of chiefs, we have set aside \$1.6 million to upgrade and repair the Ta'u harbor facility.

Finally, in consultation with Senator Faivae Galea'i, Senator Lualemaga Foa and members of the Leone and Malaeloa councils of chiefs, we have set aside \$1 million for drainage mitigation for Malaeloa-Leone village roads.

Again, I thank my colleagues, both Democrat and Republican, and I also thank the local leaders of American Samoa, including Governor Togiola, for working closely with me to make sure that American Samoa's needs are addressed in this historic and important initiative.

I urge passage of this bill and I again commend Chairman YOUNG and Ranking Member OBERSTAR for their leadership and support.

Mr. YOUNG of Alaska. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. LAHOOD). Pursuant to the order of the House of Tuesday, March 30, 2004, all time for initial general debate has expired, and under that order, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PETRI) having assumed the chair, Mr. LAHOOD, Chairman pro tempore 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. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, had come to no resolution thereon.

#### PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3550, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 593 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 593

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved in the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. No further general debate (except for the final period contemplated in the order of the House of March 30, 2004) shall be in order. The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendments printed in