

It simply comes down to this: heavier trucks are more dangerous. They are more costly to the Nation's highways. As truck weights increase, fatal accident rates go up, according to the University of Michigan's transportation research study.

Heavier tractor-trailers raise the center of gravity of the vehicle and its load, increasing rollovers. Heavier vehicles mean increasing speed differentials with other traffic. Increasing truck weights result in greater brake maintenance problems. Brakes are out of adjustment, trucks take longer to stop. It is just that simple.

I have studied this issue for many years. Heavier trucks are worse on the roadway, worse still on bridges, and are involved in a highly disproportionate greater number of accidents.

Vote "no" on the amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BRADLEY).

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

Mr. BRADLEY of New Hampshire. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. BRADLEY) will be postponed.

It is now in order to consider amendment No. 21 printed in House Report 108-456.

AMENDMENT NO. 21 OFFERED BY MR. KIRK

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. KIRK:

Insert the following at the appropriate place:

SEC. ____ . STATE AUTHORITY.

Section 20153 of title 49, United States Code, is amended by adding at the end the following new subsection:

"(k) STATE AUTHORITY.—

"(1) IN GENERAL.—Upon application of the Governor of a State, a State may assume responsibility for determining the circumstances under which to require the sounding of a locomotive horn when a train approaches and enters upon public highway-rail grade crossings, and for enforcing such requirements.

"(2) REVIEW.—The Secretary shall review any program established by a State pursuant to paragraph (1) every 5 years, and if the Secretary determines that the State program inadequately protects rail, vehicular, and pedestrian safety the Secretary shall, after providing the State with 24 months notice of such determination, implement regulations issued by the Secretary under this section in lieu of such State program."

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from Illinois (Mr. KIRK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. KIRK).

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

Mr. Chairman, in 1994, Congress passed an unfunded mandate on most local communities in America that maintain quiet zones in their communities. When the regulations were first drafted, they would require trains entering the City of Chicago to blow their train horns on entering the city until arriving into the station. This upset the people of Chicago. It upset the Mayor of Chicago.

One university study showed that the original train whistle regulation would trigger so much noise pollution in our communities that it caused property losses to rise to \$1 billion in Chicago lands alone. A redraft of this regulation offered some help, but at first glance the cost of implementing this regulation for Chicago communities rose from \$4 million to at least twice that.

My amendment would not change Federal safety standards, but it would allow a State to implement this regulation.

□ 1800

Half of all quiet zones are in Illinois. This is an important issue to my constituents, to the Speaker's and to Ranking Minority Member LIPINSKI's.

Mr. Chairman, I had intended to offer this amendment today that would give governors the option of enforcing train quiet zone standards at this level. However, I will ask unanimous consent to withdraw my amendment but would ask the chairman of our subcommittee to engage me in a colloquy on this.

Mr. PETRI. If the gentleman will yield, I would be very happy to do so.

Mr. KIRK. Mr. Chairman, many of our communities have quiet zones to protect their environment from needless noise pollution by trains. The Federal Government is poised to put forward a regulation that eliminates our local community quiet zones unless new, expensive, and very complicated rules are met. Mr. Chairman, I hope we can work together to address this issue in conference so that local communities are not overburdened with unfunded Federal mandates and cumbersome Federal regulations.

Mr. PETRI. That is something that we are eager to work with the gentleman on. This is important not only in Illinois, it is important in Wisconsin, in Minnesota, and in a number of other States.

Mr. KIRK. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. LIPINSKI. I thank the gentleman for yielding. I want to say I compliment my colleague from Illinois for putting this amendment forward. It certainly is an issue that has been uppermost in my mind and in Speaker HASTERT's mind for a long period of time.

In speaking to him about this particular amendment, we came to the

conclusion that it would be more prudent and wiser to work this out as we move into the conference. I am sure, based upon many conversations I have had, that we will be able to work this out satisfactorily. I simply want to give him my support.

I thank the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. KIRK) for the colloquy that they just had.

Mr. KIRK. Mr. Chairman, I renew my unanimous-consent request to withdraw the amendment.

The CHAIRMAN pro tempore (Mr. SIMPSON). Without objection, the amendment is withdrawn.

There was no objection.

Mr. PETRI. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PETRI) having assumed the chair, Mr. SIMPSON, 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.

COMMUNICATION FROM LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from John R. Miller, Law Revision Counsel, House of Representatives:

OFFICE OF THE LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES,

Washington, DC, March 29, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Last October, I completed 28 years of service with the Office of the Law Revision Counsel of the U.S. House of Representatives. During that time, I have had the pleasure of serving as Assistant Counsel, Deputy Counsel, and for the past seven years Law Revision Counsel. After almost 33 years of service to the Federal Government, it has been very difficult to make this decision and select a particular date, but with your approval, I will retire as Law Revision Counsel, effective May 3, 2004.

Over the past seven years, the Office has become self-reliant and greatly improved the procedures for preparing and publishing the United States Code. Self-reliance had been the goal of the Office since it was established in 1975. The Office continues to produce the most accurate version of the Code but no longer requires any outside assistance for its production of the Code. This is the result of developing an outstanding staff as well as new procedures for preparing and publishing the Code. The new procedures and computer programs that have been developed and implemented in the past few years will enable the Office to improve its efficiency while maintaining the accuracy of the Code, and eventually will increase the timeliness in which the Code becomes available. While many challenges remain for the Office in our rapidly changing environment, I am confident that the knowledge, experience, and

professionalism of the staff will enable the Office to continue its successes and progress.

Over this period, the Office also has prepared and submitted to the Committee on the Judiciary bills to enact two titles of the Code into positive law. In addition, a bill to enact a third title should be transmitted to the Committee shortly. Also, nearing completion is a bill to complete the enactment of Title 46, Shipping.

None of this could have been accomplished without the support and expertise of the dedicated staff of the Office. I am deeply grateful for their assistance and wish them every success. Finally, I gratefully acknowledge the assistance and support that I, and the Office, have received from the many House Officers and Offices, especially the Speaker, the Chairman of the Committee on the Judiciary, the Parliamentarian, and the fine staffs of those Offices and the Committee.

Respectfully yours,

JOHN R. MILLER,
Law Revision Counsel.

APPOINTMENT OF LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to 2 U.S.C. 285c, and the order of the House of December 8, 2003, the Chair announces the Speaker's appointment of Mr. Peter LeFevre as Law Revision Counsel for the House of Representatives, effective May 4, 2004.

COMMUNICATION FROM STAFF MEMBER OF HON. TOM LATHAM, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from James D. Carstensen, Communications Director for the Honorable TOM LATHAM, Member of Congress:

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a criminal trial subpoena for testimony issued by the District of Columai Superior Court.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JAMES D. CARSTENSEN,
Communications Director.

QUESTIONS TO ADMINISTRATION IN WAKE OF LATEST IRAQI ATROCITIES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I do not believe any of us who believe in a civilized world and the respect for human life, respect for the rule of law and just an outright commitment, appreciation and connection to our fellow Americans could imagine the heinousness of the act yesterday in

Iraq that took the lives of five of our soldiers and four civilians. We now have lost more young men and women in the United States military in post-war Iraq than we did during the declaration or the call for war by this administration.

My sympathy goes out to those families who mourn, those who mourn for their loved ones that died before yesterday and, of course, the heinous act of yesterday.

It is time now for the Bush administration to tell the American people the truth. How long and what efforts will they take to stop this reckless violence against both our troops and as well civilians, to begin to put together a collaborative effort, Mr. Speaker, so that this kind of violence is stopped and that our work is unanimous with our allies and that we can truly provide for democracy in Iraq.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 3108, PENSION FUNDING EQUITY ACT OF 2004

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider a conference report to accompany the bill (H.R. 3108) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements, and for other purposes, that the conference report be considered as read, and that all points of order against the conference report and against its consideration be waived.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

OHIO COMPANIES CLOSE DOORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, Secretary John Snow, the President's second top economic adviser, was in Ohio this week trying to defend the administration's economic and budget policies. Secretary Snow said outsourcing is a good thing. Outsourcing creates more efficiencies in the economy.

I wish that Secretary Snow, when trying to justify the President's economic policies, had been with me in

Akron, Ohio, a couple of weeks ago. I spoke to a group of business owners, small manufacturers, the Akron machine shop, group of machine shop owners and operators. They are concerned that Ohio has lost one out of six manufacturing jobs, probably permanently. They are concerned that Ohio has lost 236,000 jobs overall. That is about 1,500 jobs a week since President Bush took office. That is about 205 jobs every day since President Bush took the oath of office on January 20, 2001.

When I was talking to these machine shop operators, one gentleman presented me with a pile of brochures about twice this size. Actually, I do not have all of them with me. These are going-out-of-business sale notices, auction notices from companies all over the country, small manufacturing companies. He receives a stack of about that many every month, he said, at his place of business, companies going out of business, selling their equipment.

Let me just share some of these. A company in Cleveland, Ohio, selling all its assets; a company in Cuyahoga Falls, Ohio, absolute auction; company in Waterville, Ohio, near Toledo, live one site, selling everything; company in Springfield, Ohio, going out of business; company in Mansfield, Ohio, where I grew up, that is going out of business, selling its real estate and all its production capacity; a company in Sydney, Ohio, major equipment manufacturer, public auction; company in Dayton, Ohio, facility closing; company in Cleveland, Ohio, assets no longer required in the continuing operations of this tube mill facility; a company in Akron, Ohio, in my district going out of business; another company in Cincinnati, Ohio, I believe, public auction, going out, precision machining facility; a company in Toledo, Ohio, going out of business, don't miss this sale, everything sold; a company in Youngstown, Ohio, going out of business; a company in Painesville, Ohio, going out of business; a company in Medina, Ohio, facility closed, all must go; Marion, Ohio, complete shop close-out auction; Tipp City, Ohio, machine tool auction, selling everything; Cleveland, Ohio.

That is just the Ohio companies here that are going out of business.

I bring this up partly because the administration does not get it. They keep talking about the economy is coming back. We are not seeing jobs created, and we are not seeing jobs created because the administration's answer to this kind of bad news is more tax cuts for the most privileged people in our country with the hope that some of those tax cuts will trickle down and maybe provide some jobs and more trade agreements that hemorrhage jobs, that ship jobs overseas.

This administration needs to do two or three things immediately. We need to extend unemployment benefits. Fifty thousand Ohioans in the next couple of months will have had their unemployment benefits expire. These