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No. 45

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. NETHERCUTT).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
April 2, 2004.

I hereby appoint the Honorable GEORGE R. NETHERCUTT, Jr. to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, our Redeemer and our Guide, take this country and make it truly Your own. May Your spirit animate our Nation's aspirations and bring about equal justice and a quality of the good life for all its citizens. May virtue abound in the character of the American people, and may our bonds of union be strengthened.

Bring the work of the House of Representatives to a just and blessed closure. As Members and staff begin to enjoy a spring break, we pray that You keep everyone safe and healthy.

May the religious holy days, which Jews and Christians celebrate in coming days, fortify people of faith and bring them joy, for You are the Lord our God, living and true, now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. BROWN) come forward and lead the House in the Pledge of Allegiance.

Mr. BROWN of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4062. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through June 4, 2004, and for other purposes.

The message also announced that the Senate has passed a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 28. Joint resolution recognizing the 60th anniversary of the Allied landing at Normandy during World War II.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will receive five 1-minute speeches from each side.

### IN MEMORY OF ANDREW J. COMBS

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

Mr. BROWN of South Carolina. Mr. Speaker, this week my friend, Andrew J. Combs, passed away. Andy was from my hometown, Hanahan, South Carolina, and our friendship spans many decades.

Mr. Speaker, many of my colleagues know his wife, Roberta Combs, President of the National Christian Coalition, whose work is widely known and appreciated by families across this Nation.

Andy was a great man, a World War II and Korean War veteran, a successful businessman and a Republican leader, and someone who devoted countless hours trying to make this world a better place. He triumphed in all of these areas while overcoming the ravages of polio contracted as an adult.

It is difficult to measure the impact that he has had on the many lives he touched. His commitment to serving others and to serving his community leaves a wonderful legacy.

Andy, my friend, you will be sorely missed, but we know that heaven has welcomed you with open arms.

Mr. Speaker, please join me in a moment of silence honoring this great American.

### MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT MEANS QUALITY HEALTH CARE AT LOWER PRICES

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, the Medicare Prescription Drug and Modernization Act not only modernizes the benefits seniors receive under Medicare by adding prescription drugs, but, for the first time provides seniors, with chronic illnesses, access to state-of-the-art, cutting-edge, preventive health care.

With seniors living longer, with one-third of our seniors living with five or more chronic illnesses and using 80 percent of Medicare's dollars, access to chronic disease management programs is necessary, fair, and right.

By offering such preventive care, made possible by modern technology,

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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our seniors can stay healthier, out of the hospital and emergency rooms and, while living better through modern medicine, reduce Medicare spending. Add this preventive care program to the fact that under this bill, one-half of all senior women will receive their prescription drugs with no premium, no deductible, and no gap in coverage, and \$1 to \$5 in copayments for generics or brand-name drugs, and our seniors will be able to see that the Medicare Modernization Act we passed offers them much higher quality health care at lower personal cost.

#### MAKING IN ORDER CONSIDERATION OF PETRI AMENDMENT DURING FURTHER CONSIDERATION OF H.R. 3550, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. PETRI. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3550, pursuant to House Resolution 593, it shall be in order to consider, prior to any other amendment, the amendment that I have placed at the desk as though printed as an amendment printed in part B of House Report 108-456, to be debatable for not to exceed 10 minutes, equally divided and controlled between myself and the gentleman from Minnesota (Mr. OBERSTAR).

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

AMENDMENT TO H.R. 3550, OFFERED BY MR. PETRI

Page 548, lines 6 and 7, strike "Jefferson Davis Transitway (Columbia Pike to Pentagon)" and insert "Crystal City Potomac Yards Transit".

Page 548, after line 7, insert the following (and redesignate subsequent paragraphs accordingly):

(99) Northern Virginia—Columbia Pike Rapid Transit Project.

In the table contained in section 3038 of the bill, in item number 25—

(1) strike "\$240,000.00" and insert "\$912,000.00";

(2) strike "\$247,500.00" and insert "\$940,500.00"; and

(3) strike "\$262,500.00" and insert "\$997,500.00".

In the table contained in section 3038 of the bill, in item number 26—

(1) strike "\$240,000.00" and insert "\$912,000.00";

(2) strike "\$247,500.00" and insert "\$940,500.00"; and

(3) strike "\$262,500.00" and insert "\$997,500.00".

Mr. PETRI (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

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

The SPEAKER pro tempore (Mr. BROWN of South Carolina). Pursuant to House Resolution 593 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3550.

□ 0913

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with Mr. NETHERCUTT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, April 1, 2004, a request for a recorded vote on amendment No. 20 printed in part B of House Report 108-456 by the gentleman from New Hampshire (Mr. BRADLEY) had been postponed.

Pursuant to the order of the House of today, it is now in order to consider the amendment at the desk offered by the gentleman from Wisconsin (Mr. PETRI).

AMENDMENT OFFERED BY MR. PETRI

Mr. PETRI. 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 offered by Mr. PETRI:

Page 548, lines 6 and 7, strike "Jefferson Davis Transitway (Columbia Pike to Pentagon)" and insert "Crystal City Potomac Yards Transit".

Page 548, after line 7, insert the following (and redesignate subsequent paragraphs accordingly):

(99) Northern Virginia—Columbia Pike Rapid Transit Project.

In the table contained in section 3038 of the bill, in item number 25—

(1) strike "\$240,000.00" and insert "\$912,000.00";

(2) strike "\$247,500.00" and insert "\$940,500.00"; and

(3) strike "\$262,500.00" and insert "\$997,500.00".

In the table contained in section 3038 of the bill, in item number 26—

(1) strike "\$240,000.00" and insert "\$912,000.00";

(2) strike "\$247,500.00" and insert "\$940,500.00"; and

(3) strike "\$262,500.00" and insert "\$997,500.00".

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. LIPINSKI) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. PETRI).

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

Mr. Chairman, I do not believe there is any objection to this technical

amendment. It has been reviewed by people on both sides.

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

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

This side has looked over the amendment. We have no problem with it whatsoever. We are happy to accept it.

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

Mr. PETRI. Mr. Chairman, I thank the gentleman from Illinois, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Wisconsin (Mr. PETRI).

The amendment was agreed to.

□ 0915

The CHAIRMAN pro tempore (Mr. NETHERCUTT). It is now in order to consider amendment No. 22 printed in House Report 108-456.

AMENDMENT NO. 22 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. 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. 22 offered by Mr. KENNEDY of Minnesota:

Title I, amend section 1209 to read as follows (and conform the table of contents accordingly):

#### SEC. 1209. REPEAL.

Section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938) is repealed.

Title I, strike sections 1603 and 1604 and insert the following (and conform the table of contents of the bill accordingly):

#### SEC. 1603. FAST FEES.

(a) IN GENERAL.—Subchapter I of chapter 1 of title 23, United States Code, as amended by section 1208 of the bill, is amended by adding at the end the following:

#### "§ 168. FAST fees

"(a) ESTABLISHMENT.—The Secretary shall establish and implement an Interstate System FAST Lanes program under which the Secretary, notwithstanding sections 129 and 301, shall permit a State, or a public or private entity designated by a State, to collect fees to finance the expansion of a highway, for the purpose of reducing traffic congestion, by constructing 1 or more additional lanes (including bridge, support, and other structures necessary for that construction) on the Interstate System.

"(b) ELIGIBILITY.—To be eligible to participate in the program, a State shall submit to the Secretary for approval an application that contains—

"(1) an identification of the additional lanes (including any necessary bridge, support, and other structures) to be constructed on the Interstate System under the program;

"(2) in the case of 1 or more additional lanes that affect a metropolitan area, an assurance that the metropolitan planning organization established under section 134 for the area has been consulted during the planning process concerning the placement and amount of fees on the additional lanes; and

"(3) a facility management plan that includes—

"(A) a plan for implementing the imposition of fees on the additional lanes;