

to reject them. And so, Mr. Truman, it was not some big-hearted thing, he started the school lunch program so that we would have healthy kids. And yet we are still questioning whether these youngsters, we are putting the pressure on the States to make cuts in welfare in every single jurisdiction.

The chorus of hollering is going to start when these bills start passing and State governments have to deal with what we have put out there as an insurmountable problem for them, a mandate from us that they have to find the money for.

Finally, education of kids. That is a value. You want kids to have an education. You want parents to have an education. Kids follow the model of their own parents. If we do not help these people on welfare get an education, if we make it an insurmountable task, the kids do not see their own mother or own father get an education.

My belief is we can do better than this, and I hope when we pass a permanent bill we will.

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

Mr. Speaker, in 2002 and 2003 this House passed long-term reauthorization legislation to encourage more work among welfare recipients and to provide more resources for States to assist low-income families. And I have heard several on the other side, my good friend from Washington, talk about values, talk about Democrat values, Republican values. He spoke about the amount of funding.

Let me just mention that under the Democrat values of the programs that we had twice as many who were on welfare than were on welfare today because caseloads were cut in half during our current legislation while Temporary Assistance to Needy Families, TANF, funds were fixed and child care funds grew, Federal funds per TANF families more than doubled. As a matter of fact, in 1996 the average family under the old Democrat plan had \$6,934 average approximate per family. In 2004 these same families had \$16,185 because the program was block granted, and it was an equal amount of funding coming in and it was not reduced.

This, Mr. Speaker, would be the 10th extension of these programs since 2002. However, I believe this process of continued extensions of welfare programs is finally nearing an end. I expect that the House will soon act on and pass comprehensive welfare reform legislation as part of the budget reconciliation process. But until that happens, it is important that we continue these programs and we do need to pass this bill today. Therefore, I urge all of my colleagues to support this legislation.

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

The SPEAKER pro tempore (Mr. LATHAM). The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the bill, H.R. 3021, as amended.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. HERGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3021.

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

There was no objection.

#### GENERAL LEAVE

Mr. KNOLLENBERG. 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. 3058 and that I may include tabular material on the same.

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

There was no objection.

#### MAKING IN ORDER AMENDED VERSION OF H.R. 3058, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 3058, pursuant to House Resolution 342, the amendment that I have placed at the desk be considered as adopted in the House and in the Committee of the Whole and considered as the original text for purpose of further amendment.

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

The Clerk read as follows:

Amendment to H.R. 3058 offered by Mr. KNOLLENBERG:

Strike the dollar amount on page 176, line 26, and insert in lieu thereof "\$283,975,000".

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

There was no objection.

#### TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 342 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. 3058.

□ 1129

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. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. MCHUGH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

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

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

Mr. Speaker, I am pleased to present to the House the Fiscal Year 2006 Transportation, Treasury, HUD appropriations bill which was passed out of committee via voice vote last week.

Before getting into the specifics of the bill, I want to commend the gentleman from California (Chairman LEWIS) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for their tireless work to finish these bills by the end of this week.

Here we are on June 29 marking up the final of the 11 spending bills. I am sure that the gentleman from California (Chairman LEWIS) has been saving best for last.

Mr. Chairman, I must acknowledge the role that my ranking member, the gentleman from Massachusetts (Mr. OLVER), played in assembling this bill. I consider him a partner in creating the product before you because his input has been invaluable. We have found common ground more often than not, and what few differences remain are the result of honest disagreement.

□ 1130

He and I have had several conversations about almost every facet of this bill. The staff has met repeatedly, and information has been shared in a timely manner. I believe the bill is stronger because of the input the gentleman from Massachusetts (Mr. OLVER) has provided.

I also want to mention, of course, the staff which has contributed heavily and in mighty ways, extraordinary ways, to the completion of this bill. My clerk, Dena Baron, Cheryl Tucker, David Gibbons, David Napoliello, Steve Crane, Tammy Hughes, Kristen Jones; and on the minority side, Mike Malone, the clerk, and Michelle Burkett. They have done tremendous work.

As my colleagues know, this is the committee's first year with its current jurisdiction, and I believe the product before us is worthy of this body's

strong support. It is a fiscally responsible bill, funding high-priority programs and eliminating Federal funds for other programs that are duplicative or ineffective.

The bill before us is at our 302(b) allocation of \$66.9 billion in BA and provides total budgetary resources, including transportation obligation limitations and mandatory spending, of \$134.9 billion, an increase of \$7.2 billion over last year and \$8.8 billion over the request.

Let me be very clear here. These increases do not represent frivolous spending by the committee. The increases over the budget request and last year are due to House rules mandating certain funding levels for highways, transit and aviation programs, House rules that we voted for.

We also retained CDBG in the bill and were able to fund it at a level near last year's limit. As most of my colleagues know, the President proposed eliminating that program, but the response was overwhelming to keep it right here in HUD.

In transportation, we have met all of our guarantees for surface transportation and safety, and aviation infrastructure as included in TEA-LU and Vision-100. For FAA operations, we have provided funds for 595 new controllers, plus an additional \$8 million over the request for safety inspectors.

I realize there will be a lot of attention paid to Amtrak today. The bill provides \$550 million, \$190 million more than was included in the budget request, and \$657 billion below last year's enacted level. To that end, this bill prohibits Federal funds for any Amtrak route that requires a subsidy of \$30 or more per passenger, most of which, of course, are long-distance routes. The 24 routes that require a Federal subsidy of less than \$30 per passenger will continue to receive Federal aid, and those 24 routes account for more than 80 percent of Amtrak's annual ridership. Let me just repeat that: The 24 routes that will continue to receive the Federal subsidy make up more than 80 percent of the ridership.

Specifically, the bill permits Amtrak to use Federal funds to support operations for the following: All routes in the northeast corridor, including spurs that run from New York City to Albany, from New Haven, Connecticut, to Vermont, and from Portland, Maine, to Boston; routes running through Pennsylvania; most corridor routes in the Midwest; trains running from Portland, Oregon, to Vancouver; and corridor routes in California.

I want to also be clear that it does not prohibit Amtrak from using non-Federal resources to support other routes, nor does it mandate that any routes be shut down or truncated. We need to make it clear that Congress will no longer sanction the use of taxpayer dollars on such extremely unprofitable routes.

From the very first time I picked up the subcommittees gavel, I knew that

Amtrak would be a major issue of contention. I came in with an open mind and had no preconceived notions of an outcome. I instructed staff to follow the facts wherever they may lead, and Mr. Chairman, they have led us right here. The Amtrak proposal before the House is an honest one and worthy of our support.

In the Department of the Treasury, we fully funded the budget request for the Office of Foreign Assets Control and the Financial Crimes Enforcement Network. The Community Development Financial Institutions program fund is funded at last year's level of \$55 million.

The IRS is funded at a total of \$10.5 billion, an increase of \$313 million from last year and a decrease of \$130 million from the request. This funding level allows IRS to maintain the critical balance between taxpayer services and enforcement activities. While the IRS requested more funds for enforcement, the request relied on a Budget Enforcement Act provision that our Committee on the Budget did not adopt in the budget resolution.

Also included in Title II is an administrative provision that prohibits the IRS from closing taxpayer assistance centers until IRS submits a report outlining the impacts of the closures on taxpayer compliance and consults with stakeholders.

The committee had two priorities to meet for HUD in 2006. First and foremost was the protection of all extremely low-income families currently receiving Section 8 and public housing rental assistance, and to continue to restore facilities and rental assistance for low-income individuals that are severely disabled or have HIV/AIDS, all of which the administration proposed for major reductions. Failure to fully meet this commitment would have resulted in thousands of families losing their assistance and becoming homeless. To achieve this, the committee added more than \$2 billion over last year's funding level and more than \$700 million over the administration's proposals for these programs.

Our second priority is to retain and restore to the maximum extent possible the formula funding for cities and towns across America through the Community Development Block Grant. As my colleagues know, the administration proposed to terminate this program, which was funded at \$4.7 billion last year, but we were able to restore formula funding for CDBG to within 6 percent of the amounts provided in 2005.

To fund these high priorities, however, the committee had to do a broad sweep of duplicative and lower-priority programs throughout the Department, including boutique programs that have typically been funded by reducing the amounts in the formula CDBG program. It is never easy to stop funding a program once it gets started receiving Federal funds, but we have to make these decisions in order to meet our main funding objectives.

For the Judiciary, the bill provides sufficient funding to maintain current services of the Federal Judiciary, including rent and personnel increases. In addition, we fully fund the Judiciary's revised request for court security.

For the District of Columbia, we provided the budget request for Federal payments to the District, which includes tuition assistance, court costs and school improvement. As for the District's local budget, the bill appropriates the budget and financial plan by reference, and carries many of the same general provisions of the past.

We funded HIDTA, the High Intensity Drug Trafficking Areas Program at \$227 million. That is the same as last year, and it was \$77 million over the request. Other Executive Office of the President programs are funded at the requested levels.

As for the General Provisions, we recommend no substantive changes to the provisions carried in prior years.

All in all, after much hard work and discussion, I believe that we have a balanced bill before us. No, we did not fund every program, but we did fund the higher priorities under our jurisdiction that will deliver the best results to the most people, and that is our responsibility.

I would like to take a moment and talk about a few of the amendments which may be before us today. This is a large bill with a rather vast and disparate list of agencies under its title. When it comes to dividing up the 302(b) allocation, we really have to do a balancing act. Each agency has a responsibility to the citizens of this Nation and each has a role to play.

GSA has the responsibility for being the Federal landlord, for every citizen receiving Social Security or needing a passport or a visa, for every veteran needing his claim adjudicated, for every neighborhood waiting on an economic development grant, every citizen seeking justice in a Federal courtroom, or relying on the Department of Homeland Security to keep our borders safe. GSA provides those buildings to do its work, and the public, of course, to find the government. To view the Federal Buildings Fund as a bottomless offset for "program" spending is dishonest to the programs we propose to fund.

I do have an amendment to offer with the gentleman from Massachusetts, my friend, the ranking member of the subcommittee, that takes money from an unidentified project in GSA and moves it to CDBG for Youthbuild and tax law enforcement.

Other than that one amendment, I think it is a good bill. I urge its adoption quickly so we can move to other urgent business.

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

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

Mr. Chairman, I, too, want to congratulate the gentleman from California (Chairman LEWIS) and the gentleman from Wisconsin (Ranking Member OBEY) for managing to get us here before the end of June to the final bill. And with any luck at all, we will actually finish this final bill before the end of June.

For the second year in a row, last year as the Subcommittee on Transportation, Treasury and Independent Agencies, and this year now as the Subcommittee on Transportation, Treasury, House and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, this has been the last subcommittee to report. The reorganization does not seem to make much difference. We are still the last subcommittee to report to the floor, and I do not know what else can be said or inferred from that except that the best has been left for last.

First, I want to thank the gentleman from Michigan (Chairman KNOLLENBERG) for the positive and constructive relationship that we have forged thus far in this expanded and reorganized subcommittee.

Mr. Chairman, as the gentleman from Michigan (Chairman KNOLLENBERG) put the bill together, he listened to both majority and minority Members, the concerns that they might have, and worked to resolve a good many issues. That cooperative approach was not limited to subcommittees or even subcommittee members or even to full Committee on Appropriations members. He considered all Members concerned, and where he was able to help, he did that, even to the last 12 hours, as he has indicated in his remarks, the amendment that will be offered early on in the process, and I thank him for that.

I particularly want to commend the gentleman from Michigan (Chairman KNOLLENBERG) for his mark in regards to his thoughtful approach to our capital city's budget which is embodied in this bill.

I also want to take a moment to thank the excellent staff on both sides of the aisle for their hard work on this legislation. On the minority side, Mike Malone, Michelle Burkett, Matt Washington, Kathleen Harris on my staff, and Shalanda Young.

On the majority side, Dena Baron, the majority clerk, Cheryle Tucker, Steve Crane, Dave Gibbons, Tammy Hughes, David Napolielo and Kristen Jones.

This bill has become more complex than I think any of us realized it would, and I appreciate the efforts and the long hours of each and every one of those staff members.

Mr. Chairman, every dollar of budget authority allowed in the severely inadequate allocation where a subcommittee has been used, were I in charge of the distribution of that allocation, it would be different. However, there would be still the same volume of holes. So I stipulate that this inadequate allocation created problems.

On the one hand, I am very pleased to see significant increases for transportation funding because transportation investments are critical for a healthy, growing economy for our growing and shifting population. For example, the Federal Aviation Administration funding is 13.5 percent above the President's request at \$14.427 billion. The Federal Transit Administration is 9 percent above the President's request at \$8.482 billion. Federal Highway Administration's allotment here is 4.5 percent above the President's request at \$37.026 billion. Mr. Chairman, even the Federal Railroad Administration is 32 percent above the President's request at \$732 million. Mr. Chairman, as we can see, these are good levels for transportation funding.

On the other hand, I am very concerned about the impact that meeting the House TEA-LU levels was having on other agencies and accounts in the bill.

In Title I, the transportation title, Federal aviation, Federal highway, Federal transit are funded substantially above the fiscal year 2005 enacted level and way above the President's request for 2006.

□ 1145

That is driven by current authorization on FAA and the anticipated authorization, which we all fervently pray for within the next month or so of Federal highway and Federal transit through the TEA-LU bill.

The lone exception to adequate funding is Amtrak. The chairman uses an extremely blunt instrument on Amtrak, somewhat like the proverbial 2-by-4 between the mule's eyes. The bill terminates all Federal subsidy on 18 long-distance lines, which are the most heavily subsidized lines, thereby terminating the very concept of a national passenger rail system. Those 18 lines carry roughly 20 percent of Amtrak's passengers and provide the only passenger rail service in 23 States, represented by a lot of Members of the House and, incidentally, by 46 Members of the other body.

The shutting down of those lines would incur \$300 million in labor and contractual costs in fiscal year 2006 alone. That \$300 million, plus \$275 million in mandatory debt servicing, plus \$130 million of Federal subsidy to keep the remaining 24 inner-city lines operating is already \$150 million above the \$550 million provided in the bill, and that is before any allocation for capital improvements on the deteriorating northeast corridor trackage, wholly owned by Amtrak and carrying 50 percent of all Amtrak passengers.

Mr. Chairman, if this body funds Amtrak at \$550 million, it should be no surprise if there is no passenger rail service this time next year. And there will be one or more amendments offered to address that problem.

Mr. Chairman, there remain holes in title III, the HUD title. Section 8 and public housing accounts are relatively

well funded, but there are substantial reductions from 2005 enacted levels in the community development accounts, and that is largely because the committee wisely rejected the proposal by the President to move almost all of the community development accounts into a different department and a different piece of legislation. And in rejecting and bringing back that material, which has always been the material of the community development portion of housing and community development, the funding ended up not being high enough to be anywhere close to enacted levels from last year.

As examples, the CDBG formula grants, which go to virtually all of our communities around the country, are down below the 2005-enacted level by 6 percent, and the HOPE VI and Brownfields Development are defunded, defunded, just as examples. The YouthBuild program, which is operated successfully in so many districts, is not yet funded.

So, Mr. Chairman, our bill has some shortfalls. These shortfalls should not be allowed to remain in this bill as it becomes law.

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

Mr. KNOLLENBERG. Mr. Chairman, I yield 6 minutes to the gentleman from New York (Mr. SWEENEY), the vice chair of the subcommittee.

Mr. SWEENEY. Mr. Chairman, I thank the chairman for yielding me this time, and I rise in strong, strong support of this very important bill. It is important in so many ways because it meets so many of the needs of our Nation, and it represents every year one of the significant milestones of the session. It represents that more so this year than almost any other.

And in saying that, I want to recognize the full committee chairman, the gentleman from California (Mr. LEWIS), and the ranking member, the gentleman from Wisconsin (Mr. OBEY), and congratulate them on what I think is not a small point, and that is that we will, as of the passing of this bill, have completed the work of the Committee on Appropriations initially here in this body.

That is important to the American people because it ensures for them, in an organized and reasonable manner, some transparency in order for us to really understand what the priorities are going to be. And as we go forward and focus more in conference and have discussions and debates with the other body about what the funding priorities are to be, the fact that we have gotten our work out of the way at this juncture is very important.

Secondly, I want to specifically recognize the chairman of the full committee for fulfilling a commitment to the American people to do something about the deficit. This appropriation process recognizes that we needed to symbolically, and maybe otherwise, make real commitments to ourselves and to the people of this Nation to reduce our spending habits. And in this

process we have made that strong statement, or will have made that strong statement in the body.

Now, I also want to congratulate the chairman of the subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG), and my neighbor, the ranking member, the gentleman from Massachusetts (Mr. OLVER), for their work on this bill and the staffs of the committee for the great work they have done on this bill. This particular bill represented a unique challenge because for the first time the bill includes funding for highway transit, aviation and Amtrak, as well as the Department of the Treasury, IRS enforcement, and Housing and Urban Development. In addition, the bill also provides funding for the District of Columbia.

The needs of all of these competing programs are staggering, and the chairman and the ranking member really have done a noble job, as well as the staffs on both sides of the aisle having done a really noble job of trying to listen to the needs of all Members.

Let us talk about what this bill accomplishes. The bill increases highway spending and funding for the FAA to help make our roads and skies safer. I am especially pleased at the commitment in this bill for airport improvement, \$3.6 billion and \$104 million for essential air services. I come from the 32nd largest rural district in the Nation. This is a key, key component. The bill also includes funding to hire and train 595 new air traffic controllers. I hope to avert some potential problems that we may have in that human resources area.

In terms of housing needs, the bill provides funding for section 8 vouchers and project-based rental assistance. Importantly, this bill rejects an administration proposal to undermine the Community Development Block Grant, CDBG, program. CDBG is critical to our local communities, and this bill preserves the program in its current state.

I also want to highlight the contributions this bill makes in the war against drugs by providing funding to the Office of National Drug Control Policy and the National Antidrug Media Campaign. The work achieved by the Media Campaign, in conjunction with the Partnership for a Drug-Free America, is incredible and greatly contributes to our efforts to keep kids from experimenting with drugs.

Mr. Chairman, I thank the gentleman from Michigan for allowing me to speak. This bill is not perfect. No bill ever is. No appropriation bill ever is. It moves the process along. In putting this bill together, I know the chairman faced a \$3 billion shortage in transportation guarantees and overall a \$1 billion shortage with the inclusion of all these additional programs. The gentleman has met that challenge in fulfilling some basic structural needs to move it along, and he has met many other needs; and I wanted to congratulate the chairman.

On Amtrak, let me say this. I recognize there are negotiations and decisions to be made. We need to move it further. We need to begin the process of reforming Amtrak. We need to get realistic, or more realistic, about what that Federal subsidy needs to be. But in this bill the fact that the chairman has targeted 80 percent of ridership is a pretty good foundation piece, and I really respect the decisions the chairman had to make and how he made them.

For my constituents, and those of us on the lines that are most dependent upon Amtrak use, this bill ensures, as these negotiations go forward, that the essential services we need will be maintained. But that is not good enough, Mr. Chairman. We have to make sure that in going forward, we are able to bring about changes and reforms in Amtrak, changes that have been talked about for more than a decade.

And to Mr. Gunn at Amtrak, and those people who run Amtrak, as one who has worked with him in the past, I am deeply, deeply disappointed in their failure thus far, frankly, of bringing about meaningful proposals, other than asking for more money. It puts those of us who are Amtrak allies in a distinctly disadvantaged position. Because other than fighting over money, we do not ensure any strengthening of the system, or any increase in the vibrancy of the system.

I am going to vote for and support this bill. I probably will end up supporting some other amendments that will help move the Amtrak debates further along. But we cannot get to the point that we need to unless the people who are running the system get more interactive with us and propose more of the changes that we need in order to finally resolve the longstanding problems of that system.

Again, Mr. Chairman, our chairman has done a noble and terrific job. His staff has as well, as has the staff of the other side. And the leadership on the other side, I want to congratulate them for that and vow that we will continue to work together to make improvements where we can.

Mr. OLVER. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I want to thank the gentleman for yielding me this time, and let me simply say that I appreciate the fact that the gentleman from Michigan (Mr. KNOLLENBERG) has tried to do everything in his power to make this bill as acceptable as possible, given the circumstances. So I do not object to what he has done, but I do object to the circumstances.

I would simply say that the problem is that Chairman KNOLLENBERG has not been given the tools necessary to make this a desirable bill. It is sort of like giving a surgeon a spoon and telling him to go ahead and perform surgery. He needs more than that in order to get the job done.

This bill, I think, is an important failure in terms of our obligation to meet a number of national needs. As has been mentioned previously, we have a number of important HUD programs which are crunched and zeroed out. Brownfields, for instance. My community has had some wonderful successes in cleaning up polluted areas through the use of that program. That program, if this bill has its way, would be gone. We have other problems in the housing area which have already been discussed.

Amtrak. As my friends in this House know, I often quote my favorite philosopher, Archie the Cockroach. Archie said once: "Did you ever notice when a politician does get an idea, he gets it all wrong?" And I would say that this budget for Amtrak gets it all wrong.

Amtrak, frankly, does not impact my district to any significant degree, but the fact is it is an important national resource which should not be scuttled like it is an old World War I battleship. The fact is that it provides an important national service, and we ought to be able to preserve a national passenger rail system.

The idea that is wrong is the idea that somehow we ought to require passenger rail service in this country to show a profit. We do not require airlines to do that. The Federal Government pumps a lot of money into the budget in order to provide service to hard-to-serve areas in the country as far as air travel is concerned, and we need to treat rail transportation the same way.

We would not have a Federal highway system if we only built the routes that "paid for themselves." Most of rural America would be flat out of luck, especially the West, when it comes to highways, if we applied the same logic to highway construction that the House is trying to apply to railway transportation in this bill.

□ 1200

Another shortcoming, in my view, is the fact that it provides a \$250 million reduction to the Community Development Block Grant. I do not represent a city over 40,000 in my entire district, but those small-town mayors that I represent make terrific use of the money in this program in order to revitalize neighborhoods in ways that they otherwise would never be able to do.

I would also say, and this is no particular fault of the gentleman from Michigan (Mr. KNOLLENBERG) either, but this bill represents the last chance that we have to do something about the fact that the administration for 2 years has kept the truth from Congress about the needs of the veterans health care system in this country.

We have been trying for 2 years to get more money into the VA for veterans health care. We have steadily been told by the administration, No, no, no, the budget is fully adequate, we do not need any more money. Now we know it has all been baloney.

Yesterday, the administration finally broke down and admitted that they are more than a billion dollars short for this year, and for the coming year, they will be \$2.6 billion short. We have an obligation to do something about it. The Senate did something yesterday on the Interior bill. The Senate added \$1.4 billion as an emergency appropriation to deal with what is an emergency situation in the veterans health care agency.

This is the last appropriation bill that is going to go through here on a regular basis, and because we were not allowed to offer this amendment on the subcommittee bill where it should have been offered, we have no choice but to try to get it offered to this bill, unless this House wants to sit, as FDR used to say, "frozen in the ice of its own indifference." I would hope we would not do that and would respond to the challenge at hand.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies.

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

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

Mr. Chairman, I rise today in support of this bill. I commend the gentleman from Michigan (Mr. KNOLLENBERG) for presenting a fair bill. It provides for critical transportation and housing needs of our country, as well as funding for the Federal Judiciary and the District of Columbia. In the interest of time, I am just going to summarize my remarks.

I think one of the key elements to a strong economy in a Nation is an interstate highway system so we can move goods and people. I often think how wise President Eisenhower was when he started the interstate system. We cannot imagine the United States without the interstate system. So this bill, under the gentleman from Michigan (Mr. KNOLLENBERG), really focuses on transportation, and that is a key element of the Nation's economy. It is a key element of providing quality of life and jobs for people.

In addition to the Federal system, this bill provides \$37 billion for public roads, bridges and so on that deal with the safety issues. There is over \$14 billion to the FAA because, again, safety in our airports, safety in facilities to expand the aviation capability of the United States. Along with that is the money for the air traffic controllers. Again, there is a need for a growing number. Many air traffic controllers will be retiring, and this bill addresses that by making investments in new hiring and training for almost 600 new air traffic controllers. I think we forget when we are up in the sky in an airplane; we assume safety. But we are dependent on the air traffic controllers to ensure that.

Housing needs, again an essential part of the quality of life in a country. This bill addresses the section 8 programs.

I would particularly commend the gentleman from Michigan (Mr. KNOLLENBERG) for restoring funding to the community development fund. This gives the local communities an opportunity to meet the needs and requirements of their people. I think it is a great way of involving local government and the people who know what the needs of their community would be to ensure that there is a quality of life.

Lastly, the High Intensity Drug Trafficking Areas program is part of the National Drug Control Policy. We do a lot of drug control programs in the Labor-HHS bill, but this is also an important part of that. This is critical in the State of Ohio for the HIDTA program. It is critical for local communities as well as Federal responsibilities.

For all of these reasons and many more, and the qualities of this bill, I urge my colleagues to support this important funding measure.

Mr. Chairman, I rise today in support of the Transportation, Treasury, HUD Appropriations Bill for Fiscal Year 2006. As a member of the Subcommittee, I commend Chairman KNOLLENBERG for presenting a fair bill that provides for the critical transportation and housing needs of our country, as well as funding for the Federal Judiciary and the District of Columbia.

I would like to highlight several issues that make this a good bill that deserves the support of this House.

First, a strong interstate highway system is essential for a growing and healthy economy. I am pleased the bill increased funding to Federal-aid highways to \$37 billion to construct and improve our Nation's highways, public roads and bridges.

This represents an increase of nearly \$2 billion from last year's enacted level. The Federal Highway Administration (FHWA) partners with States to assist in financing the construction and preservation of nearly 1 million miles of highways and other key routes, connecting cities and towns across the country.

The bill also provides over \$14 billion to the Federal Aviation Administration (FAA); nearly 900 million over last year's level. This important funding supports the operations of a 24-hour a day national air traffic system and a continued commitment to safety and efficiency in our Nation's airways. I support the Chairman's increases of funding for the Airport Improvement Program to \$3.6 billion and for the Essential Air Service program to \$104 million. These important programs assist public use airports with costs of capital improvements and ensure that people living in small communities and rural areas have access to air service.

Air traffic controllers have the tremendous responsibility of providing for safety and security of our Nation's airways. With the expectation that 73 percent of controller work force will be eligible to retire over the next 10 years, I am pleased the committee directed \$25 million in responsible investments to hire and train 595 new air traffic controllers.

Addressing housing needs, the bill includes \$15.5 billion in funding for the Section 8 hous-

ing vouchers. This funding level represents a \$765 million increase over last year and allows for the renewal of all existing tenant-based vouchers. The bill assumes completion of the transition from a "unit-based" to a "budget-based" system so that Public Housing Authorities will now have a set amount of funding to work with each year. Recognizing that numerous Public Housing Authorities were adversely affected by the three-month snap shot period used last year to set the budget totals, the bill provides \$45 million to restore vouchers to those areas that need it most.

Section 8 housing vouchers are the safety net needed to help many low income working people provide a safe and secure home for their families.

I would like to commend Chairman KNOLLENBERG for restoring funding for the Community Development Fund to a level of \$4.151 billion and maintaining this community development program in the Department of Housing and Urban Development where it can best serve our local community needs. This critical program provides local governments with flexible funds, allowing them to address specific needs existing within their communities.

I would also like to note that this bill maintains funding for the High Intensity Drug Trafficking Areas Program (HIDTA) within the Office of National Drug Control Policy and does not move the program to the Justice Department. The bill provides \$227 million to fully fund the existing HIDTAs and allows some expansion where needed.

This program is critical in the State of Ohio to allow local, State and Federal law enforcement agencies to coordinate and work together to reduce drug trafficking in the State.

With that I urge my colleagues to support this important funding measure.

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

Ms. CARSON. Mr. Chairman, I rise today in strong opposition to the irresponsible funding level of Amtrak in this bill. The funding level in this bill will kill Amtrak service. Among the 15 long-distance routes that will be eliminated is the Cardinal train, which connects my hometown of Indianapolis to Chicago and to New York City, serves over 88,000 passengers each year.

Also slated for elimination is Amtrak's Hoosier State train which connects my constituents to Chicago, serving about 18,000 passengers. In all, 100,000 Indiana passengers would be stranded without rail service. Over 1,000 Hoosier jobs will be threatened, including the 640 workers of Amtrak's Beech Grove heavy maintenance facility in my district.

This funding level is irresponsible. All transportation is subsidized by the government. When the airlines are in trouble, my colleagues do not hesitate to jump to their aid. Since Amtrak's creation, the Congress has subsidized air and highway transportation over \$1.89 trillion. That is 63 times what we would have spent on Amtrak.

Let us not forget, it was Amtrak trains that brought stranded Americans home in the aftermath of September 11. I commend the gentleman

from Ohio (Mr. LATOURETTE), and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR) for bringing to the floor the amendment today that would raise Amtrak funding to \$1.2 billion.

In closing, let me remind my colleagues, there is not a rail service anywhere in the world that is not subsidized by the government. It is a service to consumers and should be maintained. I would appreciate unilateral, universal support of the amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I thank the gentleman for yielding me this time and thank him for his support of the Community Development Block Grant program and for working so hard to find funds for CDBG in this bill. As the appropriation process continues and the bill moves to conference, will the chairman continue to work to find additional funds to offset the reduction in the CDBG for fiscal year 2006?

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

Mr. TURNER. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman from Ohio (Mr. TURNER) for working with me on CDBG and for his efforts to help fund this program.

Restoring the funds for CDBG was our highest priority after funding assistance for the neediest families in our society. Funding for CDBG remains one of our highest priorities, and I will do everything to return the program as close to the 2005 enacted level as possible.

That was my intent during the development of this bill, and it remains my intent as we continue to final passage of this appropriation act for 2006.

Mr. TURNER. Mr. Chairman, I thank the gentleman from Michigan (Mr. KNOLLENBERG) for his response, and I look forward to working with him on CDBG. I appreciate the success that he has accomplished on this bill.

Mr. OLVER. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK), the ranking member of the Committee on Financial Services.

Mr. FRANK of Massachusetts. Mr. Chairman, I invite Members to return with me to the thrilling days of the Reverse Houdini. That is what we are seeing today on the floor.

Older Members will remember Harry Houdini who had an act. His act was to have other people tie him in knots and then appear before the public and get out of the knots.

What my Republican colleagues will show you today, as they did in the Labor-HHS bill and other bills, is the Reverse Houdini. Under the Reverse Houdini, you tie yourself in knots. Then you appear before the public and tell them how much you wish you could help them, but you cannot because you are all tied up in knots. You

do not mention that you tied the knots.

The gentleman from Michigan (Mr. KNOLLENBERG), in his capacity as chairman of the subcommittee, has done work which I admire and for which I am grateful. He rejected the shortsighted and thoughtless efforts by the administration to gut the CDBG program and to rearrange the section 8 program. And I admire and appreciate what they did. So given the very limited, indeed inadequate, resources with which the gentleman had to work, he did a very good job.

On the other hand, I must say to the gentleman from Michigan (Mr. KNOLLENBERG) and others on the other side, I admire what you did with inadequate resources, but I do not admire that you are the ones who made the resources inadequate. Members who voted for the tax cuts do not come to the floor with clean hands when they talk about the consequences of the tax cuts.

We will hear today, as we heard on the bill dealing with Labor, Health and Human Services and Education, laments. The gentleman said he wished he could do more for CDBG. Well, who is stopping him? What is stopping him is the budget he voted for. The budget he voted for was dictated by the tax cuts he voted for.

The President said last night that the war in Iraq will go on and on. He will not waver. No, he will not waver. Funding for all these important programs will waver. A month in the war in Iraq would have been more than enough to make unnecessary all of the apologies we will hear. We will hear the Reverse Houdini again and again and again.

Members of the Committee on Appropriations will come, and they will accurately say that, given the resources they were provided, they cannot adequately fund all of these programs. But we ought to make clear, it is their own decision that led to these inadequate decisions.

In the housing area where I have some involvement and jurisdiction, virtually no program is adequately funded. They did better than the administration would have had them do, and I appreciate that important programs like Youthbuild are going to be resuscitated from having been snuffed out; but we will still have too little in CDBG, the Community Development Block Grant program.

The CDBG is an excellent program, and we are being told, maybe, if we are lucky, we will get it back up to where it has been, in an era of massive tax cuts for the wealthiest and an ongoing war in Iraq. Community development will be going on much better in Mosul and Baghdad than it will be in Pittsburgh and Chicago. I do not mean to deny the needs of people there, but we should not have it come at the expense of people here.

The section 8 program is better, but it will still not be enough. Let us also

note that public housing, the entity that houses some of the poorest people in this country, will again not get what it ought to get. I would urge my colleagues, let us stop coming to the floor and apologizing for the consequences of your own actions. Let Harry Houdini rest in peace.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I note the committee's strong support for parallel electric hybrid buses. I agree, we must encourage the use of low-emission technologies as a way to reduce air pollution from our Nation's bus fleet.

I would like to point out that series-type hybrid systems, although they operate differently from parallel systems, strive to meet the same goals. Regardless of their operating systems, I believe there is value in these technologies and hope the chairman will join me in encouraging their use. I would welcome any comments the Chair might care to make.

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

Mr. BOEHLERT. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, the gentleman raises a very important issue. I acknowledge that series-type hybrid systems have the same goals and encourage the Federal Transit Administration to increase the procurement of buses utilizing both types of systems.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for his comments.

Mr. OLVER. Mr. Chairman, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), our capital city.

□ 1215

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

I want to thank the gentleman from Massachusetts (Mr. OLVER), ranking member, and the gentleman from Michigan (Chairman KNOLLENBERG) for their work on a bill that happens to include the District of Columbia in this new consolidated appropriation. The chairman and the ranking member are making their debut, and I want to congratulate them on being in on time on one of the most complicated bills because it has many unrelated issues, and yet they have worked very collegially together.

I want to speak only briefly to three items. The least important part of the bill for every Member but me is the District of Columbia section. I appreciate the gentleman from California (Chairman LEWIS) and the gentleman from Michigan (Chairman KNOLLENBERG), who was once Chair, both of whom worked with the Subcommittee on the District of Columbia and the gentleman from Michigan (Chairman KNOLLENBERG) as a recent past Chair, for the way they have worked with the



Committee on Rules to give us a rule that will just let this bill pass through as the least important part of what they are doing here today. I particularly respect the self-government respect they have shown to our city. The Mayor and the police chief were here yesterday. There will be a point of order regarding a matter on gun safety, and I think that that should simply take care of it.

On CDBG I was very pleased to hear the gentleman from Michigan (Chairman KNOLLENBERG) say he was trying to do what he can, because it must be hard to find a Member in this body who is not with us on this program, which has been so productive for large and small cities alone. All we see around us in the new economic development in the District of Columbia has been aided by the CDBG.

Amtrak is before us. It is perhaps the most controversial part of this bill. I am supporting the amendment to add funds and have myself, out of one of our authorizing bills, contributed funds out of one of our appropriations. That is just how important it is to me. But not just important to me, of course. Union Station is the second busiest behind New York. But what is important to Members of this House is the 500 stations and the 46 States that would essentially be left with the present level of funding with no Amtrak.

I ask Members to remember that no country in the world is able to run a railroad privately. This claptrap about the private sector and the States, I draw to their attention the only reason we have Amtrak at all is that in 1970 the private sector came and literally dumped it on the Congress, saying, We cannot run this; we lose too much money.

Railroads are first and foremost the responsibility of great nations. This is our responsibility. We cannot just hand it back to them. They cannot do it. If we cannot do it with a profit, why in the world do we think that the States, which are running to us screaming about Medicaid and other unfunded mandates, can do it?

I thank the gentlemen for all their work on this bill.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Chairman, I thank my colleague for yielding me this time.

I would like to ask the gentleman to address in conference the Federal Transit Administration's "accounting problem" that has been created by the current law treatment that split-funds each Federal transit program 80 percent from the Mass Transit Account of the highway trust fund and 20 percent from the general fund.

Because of Office of Management and Budget accounting rules regarding the treatment of split-funded programs, every FTA program is spending down much faster than the actual outlays of these programs. In H.R. 3, or TEA-LU, we fix this accounting problem by

funding each transit program wholly from either the trust fund or from the general fund, while maintaining the agency's overall 80/20 split between the Mass Transit account and the general fund. Making this structural and funding source change will allow FTA programs to outlay at their actual programmatic rates.

I ask the gentleman to work in conference to make this change, as it will have no scoring impact on the appropriations bill. If we do not make this change now, in the budget year 2006 cycle, the Mass Transit account of the highway trust fund will have a negative cash flow by fiscal year 2007. If the appropriations bill does follow the program structure change in the TEA-LU authorization, the balances of the Mass Transit account will be stabilized and, in fact, will grow over the next few years because the trust fund will be spending out at the actual programmatic outlay rate.

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

Mr. PETRI. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I am aware of the accounting problem that split-funding the Federal Transit Administration program has created. I will work on this issue in conference and trust that there will be a long-term authorization in place by the time the House Committee on Appropriations and the Senate Appropriations Committee convene a conference.

Mr. PETRI. Mr. Chairman, reclaiming my time, I thank the gentleman for his response.

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

Mr. BISHOP of New York. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in strong support of providing sufficient funding for Amtrak so as to preserve Amtrak's incomparable service. It is a vital engine of America's economy, particularly for those of us living on the northeast corridor. As an Amtrak rider myself, I strongly support preserving this safe, reliable, and cost-effective way for America's commuters and families to travel throughout the country. This bill would deny them that option, an approach that flies in the face of common sense and even the President's stated goals of growing the economy.

The events of September 11, 2001, proved America relies on rail, and Amtrak in particular. As planes sat grounded everywhere, goods, services, and people continued to move, thanks in large part to Amtrak. This bill says that when it comes to passenger rail, we have not learned enough from that day. Abandoning Amtrak would discard a system that we have never fully funded or given the chance to operate at full capacity. We rank a lowly 25th on the list of countries that provide commuter rail funds, behind countries like Estonia, Belgium, and Slovenia. Amtrak deserves better than that.

We move 850,000 commuters a day on Amtrak, and they rely on it to get to and from work. Therefore, I urge all of my colleagues to preserve Amtrak as an affordable option for America's families well into the future.

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

Mr. OLVER. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I want to congratulate the gentleman from Michigan (Chairman KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER), ranking member, for the hard work they have done under this bill under very tight budget restraints.

I think that this is a good piece of legislation, although I do have some concerns about cuts in particular programs.

HOPE VI; the Empowerment Zone program; the Community Development Loan Guarantees; the HUD Brownfields program, a program close to my heart, which provides a second chance for reuse to many old industrial properties, all of which have been contaminated, we want to get them back on the tax rolls.

But perhaps most surprisingly the YouthBuild program, which provides a crucial second chance for a good life to thousands of disadvantaged young people in our Nation's urban communities, has been zeroed out in the legislation that we are debating today.

Mr. Chairman, I would like to describe to my colleagues today what I have learned about the tremendous success of YouthBuild in my years as mayor of the city of Paterson, New Jersey. In the work I have done with YouthBuild participants, I have heard scores of inspiring accounts from young kids who spent their lives struggling with poverty, dysfunctional or absent families, drug addiction and other forms of neglect and abuse. And be rest assured this program is not a handout. Through the challenging concrete task of building houses for the homeless, getting their hands dirty with demanding physical labor, these kids have been given the tools to begin to rebuild their own lives.

This is a model program that both sides of the aisle should enthusiastically support, a program that helps young people gain the self-esteem, self-reliance that come with a hard day's work in the service of another human being.

According to a recent study, an astounding 65 percent of the YouthBuild graduates say that they now expect to live an average of 32 years longer after YouthBuild experience than they expected to live before. Self-esteem is not the only thing that is raised through this program. Income potential and educational achievement have also soared. Seventy percent of YouthBuild graduates are either in post-secondary education or in jobs averaging \$10 per hour.

This program is unquestionably a winner for young people across our Nation. YouthBuild develops job skills, leadership potential, civic involvement, and creates a community of adults and youth committed to helping each other achieve success in life. And through the construction of affordable housing, it contributes to the revitalization of our poorest neighborhoods.

It is hard to believe that a compassionate President and a Congress would want to wipe out any of these programs which epitomize our oldest and most sacred American values: hard work, self-reliance, and limitless optimism about the future.

I urge the House to find ways to increase funding for the valuable community revitalization initiatives that have been cut from this legislation.

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

Mr. HONDA. Mr. Chairman, I rise today to engage in a colloquy with the gentleman from Michigan, the chairman of the subcommittee, on the issue of flight attendant fatigue.

Mr. Chairman, 144 of our colleagues and I recently requested funding in the fiscal year 2006 Transportation-Treasury-HUD appropriations bill to continue studying the growing problem of flight attendant fatigue caused by work schedules that in some cases may provide as little as 5 hours for actual sleep. Sleep experts consistently warn that working long hours with little rest can impair a crew member's decision-making abilities and performance of critical safety duties.

As the chairman knows, the FAA's Civil Aeromedical Institute, or CAMI, is currently completing a study on flight attendant fatigue. While the Congress looks forward to the results of CAMI's study, 145 Members of Congress believe that CAMI may not have either the resources nor the time to complete a truly comprehensive study and that additional funding is necessary to study this life-threatening issue.

Accordingly, I ask the chairman's assistance in expediting the overdue CAMI study and ask him to consider the findings of that report.

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

Mr. HONDA. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, as the gentleman knows, we had included funding in last year's bill to study flight attendant fatigue. I understand the study was due to Congress on June 1, 2005, and I will be happy to work with the gentleman from California to determine the status of CAMI's current study and expedite its completion, if possible.

Mr. HONDA. Mr. Chairman, reclaiming my time, I thank the chairman for his willingness to work with me on this issue.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I certainly appreciate the opportunity to speak on this appropriation that is before us.

I am perplexed with how and why decisions are made, basically, by my friends on the opposite side of the aisle to do away with economic development. And as I look at what is happening, what is proposed, for example, to be transferred to Commerce, what is zeroed out, what I see is an attack on programs that could create some real initiative and self-reliance.

The YouthBuild program was just talked about. YouthBuild is an important program where young people are developing skills and attitudes to become independent. Why would we zero that out?

In addition to that, the section 108 loan guarantee program is an economic development program for cities that does job creation and helps to improve cities and build up the old towns. Many of our cities are using this; and for some of the little towns and cities, they absolutely depend on these kinds of economic development funds.

□ 1230

Mr. Chairman, I do not understand why the attack on these economic development programs, these programs that will help to make our young people self-reliant, and the block grant program that is being reduced by 21 percent, that goes into our cities to help us deal with not only senior problems, young people, the gangs, et cetera. I think we are undermining our efforts to strengthen America and to invest in human potential by cutting these programs and zeroing them out.

I would ask that reconsideration be given, if no place else, but in conference. I am going to come back later on today with an amendment on section 108 loan guarantee programs, because that will not be scored against the budget. These programs are kind of guaranteed by CDBG moneys, and you do not have to spend the money to get this economic development.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I want to thank the chairman for his efforts to preserve the HIDTA program, the High Intensity Drug Trafficking program, as well as the National media campaign under the Drug Czar's office.

There will be several amendments offered today by the gentlewoman from Oregon (Ms. HOOLEY) and by the gentleman from Washington (Mr. LARSEN) and myself, one related to ad campaign and one related to HIDTA to further increase those fundings.

We have a meth epidemic sweeping this country. It is absolutely critical that we address it in our national ad campaign, which has been substantially reduced over the years, and through the most aggressive law enforcement program and the most effective law enforcement program, the HIDTAs.

We held a hearing Monday in Minneapolis. If you do not have meth next door to you, it is coming soon. It started in the rural areas and the rural States, and everybody kind of ignored it. But as it moves to the suburbs and as it moves to the east, we are seeing an epidemic of proportions we have not seen since the first outbreak of the crack epidemic. We either get on it now, or we are in deep trouble.

In Ramsey County, St. Paul, Minnesota, between 80 and 90 percent of all children in Child Protective Services right now are coming from meth families. That is not a rural community; it is a big city. Next door, in Hennepin County, 50 percent of the women in treatment right now through the drug courts are because of meth.

Formally, this was just at the little towns, and we saw it, although we could ignore it. But this is a freight train. We have to grab it. And in the authorization bill that matches this appropriations bill, we will make sure the ad campaign is designated, that a percentage of it has to go to meth if we can get adequate dollars to run that campaign.

In the HIDTAs, we have the first meth HIDTA in Missouri. We are moving to more meth HIDTAs, because we must get control of this before it wrecks every family in this country. When people become addicted to this, they go crazy.

We have never seen a drug that is harder to treat, that is more violent, has more environmental damage, and this Congress has to start to grab hold of the meth problem before it chokes our country.

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

Mr. Chairman, I think we have had a good general debate here for this hour that covered a lot of the different areas in the bill and certainly reflects some of the issues that we will be debating as the amendment process goes forward.

Again, I want to thank the chairman and the staff on the majority and the minority side for all the work that they have done. It has been a process which has gone a long way. It will go more in the next day or two. All of it should improve the bill.

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

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

Mr. Chairman, I, too, want to thank everyone that participated in this opening inning or two of activity. We have a long way to go. But I do think, with the work of the staff on both sides, who I think have done extraordinarily well to shape this product into what it is, I am very, very happy with where we are in terms of the kind of bill. I know there is going to be more debate, and we look forward to that.

Mr. HOYER. Mr. Chairman, I want to thank chairman KNOLLENBERG and ranking member OLVER for doing the best they could with the



limited resources that were made available to the subcommittee.

The allocation that we were given highlights this inescapable fact: the budget resolution passed by the republican majority has real consequences.

It is clear, for example, that the funding for Amtrak is simply not adequate.

It seems to be an effort to shut down national passenger rail in this country.

Make no mistake: if we fail to provide Amtrak the funds it needs to operate, we won't just be shutting down the few routes identified by the committee to be closed.

The resulting layoffs, inability to fund capital upgrades, and lack of funds to operate remaining routes will eventually lead to the shut down of national passenger rail permanently.

However, despite this and other problems with the bill, I believe that it contains many good provisions that deserve our support.

For example, I am pleased that the committee adopted the Hoyer-Wolf-Moran amendment, providing a 3.1 percent pay adjustment for Federal civilian employees—which is consistent with the pay adjustment proposed for our military personnel.

We must recognize the contributions made by both Federal civilian employees and military personnel to the safety and security of this Nation.

I am also pleased that the \$126.7 million that the president requested for the FDA consolidation was included in the bill. These funds will help relocate FDA employees from their current substandard facilities into modern, state-of-the-art facilities, and end the practice of extending costly leases for various FDA offices throughout the region.

Furthermore, I am pleased that the chairman recognized that the Federal Government has a responsibility to the general aviation airports in the metropolitan region that were shut down after 9/11—through no fault of their own.

In this bill, we reimburse those airports for their losses and the chairman has committed to working with me to increase that amount during conference to ensure full restitution.

That is fair. And, that is right.

Finally, I am pleased that this bill recognizes the important Federal role in helping States reform their election systems.

The bill sensibly provides \$15.8 million to the new Election Assistance Commission so it can fulfill the high expectations Congress intended when it passed the Help America Vote Act of 2002.

I also am personally gratified that the bill's accompanying report urges the EAC to set aside \$250,000 for the HAVA College Program, an innovative program that encourages college students all over the Nation to enlist as non-partisan poll workers.

To be sure, Congress has not carried out all its election reform obligations to the states. And, I am disappointed the bill does not provide the remaining \$800 million we owe the States to upgrade their voting machines, provide voter and pollworker training, and improve voting machine security.

I appreciate the committee's hard work on this bill. This legislation is not perfect. But it contains many important, needed provisions that deserve our support.

Mr. NUSSLE. Mr. Chairman, not since 1988—more than a decade and a half ago—has the Appropriations Committee passed all its bills out of the House before the Fourth of

July. This year the committee stands poised to do so—even though its subcommittees have been restructured, and it is the first year at the helm for the Committee's new Chairman, the gentleman from San Bernardino County. I applaud the Committee and the Chairman for the deliberate pace they have maintained.

The appropriations measure before us today provides funding for Transportation, Treasury, and Housing, as well as the Federal Judiciary and the District of Columbia. Under the reorganized subcommittee structure, this bill represents the first time Housing is matched with Transportation and Treasury in the same appropriations bill. I am pleased to report the bill is consistent with the levels established in H. Con. Res. 95, the House Concurrent Resolution on the budget for fiscal year 2006, which Congress adopted as its fiscal blueprint on April 28th.

#### THE BUDGET RESOLUTION

H.R. 3058 provides \$115.2 billion in discretionary budgetary resources. This is a 7 percent increase over fiscal year 2005. Even so, the bill is consistent with the allocation to the subcommittee, and therefore complies with section 302(f) of the Budget Act, which prohibits consideration of bills in excess of an Appropriations subcommittee's 302(b) allocation of budget authority and outlays. The bill does not contain any emergency spending.

To meet their 302(b) limit, the bill rescinds \$549 in mandatory contract authority previously provided to the FAA. The bill also rescinds \$2.497 billion of previously enacted discretionary budget authority, all but \$4 million of the discretionary rescissions come from the Public and Indian Housing certificate fund.

The bill also complies with the provisions in the budget resolution concerning advance appropriations. The bill includes \$4.273 billion in such appropriations, all of them in accounts the budget resolution lists as eligible for advances. The House should be aware, however, these provisions—along with the \$18.885 billion in advances already passed in the Labor/HHS/Education appropriations bill—reach the ceiling of \$23.158 billion in total advance appropriations provided for in the budget resolution. Any further increase in advance appropriations would breach this limit and subject such legislation to a point of order.

#### PROGRAMMATIC PROVISIONS

The Department of Transportation is funded at \$61.959 billion, \$4,457 above the request. This includes \$36.3 billion for Federal Aid-Highways and \$14.4 billion for the Federal Aviation Administration. Treasury is funded at \$11.6 billion, \$358 million above 2005. Most of these funds—\$10.5 billion—go to the IRS. The Federal Judiciary is funded at \$5.4 billion, which represents a \$326 million (6 percent) increase over 2005. The District of Columbia Federal payments are \$603 million, \$48 million above 2005 and \$30 million above the President's request.

The bill addresses our critical housing needs by funding the Department of Housing and Urban Development [HUD] at \$33.5 billion, \$544 million above the 2005 level. The bill does not reflect the administration's proposal to move Community Development Block Grants [CDBGs] to the Commerce Department, instead keeping the program at HUD. Also, funding for Section 8 programs is split into two accounts to provide for better accountability and oversight.

#### CONCLUSION

Again, I commend the Chairman for balancing difficult priorities and delivering a bill within our agreed upon budget constraints. I express my support for H.R. 3058.

Mr. KILDEE. Mr. Chairman, for the last 2 years, the President's budget requests have failed to meet the housing needs of Indian Country. Native Americans continue to suffer from severe overcrowding in their homes and they have higher rates of homes with serious physical deficiencies than their counterparts. Some estimates indicate that Indian housing needs exceed \$1 billion.

The President's FY 2006 funding request for the Native American Housing Block Grant (NAHBG) is \$582.6 million, a decrease of \$40 million from the FY 2005 enacted level of \$622 million. But the real reduction to the NAHBG is even more drastic because the budget request calls for the \$57.8 million in Indian Community Development Block Grant (ICDBG) funding to come out of the NAHBG account, resulting in funding for the NAHBG to be a mere \$524.8 million. This is a reduction over a 3-fiscal year period of more than \$125 million. This erosion of Federal funding for Indian housing and community development is simply unacceptable.

I appreciate the work of the gentleman from Michigan who was working within very tight allocations. The Committee increased the funding for NAHBG to \$600 million, a \$17.4 million increase above the President's request. However, its support of the President's proposal calling for \$45 million in ICDBG funds to come out of the Community Development Block Grant (CDBG) account, would leave a total proposed allocation for NAHBG at a mere \$555 million. Appropriated funding for the NAHBG reached a high point in FY 2004 when it was funded at \$650 million.

I do not support the President's proposal to remove the ICDBG line item from the CDBG account. The ICDBG program has traditionally been funded by the CDBG account through a 1 percent set-aside. As I just indicated, a change to this current funding scheme would further reduce NAHBG funding.

We have a moral responsibility to provide safe, decent, and affordable housing for our country's First Americans. Housing is the backbone of economic and community development. It creates jobs and drives tribal economies. It is a basic need that can strengthen progress in other areas like education and health care.

I look forward to working with both sides of the aisle on restoring the funding of the NAHBG account to the FY 2005 enacted level and addressing my concerns regarding the ICDBG program as the FY 2006 Transportation, Treasury, HUD, Judiciary and District of Columbia appropriations bill proceeds through the legislative process.

Mr. HOLT. Mr. Chairman, I rise today in support of funding for the Community Development Block Grant program. The proposed cuts to this vital program for individual community improvement growth must be withdrawn and full funding restored.

H.R. 3058 seeks to cut \$251 million from the Community Development Block Grant program, a 6 percent slash in funding and another reduction in a long string of cutbacks for the program. I stand strongly opposed to any effort to reduce funding to the CDBG program.

The nature of CDBG—funds for housing, economic development, public facilities, social

services, and land acquisition, to name a few—incorporates a significant amount of flexibility to appropriate funds at the discretion of each community. What this means for each community is their ability to use Federal funds for a wide range of initiatives as well as to prioritize local needs while supporting national objectives. This great characteristic, leaving specific appropriations for local decision making, does not warrant reductions in the program, which would prevent Federal funds from being used where they are needed most.

In FY 2004, the Community Development Block Grant program provided \$4.853 billion to communities across the Nation. In my home State of New Jersey, CDBG funds many important initiatives. In Trenton alone it supports childcare services, provides for job training programs, funds the food programs at local area soup kitchens, and is used towards building and repairing affordable housing in the city. Elsewhere, in Monroe Township the CDBG funds "A Friend in Need," a program which provides homecare to the elderly unable to afford it. It also aids the South Brunswick Citizens for Independent Living (CIL), which builds affordable housing for the disabled and provides training programs on financial independence. These are only a few local examples of this vital Federal program.

The 31-year history of this program has proven to us that investment in communities continues to benefit lower income persons in need of assistance. Most of the CDBG-funded programs have proved to be small in scale, neighborhood-based initiatives. Expenditures through the CDBG program for lower income individuals have repeatedly exceeded the minimums set by Congress.

The 6 percent reduction for the Community Development Block Grant program included in H.R. 3058 is much more damaging than it seems: due to the small nature of many of the programs CDBG funds, it would result in the complete cutting of numerous and invaluable local community projects. I firmly believe that the absence of these programs would neglect many pressing needs of the American people, negatively impact many communities, and, most importantly, prevent Federal funds from reaching those who need them most.

Mr. Chairman, I urge my colleagues to restore full funding for the Community Development Block Grant program as the bill moves to conference.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 3058

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, Treasury, and Housing and Urban Development, the*

Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

AMENDMENT OFFERED BY MR. EDWARDS

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

The Clerk read as follows:

Amendment offered by Mr. EDWARDS:

On page 2, line 5 insert the following new title and renumber the succeeding titles accordingly:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs, and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; \$1,000,000,000, to be available for obligation upon the enactment of this Act and to remain available for obligation until September 30, 2006: *Provided*, That the amount provided under this heading is designated as making appropriations for the purpose set forth in subparagraph (A) of section 402(a)(1) of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for the fiscal year 2006: *Provided further*, That amounts made available under this heading may be transferred to other accounts of the Department of Veterans Affairs to the extent necessary to reimburse those accounts for prior transfers to "MEDICAL SERVICES" after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided further*, That the transfer authority in this paragraph is in addition to any other transfer authority available to the Department of Veterans Affairs.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. EDWARDS. Mr. Chairman, I believe we have a moral obligation to support our veterans, especially so during a time of war. This amendment is out of the regular order of business, but I could think of no better reason to waive the rules of the House, which we do on a daily basis here, than to support our veterans, that are being underfunded in their health care by over \$1 billion in this fiscal year.

Democrats tried during the budget resolution last year to add additional funding for VA health care because of the needs there. I tried an amendment in the Committee on the Budget this year, and we were voted down on a partisan basis. We tried an amendment in the Committee on Appropriations offered by the gentleman from Wisconsin (Mr. OBEY), and we were voted down on a partisan basis.

Now the Veterans' Administration leadership, part of the Bush adminis-

tration, has admitted we have more than a \$1 billion shortfall this year in VA health care funding. What that means, Mr. Chairman, is that every day that passes, there are veterans that are not receiving the VA health care they need and they deserve.

What I would like to ask, Mr. Chairman, is that, on a bipartisan basis, Members of the House and Senate, Members of the House, Republican and Democrat alike, recognize the need to fund this veterans health care. Let us do it today. Let us not wait until after a week-long vacation next week. Veterans do not delay in serving our country when we ask them to do their duty. We should not delay in fulfilling our moral obligation to provide quality health care for our veterans.

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding.

Let me simply say, I hate to say, we told you so, but we told you so. We warned the majority that, if you listened to the denials of the Veterans Administration, you would eventually be embarrassed because their request was inadequate to meet the needs of returning veterans.

We have now been told yesterday, finally the VA is telling us the truth, and the fact is, this is the only remaining appropriation vehicle that we can use to add the necessary funds. The Senate added \$1.4 billion yesterday to the Interior bill. That was not germane either, but the Senate did not let downhill jurisdictional politics get in the way of dealing with the problems of veterans. I would urge the House to follow the lead of the Senate and to allow this amendment to be added so that we can take care of the problem.

We are not even adding the extra \$400 million that the Senate added yesterday. We are simply saying, take what the VA has already admitted they need for this year. We know it is going to be more for next year. But at least take the \$1 billion we know is needed now, so that we do not continue to listen to false promises from the VA.

PARLIAMENTARY INQUIRY

Mr. EDWARDS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. EDWARDS. Mr. Chairman, if no Member of the House objected to this amendment, if we accepted this amendment on a bipartisan basis, is there anything that would prohibit this amendment from becoming part of this appropriation bill, if no Member of the House objected, if on a bipartisan basis we accepted it?

The CHAIRMAN. If the gentleman's amendment were not to induce a point of order, it would come to a vote.

Mr. EDWARDS. Mr. Chairman, to be clear on the parliamentary inquiry, if we could on a good faith bipartisan basis, say, look, this is not the typical way we want to do business, but we did not get it done in the Committee on

the Budget or Committee on Appropriations, so we could do it now, without an objection today, we could pass in this bill \$1 billion in emergency funding for VA health care without objection. Is that correct?

The CHAIRMAN. The Chair would reiterate that, absent a point of order against the amendment, the amendment, as all amendments, would come to a vote.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I do not have a serious reservation to having this bipartisan discussion regarding the growing understanding of the shortfall that lies in veterans health care. My reservation, and it is a serious one, is that it is one thing to want to take credit for doing something about this problem, but we are attempting to do it in a bill that is not going to become law for 2 or 3 months.

The gentleman knows that the appropriate committee had an oversight hearing just yesterday morning to begin to draw in the administration, get information, et cetera, in order to lay the foundation for expediting this process. The way to solve this problem and truly in a bipartisan way deal with the challenge that we have in serving our veterans is to come together and move something quickly. Any appropriations bill is going to take longer than that.

So I do not want to be pretending today that we are doing something by passing an amendment, when regular order will allow us to move much more quickly. We are trying to lay the foundation for that. That is why we had an oversight hearing yesterday.

Mr. Chairman, I would think we ought to proceed with regular order. So in that connection, I have a reservation in terms of what is being done here today. It appears to be a "credit" business rather than real business. I would look forward to working with the gentleman in the days ahead.

POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KNOLLENBERG. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

□ 1245

Further, the rule states, in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law."

The amendment includes an emergency designation and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member seek recognition on the point of order?

Mr. EDWARDS. Mr. Chairman, very briefly, could I ask the Chair, or the gentleman from Michigan, for whom I have great respect, were there other points of orders against this bill that were waived in the rule that brought this bill to the floor?

Mr. KNOLLENBERG. Mr. Chairman, if the gentleman will yield.

The CHAIRMAN. If the gentleman from Michigan will suspend, the gentleman may not yield on the point of order. The Chair will hear each member in turn.

Mr. EDWARDS. Mr. Chairman, I guess I would direct my question to the Chair. The point of order being raised now on my amendment to support veterans health care is that it is contrary to some of the process rules of the House. Could I inquire of the Chair as to whether there were other rules of the House that were waived in bringing this bill to the floor for debate today?

The CHAIRMAN. The Chair would advise that House Resolution 342 waived all points of order against consideration of the bill and certain points of order against provisions in the bill.

Mr. EDWARDS. So all points of order against the bill. Some points of order were waived, but apparently the majority is not going to allow us to waive a point of order to help us bring \$1 billion to veterans health care.

The CHAIRMAN. Do other Members wish to be recognized on the point of order?

Mr. OBEY. Mr. Chairman, I would simply state that the House is in a strange position today because, under the rules of the House, every item that is brought to the floor is supposed to be germane to the bill at hand unless the Committee on Rules has provided exceptions to that. My understanding of the rules is that notwithstanding the fact that the rule does not specifically allow for this amendment, if no Member objects, this amendment could be considered.

So I would simply ask every Member of the House, through the Chair, whether or not this matter is sufficiently important enough that a point of order not be lodged.

The gentleman from California suggested that this ought to be considered in some other venue. We would be happy to do that if someone had another suggestion; but right now, this is the only dog in the hunt. I am afraid that if the gentleman persists in his point of order, the gentleman from Texas and I would have to concede the point of order; but I would hope that we would not be pushed into that position.

The CHAIRMAN. Does any Member seek recognition on the point of order?

Mr. OLVER. Mr. Chairman, I am not sure whether this is on the point of order, but I would just like the body to know that there would be no objection on this side of the House to having this

item made in order. Notwithstanding the comments by the chairman here, if that manages to keep this issue in the forefront, even though he is suggesting and has suggested that the final actions on this legislation would not occur for 3 months, if that manages to keep the issue before the body, it is important enough that that in itself would be valuable, that it be kept there so that we do indeed find a fast way of dealing with the matter.

The CHAIRMAN. If no other Member seeks recognition on the point of order, the Chair is prepared to rule.

The Chair finds that this amendment includes an emergency designation. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$84,913,000, of which not to exceed \$2,198,000 shall be available for the immediate Office of the Secretary; not to exceed \$698,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$15,183,000 shall be available for the Office of the General Counsel; not to exceed \$11,680,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$7,593,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,052,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$23,139,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$1,910,000 shall be available for the Office of Public Affairs; not to exceed \$1,442,000 shall be available for the Office of the Executive Secretariat; not to exceed \$697,000 shall be available for the Board of Contract Appeals; not to exceed \$1,265,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$2,033,000 for the Office of Intelligence and Security; not to exceed \$3,128,000 shall be available for the Office of Emergency Transportation; and not to exceed \$11,895,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

AMENDMENT OFFERED BY MR. KNOLLENBERG

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

The Clerk read as follows:

Amendment offered by Mr. KNOLLENBERG: Page 2, line 10, after the first dollar amount, insert the following: "(increased by \$250,000)".

Page 2, line 13, after the dollar amount, insert the following: "(increased by \$250,000)".

Page 56, line 18, after the first dollar amount, insert the following: "(increased by \$38,750,000)".

Page 77, line 24, after the dollar amount, insert the following: "(increased by \$67,500,000)".

Page 77, line 26, after the dollar amount, insert the following: "(increased by \$17,500,000)".

Page 164, line 12, after the first dollar amount, insert the following: "(reduced by \$88,789,000)".

Page 164, line 12, after the second dollar amount, insert the following: "(reduced by \$67,789,000)".

Page 165, line 21, after the dollar amount, insert the following: "(reduced by \$67,789,000)".

Page 169, line 2, after the dollar amount, insert the following: "(reduced by \$21,000,000)".

Page 171, line 4, after the dollar amount, insert the following: "(reduced by \$17,711,000)".

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

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, this amendment provides an additional \$38 million for tax enforcement efforts at IRS. These funds will significantly enhance our ability to close the tax gap by more than \$400 million over 3 years.

Further, this amendment restores \$67.5 million to CDBG. Some of these funds may need to be used to provide some funding for the YouthBuild program if the program is not authorized under the Department of Labor by the time of final passage of the appropriations act.

The program, for the moment, has been left in suspension because the administration has not yet submitted the needed legislation, but I am assured that the legislation will be submitted very soon.

I want to thank the ranking member, the gentleman from Massachusetts (Mr. OLVER), for his diligence on these issues and for working with us.

Mr. Chairman, I urge the adoption of the Knollenberg-Oliver amendment.

Mr. OLVER. Mr. Chairman, I am pleased to cosponsor and endorse this amendment. This amendment represents exactly what I said an hour or so ago, that the gentleman from Michigan (Chairman KNOLLENBERG) has listened to both majority and minority Members' concerns and has worked to resolve all issues. He has considered all Members' concerns and, where he could help, he did; and I thank him for that.

With this amendment, the bill would now provide \$50 million for YouthBuild and will keep YouthBuild alive while

the authorizing committees figures out exactly where YouthBuild should best be authorized.

The YouthBuild program is a good program. Several other Members during general debate have talked about it. It is a program that serves young men and women in their late teens and early 20s who dropped out of high school, or graduates from high school who find 2 or 3 years later that they have no real job skills and poor prospects of a good job. Dropouts in this program get a GED and other key education for the construction industry. All participants get skills and experience in housing construction trades.

The program has been in place about a dozen years. Nearly 15,000 units of affordable housing have been built, and nearly 30,000 young people have learned the housing construction and building trades, thanks to the YouthBuild program. Many of these young people have gone on to college. Those who have been in trouble with the law earlier in life have a stunningly low recidivism rate after they have been in the YouthBuild program.

Each of the items in this amendment was included in my primary remarks at subcommittee markup and again at the full committee markup and in debate on adoption of the rule yesterday. I appreciate the gentleman from Michigan (Chairman KNOLLENBERG) listening and responding, and I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a colloquy with the chairman of the subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. Chairman, the worst construction accident in Federal transportation history in the city of Toledo, Ohio, took place on February 16, 2004 on the \$200 million I-280 Maumee River Crossing Bridge, affecting serious loss of life. Crushed to death on the job, as a launching gantry crane collapsed, were Mike Phillips, age 42; Arden Clark, age 47; Mike Moreau, age 30; and Robert Lipinski, Jr., age 44. As I mentioned before, all iron workers. There were injuries sustained by many other workers.

Since that time, the Lucas County prosecutor has been investigating the accidents to determine if there may be criminal liability in these deaths. The prosecutor's office has been working with the Inspector General of the Department of Transportation, but has needs that go beyond the assistance that the Inspector General can provide. The prosecutor needs technical assistance in determining answers to engineering and other special issues. One might expect that such expertise resides within the Department of Transportation, perhaps specifically at the Federal Highway Administration.

Mr. Chairman, would the gentleman from Michigan (Chairman KNOLLENBERG) and the gentleman from Massachusetts (Ranking Minority Member OLVER) be willing to work with me to determine what resources may be available throughout DOT, including the Federal Highway Administration, to provide technical expertise in the ongoing investigation and to ensure that such assistance is provided to the Lucas County prosecutor?

Additionally, if such assistance is not available directly from the Department, would the chairman work with us to determine if the Department can provide assistance to the Lucas County prosecutor in the hiring of appropriate outside experts?

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

Ms. KAPTUR. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I can assure the gentlewoman that I will do everything I can to work with her to make sure that we do address this issue. So I thank the gentlewoman for bringing it up.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Michigan. It is greatly appreciated.

AMENDMENT OFFERED BY MR. LATOURETTE

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

The Clerk read as follows:

Amendment offered by Mr. LATOURETTE:

Page 2, line 10, after the first dollar amount, insert "(reduced by \$17,339,000)".

Page 2, line 19, after the dollar amount, insert "(reduced by \$2,052,000)".

Page 2, line 23, after the dollar amount, insert "(reduced by \$1,910,000)".

Page 2, line 24, after the dollar amount, insert "(reduced by \$1,422,000)".

Page 3, line 7, after the dollar amount, insert "(reduced by \$11,895,000)".

Page 3, line 17, after the dollar amount, insert "(reduced by \$60,000)".

Page 4, line 11, after the dollar amount, insert "(reduced by \$31,583,000)".

Page 6, line 22, after the dollar amount, insert "(reduced by \$25,000,000)".

Page 9, line 11, after the dollar amount, insert "(reduced by \$59,000,000)".

Page 29, line 10, after the dollar amount, insert "(reduced by \$26,325,000)".

Page 30, line 10, after the dollar amount, insert "(increased by \$626,248,000)".

Page 51, line 25, after the dollar amount, insert "(reduced by \$2,500,000)".

Page 164, line 12, after the first dollar amount, insert "(reduced by \$727,909,000)".

Page 164, line 12, after the second dollar amount, insert "(reduced by \$9,500,000)".

Page 165, line 22, after the dollar amount, insert "(reduced by \$9,500,000)".

Page 166, line 9, after the dollar amount, insert "(reduced by \$568,409,000)".

Page 166, line 18, after the dollar amount, insert "(reduced by \$133,417,000)".

Page 167, line 14, after the dollar amount, insert "(reduced by \$434,992,000)".

Page 169, line 2, after the dollar amount, insert "(reduced by \$150,000,000)".

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

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that debate on this amendment be limited to 40 minutes, equally divided and controlled by the proponent and myself as opponent, and that this limitation also apply to any amendments thereto, except one pro forma amendment each by the chairmen and ranking members of the Committee on Appropriations and its Subcommittee on TTHUD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. LATOURETTE) is recognized for 20 minutes.

Mr. LATOURETTE. Mr. Chairman, I ask unanimous consent that half of our time, 10 minutes, be yielded to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure, and that he be permitted to yield time from that 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, on the issue of Amtrak, the gentleman from Michigan (Chairman KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) had an impossible task, and I know that we will hear that again and again and again. The original budget submission from the President talked about zero, and then we went up to \$360-some million, and now we find ourselves with a bill at \$550 million.

I am pleased to offer this bipartisan amendment with my colleague, the gentleman from Minnesota (Mr. OBERSTAR), as I said, the ranking member of the full Committee on Transportation and Infrastructure; and it ensures that we will maintain a little less than last year, but we will at least make sure that Amtrak can continue its valuable function. I want to thank my friend, the gentleman from Minnesota (Mr. OBERSTAR), for his guidance and leadership as we drafted this amendment, and for the assistance of his staff.

Unlike aviation, highways, and transit, there is no dedicated fund for investing in passenger rail development. These other modes all operate on predominantly federally owned or federally assisted infrastructure, and rely on government-supported security, research, and traffic controllers.

We are certainly willing to listen to reform proposals as they come forward. Already, as the chairman of the Subcommittee on Railroads, we have had two hearings dealing with difficulties of Amtrak. We are about to launch a series of hearings on reforms as we move into this next century, but this particular piece of legislation effectively strands millions of passengers and, I would assert, is irresponsible.

The funding levels of \$550 million would force Amtrak to shut down all operations and declare bankruptcy.

□ 1300

If H.R. 3058 is enacted as it is now, Amtrak would be forced to pay \$360 million in mandatory labor severance payouts for employees laid off from the elimination of the 15 long distance routes and three shorter routes in the bill, and \$278 million for debt service. Since that total of \$638 million is greater than 550, Amtrak, the railroad would be forced to default on its debts, abandon its labor agreements and declare bankruptcy.

Mr. Chairman, the amendment in the bill, the amendment we had printed in the RECORD originally would have taken us back to the \$1.24 billion of last year. Due to some difficulties in scoring, this amendment would restore \$1.176 billion. That represents only about 2 percent of the DOT's budget of \$60 billion, whereas 50 percent of the Department's spending goes to highways; \$20 billion goes to air travel. America relies on this service. This is not the amendment that I think either the gentleman from Minnesota (Mr. OBERSTAR) or I would have wanted to bring to the floor with some of the offsets we were required to choose. But that is the nature of the rules of the game. I think originally we talked about invading perhaps the F&E account and FAA, but thanks to some rather very clever authorizing work by the gentleman from Minnesota (Mr. OBERSTAR) in years past, we were prevented from doing that today.

This is a good amendment. I ask all of our colleagues to consider it.

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

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds to express my gratitude to the gentleman from Ohio (Mr. LATOURETTE), one of our most principled Members and most thoughtful Members of this body for always seeking to do the right thing, policy-wise, and for the people.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN), the ranking member on our Rail Subcommittee, who has led the charge in support of Amtrak.

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Chairman, a recent poll showed that 81 percent of the American people said that this Congress does not stand with them on their priorities. There is no better example than what we are discussing here today. I fully support the amendment, but if the amendment is not adopted, I want Members to be clear that this will be the end of Amtrak. Today is a day where we are going to fish or cut bait. This is your opportunity to stand up for the people that sent you here.

Why is it that we constantly, in the House, hope the other body will rescue us?

The current funding issue concerning Amtrak brings up a fundamental question of where this Nation stands on public transportation. We have an opportunity to improve a system that serves the needs for passenger rail service, or we can just let it fall apart and leave this country's travelers and business with absolutely no alternative forms of public transportation.

Without the funding Amtrak needs to keep operating, we will soon see people that rely on Amtrak to get them to work each day waiting for a train that is not coming. We continue to subsidize highways and aviation, and by the way, one of the strongest vocal persons are Members against Amtrak. We have given aviation over \$20 billion. We give Iraq \$1 billion a week. That is \$4 billion a month. But we refuse to give Amtrak what is needed for 1 week. One week that we spend in Iraq will fund the entire Amtrak system for the entire country for an entire year. This is the day. You either fish or cut bait on Amtrak today, and the American people are watching you.

Mr. Chairman, I rise in full support of this amendment. The current funding issues concerning Amtrak brings up a fundamental question of where this Nation stands on public transportation. We have an opportunity to improve a system that serves our need for passenger rail service, or we can let it fall apart, and leave this country's travelers and businesses with absolutely no alternative form of public transportation.

Without the funding Amtrak needs to keep operating, we will soon see people that rely on Amtrak to get them to work each day, waiting for a train that isn't coming.

We continue to subsidize highways and aviation, but when it comes to our passenger rail system, we refuse to provide the money Amtrak needs to survive.

This issue is so much bigger than just transportation. This is about safety and national security. Not only should we be giving Amtrak the money it needs to continue providing service, we should be providing security money to upgrade their tracks and improve safety and security measures in the entire rail system.

Once again we see the Bush administration paying for its failed policies by cutting funds to vital public services and jeopardizing more American jobs. This administration sees nothing wrong with taking money from the hard working Amtrak employees who work day and night to provide top quality service to their passengers. These folks are trying to make a living for their families, and they don't deserve this shabby treatment from the President.

We're spending 1 billion dollars a week in Iraq, \$4 billion a month, but this administration zeroed out funding for Amtrak. Just one week's investment in Iraq would significantly improve passenger rail for the entire country for an entire year.

It's time for Congress to step up to the plate and make a decision about Amtrak based on what's best for the traveling public, not for the bean counters at OMB.

Some people think that the solution to the problem is to privatize the system. If we privatize, we will see the same thing we saw when we deregulated the airline industry. Only the lucrative routes would be maintained, and

routes to Rural locations will be expensive and few.

I was in New York shortly after September 11th when the plane leaving JFK airport crashed into the Bronx. I, along with many of my colleagues in both the House and Senate took Amtrak back to Washington. I realized once again just how important Amtrak is to the American people, and how important it is for this Nation to have alternative modes of transportation.

This isn't about fiscal policy, this is about providing a safe and reliable public transportation system that the citizens of this Nation need and deserve.

I strongly encourage my colleagues to support this amendment.

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

Mr. LATOURETTE. Mr. Chairman, it is my pleasure to yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, I too recognize the difficult position that the Appropriations Committee has been put in with the cost of Amtrak and the ongoing costs. I just caution the Members of this body that there are States like myself. I represent an entire State. The distance of my district spans the distance of Washington, DC, to Chicago. Our cities were not established in Montana because of rivers and a port. We were established because of the rail. Rail in Montana is not an essential service; it is a critical service. In many cases, we have good bus service. It just does not happen to be in the area where Amtrak is. We have good air service. Unfortunately, it just does not happen to be in the area where the rail is. And so, in our particular case, where you have a large geographical area with very little population, it becomes a critical service to provide not only our products but our passengers as well.

The Empire Builder in Montana has as many as 500,000 people traveling on it. Do we recognize it is subsidized? Yes, we do. But I do not think the founding fathers and I do not think this Congress ever intended it to be run entirely like a business. We want good quality service. We want a cheap price. The problem is there cannot be competition because you cannot set up a rail next to the other. You cannot have two railroads competing against each other. So Amtrak is one of those entities that cannot entirely be run like a business. And so I hope you have listened to the gentleman from Ohio's amendment because what it does is it lays the foundation of implementing the beginning of a reform initiative within Amtrak that will make it run more like a business. It can be supported, and ultimately, we will have the rail service in States like Montana and the rest of the long lines that are so critical within our transportation system. I hope you will support the amendment.

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

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Chairman, first, I want to thank the gentleman from Michigan (Chairman KNOLLENBERG) for providing \$550 million more for Amtrak than was originally submitted in the budget. And I want to thank the gentleman from California (Chairman LEWIS) for getting us to this point of finishing the appropriations bills before July 4.

Lastly, I want to thank the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Minnesota (Mr. OBERSTAR) for their work on this amendment in an effort to preserve the long-distance Amtrak routes. In my district, the long-distance route is the Southern Crescent Route that goes from New York and stops in Charlottesville, Lynchburg and Danville, and I hope it will be the pleasure of this body to preserve the Crescent Route, the Cardinal Route and many other long-distances routes.

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

Mr. OBERSTAR. Mr. Chairman, I would like to inquire of the gentleman from Michigan whether he has a number of speakers, or is going to continue to reserve until our side has used all of our time. I think we would like to hear from those who would like to speak against us.

The CHAIRMAN. Does the gentleman yield time to the gentleman from Michigan (Mr. KNOLLENBERG) to respond to the inquiry?

Mr. OBERSTAR. Mr. Chairman, I yield 15 seconds to the gentleman.

Mr. KNOLLENBERG. Mr. Chairman, I continue to reserve my time, and I do not have at this point an additional speaker because there are a couple of things we are trying to work out right now.

Mr. Chairman, I continue to reserve my time.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PASCARELL).

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

Mr. PASCARELL. Mr. Chairman, Amtrak was there for America after 9/11. It performed beautifully. Its employees performed. This is delivering people, product, all over the United States of America. And if you look at the map, this is all wiped out, all in red. In red, mind you.

It is inexcusable that we are only funding half of what is needed for Amtrak. There could be no more illusion about the administration's desire to destroy Amtrak. The Federal Government took on the burden of passenger rail from the freight railroads in 1971, in a bill signed by President Richard Nixon. Read my lips. These private companies were relieved to be rid of what they knew was inherently a non-profit operation.

Federal subsidization for other transportation modes is nothing new. Each

year in New Jersey, 4 million New Jersey residents ride Amtrak. Pennsylvania, 5 million. And look at the investments in the many cities of Pennsylvania, and Amtrak, that they have invested capital improvements. We cannot accept half of a loaf.

Mr. Chairman, I rise in strong support of the amendment being offered by Chairman LATOURETTE and Ranking Member OBERSTAR which would give Amtrak a fighting chance to function next year.

It is inexcusable that the bill before us today contains only \$550 million for intercity passenger rail service, effectively bankrupting Amtrak. There can be no more illusions about the Administration's desire to destroy Amtrak once and for all.

The Federal Government took on the burden of passenger rail from the freight railroads in 1971 in a bill signed by President Richard Nixon. These private companies were relieved to be rid of what they knew was inherently a non-profit operation.

Federal subsidization for other transportation modes is nothing new. We have been subsidizing the money-losing airlines time and time again.

This Congress properly provides tens of billions every year for highways, public transit, aviation, and maritime transportation infrastructure and operations. Passenger rail is just as deserving of our support as the rest.

Each year, about 4 million New Jersey residents ride Amtrak.

200,000 commuters up and down the Northeast Corridor rely on Amtrak to maintain the NJ Transit system. Amtrak has tremendous impact on our regional economy in the Northeast. Amtrak relieves congestion throughout the Northeast on the roadways and airways.

Like so many of our States, my home State of New Jersey already has a severely strained State budget. Passing the buck of rail operations and maintenance onto already struggling State budgets is not a solution based in reality.

Funding Amtrak at last year's level is the very least we can do to keep the trains running that Americans count on nationwide.

We must support the LaTourette/Oberstar amendment. We must defeat this ill-conceived proposal. The Congress must provide the dollars that Amtrak needs to run efficiently and effectively.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, I rise in strong support of this amendment to save Amtrak, and that is what this bill is about: \$550 million within the bill shuts down Amtrak entirely. It is not a scare tactic. It is not an exaggeration. It is a matter of hard financial truth. Amtrak would have nothing left basically to run its trains when it pays out its debt and its interest on its debt and its mandatory labor severance pay outs. And without Amtrak, for example, in the northeast corridor, 80,000 daily commuters in New Jersey and thousands more throughout other States would be stranded because many



transit systems in those States, your States, my colleagues, depend upon Amtrak to run their trains for their commuters and their citizens. This is about small and mid-sized businesses having intercity rail service to sell their goods and services, to send their sales forces. This is about putting the country and linking it together, the United States of America. And after September 11, my God, if we do not understand that this is about national security, we are waiting for the next disaster like in Madrid. Vote for Amtrak.

Mr. Chairman, I rise today in strong support of the LaTourette-Oberstar-Menendez amendment to save Amtrak. We've heard the facts about what this appropriations bill would do. We know that 550 million dollars will shut down Amtrak entirely. This is not a scare tactic. This is not an exaggeration. This is a matter of hard financial truth. With the interest it pays on its debt and the mandatory labor severance payouts for discontinued routes, Amtrak would have nothing left—nothing—to run trains. And without Amtrak maintaining the Northeast Corridor, 80,000 commuters in New Jersey and throughout the Northeast would be stranded, because many transit systems depend on Amtrak in order to run their own trains.

As I said, we've already heard these facts. But I want to focus on the fundamental problem: a combination of unrealistic expectations and insufficient support that Amtrak has struggled with since its creation. I hear these complaints all the time: We keep pouring money into Amtrak, and it keeps getting worse. So we give Amtrak barely enough to get by. And then Amtrak gets worse. It's a vicious cycle, and it does nothing to improve passenger rail in this country. We cannot have an Amtrak on a starvation diet. Do you want to see an efficient, effective intercity rail system? Give it the money that it ultimately deserves.

There are some other facts about Amtrak that people tend to forget. First, we spend more money on highways in this bill alone than we have on Amtrak in its entire history. Second, Amtrak was created when the railroads begged the government to take the passengers off their hands. The freight railroads didn't want the burden of these unprofitable lines, so expecting Amtrak to be profitable on these same lines with bare-bones funding levels is totally unrealistic.

In addition, no mode of transportation pays for itself. Not aviation, not mass transit, and not highways. We subsidize them because they improve the quality of our lives. And that's what transportation is about. It's not just getting from one place to another. It's about creating jobs, revitalizing neighborhoods, stimulating commerce, redeveloping underutilized land, and making us more secure. Amtrak is part of all of that. It is a crucial link for businesses up and down the Northeast Corridor. It provides mobility options for rural communities that don't have airports or inter-city bus service. And as we saw on September 11th, it is a crucial element of our transportation system when the airlines are grounded.

Mr. Chairman, people ride trains in this country when you give them good service. What we've seen in California in the past few years is that when you run more trains, more often, and you run them on time, people flock to the trains. We should be arguing seriously

about how to improve Amtrak. We should be making the commitment and the investment that we're willing to make for transit, highways, and aviation. We should be here talking about how to build a world-class intercity rail system, instead of trying to scrape together enough money so Amtrak can survive another year.

If you want to have a discussion about how to reform Amtrak, you have to have an Amtrak. This appropriations bill would kill it. Our amendment would save it. But it is still just enough to scrape by. Amtrak will continue to defer maintenance, and service will suffer. So we'll be back here again next year fighting the same fight. But we can do better than that. We can give Americans the intercity rail system they deserve. This amendment keeps Amtrak on life-support, but we need to start talking about rehabilitation and regrowth. I look forward to that discussion and urge my colleagues to support the LaTourette-Oberstar-Menendez amendment and keep Amtrak alive.

Mr. LATOURETTE. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I rise in support of the amendment to restore funding for Amtrak. I appreciate the gentleman from Ohio's work on this effort, and I thank the gentleman from Michigan (Mr. KNOLLENBERG), the subcommittee chairman for his willingness to work with Members on this extremely important issue.

While I agree that reform is necessary, the administration's goal of ending Federal support for passenger rail is at best half-baked. Unlike aviation highways and transit, there is no dedicated fund for investing in passenger rail development. Although these other modes rely on user fees for a great deal of their funding, they still receive a large amount from the General Fund. In addition, these other modes all operate on predominantly Federally owned or Federally assisted infrastructure and rely largely on government supported security, research and traffic controllers.

Despite the fact that passenger rail has proven to be such an easy security target in other parts of the world, the TSA's fiscal year 2005 appropriation included only about \$12 million for passenger rail, compared to the \$4.32 billion that was allocated for aviation security, close to half of which comes from the General Fund, not aviation security user fees.

While the TSA is currently spending \$16 million a year on new uniforms for airport screeners, passenger rail relies on a total force of 342 Amtrak officers to protect 25 million yearly passengers traveling on 22,000 miles of track in 46 States. When you consider the fact that 20 percent of all Americans live in the northeast, and approximately 1,700 commuter trains travel the northeast corridor every day, we need to seriously consider the amount of congestion and overcrowding that would occur if these trains stopped running.

Passenger rail can be extremely effective in relieving congestion, cutting pollution and lowering our demand for oil while creating jobs and increasing

security. We have barely scratched the surface of passenger rail's potential, and a commitment from Congress to improving the viability of this system would lead to greatly expanded possibilities.

The facts are clear. Amtrak needs Federal support to survive just like highways, ports and airlines. America is a world leader in all other modes of transportation. When it comes to rail, we are quickly falling behind.

Mr. Chairman, many Americans depend on Amtrak for both business and pleasure. Instead of bankrupting the organization, we should work together to improve passenger rail. Pass this amendment.

Mr. Chairman, I rise in support of the amendment to restore funding for Amtrak. I appreciate Mr. LATOURETTE'S work on this effort and I thank the Subcommittee Chairman for his willingness to work with Members on this extremely important matter.

The \$550 million provided by the subcommittee is \$650 million less than the funds appropriated for passenger rail in FY05. Based on the bill's instructions, Amtrak may use the funds to operate the North-East Corridor and short-distance trains, but will be prohibited from using funds to operate its 15 long-distance trains and 3 shorter distance routes. However, when you take into account Amtrak's considerable mandatory debt payments and the severance expenses that would result from shutting down these routes, there is a significant question as to whether anything would be left for operating expenses in the North-East.

While I strongly agree that reform is necessary, the Administration's goal of ending Federal support for passenger rail is at best half-baked. Unlike aviation, highways, and transit, there is no dedicated fund for investing in passenger rail development. Although these other modes rely on user fees for a great deal of their funding, they still receive a large amount from the general fund. In addition, these other modes all operate on predominantly federally owned or federally assisted infrastructure, and rely largely on government-supported security, research, and traffic controllers.

Despite the fact that passenger rail has proven to be such an easy target in other parts of the world, the TSA's fiscal year 2005 appropriation of \$5.15 billion included only about \$12 million for passenger rail—compared to the \$4.32 billion that was allocated for aviation security, roughly half of which comes out of the general fund—not aviation security user fees. While the TSA is currently spending \$16 million a year on new uniforms for airport screeners, passenger rail relies on a total force of 342 Amtrak officers to protect 25 million yearly passengers traveling on 22,000 miles of track in 46 states.

When you consider the fact that 20 percent of all Americans live in the North-East and approximately 1,700 commuter trains travel the Northeast Corridor every day, we need to seriously consider the amount of congestion and overcrowding that would occur if these trains stopped running. I-95 is already clogged and lines at airports are increasing. If this plan goes through, millions of travelers would be added to this already extremely congested transportation system.

The facts are clear; Amtrak needs Federal support to survive, just like highways, ports, and airlines. America is a world leader in all other modes of transportation. When it comes to rail, we are quickly falling behind.

I tend to believe that any successful plan to fix passenger rail will require vision and truly bipartisan collaboration. We need the foresight to ensure the survival of this system by improving the safety and efficiency of passenger rail. Putting Amtrak on the chopping block directly contradicts this goal. Dozens of reform proposals exist without jeopardizing the viability of Amtrak and they should be openly debated in Congress.

Mr. Chairman, many Americans, including thousands in my State, depend on Amtrak for both business and pleasure. Instead of bankrupting the organization, we should work together to improve Amtrak.

The Department of Transportation's Inspector General estimates that Amtrak needs at least \$1.4 billion to survive and the Amtrak Board recently put forward a strategic reform initiative that requires \$1.82 billion to make important improvements to the system. The funding included in this amendment would simply allow passenger rail to squeeze by in the short-term and provide Americans with effective transportation options.

Passenger rail can be extremely effective in relieving congestion, cutting pollution, and lowering our demand for oil while creating jobs and increasing security. We have barely scratched the surface of passenger rail's potential, and a commitment from Congress to improving the viability of this system could lead to greatly expanded possibilities.

Reform will take time and require cooperation. I know many of my colleagues, and the Chairman of the Rail Subcommittee on Transportation and Infrastructure, join me in my commitment to defining an appropriate reform strategy. In the meantime, supporting this amendment can help to sustain Amtrak for millions of Americans.

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

I rise in opposition to this amendment, which is a wholesale slash-and-burn attempt to restore funding for Amtrak. First, I want to state clearly that I want to reform Amtrak. It is a broken system that has siphoned billions of dollars from other priorities over the years.

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For Members who agree that Amtrak needs to be reformed, this bill provides an excellent starting point. The bill preserves Federal funding for routes that are heavily utilized and that show signs of economic sustainability. It also preserves Federal subsidies for more than 80 percent of Amtrak riders, 80 percent. While the amendment proposes to leave the route limitation in place, I have little doubt that if it is successful another will follow to remove the limitation and return Amtrak to the status quo. I do not want to go to the status quo.

If that happens, Congress will again send the message to Amtrak that it is acceptable to run a route so unprofitable as to require a Federal subsidy of

\$466 per ticket. We have seen Amtrak's Federal subsidy grow from \$521 million in fiscal year 2002 to \$1.2 billion in fiscal year 2005, and now Amtrak is asking for \$1.8 billion. When is it going to end?

Continuing to throw good money after bad to maintain the status quo is totally unacceptable to me. Amtrak is threatening to shut down again because it is unwilling to make changes to improve its profitability. This marks the sixth time since 2002 that Amtrak's CEO, the sixth time since 2002, that Amtrak's CEO has threatened a shutdown if we do not provide more money.

The flaw in the argument that \$550 million is not sufficient to operate trains is the assumption that Amtrak would have to shut down routes. There are cost-saving measures that Amtrak could adopt to continue long distance rail service, but it simply refuses to do so. Furthermore, the offsets to this amendment would cannibalize the Department of Transportation and important GSA facilities. These in effect would cause severe disruption to programs within the jurisdiction of the Committee on Transportation and Infrastructure.

First, the amendment proposes to completely eliminate several offices within the Office of the Secretary of Transportation.

Second, it cuts funding from the Transportation Planning, Research and Development account; \$20 million of that funding is for commuter rail in the event Amtrak cannot meet its financial obligations. And \$1.2 billion, if expanded to all routes, as I suspect will be offered, is according to Amtrak a "shutdown" number. So the amendment leaves commuter rail, particularly in the Northeast, in jeopardy.

Third, the amendment cuts funding from the DOT headquarters building. DOT's current lease runs out in June of 2007. If the building is not complete, significant rent increases on the old building will kick in, as will rent payments on the new one.

Fourth, the amendment eliminates railroad research and development which provide science and technology support for rail safety rulemakings. That means no funding for research on such things as grade crossing safety, derailment prevention, hazardous material transportation, like the chlorine tank cars that were involved in Graniteville, South Carolina, earlier this year, or simply passenger protection.

Fifth, the amendment cuts \$435 million in repairs and alterations to government buildings nationwide. Some may be in your State. This funding is critical, given that the backlog in repairs and maintenance currently stands at \$6.2 billion.

Six, the amendment takes funding from the Eisenhower Executive Office Building, which would delay completion of construction, including security-critical features and the cuts to

building operations, much of which are a part of that. The Committee on Transportation and Infrastructure has repeatedly stressed the importance of modern, safe facilities.

If GSA is impacted in this fashion, we will not be able to pay for utilities, for maintenance, or cleaning. These cuts are in direct conflict with that policy.

Seventh, the amendment would void the FAA's flight service station contract that would deliver tremendous benefits to the general aviation community and save the FAA \$2.2 billion over the next 10 years. Instead of realizing these savings, taxpayers will be on the hook for up to \$350 million in additional costs to the FAA in the form of termination penalties.

This contract has been years in the making. Congress should not step in after the fact to stop this contract and deny better services to more than 600,000 private pilots.

Eight, the amendment eliminates the air transportation stabilization program which issues credit instruments to air carriers.

I know the authors of this amendment feel strongly about Amtrak, and I appreciate their interest in the issue. And what I am trying to do is to make sure that we do keep a system in the short term and one that will develop into a long-term situation. But if you obliterate important safety and construction projects, that is no way to go about funding a railroad that desperately needs to be reformed.

For these reasons, I ask Members to vote "no."

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

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, this bill is a backdoor attempt to shut down Amtrak, to guarantee an Amtrak bankruptcy. We simply cannot allow it to happen.

Amtrak is one of our most efficient modes of transportation. It provides a vital alternative to our clogged highways. We need to finally start investing adequate resources in Amtrak to allow the railroad to provide stable, reliable service.

We spend approximately \$50 billion a year on highways and aviation, but only about \$1 billion on Amtrak. We hear that Amtrak funding should be cut because the railroad is not profitable or is inefficient or mismanaged. Amtrak has had its problems, but they are largely a result of being systematically underfunded for 30 years. Deliberately forcing Amtrak into bankruptcy, destroying it, should be unthinkable.

We do not require highways or the air transport system to be self-sufficient or profitable. No transportation system is self-sufficient, and we should

not require that of Amtrak either. It is an illusory goal. We should fund our transportation systems because they provide an important public service. They are critical to the economy and a vital part of national security.

On September 11, 4 years ago, Amtrak was the only mode of transportation into and out of New York City. Redundancy in transportation is key for national security. This amendment will restore Amtrak funding to close to last year's level and will avert a shutdown of the railroad. It ought to be adopted. I urge my colleagues to vote for it.

Mr. Chairman, I rise in support of the LaTourette-Oberstar amendment to restore funding for Amtrak.

The FY06 TTHUD Approps bill funds Amtrak at a paltry \$550 million—a cut of \$650 million from last year's level, which was barely enough to keep Amtrak running. This is simply a backdoor attempt to shut down the railroad—to guarantee an Amtrak bankruptcy. We simply cannot allow this to happen.

Amtrak is of particular concern to me given that my district contains Penn Station in New York City, the largest Amtrak Station in the country. In New York alone, Amtrak carries over 10 million passengers a year, employs over 2,000 New York residents, and contributes over \$96 million in wages a year.

Amtrak is one of the most energy efficient modes of transportation. It provides a vital alternative to our clogged highways. We need to finally start investing adequate resources in Amtrak to allow the railroad to provide stable, reliable service. We spend approximately \$50 billion a year on highways and aviation, but only about \$1 billion on Amtrak. We hear that Amtrak funding should be cut because the railroad is not profitable or is inefficient or mismanaged. Amtrak has had its problems but they are largely a result of being underfunded for about thirty years. Deliberately forcing Amtrak into bankruptcy—destroying it—should be unthinkable.

We don't require highways or the air transportation system to be self-sufficient or profitable, and we shouldn't require that of Amtrak either. We should fund our transportation systems because they provide an important public service, they are critical to our economy, and a vital part of our national security. On September 11, 2001 Amtrak was the only mode of transportation into, or out of, New York City. Redundancy is key for national security, and we must preserve all modes of transportation, including rail.

The LaTourette-Oberstar Amendment will restore Amtrak funding to close to last year's level and will avert a shutdown of the railroad. It is essential that this amendment pass, and I urge all my colleagues to support it.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, it is with great regret that I rise in opposition to this amendment offered by my good friend from Ohio.

I would like to remind my friend who is the immediate past chairman of the Subcommittee on Public Buildings, which has jurisdiction over the Federal buildings fund, of the negative impact this amendment would have.

By cutting \$750 million from public building projects, this amendment would endanger Federal workers nationwide by delaying and canceling fire and life saving projects, accessibility projects for disabled, perimeter and building security projects that protect against terrorist attacks, as well as preventing GSA from providing safe, secure, and functioning work space for Federal workers nationwide.

While I support his desire to increase funding for a reformed Amtrak, this is not the way to go about it. The gentleman's amendment cuts \$570 million from the repair and alterations account. This means a cut in funding for the repair of the Old Executive Office Building, which is immediately adjacent to the White House. These repairs are desperately needed because nearly a third of the building has been closed since September 11 due to security concerns.

Of even greater consequence would be the \$435 million cut from the general repairs and alterations account. This account provides funding for projects nationwide including buildings in nearly every State.

The amendment also cuts \$150 million from the building operations account which, in addition to paying for cleaning service, pays the salaries of the men and women who keep our Federal buildings running.

My colleagues from New Jersey and New York are going to have to go home and answer to the senior citizens and the veterans that go to a Federal building to get their problems solved on why the air conditioning is not working, on why the ramps and the different projects to upgrade and make easier access are not in place. They are going to have to answer to the Federal law enforcement officials, the FBI, and our court systems on why we are not able to do the necessary security upgrades that are required and necessary to keep these buildings safe.

So while I applaud the gentleman for his dedication to ensuring continued operation of Amtrak, I must oppose this amendment which comes at the expense of Federal workers and their ability to provide services for our constituents all across this country.

I urge all of my colleagues to vote "no" on the LaTourette amendment.

Mr. OBERSTAR. Mr. Chairman, how much time remains on all sides?

The CHAIRMAN. The gentleman from Michigan (Mr. KNOLLENBERG) has 11 minutes remaining. The gentleman from Ohio (Mr. LATOURETTE) has 2½ minutes remaining. The gentleman from Minnesota (Mr. OBERSTAR) has 5 minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield myself 15 seconds to rebut a red herring raised recently in the gentleman's remarks regarding the Eisenhower Building. It was not authorized. It has not been considered in a prospectus by the committee. The issue is nonexistent.

Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I applaud the committee for its accomplishments in crafting H.R. 3058, including increasing funding to public transit and preserving the CDBG program, I join my colleagues in expressing my disappointment that Amtrak has not been adequately funded.

By providing only \$550 million for Amtrak, this bill would have the effect of pushing Amtrak into bankruptcy. Many people might think that \$550 million is an enormous amount. In fact, \$550 million is only 5 percent of the total amount that is provided in this bill for the air traffic control system, and it is \$323 million less than Congress has appropriated to support the redevelopment of transportation infrastructure in Iraq.

In addition to failing to adequately fund Amtrak, the committee inserted a provision in the bill that would have the effect of eliminating up to 18 different Amtrak routes, including six routes that travel through my district in Baltimore.

Mr. Chairman, it is time we bring to close the prolonged debate about the future of Amtrak by recommitting ourselves to the value of our national intercity passenger rail service. I have therefore joined with my colleagues, the gentlewoman from Florida (Ms. CORRINE BROWN), the gentleman from West Virginia (Mr. RAHALL), and the gentleman from New Jersey (Mr. MENENDEZ), in sponsoring an amendment that would save these 18 routes and preserve passenger rail service in 23 States. I urge my colleagues to keep Amtrak on track.

Mr. KNOLLENBERG. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, I want to compliment the chairman for a great bill and especially this provision of the bill.

Mr. Chairman, the numbers simply do not lie. The current model for Amtrak is simply unsustainable. This issue has perennially haunted this subcommittee. Amtrak refuses to take a good hard look at the facts, instead relying on an annual congressional bail out. They would rather lobby Congress than reform the system.

When I chaired this subcommittee, we included a series of reporting requirements and business practice modifications for Amtrak so the Congress and the American taxpayers would know the financial stakes involved.

These reporting requirements included developing a quarterly grant process, giving the Secretary of Transportation direct oversight into Amtrak decisions, separating out operating and capital expenses, and also requiring monthly financial reports and zero-based budgeting. And we insisted that Amtrak employ generally accepted accounting principles in order to control spending and eliminate waste.

These modifications have been carried forth and expanded in the last four appropriations bills, including this one. And what did we discover with those procedures? Amtrak's financial records reveal that for every \$1 Amtrak earns in food and beverage revenue, it spends about \$2, resulting in a \$245 million loss between the years 2002 and 2004.

□ 1330

Amtrak's on-time performance fell 74 percent in 2003, 71 percent in 2004. Service is not getting better. It is getting worse.

Amtrak's current 2005 revenue projection will be \$95 million short of its original estimate.

For the last 6 years, the average annual cash losses have exceeded \$600 million.

Most notably, they are carrying an estimated \$5 billion in what they need to repair and improve safety on the railroad.

The amendment that is before us does not address any of these problems; \$900 million, or 75 percent of these moneys, in this amendment would restore operating expenses and debt service on \$4.6 billion in accrued debt. No reform, no tough cost-cutting decisions, no recognition of the facts. This amendment simply kicks tough decisions down the track.

For too long, Amtrak has deferred critical maintenance on a system it simply cannot maintain. With this amendment, we simply increase the cost and increase the likelihood of a serious system failure.

The plan put forth by the chairman is a fair and equitable plan to limit the Federal contribution to routes that are simply imprudent. By capping the per-passenger subsidy at \$30, Amtrak is given clear prioritization on its spending and forced to address supply-and-demand realities.

We simply cannot keep going on sending empty trains clear across the country with no riders. I would point out that on one of the crosscountry trains we are subsidizing every passenger by \$420 per person. I can buy you a first class, round-trip ticket to California for less on an airline. How can we sustain such a thing?

Cut out these wasteful, expensive, riderless trains and save Amtrak for the places where people want to ride the trains, the northeast, the Midwest, the West Coast. It makes no sense to run these empty trains across the country with nobody on them. Save that money. Put it into the northeast corridor. Put it into the Chicago area. Put it into the California trains and the West Coast trains, and let us reform Amtrak.

I urge the defeat of this amendment.

Mr. LATOURETTE. Mr. Chairman, it is my pleasure to yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. OBERSTAR. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the courtesy.

This is the sixth time that we are approaching a shutdown, but it is not any failure of Amtrak. It is a failure of Congress.

There are people here who have a theological zeal that somehow Amtrak should be self-supporting, but they sit back as we lavish subsidies on the airline industry, which has not shown a profit in its passenger service for 75 years, despite \$14 billion in airport subsidies, \$11 billion in air traffic control. After 9/11, we gave them \$15 billion in loans and grants. In fact, Amtrak and its operation helps keep down airline ticket prices because it provides some competition.

What is the problem? Well, first of all, our Republican leadership friends will not allow us to bring to the floor our bipartisan legislation that would reauthorize Amtrak. If we would do that, Amtrak would have stability rather than playing hand-to-mouth. Investing in Amtrak is the cheapest way to buy airport capacity and road capacity.

Amtrak is not refusing. To the contrary, David Gunn and the management there are a breath of fresh air. They are being very cooperative with the Congress that changes signals, makes unrealistic demands, will not let it manage, and yet ignores subsidies in other areas and pretends that we should be the only Nation in the world with unsubsidized rail passenger service, a test that Congress will not apply to the airline industry. Well, they do not apply it to the airline industry because they should not. We should have balanced transportation.

Last but not least, this starvation of Amtrak ignores the huge shutdown costs that will mean for years to come we will still be paying more but more so that Amtrak can't operate. Approve the amendment, reauthorize Amtrak, and we will make sure that we have a balanced transportation system for the future.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. SESSIONS).

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

During the last 35 years, congressional funding for Amtrak has amounted to roughly \$29 billion. It is \$29 billion from the taxpayers that were given for a system which we really do believe in, but back in 1997 with its reauthorization, Amtrak came to the table with an agreement that they would change their operations and become profitable.

Today, Members of Congress come to the floor to ask, once again, for Amtrak to do exactly that. We have heard, boy, there is not enough money there; we are going from hand to mouth. Yet, we know that there is \$83 million that Amtrak loses alone just in its food service on trains.

I would submit to this body that it is time now that we take additional steps

to do the right thing, to give Amtrak that necessary kick in the pants that allows it to be able to offer its service on a more efficient basis, a market-based way, and this will allow us the opportunity to end this large subsidy, to have Amtrak do something that the American public not only has confidence in but is run on market-based forces. I would submit to my colleagues, they will become a better transportation service.

I support what the gentleman from Michigan (Mr. KNOLLENBERG) is doing in his bill. The President of the United States is correct, and the gentleman from California (Mr. LEWIS), our Committee on Appropriations chairman, is right. It is time that we take on this unwieldy process of spending \$1 billion a year as a subsidy.

Mr. KNOLLENBERG. Mr. Chairman, I am just inquiring about the amount of time for each side.

The CHAIRMAN. The gentleman from Michigan (Mr. KNOLLENBERG) has 5 minutes remaining. The gentleman from Ohio (Mr. LATOURETTE) has 2 minutes remaining. The gentleman from Minnesota (Mr. OBERSTAR) has 1¼ minutes remaining.

Mr. LATOURETTE. Mr. Chairman, it is my pleasure to yield 1½ minutes to the gentleman from Michigan (Mr. SCHWARZ).

(Mr. SCHWARZ of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SCHWARZ of Michigan. Mr. Chairman, no passenger rail system in the world that is worth its salt runs without subsidy.

After World War II, the entire rail system in Europe was destroyed, and they have built up from that time to the best passenger rail system in the world, France, Germany, the low countries, the UK, Italy, Spain. Spain, for God's sake, has a better passenger rail system than the United States.

The first four airlines in the United States are broke or going broke. If my colleagues have flown lately, and I know all of them have flown lately, they know what a great experience that is.

The gentleman from Oregon was correct in saying we are going to take traffic off the interstates. We are going to take passengers off the airplanes, especially east of the Mississippi and up and down the California coast, and put them on trains, but we cannot run this system unsubsidized. It is not possible, and our friends in Europe, our friends in Japan, that have the best rail passenger systems in the world, understand that.

I ask the body to fund Amtrak at the level suggested by the LaTourette amendment for another year. I also ask the body to appoint a commission to study Amtrak, to put together a plan to make Amtrak something that survives and is efficient, but my colleagues must know there will always be a subsidy. I find it an embarrassment that the passenger rail service in

the United States of America is in its present state, and something needs to be done about it. It needs to be preserved.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I thank the chairman for the time.

Mr. Chairman, I have been on the Committee on Transportation and Infrastructure of the House for some 13 years, most of that time on the Subcommittee on Railroads, and I always hear that Amtrak reform is right around the corner.

For the benefit of the gentleman who just spoke, in 1997, we put an Amtrak Reform Council, ARC, in place for some 4 years to 1991. They came up with a recommendation, and Congress ignored the recommendation. Yes, the problem is Congress. No, the problem is not just putting more money into Amtrak, as this amendment would do.

My colleagues heard the gentleman from Kentucky (Mr. ROGERS), the Committee on Appropriations subcommittee chair, talk about the waste in Amtrak. The GAO just testified before our subcommittee again, for every dollar that we get in food and beverage service, every dollar, it costs us \$2. We lose \$2.

The service, if we had service, my colleagues heard the gentleman from Kentucky (Mr. ROGERS) talk about subsidizing routes, the sunset limited, \$466 per passenger. Now, it would not be bad if we paid that and, for example, the train got there on time. Do my colleagues know what its on-time performance was? 4.3 percent of the time it got there on time, an absolute disaster.

We had a hearing on the money that they lost in trying to put in high-speed service. We have neither high speed and we do not have service, an absolute farce, billions of dollars wasted, and no Acela high-speed service in the quarter.

Here is the GAO report. The President has called for this reform. The Amtrak Reform Council has called for this reform.

I am a critic of Amtrak, but I am a strong supporter. We need a nationwide system to supply an alternate transit system across the country, and we are behind countries. We are even behind Romania, which recently decided to privatize their railroad.

So I get letters. Here is a letter from an Amtrak employee. My colleagues heard some of the waste here. "There are so many other ways Amtrak squanders its money," he wrote me, and this is just one. He said, \$20,000 for a 7-week course of which most of the people never even completed. "I still witnessed my share of a finely tuned money pit." Amtrak West headquarters, the fifth floor of the Port of Oakland's luxury high-rise, the place is full of employees but what they all do is a mystery. Then he says, We have another office 20 miles away. He said, I started to wonder if Amtrak owns

stock in FedEx. They ship everything FedEx. He goes on and says they fly around the country on airline tickets, costing thousands of dollars each.

Here is the report of how we save money with Amtrak, not how we squander it.

Then we had the question of not just losing money but stealing money. Food service, over 135 employees were dismissed, resigned or disqualified for improper cash handling and 250 conductors stealing money. There is the report.

Give them more money. Go ahead, because we will be back here next year doing the same thing.

Mr. OBERSTAR. How much time remains, Mr. Chairman?

The CHAIRMAN. The gentleman from Minnesota (Mr. OBERSTAR) has 1¾ minutes remaining.

Mr. OBERSTAR. Mr. Chairman, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for the purpose of making a unanimous consent request.

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in strong support of this amendment.

Mr. Chairman, I rise today in strong support of the LaTourette-Oberstar amendment aimed at keeping Amtrak on track.

This amendment restores funding for Amtrak to \$1.176 billion, an increase of \$626 million. This funding will save Amtrak from bankruptcy and allow the railroad to continue to operate in a safe and reliable manner.

No passenger railroad system in the world operates without some form of public subsidy. Yet, unfortunately, the bill before us would essentially end this country's passenger rail system as we know it.

Countries with well-developed passenger rail networks but much smaller populations such as Germany and Japan invest \$3 to \$4 billion annually on passenger rail, representing over twenty percent of their total transportation spending.

At five hundred and fifty million dollars, Amtrak would be forced to shutdown all operations, causing unnecessary disruption and hardship on millions of Americans that depend on this alternative mode of transportation.

Local economies and businesses that have benefited from Amtrak's service would also suffer. Amtrak's twenty thousand workers would be out on the streets looking for new jobs.

Last year Amtrak provided over eleven million dollars in wages for good paying jobs for Texas residents.

Bankruptcy is not the solution for Amtrak. The American people want and deserve a national passenger rail system.

All transportation is subsidized by American taxpayers.

Singling out Amtrak assumes wrongfully that taxpayers do want to invest in passenger rail and this just plain wrong.

Polls consistently show that Americans support federal funding for a national rail passenger system.

I urge my colleagues to renew this body's support for a national rail passenger system and vote yes on this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield for the purposes of making a unanimous consent request to the gentleman from California (Mr. COSTA).

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

Mr. COSTA. Mr. Chairman, I, too, rise to support the amendment for increased Amtrak funding.

Mr. Chairman, the LaTourette/Oberstar Amendment will increase by \$626 million the annual funding to AMTRAK.

Mr. Chairman, the President's push to eliminate Federal support of AMTRAK is a shortsighted, poorly-conceived policy. Federal support of national transportation systems is a national priority that goes back to Abraham Lincoln, and to act in the face of such an American tradition is to do so at our own peril.

AMTRAK provides a great service to California, and is an extremely important tool for my constituents. In the State of California alone, AMTRAK operates 70 intercity trains and over 200 commuter trains per day. The San Joaquins line, which services Fresno and Bakersfield in my district, is the fifth-busiest passenger line in the country, and carries over 700,000 people annually. As a matter of fact, three of the Nation's top five busiest intercity corridors are in California.

California recognizes the importance of AMTRAK, and has invested heavily over time to maintain its presence in the State. Over the past 10 years, California has invested approximately \$100 million per year to work towards this goal. Many of the routes in California—including the San Joaquins—continue to experience double-digit ridership growth, demonstrating the importance AMTRAK has for my constituents and Californians.

While continued reform of AMTRAK is essential, it must be accomplished in a bipartisan fashion that reflects a post-9/11 view of the world. The United States requires an intermodal transportation system that has real interconnectivity, and protects our citizens' socio-economic needs in a flexible and cost-effective fashion. We must remember all forms of transportation in America have and continue to utilize some form of subsidy.

If this body chooses to not support Amtrak, it will ignore the needs of the citizens of this Nation. AMTRAK remains a vital and viable mode of transportation for many people in this Nation, and to undermine that service will go against a history of service this Nation has put into the national transportation network.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of time on our side.

Remarks have been made in all seriousness of purpose by people with genuine beliefs on all sides of this issue, but facts are stubborn. The cuts in GSA or the offsets, from cleaning and maintenance, security issues, that is provided by the Department of Homeland Security. We do not touch security at Federal buildings. The Federal Protective Service provides that.

Reference was made by the last speaker to comments of an Amtrak employee. Let me quote another Amtrak employee, the CEO, David Gunn who says that, with this funding level, Amtrak will close its doors and cease operations nationwide.

□ 1345

The Association of American Railroads, I want to say for those who are interested in their views, supports this amendment. "A shutdown of Amtrak will cost the freight railroads \$5.3 billion over the next 6 years."

I heard references to needing reform. Well, we passed a reform bill in 1997, a 5-year reform that concluded in 2002. Every year the appropriation bill imposes new restrictions on poor old Amtrak. Every month, under that reform, a business plan is submitted to the Congress.

Now, let us talk about the successes. The 5-year capital plan of Amtrak focused on restoring the northeast corridor to higher levels of reliability and safety, restoring the aging fleet of rolling stock, eliminated three long-distance routes, increased ridership from 22.5 million in 2000 to 25.1 million in 2004, and kept the cash operating requirement at or below \$570 million. There were 256,000 concrete ties installed, 104,000 wood ties replaced, 226 miles of rail infrastructure restored, and 50 undergrade bridges have been improved.

There have been improvements. Those dollars have been invested wisely in the capital facilities of Amtrak. Give it an opportunity. David Gunn is the best operator we have had. Give him an opportunity to run this railroad right.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this amendment, and I want to just comment on a couple of things that were said by the distinguished subcommittee chairman during the debate. He described this amendment as being a "slash and burn amendment." Well, I want to suggest that what was "slash and burn" was the budget resolution which has enforced these kinds of reductions across the budget.

In my view, it is the budget resolution which slashed and burned when it wound up producing an education budget that left No Child Left Behind education programs \$800 million below last year. It was slash and burn which left the National Institutes of Health with 500 fewer medical research grants than they had 2 years ago. It was slash and burn that eliminated nine out of the 10 programs that were supposed to focus on the development of health professions in rural areas and in urban inner-cities. It was slash and burn which has caused this very bill to provide, in essence, a shutdown of Amtrak.

The gentleman from Oregon summed it up as well as anyone in the debate today when he pointed out the strange dichotomy that exists between believing that railroad transportation must show a profit, but airline transportation, passenger service at least, does not have to.

And I would add that there are hundreds of miles, thousands of miles in this country of interstate highway that in actuality have very few riders and

standing alone could not justify their construction in the first place. So it seems to me, as has been said, we need a balanced set of transportation alternatives in this country. And you do not balance your transportation system by putting one leg of that transportation system out of business, as this committee product essentially does.

Mr. Chairman, I would urge support for the amendment. I do not like the reductions in the offsets any more than many other persons in this Chamber like them, but the fact is they were forced by every single Member who voted for that Republican budget resolution. So like it or not, those are the choices you enforced, and we choose not to shut down one of the major transportation legs in this country.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have risen to strike the last word, first, because I want to express my deep appreciation to the chairman of the subcommittee and the ranking member of the subcommittee for a rather fabulous job done on this bill overall. In a time of short financial circumstances, they produced a very balanced bill that reflects a cross-section of very important issues to the country.

I rise also to specifically talk about the job the committee has done relative to Amtrak. It is not like Amtrak does not have problems, and it is not like the chairman is suggesting we ought to shut it down by way of his bill but, instead, to deal with the reality that Amtrak has been going over a cliff for some time now.

In the last 3 fiscal years, the subsidy has grown from over .5 billion to over \$1.2 billion. And, indeed, others in this town have decided its pathway is such we cannot afford it any longer, so recommendations were made to zero Amtrak. This subcommittee, in a very thoughtful way, in a very tough budget year, laid the foundation to eliminate the very expensive routes to support the northeastern corridor, the routes in the West, and at the same time try to make sense out of this process.

It is long past due that we reviewed this policy and put in place something that will work so we have a passenger rail system. If we continue on the path the way that we are, and the amendment presented by the gentleman from Ohio (Mr. LATOURETTE) essentially does that, takes us back to that pathway, eventually the train is going to go over the cliff and Amtrak will be no more.

I would suggest that the House recognize a rather fabulous job done by this subcommittee. I congratulate them for their work and in doing so urge my colleagues to vote "no" on the LaTourette amendment and to support the committee's product.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield for the purpose of making a unanimous consent request to the gentleman from New Jersey (Mr. ROTHMAN).

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

Mr. ROTHMAN. Mr. Chairman, I rise in strong support of this amendment.

Mr. Chairman, I rise in support of the LaTourette-Oberstar-Menendez amendment which would restore funding for AMTRAK.

As a member of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and District of Columbia Subcommittee, I want to thank Chairman KNOLLENBERG and Ranking Member OLVER for their work on this legislation.

I also want to acknowledge both the Majority and Minority staff for their dedication to the difficult task of crafting this legislation that incorporates such a broad spectrum of different agencies of our government.

Chairman KNOLLENBERG was given a difficult task with what I believe was an inadequate allocation. I have appreciated his willingness to work with both sides of the aisle to make sure that all members of the subcommittee had input into this final product. Mr. KNOLLENBERG has done the best job he could with what he was given.

I especially want to thank him for his help with Teterboro Airport in my District.

Unfortunately, though, I disagree with the allocation for AMTRAK in this bill. That is why I support this amendment.

The \$550 million provided for AMTRAK will certainly bring an end to passenger rail service as we know it.

Furthermore, this bill only funds the Capital Improvement Program for the Northeast Corridor line, which runs from Washington DC's Union Station to Boston's South Station, at \$50 million.

This amount is hundreds of millions of dollars below what is needed to keep the Northeast Corridor in good repair.

Just maintaining the tracks and making needed safety improvements in my home State of New Jersey will cost \$90 million. If AMTRAK were to uphold their agreement with the State of New Jersey to provide matching funds of \$45 million for track maintenance, that would only leave \$5 million left for the maintenance of the rest of the Northeast Corridor line.

I urge my colleagues to support this amendment to restore funding for AMTRAK to continue the stated goal of this bill to provide viable passenger rail service in the United States.

Mr. OLVER. Reclaiming my time, Mr. Chairman, I support this amendment. I believe very strongly that we should have a national passenger rail system, and I want to see that that is a successful system and a system that we can modernize and make into one that is truly a part of our balanced transportation system.

Several people have come to the floor in opposition to the amendment and pointed out how much money is expended by Amtrak. Well, yes, indeed, each of the last 3 years has been over \$1.2 billion. One year, 3 years ago, it was \$1.3 billion. But even at that level of expenditure, there has not been enough money to even make a serious dent in the capital needs for the northeast corridor, the northeast corridor which carries 50 percent of all of the passengers on our version of the national rail system. So we are being



quite unrealistic in the idea that some seem to have that it is possible to run a passenger rail system on the cheap.

The number of dollars that are being talked about here simply does not run even the inner-city rail system, those 24 lines that the bill purports to support. As I have said earlier today, the chairman has used an extremely blunt instrument on Amtrak, somewhat like the proverbial 2-by-4 between a mule's eyes.

Well, the bill cuts out all Federal subsidy on 18 long-distance lines, which forces them to shut down. But the cost of doing that is, as the gentleman from Ohio pointed out, giving a more accurate number than I gave, I said \$300 million, he said, I believe, \$369 million in costs that are just to close down those lines in the first year. And it continues for several years, while those costs of abrogating contractual arrangements and labor costs would continue. That plus already the debt on Amtrak's capital debt, the debt service on Amtrak's capital debt, would be another \$275 million and growing.

Those two items by themselves end up being more than has been suggested for funding by the bill. So the bill is a shutdown of Amtrak. It is not a reform of Amtrak. That is really for the authorizers to do over time. What the amendment does, as has been proposed by the authorizing committee, and I commend them for putting together a set of offsets which are difficult, but not nearly as difficult in dealing with Amtrak as the proposal is in the bill, what they have done is completely funded offsets within the authorization committee's area. And they are the ones ultimately that are going to have to figure out how to come up with a bill that in the long run provides a national passenger rail system and reforms it, which does not have to be by the basis of cutting out all of these long-distance lines.

The lines that are cut out, shown by that map that everybody has seen, cuts out all passenger rail service in 23 States, representing 154 Members of this House of Representatives and 46 Members of the other body. That is just not a realistic position. And the position which the authorizing Chair and the ranking member of the authorizing subcommittee have put forward is a position that still requires reform, because that number of dollars in the long run does not fully fund a functioning and efficient national passenger rail system.

Mr. Chairman, I support the amendment that has been put forward by the gentleman from Ohio and the gentleman from Florida. Both States, by the way, lose all of their passenger rail system. I hope the amendment is adopted.

Mr. LATOURETTE. Mr. Chairman, I yield myself the last 30 seconds of my time.

Mr. Chairman, what is wrong with Amtrak is that Congress has micromanaged its operation. What is wrong

with Amtrak is that the United States Congress has not permitted David Gunn to implement the reform package that he sent up here in April of this year.

I heard a lot of comments about the food service. I conducted that hearing with the gentlewoman from Florida (Ms. CORRINE BROWN), and these statements made on the floor are a little less than accurate.

Lastly, I have to tell my colleagues that priority is important; but I need to remind people that I voted for a lot of stuff that I might not have thought is important: cranberry and blueberry research, sweet potato research, a tattoo-removal program, and even a national anger management program. Amtrak is at least as important as removing tattoos with Federal money.

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

I want to just comment on a couple of things in closing. This has been recommended to the CEO of Amtrak over and over: eliminating sleeper car service would save 100 million a year. Just improving their food and beverage service would save \$83 million a year. If it would match its train sets to the actual locomotives and the cars they need, they could save still more money. All those things have been ignored.

Let me tell my colleagues a little about our friend who is the CEO of Amtrak.

□ 1400

This is a quote from David Gunn, "President Bush's proposal to give Amtrak just over half of what it is seeking in Federal subsidies would shut the railroad down just as more passengers are taking the train." That was February 10, 2004.

Secondly, "It would be a chaotic shutdown," says David Gunn, Amtrak president, on what would happen to the railroad if a bill passed last week by a House Appropriation Subcommittee becomes law. That was July of 2003.

Amtrak President David L. Gunn said last week that if the passenger railroad corporation does not get a loan of at least \$200 million by the end of month, he will be forced to begin an orderly shutdown of all Amtrak passenger service in July; June 15, 2002.

And when he was with the folks in Toronto, "Bits and pieces of the Toronto Transit Commission risk being shut down and abandoned unless the cash-strapped organization gets proper funding from the metro and provincial governments, transit boss David Gunn said." That was in the Toronto Star, February 17, 1996.

Going back to December 30, 1982, "Authorities in Philadelphia and the New York area are bracing for possible shutdowns or slowdowns of commuter rail service beginning New Year's day. 'I would not assume my train will be there Monday morning,' General Manager David Gunn warned commuters."

Finally, "Without an emergency transfusion of public funds, this area's

commuter-train service could die before next July, transportation officials have warned. 'There is the real risk of a shutdown for the rail service,' said David Gunn."

This gentleman has done nothing but ask for money; no reform, just money. And this amendment lies on a phoney offset to reward mismanagement of Amtrak. The bill fully supports rail service for four out of five riders or 80 percent of Amtrak's ridership. I oppose this amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise to strongly support the LaTourette/Oberstar amendment for \$626 million to restore funding for Amtrak.

Our vision for our country should be more far reaching, our dialogue more elevated. When we talk about the future of Amtrak it should not be in one year intervals. We should set forth a plan that begins with a responsible Amtrak reauthorization bill that Congress will commit to fund every year. This piecemeal approach that Congress currently engages in to budget for Amtrak is unacceptable and irresponsible.

The opponents of Amtrak should take a moment and look at all the Members of Congress lined up to speak on behalf of Amtrak today. Support for our nation's rail system is not fading—it is getting stronger.

The American people have spoken through action in their support of Amtrak. Last year, Amtrak provided service to 25 million passengers. For the past three years, Amtrak has had an increase in passengers. In Southern California, the Pacific Surf liner had an increase in ridership of 25 percent last year alone.

Given the increased ridership both locally and nationally, anything but a continued investment in Amtrak would be a tragic misuse of Federal resources and would be extremely shortsighted.

I look forward to standing here next year and praising our leadership for having done the responsible thing and budgeted for Amtrak, so that we will not have to debate this issue on the floor year after year.

I join my many colleagues in support of the LaTourette/Oberstar amendment.

Mr. HOLT. Mr. Chairman, I rise in support of the LaTourette/Oberstar amendment that would restore funding for Amtrak. The Fiscal Year 2006 Transportation Treasury, Housing and Urban Development Appropriations bill that we are debating today cuts funding for Amtrak to \$550 million, half of its current funding level. Without increasing the funding level to \$1.2 billion, Amtrak will be unable to survive and will be forced into bankruptcy.

In recent years the Administration and some members of Congress have repeatedly proposed significant cuts in Federal funding for Amtrak. They seem determined to eliminate this vital transportation service, and justify these actions by demonizing and blaming Amtrak for all of its problems. These opponents of Amtrak often forget that the Federal government subsidizes our nation's airports, roads, sidewalks, and even its bicycle paths. Why should it treat our national rail system differently?

Like the 25 million people that rode Amtrak in 2005, I appreciate the essential public service Amtrak provides. I am a frequent rail passenger, as are many of my constituents in

central New Jersey. In fact, 4 million New Jersey residents rode Amtrak last year, and many New Jersey commuters ride Amtrak or use their infrastructure daily.

The loss of Amtrak would impact more than my constituents and other patrons across the nation who depend on its convenient service. Those customers that rely on Amtrak will be forced to descend on our already heavily congested roads and airports. These demands on our roadways will accelerate the loss of open spaces that will be paved over in order to construct new roads. The additional congestion will increase pollution in urban environments that already suffer from the ill effects of smog.

Furthermore, the economic impact of eliminating Amtrak should not be overlooked. In New Jersey alone, at least \$200 million in annual revenues would be lost from the newsstands, convenience stores, cafes, and other retail businesses that are located near the rail lines and that count upon daily commuters for much of their cashflow. This economic dependence on Amtrak is similar along the Northeast Corridor, in cities across the Nation and in rural areas that depend on the train passing through their town.

I am disappointed that the Administration and some members here in Congress fail to recognize the benefits of Amtrak. I hope that the majority of my colleagues will appreciate the importance of Amtrak on America's transportation infrastructure and support the LaTourette/Oberstar amendment that will keep Amtrak running.

Mr. SIMMONS. Mr. Chairman, I rise today in support of the LaTourette amendment to ensure that we keep Amtrak up and running.

With hundreds of workers and thousands of riders, Connecticut relies every day on a healthy and efficient passenger rail service to sustain our way of life.

Were Amtrak to cease operations the ripple effect on my district would be near catastrophic. Hundreds of workers and their families would be without a source of income, thousands of riders would be forced to use an already-clogged 1-95 or equally congested local roads and millions of commuters and business in my district and throughout the state would be inconvenienced and perhaps worse.

Passenger rail in my district and throughout the heavily-populated Northeast Corridor simply cannot survive without Federal support.

While an improvement from the administration's allocation, the \$550 million provided to Amtrak in this funding bill must be increased to sustain our passenger rail system.

I encourage my colleagues to join me in supporting the LaTourette amendment and to continue our Nation's commitment to a viable passenger rail system.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE).

The amendment was agreed to.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to bring the House's attention to one fact: Since Members keep asking me, are we going to be here Friday, I would like to make the point simply that this is the 224-page bill. We are still on page 2.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$8,550,000.

#### TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$40,613,000.

#### WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$120,014,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

#### MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$500,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, \$400,000.

#### MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$3,000,000, to remain available until September 30, 2007: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

#### PAYMENTS TO AIR CARRIERS

##### (AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731-41742, \$54,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That the Secretary may transfer amounts appropriated to the Federal Aviation Administration under any heading in this Act or otherwise available to the Federal Aviation Administration, to make such amounts available for obligation and expenditure for the essential air service program, in satisfaction of the requirements of section 41742(a)(1) of title 49, United States Code, in advance of the collection of fees under section 45301 of title 49, United States Code: *Provided further*, That the Secretary shall reimburse such amounts to the Federal Aviation Administration proportionally by transfer, to the extent possible, from amounts credited to the account established under section 45303 of title 49, United States Code, as such fees are collected during the fiscal year: *Provided further*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers.

#### POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against the phrase "to be derived from the airport and airway trust fund" beginning on page 5, line 25, and ending on line 26.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If no other Members wish to be heard on the point of order, the Chair is prepared to rule.

The provision would provide that funding for payments to air carriers be derived from the airport and airway trust fund. Authorization in law may exist for this funding from general revenues, but no specific authorization in law exists for this funding to be derived from the trust fund. This is consistent with the rulings of the chair of September 23, 1993, and June 26, 2001, and November 28, 2001. The Chair finds that the provision is not supported by an authorization in law.

The point of order is sustained, and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

#### NEW HEADQUARTERS BUILDING

For necessary expenses of the Department of Transportation's new headquarters building and related services, \$100,000,000, to remain available until expended.

#### AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. VELÁZQUEZ:

Page 6, line 22, after the dollar amount, insert the following: "(reduced by \$20,000,000)".

Page 48, line 5, after the dollar amount, insert the following: "(reduced by \$30,000,000)".

Page 91, line 19, after the dollar amount, insert the following: "(increased by \$47,656,000)".

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

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

#### PARLIAMENTARY INQUIRY

Ms. VELÁZQUEZ. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentlewoman may state her parliamentary inquiry.

Ms. VELÁZQUEZ. Mr. Chairman, I have been advised that the amendment has been cleared by the CBO and the parliamentarians, so I would like an explanation for the point of order.

The CHAIRMAN. The gentleman from Michigan has reserved as point of order. The chair will entertain argument on the point of order if it is raised.

Ms. VELÁZQUEZ. Mr. Chairman, in cities and towns across the country, lead paint hazards still pose a clear and serious risk to families, with exposure of toxins in the home triggering asthma at a great cost to American families and the national economy. At greatest risk are low-income and minority children living in older, sub-standard housing.

Despite these facts and the bipartisan effort to increase funding for HUD's lead hazard control grants, this bill cuts funding by approximately \$48 million, risking the health and safety of children and families across the Nation. Even with last year's funding level, HUD was only able to fund one-third of the requests it received from cities and States, and the cut contained in this bill would only make this situation worse.

With this in mind, I rise today to urge Members to support the Velázquez-Slaughter-Terry amendment which restores funds to HUD's lead hazard control grants to last year's level for this critical program that makes great strides in eradicating lead poisoning in children.

We have a national goal of protecting our children from lead poisoning by 2010. HUD's lead hazard control grants are critical to achieving this goal. Without adequate funding, we run the risk of not being able to match the rhetoric with action.

This amendment reduces funding for salaries and expenses and at the Department of Treasury, and the Department of Transportation's new headquarters building. Despite the offsets, these two areas will still receive sufficient funding, with Treasury still above the fiscal year 2005 funding level. By adopting this amendment, we will protect the health and safety of children while maintaining sufficient funding levels, making this a win/win situation.

Even at moderate to low levels of exposure, scientific evidence shows that lead can adversely impair a child's performance on standardized intelligence tests, and it can affect school performance, educational attainment and, ultimately, career prospects. Voting for this amendment will help with prevention efforts and move us closer to the goal of eradicating lead poisoning altogether.

For the health and safety of children across the country and for the billions of dollars in potential savings by preventive outreach, I urge support of this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

This amendment would add \$47.7 million to the fair housing budget. The amendment would more than double funding for the program over the 2005 level. There is no possible justification for doubling the program in 1 year.

Additionally, this program has one of the lowest spend-out rates in all of HUD. Simply put, these funds could never be used by HUD, and they are ab-

olutely unnecessary. The committee has funded the program at the requested level which HUD has said is full funding. I have already indicated why this is the case.

Also, as drafted, all of the funds would go to the FHAP program. If Velázquez did not mean to double the total and put it all in the FHAP program, I strongly suggest that the gentlewoman should withdraw the amendment.

Ms. SLAUGHTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in strong support of the Velázquez-Slaughter-Terry amendment to restore the funding to HUD's Office of Lead Hazard Control.

The funding is critical to achieving our national goal of eradicating childhood lead poisoning by 2010. HUD's Office of Lead Hazard Control provides grants to cities and States to correct serious lead hazards in their homes. These grants are targeted to individuals vulnerable to the effects of lead, particularly children under the age of 6.

Lead poisoning affects nearly 434,000 American children between the ages of 1 and 5, and that is criminal. In my district, 1,200 Monroe County children fall victim to lead poisoning each year, and in response, Monroe County and the City of Rochester with its partners have used funding from HUD's lead hazard control grants to make 220 housing units lead free and safe for children.

The lead hazard control grants work, but only if they are available, and already one of my counties was forced to stop accepting applications this early in the year because the money had run out.

Last year, HUD's Office of Lead Hazard Control was unable to fund two-thirds of the requests it received due to the lack of funding. This year, the office is slated to be cut by \$47 million. This cut will further reduce the number of grants awarded and leave children exposed to lead hazards.

It is a tragedy that failing to deal with this problem renders children many times brain damaged, with asthma and other seizures. They are going to continue to be at risk for hearing loss, developmental delays, osteoporosis, and kidney damage simply by breathing the air in their homes.

I encourage my colleagues to support the amendment to help eliminate lead poisoning exposure for our children. We can do better, and we should not squander this opportunity.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I am very opposed to increasing this program at the expense of other crit-

ical programs. There are a number of reasons.

The committee mark fully funds the amount requested by the administration and fully funds the program that has been in place for the last decade. These funds go to State and local governments to abate lead-based paint in homes that will not be restored through modernization or resale. Three years ago, the Senate began a new demonstration program and added between \$50 million and \$75 million. The House has not included these funds in subsequent years, and the Senate has attempted to continue the demonstration program each year. They may well try to do so again.

The committee is simply not in a position to absorb a \$60 million increase in funding for this demonstration program at the expense of programs that are being funded at the 2005 level or below. This is not an appropriate trade-off.

Mr. Chairman, I urge that the amendment be defeated and we work to determine if the program should be included during conference.

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Mr. TERRY. Mr. Chairman, I move to strike the requisite number of words.

Today I rise in strong support of the Velázquez-Slaughter amendment to H.R. 3058. This amendment will restore almost \$48 million in critical funding to help States combat lead poisoning in children.

Just as a reference, my interest is in the children and the families who live in older areas of cities, including Omaha, Nebraska that I represent, who have to deal with the lead paint and lead dust in their houses. On top of that, in my city they also deal with contaminated lead. So EPA is coming in, cleaning up the lead soil in people's yards, but yet are not doing anything to clean up the lead poisoning from the paint inside and outside those homes.

The U.S. Department of Health and Human Services estimates that as many as 1,600 children in East Omaha have harmful levels of lead in their bodies. There are 86,000 residents in Omaha affected by the lead cleanup.

Parents wonder whether it is safe for their children to play outside, but they must continually check windowsills for lead dust and beware of cracking paint inside their homes to help protect their children from lead poisoning.

The dangers of lead poisoning are well known and heightened for young children. High levels of lead in the body can cause asthma, brain damage, mental retardation, hearing loss, hyperactivity, and developmental delays. The Federal Government will end up paying the costs of lead poisoning in Medicaid, S-CHIP, and IDEA dollars unless greater resources are directed toward lead remediation efforts such as the State grant program operated by the EPA's Office on Lead Hazard Control.

The amendment offered today will prevent a significant cut to this program from \$166 million in fiscal year

2005 to \$119 million in the Transportation-HUD appropriations bill under consideration right now. This year the EPA was only able to fund one third of the State grant proposals for lead-based paint remediation. The city of Omaha in its dire need lost a \$3 million grant for HUD assistance. This situation can only worsen unless the amendment is approved today.

I commend the gentlewoman from New York (Ms. SLAUGHTER) and the gentlewoman from New York (Velázquez) for championing this effort and strongly urge my colleagues to join me in voting for this commonsense amendment to help protect children from the dangers of lead poisoning.

Ms. VELÁZQUEZ. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The Acting CHAIRMAN (Mr. FOSSELLA). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, I would like to respond to the chairman's statement regarding the fact that HUD did not use all the money last year.

Let me just say that HUD only funded one third of all grants applications that were submitted to HUD last year; so clearly there is a need.

Today we have the opportunity to send a strong message to the estimated 310,000 children that every year are poisoned by lead. Lead paint is a serious problem, taking an especially hard toll on low-income minority communities. If we do not address this issue now by investing in preventative measures, we run the risk of suffering the ramifications for decades to come.

We cannot put a price on a child's health. However, we can recognize the impact cutting funding for HUD's lead hazard control grants will have on the health and safety of children around the country.

This amendment will simply restore funding to last year's level while maintaining adequate funding levels for the programs it reduces through off-sets. With the need for this program outpacing the ability of community organizations to work with affected neighborhoods, we cannot sit idly by and fail to, at the very least, maintain current funding for such crucial services.

I urge the Members to support this amendment and vote in favor of holding the line to protect the lives of children in all our districts.

The Acting CHAIRMAN. Does the gentleman from Michigan withdraw his reservation?

Mr. KNOLLENBERG. I do, Mr. Chairman.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL AVIATION ADMINISTRATION  
OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108-176, \$8,042,920,000, of which \$4,986,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$6,424,229,000 shall be available for air traffic services activities; not to exceed \$951,042,000 shall be available for aviation regulation and certification activities; not to exceed \$222,171,000 shall be available for research and acquisition activities; not to exceed \$11,759,000 shall be available for commercial space transportation activities; not to exceed \$50,583,000 shall be available for financial services activities; not to exceed \$69,943,000 shall be available for human resources program activities; not to exceed \$150,744,000 shall be available for region and center operations and regional coordination activities; not to exceed \$140,337,000 shall be available for staff offices; and not to exceed \$36,612,000 shall be available for information services: *Provided*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than \$7,500,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card. In addition, \$150,000,000 for transition costs associated with OMB Circular A-76 Flight Service Station competition.

AMENDMENT OFFERED BY MR. KNOLLENBERG

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

The Clerk read as follows:

Amendment offered by Mr. KNOLLENBERG:

Page 7, line 8, after the dollar amount, insert "(increased by \$263,000,000)".

Page 7, line 12, after the dollar amount, insert "(increased by \$263,000,000)".

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

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, this is a very simple amendment. On page 7, line 8, after the dollar amount, insert "increased by \$263,000,000," and page 7, line 12, after the dollar amount, insert "increased by \$263,000,000."

What it does simply is it adds \$263 million to FAA safety programs.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

I just want to say we agree with the amendment that has been offered.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. POE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. POE:

Page 7, lines 8, 9, and 11, after the dollar amount, insert "(increased by \$24,875,000)".

Page 30, line 10, after the dollar amount, insert "(reduced by \$24,875,000)".

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

Mr. POE. Mr. Chairman, the FAA, in a report mandated by Congress in the Vision of 100 Act, reported that over the next 10 years, 73 percent of the agency's nearly 15,000 air traffic controllers will become eligible to retire. Total losses over this time are expected to be 11,000.

More than 649 million passengers flew our Nation's skies last year. As America's aviation system continues to expand, we must ensure we have the proper number of trained air traffic controllers to make travel move efficiently and safely. FAA's current staffing plan calls for the hiring and training of 12,000 controllers over the next 10 years.

While the underlying bill provides just under \$25 million, up from \$9.5 million in the fiscal year 2005 to do this, I believe it falls short and fails to account for the immediate specific staffing needs as well as additional controllers for expected increases in traffic volume, an expected 5 percent training failure rate, and the higher-than-normal retirement rates beyond 2014.

This amendment simply would add \$24.875 million to the FAA's Air Traffic Services account which would double the funding called for in the bill to better address short-term and long-term air traffic controller staffing and training needs. It reduces overall spending in the bill by 4.5 percent for Amtrak.

Amtrak continues to operate at a deficit and requires substantial taxpayer subsidies to operate. At a time of flat budgets and large deficits, taxpayers cannot continue to subsidize the poor management and unprofitable services of Amtrak. According to the House Committee on Appropriations, Amtrak alone is to blame for the bulk of their problems, most notably taking on nearly \$4 billion in debt. A rider taking a train from Orlando to Los Angeles receives a \$466 taxpayer subsidy on top of a \$165 ticket for a trip that takes more than 71 hours. For \$211, less than half the Federal subsidy alone, the same traveler could fly from Orlando to Los Angeles in less than 6 hours. The Amtrak CEO has reported six times in the past that if it is not provided more funding, it is threatening to shut down.

So I ask my colleagues, why are we consistently throwing money at Amtrak when it consistently operates at a deficit, especially when we need this money for the FAA and air traffic controllers? People are going to continue to fly, Mr. Chairman; and it is important that we make the skies safe for them.

## POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I make a point of order against the amendment because it increases an appropriation from the Airport and Airway Trust Fund over the amount authorized from that fund and therefore violates clause 2 of rule XXI.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Hearing none, the Chair will rule.

The amendment offered by the gentleman from Texas (Mr. POE) proposes to increase the appropriation for a certain account in the bill that as presently proposed is at a level authorized by law.

Under clause 2(a) of rule XXI, such an increase must be specifically authorized by law. The burden of establishing the authorization law rests with the proponent of the amendment. In this instance, the proponent must show that the amendment does not cause the pending appropriation to exceed the level authorized in law.

Finding that this burden has not been carried, the Chair sustains the point of order. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

## FACILITIES AND EQUIPMENT

## (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air naviga-

tion and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, \$3,053,000,000, of which \$2,618,000,000 shall remain available until September 30, 2008, and of which \$435,000,000 shall remain available until September 30, 2006: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2007 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2007 through 2011, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

## RESEARCH, ENGINEERING, AND DEVELOPMENT

## (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$130,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2008: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

## GRANTS-IN-AID FOR AIRPORTS

## (LIQUIDATION OF CONTRACT AUTHORIZATION)

## (LIMITATION ON OBLIGATIONS)

## (AIRPORT AND AIRWAY TRUST FUND)

## (INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,600,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,600,000,000 in fiscal year 2006, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be avail-

able for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, not more than \$81,346,584 of funds limited under this heading shall be obligated for administration and not less than \$20,000,000 shall be for the Small Community Air Service Development Program: *Provided further*, That of the amount authorized for the fiscal year ending September 30, 2005, under sections 48103 and 48112 of title 49, United States Code, \$469,000,000 are rescinded.

## POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a point of order against the paragraph.

The Acting CHAIRMAN. The gentleman from Florida will state his point of order.

Mr. MICA. Mr. Chairman, I make a point of order against page 11, line 22, beginning with “; for grants” through page 12, line 1, ending with the word “code.”

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Hearing none, the Chair will rule.

The provision proposes to earmark certain funds in the bill.

Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests in this instance with the committee or other proponent of the provision.

Finding that this burden has not been carried, the point of order is sustained, and the provision is stricken from the bill.

## POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a further point of order against the paragraph.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I make a point of order against page 12, line 12, beginning with “provided further” through line 17 ending with the word “program.”

This provision also violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of the House rules.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Hearing none, the Chair will rule.

The Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

## ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 101. Notwithstanding any other provision of law, airports may transfer without

consideration to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: *Provided*, That, the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 102. None of the funds in this Act may be used to compensate in excess of 375 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2005.

SEC. 103. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 104. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

SEC. 105. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking "2005," each place it appears and inserting "2006,".

(b) Section 44303(b) of such title is amended by striking "2005," and inserting "2006,".

SEC. 106. None of the funds made available in this Act shall be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed \$359,529,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of \$36,287,100,000 for Federal-aid highways and highway safety construction programs for fiscal year 2006: *Provided*, That within the \$36,287,100,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than \$485,000,000 shall be available for the implementation or execution of programs for transportation research (as authorized by title 23, United States Code, as amended; section 5505 of title 49, United States Code, as amended; and sections 5112 and 5204-5209 of Public Law 105-178, as amended) for fiscal year 2006: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided fur-*

*ther*, That the Secretary may, as authorized by sections 183 and 184 of title 23, United States Code, charge and collect a fee, from the applicant for a direct loan, guaranteed loan, or line of credit to cover the cost of the financial and legal analyses performed on behalf of the Department: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under 23 U.S.C. 188.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, \$36,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a point of order against the paragraph.

The Acting CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I make a point of order against the phrase "notwithstanding any other provision of law" on page 16, line 8.

□ 1430

This phrase violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The Acting CHAIRMAN (Mr. FOSSELLA). Is there any Member who wishes to be heard on the point of order? Hearing none, the Chair will rule.

The Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of Rule XXI. The point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 110. (a) For fiscal year 2006, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs funded from the administrative take-down authorized by section 104(a)(1)(A) of title 23, United States Code, for the highway use tax evasion program, and for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the prior fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways less the aggregate amounts not distributed under paragraphs (1) and (2) for section 201 of the Appalachian Regional Development Act of 1965 and \$2,000,000,000 for such fiscal year under section 105 of title 23, United States Code (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, \$2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed \$2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code (but, only in an amount equal to \$639,000,000 for such fiscal year); and (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st



Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that such obligation authority has not lapsed or been used.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds: (1) that are authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and highway-related programs under chapter 4 of title 23, United States Code; and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) of this section for a section set forth in subsection (a)(4) shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a point of order.

The Acting CHAIRMAN. The gentleman will state it.

Mr. MICA. Mr. Chairman, I raise a point of order against section 110. This provision violates clause 2 of rule XXI. It changes existing law, and therefore, it constitutes legislating on an appropriations bill in violation of House rules.

The Acting CHAIRMAN. Is there any Member who wishes to be heard on the point of order? Hearing none, the Chair will rule.

The Chair finds that this section includes language imparting direction. The section therefore constitutes legislation in violation of clause 2 of Rule XXI. The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 111. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 112. BYPASS BRIDGE AT HOOVER DAM. (a) IN GENERAL.—Subject to subsection (b), the Secretary of Transportation may expend from any funds appropriated for expenditure in accordance with title 23, United States Code, for payment of debt service by the States of Arizona and Nevada on notes issued for the bypass bridge project at Hoover Dam, pending appropriation or replenishment for that project.

(b) REIMBURSEMENT.—Funds expended under subsection (a) shall be reimbursed from the funds made available to the States of Arizona and Nevada for payment of debt service on notes issued for the bypass bridge project at Hoover Dam.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a point of order.

The Acting CHAIRMAN. The gentleman will state it.

Mr. MICA. Mr. Chairman, I raise a point of order against section 112. This provision violates clause 2 of rule XXI. It changes existing law, and therefore constitutes legislating on an appropriations bill in violation of House rules.

The Acting CHAIRMAN. Is there any Member who wishes to be heard on the point of order? Hearing none, the Chair will rule.

The Chair finds that this section includes language conferring authority. The section therefore constitutes legislation in violation of clause 2 of Rule XXI. The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIMITATION ON OBLIGATIONS)

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds provided for expenses for administration of motor carrier safety programs and motor carrier safety research shall be available for fiscal year 2006, the obligations for which are in excess of \$215,000,000: *Provided*, That for payment of obligations incurred to pay administrative expenses of and motor carrier research by the Federal Motor Carrier Safety Administration, \$215,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

LIQUIDATION OF CONTRACT AUTHORIZATION

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out motor carrier safety grant pro-

grams in accordance with title 49, United States Code, \$286,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds provided for the implementation or execution of motor carrier safety grant programs authorized by title 49, United States Code, shall be available for fiscal year 2006, the obligations for which are in excess of \$286,000,000.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 120. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107-87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, \$152,367,000, of which \$135,367,000 is to remain available until September 30, 2008, and \$17,000,000 is to remain available until expended: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, \$75,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2006, are in excess of \$75,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, \$4,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$4,000,000 for the National Driver Register authorized under chapter 303 of title 49, United States Code.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, and 410, to remain available until expended, \$551,000,000 to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2006, are

in excess of \$551,000,000 for programs authorized under 23 U.S.C. 402, 405, and 410, and the State Traffic Safety Information Systems Improvements, High Visibility Enforcement, Child Safety and Booster Seat, and Motorcyclist Safety grants programs, to be allocated as follows: \$229,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402, \$136,000,000 shall be for "Occupant Protection Incentive Grants" under 23 U.S.C. 405, \$129,000,000 shall be for "Alcohol-Impaired Driving Countermeasures Grants" under 23 U.S.C. 410, \$30,000,000 shall be for State Traffic Safety Information Systems Improvement grants, \$15,000,000 shall be for High Visibility Enforcement grants, \$6,000,000 shall be for Child Safety and Booster Seat grants, and \$6,000,000 shall be for Motorcyclist Safety grants: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed \$10,000,000 of the funds made available for section 402, not to exceed \$3,306,000 of the funds made available for section 405, and not to exceed \$3,000,000 of the funds made available for section 410 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-Impaired Driving Countermeasures Grants" shall be available for technical assistance to the States.

ADMINISTRATIVE PROVISION—NATIONAL  
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 130. Notwithstanding any other provision of law, States may use funds provided in this Act under section 402 of title 23, United States Code, to produce and place highway safety public service messages in television, radio, cinema, and print media, and on the Internet in accordance with guidance issued by the Secretary of Transportation: *Provided*, That any State that uses funds for such public service messages shall submit to the Secretary a report describing and assessing the effectiveness of the messages: *Provided further*, That \$10,000,000 of the funds allocated under section 405 of title 23, United States Code, shall be used as directed by the National Highway Traffic Safety Administrator to purchase national paid advertising (including production and placement) to support national safety belt mobilizations: *Provided further*, That, of the funds allocated under section 410 of title 23, United States Code, \$6,000,000 shall be used as directed by the Administrator to support national impaired driving mobilizations and enforcement efforts, \$14,000,000 shall be used as directed by the Administrator to purchase national paid advertising (including production and placement) to support such national impaired driving mobilizations and enforcement efforts.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I make a point of order.

The Acting CHAIRMAN. The gentleman will state it.

Mr. MICA. Mr. Chairman, I raise a point of order against section 130.

Mr. Chairman, I raise a point of order against page 28, line 15, beginning with "provided further" through page 29, line 2.

These provisos violate clause 2 of rule XXI. They change existing law which constitutes legislating on an appropriations bill in violation of House rules.

Mr. SWEENEY. Mr. Chairman, I insist that the point of order be extended to the entire paragraph.

The Acting CHAIRMAN. Does anybody wish to be heard on the point of order? Hearing none, the Chair will rule.

The Chair finds that this section explicitly supersedes existing law. The section therefore constitutes legislation in violation of clause 2 of Rule XXI. The point of order is sustained, and the section is stricken from the bill.

Mr. MICA. Mr. Chairman, could I inquire as to what page that would apply to, through what page?

The Acting CHAIRMAN. It will apply to section 130, beginning on page 28, and ending on page 29, line 2.

The Clerk will read:

The Clerk read as follows:

FEDERAL RAILROAD ADMINISTRATION  
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$145,949,000, of which \$13,856,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$26,325,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT  
PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2006.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 26101 and 26102, \$10,165,000, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, \$550,000,000, to remain available until September 30, 2006: *Provided*, That none of the funds herein shall be available for the operation and maintenance of routes RT16A, RT18, RT19, RT22, RT25, RT26, RT27, RT28, RT30, RT32, RT33, RT34, RT45, RT48, RT52, RT54, RT63, RT66, as in existence on May 1, 2005: *Provided further*, That of the funds provided, \$50,000,000 shall be used by the Secretary of Transportation to enter into contracts to make improvements to the Northeast Corridor, as authorized under chapters 241 and 249 of title 49, United States Code.

AMENDMENT OFFERED BY MS. CORRINE BROWN  
OF FLORIDA

Ms. CORRINE BROWN of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. CORRINE BROWN of Florida:

In the matter relating to "DEPARTMENT OF TRANSPORTATION—FEDERAL RAILROAD ADMINISTRATION—GRANTS TO NATIONAL RAILROAD PASSENGER CORPORATION", strike "none of the funds herein" and all that follows through "further, That".

Ms. CORRINE BROWN of Florida. Mr. Chairman, this amendment will strike the language in this bill that prevents funding for 18 important Amtrak routes throughout the country. Without this amendment, 23 States, over 154 Members and 258 local communities and over 4 million passengers will be waiting for a train that is not coming.

This assault on Amtrak by the President and some of his allies in the Congress is a perfect example of why 81 percent of the American people believe Congress is out of touch with their priorities. This is the People's House, and I would hope that the House would do the people's work and also not wait for the other body to rescue us.

We spend \$1 billion a week in Iraq, \$4 billion a month, but there is no money for Amtrak or its passengers. Just one week's investment in Iraq would fund passenger rail for the entire country for the entire year. In fact, listen up, we could fund Amtrak for a year with the \$1 billion that the Pentagon said was misappropriated by Halliburton.

I just want someone to explain to the American people why investing in transportation in Iraq is more important than investing in passenger rail right here in the United States. No transportation system in the world pays for itself. We continue to subsidize highways and aviation, but when it comes to passenger rail systems, we refuse to provide money needed for Amtrak to survive. For years, we put Amtrak on a starvation diet, and now we are trying to kill it off.

Last year, we authorized more than \$3 billion out of general revenue funds for the Federal Aviation Administration, and this is in addition to the \$20 billion in financial relief that we provided to the airlines after 9/11, all paid for by the American public.

It is important to note that the Members who complain the loudest about Amtrak are the same Members that open up the American checkbook and ask how much do they need when the airlines come calling, all while ticket prices go up and service goes down.

I represent central Florida, which depends on tourists for its economy, and we need people to be able to get to the State to enjoy it. Ever since September 11, more and more people are turning from airlines to Amtrak, and they deserve safe and dependable service. But if this amendment is not passed, the 200,000 visitors that take the AutoTrain to Florida each year will not be visiting our great State.

This is just one example of Amtrak's impact on my State. Amtrak runs four long distance trains through Florida, employing 990 residents, with wages totaling over \$43 million. They purchased

over \$13 million in goods and services last year, and they are doing it at the same time in every single State.

We have maps and information right here, and I would encourage my colleagues to see what impact Amtrak has on their State.

I want to thank all of the Members who have come to the Floor in support of Amtrak. I strongly encourage my colleagues to do the right thing for their constituents and support this important amendment. If we do not fund Amtrak, we will leave 25 million people waiting for a train that is not coming.

Mr. Chairman, you can fool some of the people some of the time, but you cannot fool all of the people all of the time. The American people support passenger rail service in this country. We will be the only civilized country that does not have passenger rail service.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. Chairman, this amendment would remove from the bill the limitation on routes that would be eligible for Federal funding, take them all out. It would strip any semblance of reform out of the House bill. All reform goes out the window.

If we want to talk about killing Amtrak, if you really want to kill it, this is the way to do it. In the FY 2006 grant request, Amtrak specifically stated that it cannot continue to operate all routes with \$1.2 billion, all routes. The LaTourette amendment offered earlier provides less than \$1.2 billion. If this amendment is adopted, the northeast corridor is in jeopardy, the northeast corridor is in real bad shape.

The limitation in the bill protects the northeast corridor. This amendment does not. Amtrak supporters in the northeast need to understand that supporting this amendment redirects the funding to the highly unprofitable routes, routes that carry Federal subsidies up to \$466 per passenger, routes that carry less than 20 percent of Amtrak's riders, and it leaves more than 52 percent of Amtrak riders in the northeast exposed to a shutdown, 52 percent, over half.

Striking the limitation on route eligibility will siphon funding from routes that chill the promise of self-sufficiency, routes that are well used, to routes that will never, never, never under any circumstances be profitable.

I urge a "no" vote.

Mr. PASCRELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to remind my brothers and sisters from both sides of the aisle that this was a national system envisioned by the President in 1971, President Nixon, who had the bipartisan support of the Congress of the United States. And why was it proposed? It was proposed because the private companies wanted out. They no longer could pay for a system that serviced America.

Now, let me say what that system encompasses, I support this amendment

by the ranking member, the gentlewoman from Florida (Ms. CORRINE BROWN), the ranking member on the Subcommittee on Railroads.

Just three of those routes in red that you want to dispose of, the Silver Service, the Silver Meteor and the Palmetto, from New York to Miami, Philadelphia, Wilmington, Baltimore, Washington, all the way to Jacksonville-Tampa and Fort Lauderdale, services 738,000 people. No small potatoes. That is a lot of folks. Where are you asking them to go? How are they going to get between destinations?

While I can accept that Amtrak must reform and while I can accept that we need to do away with any frivolous spending whatsoever, we need to sustain a system here, and we need to figure out on both sides of the aisle how to do it.

□ 1445

The Crescent from New York to New Orleans to Philadelphia to Wilmington, to Baltimore, Washington, Greensboro, Charlotte, Atlanta and Birmingham, 256,000 people, 256,000 passengers. And the Carolinian from Charlotte to New York City, 305,000 passengers. That is why I support the Brown-Menendez-Rahall amendment to keep these Amtrak trains on track.

I want to express in the strongest words here, Mr. Chairman, contrary to what one might expect, residents in my area of New York, New Jersey, Connecticut, Pennsylvania, they travel rail to Florida. They do not only travel the northeast corridor, they travel by rail to the Midwest, they travel up to New England beyond just Boston, and they like using the trains, the very same trains that brought us from place to place after 9/11, remember, when we could not travel. Thank goodness that we had some semblance of a national system.

Americans like the freedom to travel. They want to make choices. I believe it should be the goal of the Department of Transportation to expand transportation alternatives, not to cut back on those choices.

It was Amtrak that I rode home from Washington on to be with my constituents to assess the damage at Ground Zero, as well as folks from both sides of the aisle. It is too important to the American people and the American economy to settle for anything less than a national system.

Mr. Chairman, I have heard the presentations about reform. I have heard no explanations, no alternatives to in any way sustain those routes that are all in red. So if we took the red away, we have systems that are not interconnected, and many of those systems are connected to the intermodal part of transportation, which is what TEA-LU is all about, which is what TEA-21 was all about, intermodal transportation. The Amtrak system is part of it, whether we are talking about rail, whether we are talking about airlines, whatever we are talking about.

Mr. MICA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is an important amendment because it does do away with the reforms that this appropriation subcommittee has imposed on Amtrak. As I said earlier, I have been on the Committee on Transportation and Infrastructure for some 13 years. I watched for more than 4 years when they had an Amtrak reform council look at the operations of Amtrak and come up with recommendations that were made to Congress; and, sure enough, they ignored those recommendations.

This is a tough business to reform Amtrak and eliminate some of these politically popular routes. But the cost of those routes, as we have heard, range from \$242 subsidizing per ticket on the Sunset Limited, some \$466 to run the route that we saw here. Some of those go into my State, Florida. But it is time to reevaluate those routes, and we must eliminate them if we have to, only by legislation, because the reform which we have tried to do through an advisory council and commission to look at this in an independent study, all that has failed.

I do support the President in really drawing a line in the sand and saying we must impose reforms on Amtrak.

Now, we have heard this analogy, and I chair the Subcommittee on Aviation, on how much we subsidize aviation. But every ticket that is sold by Amtrak is subsidized by \$49, every single ticket. In aviation that is not the case, I say to my colleagues. We heard how much money goes in, but that money is raised by a 7.5 percent ticket tax. The next time you get your airline ticket, look at 7.5 percent, look at the other fees. There is a passenger facilitation fee, and that could be anywhere from a few dollars on up. There is an aviation security fee of \$5. You hear the airlines complaining about how taxed their passengers are. The passengers are paying their full fare, including a fuel tax.

Amtrak pays no fuel tax, there is no passenger tax, there is no security fee. There is no contribution. Besides that, they are losing, on every ticket they sell, an average of \$49.

Now, I am a strong supporter of mass transit, high-speed rail, rail as an alternative; and I do know that some of that has to be subsidized. I will vote to subsidize this. But a loss of nearly \$500 a ticket, and that is what this amendment would do, will restore all those losing routes.

Now, why has Amtrak not changed out some of these routes? Let us be a little candid among friends here. Labor cut sweetheart deals so most of the Amtrak employees are going to get 7 years' salary and benefits assistance; some will get 5 years. There is a cost. We cannot eliminate one single route without paying those benefits that have already been negotiated. But at some time, we have to pay the piper, and sometimes we have to cut the losses.

Now, out in America right now, probably not watching the proceedings of this House, are millions of Americans who are working hard. It is hard for me to tell them to go out there and work even harder, maybe get another part-time job so you can send that money here to Washington, so we can have them waste it.

When they provide food service and take in a dollar, it costs them \$2. They lost a third of a billion dollars in the past 3½ years on food service. When they try to put high-speed rail in, and I am a strong advocate of high-speed rail, we have neither high-speed and we do not have service. It is down the tubes. It was going 83 miles an hour. That is not high-speed service, even by our own standards which are, under Federal law, 120 miles an hour.

So let us make the reform that is necessary. The chairman and the subcommittee have done an excellent job in forcing some of these reforms that are long overdue. Let us defeat this ill-conceived amendment. Let us reform Amtrak. Let us provide good service, not a Soviet-style train endurance test for passengers, but modern, high-speed rail and long-distance service across the United States, and give service to passengers that do not have that service available, at the lowest cost to the taxpayers. We can do that.

Mr. SWEENEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I also rise in opposition to this amendment, and I will acknowledge up front I do it rather reluctantly, because I am a huge proponent of the national rail system and recognize up front the need for some subsidization, fair and responsible and reasonable subsidization, as we do in other transportation routes; and a lot of speakers have addressed that issue and that point.

But just as the last speaker pointed out the inefficiencies in the system, in the process both at Amtrak and, frankly, how the Federal Government has provided oversight, I think that passage of this amendment represents a premature move to acceptance of those inefficiencies at a point, a critical point, in negotiations that we cannot do that. Facts are facts, and we have been asking for Amtrak to reform itself for a number of years. We have not gotten much of a response. In fact, we have gotten resistance. And the inefficiencies in the system continue to atrophy downward.

How it really impacts on people, in my district, just outside the northeast corridor, not part of the corridor, because the tracks are not owned by Amtrak, there is a continued deterioration; and there is no Amtrak plan, no Amtrak plan to resolve those issues, putting at risk an awful lot of people. I know what the chairman is trying to accomplish in this particular piece of legislation is force Amtrak back to the table to talk about what needs to be maintained, what is critical infrastruc-

ture, what are critical lines of connection that have to be in this; and if we simply just say we are going to go on with business as usual, we continue to promote the atrophy within the system.

Now, I think at some point in this process, many of these lines that are eliminated in this particular bill are reinstated before this bill becomes law. But we ought not to do it just willy-nilly; we ought not to just give it away. We need to force some people to make some tough decisions. We need to force some people to live by their commitments of the past, which they have not thus far. I think this is one of the few pieces of leverage that the gentleman from Michigan (Chairman KNOLLENBERG) and this subcommittee will have as we continue to try to find a way to get to the answers.

Now, we have gone from zero to now \$1.2 billion in this bill. That is a real commitment to Amtrak. It is still, I would suggest, short of where we need to end up. But let us not just end up there by dealing away those funds; let us end up there by making sure that we bring efficiencies to the system.

Mr. POMEROY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the bill before us posed a double-barrel shotgun blast to the continuation of Amtrak. One barrel has been dealt with with the amendment passed earlier by this House restoring funding critically needed to keep national passenger rail available. But we cannot stop now. We have to also pass the Brown amendment, because without the passage of this amendment, investment in the routes denoted in red on this chart will end. Now, that continues to be the routing for many of the vast stretches across this country that truly make this a national rail system.

Coming from the heartland, representing North Dakota, a place of vast distances and not that many people, I must tell my colleagues that I am surprised at what I am hearing on the floor of the House, that this is a national service. Provided, it runs just between populated areas and short distances, some place for the Northeast, maybe the Southwest; but the rest of the expanse of this great country, forget about it. Are we the United States of America, or what?

In North Dakota, what is at stake is the Empire Builder. It is a route that has been operating for 76 years. This year, it will serve 89,000 North Dakotans. Amtrak links many rural cities and communities that are not serviceable by airlines. In North Dakota, Amtrak has a strong record of reliable service. It is an important transportation option for many North Dakotans and North Dakota businesses.

For the resident of Rugby, North Dakota, seeking to get to Minot, the regional medical center to attend to their medical needs in the middle of a cold, January day, or small businesses

along the northern route, Devils Lake, depending upon the transportation option for the shipping of central materials for that particular business, Amtrak matters and it matters a great deal to us. In Minot, North Dakota, one station alone, 29,000 served last year.

Mr. Chairman, in rural America we do not have airports in every corner, we do not have the same kinds of options that the crowded areas of this country do, and that is why we need to continue this national commitment to national passenger rail.

We all have supported taxpayer dollars, and I mean over and above the ticket tax dollars, that have gone into the highway program. They have gone into the airport improvement program, and now it is time to do our proportional share for passenger rail. It is pennies on the dollar compared to the public subsidy of these other transportation alternatives. But take it from one from the heartland: passenger rail matters, and it matters just as much to us as it does in the northeast corridor.

I urge passage of the Brown amendment. Do not dismantle Amtrak. Do not take this service away from rural America.

□ 1500

Mr. KENNEDY of Minnesota. Mr. Chairman, I move to strike the requisite number of words.

I would like to speak in opposition to this amendment, Mr. Chairman. And I would agree with the gentleman from Florida (Chairman MICA) that I, like he, am for high-speed rail. We are for commuter rail that gets people in high volume areas back to work and forth. But if we want to preserve Amtrak as a viable entity, I agree also with the gentleman from Michigan (Chairman KNOLLENBERG) who said, if you care about Amtrak, oppose this amendment, because if we do not reform Amtrak, it is hard for us to be able to afford its survival.

I would just cite the Washington Post editorial of May of this year where they listed as the first test to whether Amtrak is going to make it is whether they force the closure of the most uneconomic routes. That is what this amendment tries to oppose.

The second test, according to the Washington Post, is that Amtrak needed better management. Better management would recognize this, would oppose this amendment. We need to stand up for both Amtrak's future and for our taxpayers. Oppose this amendment.

Mr. Chairman, I yield to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding.

What is interesting about this amendment is that only 20 percent of the people are involved in the elimination of these lines, but it is 50 percent of the cost. This is like a stake in the heart of a plan to establish some reform. You know, unfortunately, our

national rail service is no longer a source of pride. Amtrak has suffered mismanagement, irresponsible investments, poor service and a tremendous backlog of, maintenance that has sunk the system to a new low.

Amtrak, as we know it, faces tremendous debt while operating in a fundamentally flawed management system. Amtrak goes back to 1971, and the conception at that time was to produce it as a for-profit business. And it was expected to be one within 5 years. Here it is 35 years later. Guess what, they are in worse shape than ever. As has been pointed out, unfortunately for the taxpayers, its self-sufficiency is only a pipe dream. On average, taxpayers will pay a \$210 subsidy, even though you do not think you are paying it, because some pay \$466, you are because the system needs an average of \$210 per person. All other transportation systems in our country are paid for directly. Highways and aviation are funded through user fees and excise taxes. Rail is the only passenger transportation mode that relies solely on the generosity of taxpayers. And this charity is running out.

It is funny, I have not heard one word from anybody who is complaining about shutting those lines down who is interested in doing anything locally to provide resources to keep it going. That is an option. We are not mandating the closure. And the message should be clear. In a time of flat budgets and large deficits, we cannot afford the abuse of taxpayer dollars on irresponsible ventures, poor management and unprofitable services.

I know that reform is never easy. But in Amtrak's case, it is essential. We have come to the last stop. Amtrak is no longer helping us move forward. Passenger rail must be reformed, or it will end, be the end of Amtrak.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members should be reminded that when yielding to another under the 5-minute rule the yielding Member must remain on his feet.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

This is a bit of a surreal debate at this point. To me, the only logical thing to do with this vote is to vote to strike the section that eliminates the long-distance routes. I believe that, in large measure, the vote that was taken earlier was a vote in adding money back to Amtrak, was a vote to allow Amtrak to operate another year, and leave the authorizers with a mandate or a very strong signal that they had to do something and finally get this matter settled through the normal authorization route.

My chairman, and I know, I respect what he is trying to do. He has this section which eliminates these long-distance routes that serve the only passenger rail service in 23 States, with all of those Senators on the other side of the Capitol and at least 154 of our Members in those States. And by elimi-

nating those routes, he wishes to force reform of the system, to force the authorizing system to operate effectively. And in eliminating those routes, there is such a large cost for the elimination of the routes that the amount of money that was put in was simply not adequate to do the job, and so it was going to shut down the whole of the Amtrak system. I think that that, clearly, is what comes through as the end result of the way the bill was written.

Now, if we leave the routes in there and no subsidy can be placed on those routes, then that shuts down those routes and triggers the utter waste of \$360 million a year of costs for abrogating the labor and other contractual obligations that relate to those routes. It is an utter waste, and that means, in fact, that I think the chairman is right. It probably means that then the system is likely to shut down again because the total amount of money is not going to be adequate.

But the chairman himself has indicated what the actual reform is. The chairman has pointed out that there is extremely high costs on these long distance routes through the luxury services, the sleeper services and the meals services, which cost \$300 million or thereabouts to provide on these routes. So one could have one's cake and eat it, too, by eliminating that luxury service, those meals and sleeper services on the long-distance routes, continue to have the long-distance routes without those costs, which serve a very small group of people, a very small number of people, and then that process, the amount of money that was put in the bill would then serve to keep things going for the next year.

So it seems to me that the logical thing to do would be to strike these routes and, instead, provide the reforms, not by the bludgeon of eliminating these routes which triggers that high cost of contractual changes, rather than doing that, find the reform that is going to actually keep the national rail system going and allow the amount of money that was put in to provide that service at a much lower cost than what presently is the case. So I hope that the amendment will be adopted and that we will get somewhere to what would be a real reform.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the Brown-Menendez-Rahall amendment aimed at keeping Amtrak on track. This amendment would strike current bill language that eliminates 15 long-distance trains and three shorter-distance routes, some of which provide essential transportation services to rural areas.

In the State of Texas, Amtrak operates one short-distance train, the Heartland Flyer, and two long-distance, the Sunset Limited and the Texas Eagle, which services my district.

H.R. 3058 eliminates Texas' only two long-distance routes. The elimination of these routes would have an adverse effect on Texas communities that depend on these routes and leave hard-working Texans, which depend on the \$11 million in wages that Amtrak currently provides, unemployed.

I am fully aware that the money is very tight. We have a war to finance, and we have big tax cuts for some. But let us do something for the heartland of the USA.

Further, in certain rural parts of the State, these lines are often the only transportation alternatives to automobiles. The State of Texas is experiencing unprecedented population growth. The growth is placing enormous strain on the State's highway capacity. And all of us know where that bill is for the last 2 years.

As the construction of new highways becomes less practical, the need for a comprehensive passenger rail system will continue to grow. Passenger rail is a component of this Nation's economic and transportation backbone. Bankrupting and gutting our national passenger rail system is not the way to go.

I urge my colleagues to renew this body's support for a national rail passenger system and urge a yes vote on this amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this House, just a short while ago, adopted the LaTourette and Oberstar amendment, the clear intent of which was to restore passenger service to the routes shown in the map that everybody has been showing around today, the areas, the routes in red. It was meant to retain a truly national passenger railroad service.

Without the subsequent amendment of the gentlewoman from Florida (Ms. CORRINE BROWN), that initial action by the House remains essentially meaningless, and it means that the only thing that the money would be used for, which was gained in that LaTourette amendment, would be to pay shutdown costs to the former employees of the parts of Amtrak that are being shut down. I do not think that action is going to please anybody. I do not think it is going to fool anybody. We clearly need this amendment, and I would urge support for it.

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

Ms. CORRINE BROWN of Florida. Mr. Speaker, if my amendment is not accepted, millions of passengers will be stranded. Commuters, operators will be disrupted. Thousands of jobs will be eliminated. States will be forced to figure out how to pay for new services under already tight budget restraints. Taxes on freight railroads and their workers would increase as a result of decreased revenue for the railroad retirement and unemployment program, and local economies and businesses that depend on Amtrak services will

suffer. Save our Nation's passenger rail network. Vote yes for the Brown-Menendez amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to support the Brown-Menendez-Rahall-Cummings amendment, and I offer just a little story. Because I heard the ranking member, the gentleman from Massachusetts (Mr. OLVER) mention the solution to our problem.

We just passed a very helpful and needed amendment by the gentleman from Ohio (Mr. LATOURETTE) that acknowledged America's commitment to long-distance rail. But then we have a slight problem. As we have supported his amendment, we have a sea of red that indicates that America will be disconnected.

Well, Mr. Chairman, let me tell you a little story. I have traveled on rail, heavy rail in the early stages of my life as a little girl. Not only was I not in the luxury seats, I was in the back of the train or the train designated for one group of people. In addition, I brought my own bag of food. Now, I might say that I enjoyed that delicious food that was given to me by my grandmother. But when it comes to saving our rail system, I believe we might just go back to eliminating the luxury but providing for the practical. My condition was a predicament of this society, segregation. But yet, now that we have a full and open society, we need to be able to continue a full and open transportation system. Although it notes that Texas may be included in the rail system, all of the red suggests that we will not be connected because of the cuts in the rail system.

□ 1515

So this amendment will eliminate a provision in the bill that prohibits Amtrak from using funds to operate all 15 of the railroad long-distance trains, some of which provide essential service to rural area and three short-distance trains. The amendment will eliminate the provision that prohibits Amtrak from using the funds to operate these particular long-distance trains. How can you have a system that eliminates all of these connecting aspects of our rail system? That is the benefit of rail. That gives us, the consumer, the choice: driving, bus service, flying, or, yes, the train service.

And if I might add to the esthetics of train travel, how many families have testified to the value of traveling together as a family along America's highways and byways, seeing America through the eyes of a train?

By yet there is more to the train service because some of our rural communities and smaller cities do not have access to any kind of interstate travel except for train travel. They do not

have close enough airports. They may not have bus service. They may not have access to automobiles. And with the fuel prices, I will assure that you there will be many who will fall into this category.

The Brown-Menendez-Rahall-Cummings amendment is a good commonsense amendment. It plays right into the hands of the LaTourette amendment, the funding; but it also says that it is important to serve America. Why not cut the luxury service? Why not encourage families to bring their own home-cooked meals? Whatever the choice may be, bag lunches, however it is. But I would assure you that most Americans would rather have the kind of travel that is necessary for them to move about this Nation than some hot-cooked meal on a train that does not come to their doorstep.

I ask my colleagues to support this amendment. Texas will be mighty lonely. Even though it may be one of those States that has the service, we are disconnected because the routes going through our State will be disconnected and we will have no way of connecting to the rest of America. Support this amendment and give back to America its ability to travel.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take 5 minutes. I rise in opposition to this amendment. Congressman Ron Packard, a former Member here, was a very strong supporter of Amtrak. He pushed it every year that he was chairman on the Committee on Transportation and Infrastructure. He also realized that we had to reform Amtrak.

If we do not push the Department of Defense to make changes, they will never do it. This week this body made several votes to send a message. Let me give you a good example. I think the total outlay to Saudi Arabia was \$24,000, but they voted to cut off funding for Saudi Arabia. Why? It is a message to keep them moving in a right direction.

I read recently where if you took Amtrak from Florida to San Diego, the ticket is about \$135, but the Federal subsidy for that is \$477. What we are trying to do is send Amtrak a strong message that someday they have got to reform.

Sleeper cars, now, that trip from Florida to San Diego would take 71 hours. Someone that is a senior citizen is not going to sit in a chair for 71 hours. It costs \$100 million a year, the food service. \$50 million it loses. Let us offer it up for bid and privatize it and at least go some of these reforms. This particular amendment does the opposite. It allows Amtrak to go on without any message to do just as they have. They have even said that ridership is up. Well, then, let us make it profitable for them so we can make a bigger and better Amtrak instead of one that takes billions of dollars just in subsidies to fund.

I am not opposed to the subsidy. Look at the Metro here in Washington, D.C. It costs a lot of money. We subsidize it. But now put all that traffic on the highway and see what it costs with pollution, with extra drive time and so on.

Yes, we do need a cross-country Amtrak, but we definitely need to send them a message. That is why I oppose this amendment.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. MENENDEZ. Mr. Chairman, I rise today in support of the Brown-Menendez-Rahall-Cummings amendment to save the 18 Amtrak routes that would be cut in this bill represented with these red lines across the country.

This is a mode of transportation for millions of Americans who have chosen it as their form to get connected to other parts of this country.

Now, if the language in the bill stands, notwithstanding that the previous amendment added money to Amtrak's overall budget, but if we allow the rest of the language in the bill to stand, Amtrak would be eviscerated as a national rail passenger service, as a national rail passenger service from coast to coast, one country, the United States of America, the United States of America.

The map shows it all very clearly. All long-distance routes would be gone. The 23 States in yellow would lose Amtrak service. However, nearly every State would be affected by the loss of some of these routes, including my home State of New Jersey. And even if Amtrak were still able to run its short-distance trains, States with Amtrak service would still suffer.

And there are a lot of places, we keep hearing about these air traffic ticket fares. Well, they are very selective and they also do not speak to the volume that there are a lot of places in the country where you cannot get to that location through a direct flight or even sometimes through a connector flight. Amtrak brings the Nation together. And you cannot starve a horse and ask it to run like a thoroughbred. That is exactly what has happened to Amtrak time and time again.

Those who starve it then come here and say how inefficient it is, but it cannot function if it does not get the right resources in the first place.

Now, these long-distance routes are not just a lifeline for people in rural towns out west, although certainly Fargo, North Dakota; Minot, North Dakota; Cut Bank, Montana; Elko, Nevada; Trinidad, Colorado; Needles, California; Yazoo City, Mississippi; Newton, Kansas, and many more are what you are seeking to eliminate by eliminating these routes.

Those people in America, small-town America, rural America, they deserve the opportunity to be connected to the



rest of the country as well, because these long-distance routes are not just the lifeline for people in the rural town out west who depend on trains like the Empire Builder and the Southwest Chief to be able get around the country.

This is about thousands of people, for example, in New Jersey who take the train to Atlanta or Florida each year. It is about tens of thousands of people who take the train from New York to Chicago. It is about maintaining the critical redundancy of our intercity transportation system, the importance of which we saw the days after September 11 when our airplanes were grounded, and it was Amtrak that was still connecting the Nation together.

Eliminating the long-distance routes will not solve Amtrak's financial problems. The Department of Transportation's Inspector General estimated that getting rid of all of these routes would only save Amtrak about \$300 million, but because of mandatory labor severance payouts, it might be several years before Amtrak actually saves a single dime. In the meantime, the severance payouts would strain Amtrak's finances, starve good areas like the northeast corridor of essential maintenance money.

This is about ultimately degrading a national passenger system, a system that is critical after September 11.

The amendment is about our fundamental commitment to a national rail passenger network, a commitment that is an essential lifeline for people throughout the country, enhances our national security, eases congestion on our highways and our airports, and gives small and mid-size businesses the chance to sell their products and services at different points throughout the country.

Vote for the Brown-Menendez-Rahall-Cummings amendment. Make sure we stay together as one country.

Mr. BUTTERFIELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first let me thank the gentlewoman from Florida (Ms. CORRINE BROWN) for her extraordinary work on this issue. She is very effective, and I want to thank her very much for her work.

Mr. Chairman, let me join the chorus of support for this amendment. This amendment will eliminate a provision of the bill that prohibits Amtrak from using funds to operate all 15 of the railroad's long-distance trains, some of which provide essential services to rural areas, such as my rural district in eastern North Carolina.

This amendment will save our national passenger rail network by ensuring that 23 States, 258 local communities, and over 4 million rail passengers continue to benefit from Amtrak's service.

Mr. Chairman, Amtrak has been there. Amtrak has stood the test of time, and it must be preserved. I urge my colleagues to support this amendment.

Mr. CARNAHAN. Mr. Chairman, I rise today in support of Amtrak. I support the Brown-Menendez-Rahall Amendment, which we are debating now, and I also strongly support the amendment offered by Mr. LATOURETTE and Mr. OBERSTAR, which the House considered earlier.

Trains have been, and continue to be, an integral part of our Nation's transportation system. Every year, millions of Americans use Amtrak and our Nation's railways to travel throughout our great country, removing cars from our congested highways and travelers from our crowded airports. In my home State of Missouri, over 400,000 people used Amtrak last year.

However, despite this heavy volume of travel, one of the routes that would be eliminated by this appropriations bill passes through Missouri and serves the city of St. Louis.

It is vital that we stop the elimination of these routes and restore full funding to Amtrak so that it may continue to provide the same level of service to the people of the United States for generations to come.

I urge my colleagues to support this essential component of our Nation's transportation infrastructure and support the Brown-Menendez-Rahall amendment.

Mr. RAHALL. Mr. Chairman, I want to thank my fellow cosponsors—Ranking Member BROWN, Congressmen MENENDEZ and CUMMINGS—for bringing this issue before the House.

Today represents another attempt to derail Amtrak and the essential transportation services it provides to millions of Americans, particularly rural Americans, across the country. The 18 routes the Appropriations Committee has proposed to eliminate would leave nearly 4½ million Americans stranded without needed rail service in 23 States, including my home State of West Virginia.

Unilaterally eliminating these routes is not prudent, and would deal a significant blow to our rural communities.

I urge my colleagues to support the Brown-Menendez-Rahall-Cummings Amendment that would save rail service to rural America.

A vote in favor of our amendment is not a vote just in support of Amtrak, it is a vote for the millions of Americans who depend on rail service to meet their transportation needs.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. CORRINE BROWN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. CORRINE BROWN of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida (Ms. CORRINE BROWN) will be postponed.

AMENDMENT OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Minnesota:

Page 30, line 10, after the dollar amount insert "(increased by \$100,000,000)".

Page 80, line 19, after the first dollar amount insert "(increased by \$100,000,000)".

and after the second dollar amount insert "(increased by \$100,000,000)".

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise today to offer an amendment to address two critical problems: preventing wasteful government spending and at the same time giving our States more resources they need.

My amendment will take \$100 million in unnecessary government subsidies from Amtrak and redirect it to HUD's Homeless Assistance Grants to help States combat homelessness.

Mr. Chairman, I know we have just completed a very long debate on Amtrak, but creating a budget is all about setting and sticking to priorities and tightening your belt when you need to. In that process, I think it is important that we get the maximum return that we can from our Federal taxpayer dollars.

As we know, the President recommended eliminating funding for Amtrak unless they reform themselves, and we originally proposed \$550 million; but now we are at near \$1.2 billion. However, instead of being thankful, Amtrak President David Gunn claimed the impact of \$550 million in Federal support would be the same as getting zero.

Where else but Washington can you hear someone complain that if you only get \$550 million that they would be as well off as getting nothing.

This is not about the northeast corridor, which is very sustainable. It is about Amtrak's refusal to reform itself. Refusal to eliminate lines like the disastrous Sunset Limited that takes from 6 days to trek from Los Angeles to Orlando, costing taxpayers as much or more than it would cost to buy each passenger an airplane ticket.

Amtrak uses funding from its profitable areas in a forlorn attempt to prop up these lines. Mr. Chairman, this is simply unacceptable.

Instead of dumping more money into a failed Amtrak system, I propose that we take some of that money and give it to those who can actually use it, State housing agencies trying to end homelessness through HUD's Homeless Assistance Grants program.

The Homeless Assistance Grants program was created to fund HUD's four major programs that funds housing services for the homeless. These four programs form the core of HUD's Continuum of Care strategy to work with local governments and service providers to combat homelessness. They help States renovate and rehabilitate buildings for use for emergency shelters, provide transitional and permanent housing for homeless families with children and those with disabilities, and provide assistance to homeless adults who have serious mental illness or chronic substance abuse problems.

□ 1530

The bill before us today grants \$1.34 billion for homeless grants, but it is

\$100 million short of the President's budget request.

Mr. Chairman, while some can debate whether or not this is the best and most efficient strategy for fighting homeless, there is no doubt these programs can help improve the lives of individuals in need more than continuing to throw even more money at Amtrak.

For States like Minnesota, which has a 10-year program to end long-term homelessness, the Homeless Assistance Grants program constitutes the bulk of matching Federal aid to support this goal. Adding \$100 million to this program, according to one estimate, increases the number of housing units available to fight homelessness by up to 3,400 for a period of 4 years, or 13,500 unit-years of assistance.

I think it would be beyond irresponsible to deny the funding these programs need to work only to continue to prop up an Amtrak system that has been a neverending black hole of wasteful taxpayers' dollars.

Mr. Chairman, if we are serious about curbing wasteful government spending and giving States the resources they need to fight challenges they face like homelessness, we must take action to ensure not another dollar is thrown away on Amtrak when it can be put to good use.

I urge all Members to take a stand against waste and in favor of helping those in need. Vote for the Kennedy amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Hallelujah. Hallelujah. We have finally found a Republican who cares about any kind of a poor people program. Hallelujah. What has the world come to? Let me tell you some of the things that you scuttled for poor people before you started with crocodile tears on this amendment. Let me just list some of the programs for poor people you have scuttled over the last 4 years.

The earned income tax credit: You only qualify for it if you make less than \$27,000 a year, but oh, you had to have a major effort on that side of the aisle to cut it.

Housing: How many times have you come to this floor cutting housing programs for low-income, squeezing housing programs for elderly, low-income?

Dental care programs: How many times in the Labor, Health, Education bill have you opposed efforts to try to increase dental care service? What did you do just last week in the Labor HHS bill when you scuttled the community services block grant, when you savaged it? That is a program that many rural communities use to help the homeless, to help the low-income.

What did you do about low-income heating assistance? Last week, you cut it by \$200 million bucks.

What did you do about the minimum wage? How many times have you tried to block an increase in the minimum wage?

I just have to say, I am thunderstruck. I am amazed we have finally

found a Republican who would put something on the Floor to help poor people, except that is not the real intent; is it?

Mr. Chairman, it seems to me that it is rather convenient that we have a newfound concern for the poor at a time when, by expressing concern for the poor, it facilitates the scuttling of a national transportation system. So I just have to say, I do not know how this amendment's going to go, but I have no doubt that the purpose of the amendment is simply to scuttle what is left of our ability to provide a national transportation system, and if, for a few moments, the poor people of this country are fooled into thinking that the other side actually cares about them, well, this is politically so much better for you; is it not?

Mr. LATOURETTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not have the revival gusto that the gentleman from Wisconsin (Mr. OBEY) does, but I do want to oppose strenuously this amendment.

We had, for a long time now, rather a vigorous discussion on the Amtrak system, and I do not know if the gentleman from Minnesota was present during that discussion, but when I hear the \$550 that Amtrak should be thankful for, the evidence was pretty clear in the statements that we gave that that \$550 was worse than a shutdown number; it was bankruptcy number, because Amtrak with its obligations for labor costs, almost \$400 million, and for its debt service, almost \$300 million, it would have forced the system into bankruptcy, ending not these long-distance routes, which were the subject of the last amendment, but all Amtrak service in all of the United States, including the northeast corridor and service out west.

What this amendment does not allow us to do, now that we have squeaked the Amtrak number back up, it is not \$1.2 billion. It is \$1.176 billion which is below last year's spending, which is \$1.244 billion. To take \$100 million now after a lot of hard work, quite frankly, by the gentleman from Minnesota (Mr. OBERSTAR) to identify some hard decisions for offsets, but that is the environment we find ourselves in, but we were successful in doing that, breathing new life into the Amtrak program, giving David Gunn the opportunity to implement the plan that he just sent to us on Capitol Hill in April of this year.

Are we so impatient that we have to identify long-distance routes and we have to take a meat axe approach to the Amtrak budget that we cannot let some of the reforms work?

David Gunn gets it. He gets that there is a problem with the food service, and he needs to do something about it. He gets the fact that the Acela high-speed train system has some difficulty with disk brakes that were manufactured in a poor fashion, and he needs to do something about it.

Those of us on the authorizing committee get it, and that is why we have already had two hearings dealing with difficulties at Amtrak. The next phase will be to invite people with all the good ideas, and everybody in this chamber has good ideas about how to fix something, anybody that has a good idea on how to reform Amtrak, to invite the States to participate in providing quality inter city train service in this country, will be invited to appear before our subcommittee and also the full committee to engage in that discussion.

But this amendment, I have to say, really is a wolf in sheep's clothing because its purports to help homeless people. Everybody in the Chamber I bet wants to help homeless people, but the real intent, I would suggest, is to take \$100 million away from Amtrak that we have just been able to restore. It was unanimous. It was a voice vote. Everybody supported it on the last occasion, and that, again, puts us into a bankrupt situation. It is bad policy.

Every other industrialized Nation in the world recognizes that passenger rail service is something worth keeping. The United States Congress, or some of us, seem to be the only body in the world that think that it is not worth saving.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, last week, we had a rather unpleasant debate on this Floor about what we should be doing vis-a-vis religious conversion. The gentleman from Wisconsin was involved, but once again, he is today dealing with religious conversion, but today, he was welcoming converts. He was welcoming those who for many years have whittled away and chopped away and hacked away at our efforts to help low-income people, and now he has, as he said, found some people who understand it.

Some of us must tell my colleagues, we are a little skeptical. To be told by some of the supporters of this amendment that I and others who have been fighting so hard to prevent these savage cuts in housing for low-income people that we are somehow insensitive to the homeless is like being called silly by the Three Stooges.

The fact is that there has been a sustained attack on everything the Federal Government has tried to do to provide housing, and it is not just in the past.

The Committee on Financial Services, on which I serve, reported out by an overwhelming vote a bill which included a provision which would take some of the profits from Fannie Mae and Freddie Mac, not tax dollars but profits from corporations which get great Federal advantages, so we felt entitled to do this, and we were following a precedent set years ago with the Federal Home Loan Bank. We said, let us take 5 percent of their after-tax profits and help build houses for homeless people. It would produce an

amount five or six times each year what this amendment deals with. You want to help the homeless, you have to try and build them homes.

Well, we have been told by some of the most conservative members of this body that that is a terrible thing, and we have been told that they are going to try and stop the bill from even coming up.

So, if Members want to genuinely help the homeless, there are at least two pending ways to do it. One, cut back on Amtrak. Two, let us take a percentage of the profits from Fannie Mae and Freddie Mac in a time-tested program, a concept endorsed I understand by Jack Kemp, a former Secretary of HUD, back when the Secretary of HUD was even on the Republican side, cared about housing, and let us go that way. Now, we say, well, but let us take it out of Amtrak.

I wish this concern for the poor had been around when we were doing some earlier bills. As I understand it, we voted a significant amount of money to send people to Mars. We cannot find enough money for the homeless so we have to take it out of Amtrak. Well, would it not have been better to take it out of the trip to Mars? I mean, literally, this Congress voted to start spending, at least this House did, to send people to Mars, and at the same time, we talk about, well, but we have to cut Amtrak to help the homeless. Where was the concern for the homeless when you were going to Mars?

Mr. Chairman, there are many ways to help the homeless. Many of us, in a bipartisan way on the Committee on Financial Services, and I would note that the gentleman from Ohio who just spoke was one of those Republicans on the Committee on Financial Services who voted with us on that proposal for affordable housing. He understands and voted, as did others on that committee from both parties, that there are better ways to do this.

I think, frankly, that we have done enough damage to low-income people. We are now giving true meaning to the phrase, let us add insult to injury; let us use the lowest-income people in this country as a pawn in this effort to dismantle a decent rail system.

I welcome them, as does the gentleman from Wisconsin, this newfound support for the poor. I am available to help people in a far less destructive fashion to let them learn how to do it. I understand, when you are new to something, you are not always good at it. When you are new at helping poor people, it may not come out too good. Some of us who have been trying this for a long time are available for instruction.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would just like to point out that, in the bill that we have before us, that the appropriation for homeless assistance grants is increased by about 8 percent over last year's, the 2005 appropriation. It is up by \$100 mil-

lion over the 2005 appropriation, but that is almost two-thirds of the way to what had been the budget request.

Now, there are many, many places in this bill that the budget request by the President is under two-thirds of the amount that had been requested in the budget by the President, and this is one where we are already at that level, at least. The increase of \$100 million and an 8 percent increase in the budget is a very good set of funding, given the kind of allocation that the subcommittee was given. That, first of all.

Second of all, I point out that the gentleman from Minnesota who spoke earlier for retaining the elimination of the long-distance routes, which carries with it a cost of a total waste of money, carries with it a cost of \$369 million which has been estimated as the cost of shutting down those routes. It seems to me that it would be far better to retain the routes, to retain the routes over the long haul and to make the savings of \$300 million in other places in the high costs of those routes which we know how to do and still have the service and still have the national passenger rail system.

However, by the amendment that the gentleman offers, what he does is to now, after the previous decision adding \$600 million roughly to the Amtrak, he takes \$100 million of that out and puts them back in the position where the amount of money is not adequate to keep the whole system running for the year.

So this is really a counterproductive amendment from the Amtrak point of view. It puts them back in the position of not having enough money to run for the year, and at the same time, he has voted and spoken even for making certain that we waste the \$370 million or thereabouts on the shutdown of those long-distance routes.

□ 1545

So I would hope that we would not adopt this amendment. I think that there are other ways that we could do that that would normally be for homeless assistance grants, except that there is already a very large increase in the homeless assistance grant, and in so doing we then return Amtrak to an untenable position. So I hope the amendment is not adopted.

Mr. PASCRELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is the most discouraging part of this discussion that we have had this afternoon. Everybody has been civil. I think everybody has attempted to be nonpartisan, which is how it should be on such an important piece of legislation. Even if we eliminated all the long-distance routes in Amtrak, we would save \$300 million. But these savings do not occur in the first year because these are expenses that are accrued. This is not acceptable.

What is most reprehensible is to not only deal with the facts but make

those who support this legislation of returning the \$1.2 billion to its rightful place, that we somehow are going to be on the side of those depriving those who are homeless of necessary resources. That, to me, is despicable.

I really want to say a different word, but I respect the institution and I respect the gentleman from Minnesota. But this is horrible. We ought to take a good look at ourselves. We ought to take a look at how many letters we sign, how many parts of the petitions over the years we have come back to this Congress with to say, "Please restore the dollars for the homeless. Please restore the dollars for the downtrodden." Neither party is privy to virtue. Neither party is privy to who cares more about the homeless. But do not try to take it out of something that you know we have been fighting for that is necessary.

Now, I have an idea. Why do we not do away with the long-distance route the Carolinian? That is 305,000 passengers. Let us wipe it out tomorrow. You tell those people in Raleigh and Richmond and Washington, D.C., Baltimore, and Philadelphia, you tell them we are taking the route off because we think there are more productive routes and that this is the least productive. You write the letter and put your signature on it and tell them that. You put your signature on that.

We, as a body, must do for the homeless together, and we as a body must do for those who ride the trains all over this country. You have seen enough of the map. You have seen enough of those routes that go everywhere and every place. And if we are going to have a system of intermodal transportation in this country, we all have to pull together.

No one denies there should be some changes in Amtrak. I have fought for them myself. But do not stand there and tell me that I am not responding to the homeless. I take exception to that. You are pointing at me. You are not making a general statement. I am not going to let you get away with making a general statement that those of us on this side of the aisle and those of you on this side of the aisle do not care about the homeless.

So you have done, I think, a disservice to both sides of the aisle when you suggest that we can take a little off here and put it over there. This is not checkers. This is the real stuff. This is the real thing, and we need an intermodal system. We need a system of national transportation started by President Nixon in 1971.

I will end on that note.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join all our colleagues in asking us to come to our senses with reference to dealing with matters pertaining to the homeless. We talk an awful lot, and correctly so here in this institution, about homeless people and veterans. The connection seems

to get lost in this particular argument that a significant number of the homeless are people who are former soldiers who once protected all of us in this country.

I shudder to think what is going to happen psychologically to some who are presently in Afghanistan and in Iraq when they return home. I suspect that we will see them, not all, but a lot of them, on corners, like we see some of the Vietnam veterans and we saw some of the Korean veterans and some of the Desert Storm veterans.

All of us want to assure that the homeless are properly cared for. Now, then, to say that the money to take care of them should come out of an intermodal system that is vital to our Nation's transportation is a bit disingenuous and, in many respects, is harmful to our overall structure.

Let me ask everybody to think about September 12, after the devastating impact of terrorism here on September 11. The entire air system of the United States of America was grounded. I have not heard the argument here from many of my colleagues on either side of the aisle that transportation, the intermodal system, becomes a national security matter.

Assume for the moment that those that would have Amtrak not operate, and I am not here to suggest that there are not necessary reforms within that rail system, and I believe we all know what they are, and I think a lot of us know how to help them achieve it, but as a national security matter, if by chance we did not have a passenger rail system of consequence in this Nation and we suffer yet another attack like we did on September 11, then we add to our interstate highway system the number of things that need to be transported and individuals who have necessary business.

I cannot begin to tell you the number of Congress people that had to go up that corridor on Amtrak to do the business of this Nation. Please look at it realistically. Do not do the homeless this way and do not do Amtrak this way. Let us come together in a bipartisan fashion and do something that we have not done well around here, and that is work together to better Amtrak and to assure that no one in this great Nation of ours is homeless.

Ms. CORRINE BROWN of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all, let me just say that the Republicans are very good at talking out of both sides of their mouths. Because as far as I am concerned, they practice what I call reverse Robin Hood: robbing from the poor and working people to give tax breaks to the rich. Not to Amtrak, but to the rich.

So let us be clear. This is not about whether or not we support the homeless. I have never not voted to support the homeless. In fact, one-third of the people that are homeless are veterans. They are veterans. And we do not ade-

quately fund the veterans appropriations. All of a sudden you discovered that we are \$1 billion short for the veterans. We have been saying all along, all of the independent budgets, that we are \$3 billion.

So do not come up here and try to act Miss High and Mighty as far as this amendment is concerned. This is about Amtrak and whether or not we are going to have a National Transportation System in this country. It is clear that you have Republicans over there that do not support a National Transportation System, and we are going to have an opportunity to put it on the board.

The ink is not even dry. They have not even printed the amendment when you come up here to take \$100 million from Amtrak. Let us not kid ourselves. This amendment is not about the homeless; this is about taking another bite at the apple. The House voted to fund Amtrak at \$1.178 billion. Let us do not just start over again.

We have heard about the homeless. When do the Republicans support the homeless? Look at the budget. Over and over again, look at the record as to how you stand as far as the poor people of this country. In fact, we do not even use that word around here. Not poor people. We do not care anything about them. But transportation generates jobs and opportunity for the community, and that is what the question is on the table: Do we support a national rail system?

Do not be confused about the person and the amendment. The question is whether or not the American people support the foolishness that you keep bringing to the floor of this House. Eighty-one percent of the polls say that the Congress is not in tune with the views and values of the American people. Well, you can fool some of the people some of the time, but you cannot fool them all of the time.

I support funding programs for homeless, but I am going to vote against your amendment because I support a national rail transportation system.

Mr. ROTHMAN. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. ROTHMAN. Mr. Chairman, first allow me to thank my subcommittee chairman and his staff for being so extraordinarily cooperative and bipartisan in word and deed when it came to the needs of everyone on our subcommittee, Republican and Democrat. We on our side of the aisle believe there was not a sufficient budgetary allocation to our Subcommittee on Transportation. But within the confines of what we were given under the budget resolution, I believe that our chairman and his staff, my ranking member, the gentleman from Massachusetts (Mr. OLVER), and his staff put together a wonderful bill, which needed help on Amtrak, which both sides of the aisle fixed about an hour ago.

So it does pain me somewhat to find out that there is an effort now to undo the solution that would have helped us keep intact a national rail system. A national rail system. Is that some wild idea that we just have here in America? No. They have it all over the world. All over Europe. China is investing tens of billions of dollars in their rail system, their infrastructure. Japan. Talk about rail system. They have the bullet trains. Where we here in the United States of America are struggling along with trains whose brake systems failed on these antiquated rail beds, et cetera. We are the greatest country in the world, and we are not keeping up with our infrastructure needs. That is wrong.

They say we are falling behind in education to all kinds of countries, India, China, other countries around the world, because we are not investing in the education infrastructure needs. And now there is this amendment to take away money that would have helped us try to keep some of our transportation infrastructure.

My colleagues, if you cannot move people, if you cannot move goods around your country, you are going to be a second-rate country. And how we got to be the first-rate country that we are is because our parents and grandparents did what it took to build an infrastructure, a world-class infrastructure of transportation. Now the majority party wants to destroy our national transportation infrastructure when it comes to passenger rail?

We have an airline system that the majority wants to subsidize, and has subsidized. So has the minority. Both sides of the aisle. We subsidize the roads and highways, superhighways all over America. Why can we not then subsidize passenger rail in America as they subsidize passenger rail all over the world?

□ 1600

Because they want to privatize it. They want to privatize Social Security. They want to privatize rail. They want to privatize the Federal Government workforce. They want to privatize Medicare prescription drugs. They want to privatize the IRS. Did Members know that? They are contracting out the IRS to collect money from taxpayers. Private companies they are hiring, when the solution is simply: Give our chairman the power, the ability to reform our system. Maybe we need a separate capital account to maintain the rail beds and improve the stations, as well as an operating account. Make the reforms necessary, but we cannot do it on the cheap.

It is like you have three houses: One for airplanes, one for roads, and one for rail, and people live in those houses.

The house for roads, we pay the mortgage and provide money to fix the roof and keep the sewer system alive.

The same with airlines. We pay for the mortgage and keep the roof up and all of structures and systems intact.

But when it comes to the rail, the house of rail that the Republicans want to build, yes, they will pay most of the mortgage, but not all. But no money for the roof that is falling down. No money for the water system that is decaying and bringing lead-filled water into the home.

They say, if you managed your home budget better, rail system, that would be enough. Yes, maybe the rail system does not manage their money 100 percent as well as we would like, and that is why we need reforms; but we have to give them the money to fix the roof. We have to give them the money to fix the trains, fix the stations, and fix the rail beds, and have enough money to operate the trains safely, especially when there are threats of terrorism facing our railroads, and especially given the real world possibility of horrible incidents occurring.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. ROTHMAN) has expired.

(By unanimous consent, Mr. ROTHMAN was allowed to proceed for 1 additional minute.)

Mr. ROTHMAN. Mr. Chairman, we need three different kinds of national transportation systems in America: Airlines; highways for cars and trucks; and rail for freight and passenger service.

That is only if we want to be a first-class country. That is only if we want to be a first-class country, because we could give up that status and be a second-rate country, and then this amendment would fit right in. Just toss our national rail transportation network into the garbage. We do not need it because we want to be a second-class country.

Not on my watch, not without my objection. Reform, yes. We have Members on both sides of this aisle, people of goodwill and intentions who want reform, but we cannot starve the patient and expect it to live and run a marathon. We cannot tell the homeowner, We will give you almost as much as you need for your mortgage, but nothing for the roof falling down. It cannot be done.

Mr. Chairman, I urge my colleagues on both sides of the aisle to reject this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we cannot attribute good intentions to my good friend. I do not know his heart. And certainly there are homeless Americans, and the numbers are growing. Unemployment in America is soaring. The money spent for the war is ongoing. And when we begin to look at the landscape, more and more Americans are unemployed and underemployed. Forty-four million Americans are uninsured.

But here is what you call borrowing from a poor Peter to pay a devastated Paul. Homelessness in America needs its own special attention. In fact, I wish we were not under a massive

budget cut, the low ebbing, if you will, of funding America's greatest needs.

I would hope the gentleman would join me and the colleagues that have spoken and really address the questions of homelessness. I would venture to say we can almost spend a billion dollars to provide housing for Americans.

But when it comes to taking money from an already crippled system that really assists the poorest of Americans many times in getting from place to place, we are not gaining, we are only losing.

In the midst of this fight and debate, there are many cities who are fighting for more light rail dollars. The city of Houston has been to be one. We are being frustrated by the new formulas that have been generated only because we do not have the money. I want to see the system in Washington, D.C., get the billions-plus they need for their light rail system, but because of the fact that we are out of money, cities and rural areas across America in fact are suffering in terms of expanding and growing their light rail system with artificial capping and victimizing those citizens who are needing service.

We are in a battle right now to get rail to minority communities in Houston that were promised it, and they are not able to get it right now because of formula cuts.

I would like to be able to take that money out of Amtrak and provide for light rail. I hope we will find a way to solve our problem, but in the sense of collegiality or recognizing that we have a crisis, I know we cannot cripple Amtrak any further.

I hope, my good friend, as they say, we will lock arms together and fight the problem of homelessness. I hope you will join us by adding dollars to the section 8 underfunded allotment that we have. I hope the gentleman will join in adding dollars for emergency home repair for senior citizens who live in dilapidated housing all over America.

But we cannot afford to take \$100 million from someone who is crippled, as Amtrak is, and stifle transportation across America; and then, if you will, give money to a poor Paul, and that is for the homeless.

We want a collective, comprehensive effort that will really attack the question of homelessness. Might I say that homelessness also goes to societal concerns: Addiction, unemployment, lack of education. It just does not get solved with \$100 million for those who are homeless and veterans who are suffering.

So I think this amendment bears consideration only because I do not judge the gentleman's heart, but we should oppose it because we need a more comprehensive response, and we cannot undermine an already broken system of heavy rail that people are needing to survive. And for those of us who are still fighting for light rail, we certainly need a lifeline. And obvi-

ously, we all need an infusion of dollars to provide for a comprehensive solution. I hope we will work together for that. For that reason, I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KENNEDY of Minnesota. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota (Mr. KENNEDY) will be postponed.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not going to offer an amendment, but I do want to speak on this bill. First of all, I want to congratulate the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) for their hard work on this bill.

The last amendment demonstrates the folly of the Republican fiscal policies and the Republican budget. There are simply insufficient resources to cover the responsibilities, not the wants, but the responsibilities that we have. I want to speak about one of those.

I am pleased that the bill before us recognizes the importance of continuing our investment in helping States reform their election systems. This bill sensibly provides \$15.8 million to the new Election Assistance Commission so it can fulfill the high expectations Congress intended when it passed the Help America Vote Act of 2002.

I am personally gratified that the bill's accompanying report urges the EAC to set aside \$250,000 for the HAVA college program, an innovative program that encourages college students all over the Nation to enlist as non-partisan poll workers.

But, Mr. Chairman, this bill falls short of what HAVA requires. Almost 3 years after HAVA was enacted, Congress has yet to carry out all its election reform obligations and promises to the States. I am especially disappointed the bill does not provide the remaining \$800 million we owe the States to upgrade their voting machines, provide voter and pollworker training, and improve voting machinery technology.

I have not offered an amendment because there is not \$800 million to take from one of the objects in this bill to an obligation that we have, so I am not offering an amendment. Moreover, starting on January 1, HAVA requires, and I want my friends, particularly on the Republican side of the aisle, who have been properly very concerned about unfunded mandates. They have talked a lot about unfunded mandates. I agree with you on unfunded mandates.

This bill, HAVA, required States to spend money and it requires them to

have every voter online with the local precinct in statewide registration offices. That is expensive. It will help elections, but it is expensive. These systems, which will cost States tens of millions of dollars to install and maintain, will go a long way toward improving the accuracy and reliability of registration rolls and reduce fraud, something we all can agree on.

Today, Congress has appropriated \$3 billion of the \$3.8 billion promised in HAVA, roughly 78 percent of what was promised. That sum represents an important down payment to the States, and I thank the Speaker, the former chairman, the gentleman from Florida (Mr. YOUNG), and the gentleman from Ohio (Mr. NEY) for their strong support in securing this money. I might say that the administration was supportive of this as well. This was a bipartisan effort.

However, we clearly have not carried out our promise. I happen to believe that a promise only partially fulfilled is a promise unfulfilled. For those who would say appropriating 78 percent is enough, I would suggest to them that they ought to talk to their State administrators who are not able to get the money that we are requiring them, hear me, requiring them to spend.

The principal cosponsors spent considerable time estimating how much it would cost the States to fulfill all of the mandates prescribed in the bill. We consulted State and local election officials, the Congressional Research Service and the then-Government Accounting Office, among other authorities, before deciding \$3.8 billion would provide the States with the resources necessary for comprehensive reform.

Indeed, there is reason to believe we underestimated what it would cost. Some credible reports estimated the cost will actually be over \$6 billion. At a time when we are spending \$1 billion a week building a viable democracy in Iraq, money which I have supported, an objective that I think is important, we can and must find it in ourselves to fund our own democratic infrastructure so that no eligible voter is ever refused the right to vote through administrative or mechanical error.

The CHAIRMAN. The time of the gentleman from Maryland (Mr. HOYER) has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 1 additional minute.)

Mr. HOYER. Mr. Chairman, from 1789 to 2002, the Federal Government got a free ride from the States in the administration of elections. We did not pay a nickel to elect any Member of Congress, any United States Senator, any President, or on running elections.

If we care about the quality and credibility of our election system, we must strive in the months ahead to provide the remaining \$800 million.

Mr. Chairman, I hope you work with me. I intend to work with the gentleman from Illinois (Mr. HASTERT) and the gentleman from Ohio (Mr. NEY) and

the gentleman from Massachusetts (Mr. OLVER) and the gentleman from Wisconsin (Mr. OBEY) in accomplishing this objective. It is an important objective to meet our promises and not have unfunded mandates, and to make sure that America's elections are run in a fashion that will continue to be an example for the rest of the world and the pride of our own country.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 47, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the remainder of the bill through page 47, line 19, is as follows:

ADMINISTRATIVE PROVISION—FEDERAL RAILROAD ADMINISTRATION

SEC. 140. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$12,000,000: *Provided*, That no more than \$80,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds available not to exceed \$989,000 shall be available for the Office of the Administrator; not to exceed \$7,284,000 shall be available for the Office of Administration; not to exceed \$4,140,000 shall be available for the Office of the Chief Counsel; not to exceed \$1,276,000 shall be available for the Office of Communication and Congressional Affairs; not to exceed \$7,916,000 shall be available for the Office of Program Management; not to exceed \$7,123,000 shall be available for the Office of Budget and Policy; not to exceed \$4,712,000 shall be available for the Office of Demonstration and Innovation; not to exceed \$3,113,000 shall be available for the Office of Civil Rights; not to exceed \$4,155,000 shall be available for the Office of Planning; not to exceed \$21,408,000 shall be available for regional offices; and not to exceed \$17,884,000 shall be available for the central account: *Provided further*, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: *Provided further*, That no appropriation for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: *Provided further*, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, \$2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including re-

views of new fixed guideway systems: *Provided further*, That upon submission to the Congress of the fiscal year 2007 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, proposed allocations of funds for fiscal year 2007: *Provided further*, That the amount herein appropriated shall be reduced by \$20,000 per day for each day after initial submission of the President's budget that the report has not been submitted to the Congress.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, 5335 and section 3038 of Public Law 105-178, \$662,550,000, to remain available until expended: *Provided*, That no more than \$4,417,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the amount available, \$2,500,000 shall be available for the National Transit database.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, \$1,200,000, to remain available until expended: *Provided*, That no more than \$8,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, \$24,049,000, to remain available until expended: *Provided*, That no more than \$160,325,000 of budget authority shall be available for these purposes.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303-5308, 5310-5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105-178, \$7,209,700,000, to remain available until expended, and to be derived from the Mass Transit Account of the Highway Trust Fund: *Provided*, That \$3,754,450,000 shall be paid to the Federal Transit Administration's formula grants account: *Provided further*, That \$136,276,000 shall be paid to the Federal Transit Administration's transit planning and research account: *Provided further*, That \$68,000,000 shall be paid to the Federal Transit Administration's administrative expenses account: *Provided further*, That \$6,800,000 shall be paid to the Federal Transit Administration's university transportation research account: *Provided further*, That \$148,750,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: *Provided further*, That \$3,095,424,000 shall be paid to the Federal Transit Administration's Capital Investment Grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, \$546,251,000, to remain available until expended: *Provided*, That no more than \$3,641,675,000 of budget authority shall be available for these purposes.

JOB ACCESS AND REVERSE COMMUTE GRANTS

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, \$26,250,000, to remain available until expended: *Provided*, That no more than \$175,000,000 of budget authority shall be available for these purposes: *Provided further*, That up to \$300,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the Job Access and Reverse Commute Grants program.



ADMINISTRATIVE PROVISIONS—FEDERAL  
TRANSIT ADMINISTRATION

SEC. 150. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 151. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading "Federal Transit Administration, Capital Investment Grants" in any appropriations act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 152. Notwithstanding any other provision of law, any funds appropriated before October 1, 2005, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SAINT LAWRENCE SEAWAY DEVELOPMENT  
CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE  
(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, \$16,284,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

MARITIME ADMINISTRATION  
MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$156,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$112,336,000, of which \$23,750,000 shall remain available until September 30, 2006, for salaries and benefits of employees of the United States Merchant Marine Academy; of which \$17,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which \$11,211,000 shall remain available until expended for the State Maritime Schools Scholarship Maintenance and Repair.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$21,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI)  
PROGRAM ACCOUNT  
(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, not to exceed \$3,526,000, which shall be transferred to and merged with the appropriation for Operations and Training.

SHIP CONSTRUCTION  
(RESCISSION)

Of the unobligated balances available under this heading, \$2,071,280 are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME  
ADMINISTRATION

SEC. 160. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 161. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY  
ADMINISTRATION  
ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, \$17,027,000, of which \$645,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$26,183,000, of which \$1,847,000 shall remain available until September 30, 2008: *Provided*, That up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY  
(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$72,860,000, of which \$15,000,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2008; of which \$57,860,000 shall be derived from the Pipeline Safety Fund, of which \$24,000,000 shall remain available until September 30, 2008: *Provided*, That not less than \$1,000,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS  
(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), \$200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2007: *Provided*, That not more than \$14,300,000 shall be made available for obligation in fiscal year 2006 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5127(c), and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

RESEARCH AND INNOVATIVE TECHNOLOGY  
ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, \$4,326,000: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL  
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$62,499,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD  
SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$26,622,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2006, to result in a final appropriation from the general fund estimated at no more than \$25,372,000.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF  
TRANSPORTATION  
(INCLUDING TRANSFERS OF FUNDS)

SEC. 170. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 171. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 172. None of the funds in this Act shall be available for salaries and expenses of more than 100 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 173. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 174. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of

motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 175. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 176. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 177. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling \$1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 178. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 179. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons

for such transfer: *Provided further*, That for purposes of this section, the term "improper payments", has the same meaning as that provided in section 2(d)(2) of Public Law 107-300.

SEC. 180. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from "Office of the Secretary, Salaries and expenses" to "Minority Business Outreach".

SEC. 181. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 182. None of the funds made available under this Act may be obligated or expended to establish or implement a pilot program under which not more than 10 designated essential air service communities located in proximity to hub airports are required to assume 10 percent of their essential air subsidy costs for a 4-year period commonly referred to as the EAS local participation program.

□ 1615

#### POINTS OF ORDER

Mr. LATOURETTE. Mr. Chairman, I raise a point of order against page 32, line 25, beginning with "provided further" through page 33, line 3.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The provision proposes to place a legislative condition on the availability of funds. As such, it constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Mr. LATOURETTE. Mr. Chairman, I make a point of order against the phrase "notwithstanding any other provision of law" on page 34, line 4.

This phrase violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this provision explicitly supersedes existing law. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Mr. LATOURETTE. Mr. Chairman, I raise a point of order against section 151 on page 35, line 25, through page 36, line 5.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an

appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this section explicitly supersedes existing law. The section therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

Are there any amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

#### TITLE II—DEPARTMENT OF THE TREASURY

##### DEPARTMENTAL OFFICES

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For including expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, not to exceed \$3,000,000 for official travel expenses; \$187,452,000, of which not to exceed \$7,216,000 for executive direction program activities; not to exceed \$7,521,000 for general counsel program activities; not to exceed \$32,011,000 for economic policies and programs activities; not to exceed \$24,721,000 for financial policies and programs activities; not to exceed \$16,843,000 for Treasury-wide management policies and programs activities; not to exceed \$63,731,000 for administration programs activities: *Provided*, That \$35,409,000 of the amount provided under this heading is for the Office of Terrorism and Financial Intelligence as authorized in Public Law 108-447, of which \$22,032,000 is for the Office of Foreign Assets Control, \$5,882,000 is for the Office of Intelligence and Analysis, and \$1,998,000 is for the Office of the Undersecretary: *Provided further*, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any program activity shall be increased or decreased by more than 2 percent by all such transfers: *Provided further*, That any change in funding greater than 2 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That of the amount appropriated under this heading, not to exceed \$3,000,000, to remain available until September 30, 2007, is for information technology modernization requirements; not to exceed \$100,000 is for official reception and representation expenses; and not to exceed \$258,000 is for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: *Provided further*, That of the amount appropriated under this heading, \$5,173,000, to remain available until September 30, 2007, is for the Treasury-wide Financial Statement Audit Program and internal control programs, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other provided in this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL  
INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, \$21,412,000, to remain available until September 30, 2008: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated shall be used to support or supplement "Internal Revenue Service, Information Systems" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed \$2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed \$100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, \$17,000,000, of which not to exceed \$2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX  
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed \$6,000,000 for official travel expenses; and not to exceed \$500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, \$133,286,000; and of which not to exceed \$1,500 shall be available for official reception and representation expenses.

AIR TRANSPORTATION STABILIZATION PROGRAM  
ACCOUNT

For necessary expenses to administer the Air Transportation Stabilization Board established by section 102 of the Air Transportation Safety and System Stabilization Act (Public Law 107-42), \$2,500,000 to remain available until expended.

TREASURY BUILDING AND ANNEX REPAIR AND  
RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, \$10,000,000, to remain available until September 30, 2008.

FINANCIAL CRIMES ENFORCEMENT NETWORK  
SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed \$14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, \$73,630,000 of which not to exceed \$6,944,000 shall remain available until September 30, 2008; and of which \$8,521,000 shall

remain available until September 30, 2007: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, \$236,243,000, of which not to exceed \$9,220,000 shall remain available until September 30, 2008, for information systems modernization initiatives; and of which not to exceed \$2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE  
BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, \$91,126,000; of which not to exceed \$6,000 for official reception and representation expenses; not to exceed \$50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2006 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed \$36,900,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, \$179,923,000, of which not to exceed \$2,500 shall be available for official reception and representation expenses, and of which not to exceed \$2,000,000 shall remain available until expended for systems modernization: *Provided*, That the sum appropriated herein from the General Fund for fiscal year 2006 shall be reduced by not more than \$3,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2006 appropriation from the General Fund estimated at \$176,923,000. In addition, \$70,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101-380.

COMMUNITY DEVELOPMENT FINANCIAL  
INSTITUTIONS

FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3, \$55,000,000, to remain available until September 30, 2006, of which up to \$13,000,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to \$6,000,000 may be used for the cost of direct loans, and up to \$250,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans,

shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$11,000,000.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$4,181,520,000, of which up to \$4,100,000 shall be for the Tax Counseling for the Elderly Program, of which \$8,000,000 shall be available for low-income taxpayer clinic grants, of which \$1,500,000 shall be for the Internal Revenue Service Oversight Board; and of which not to exceed \$25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; expanded customer service and public outreach programs, strengthened enforcement activities, and enhanced research efforts to reduce erroneous filings associated with the earned income tax credit; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$4,541,466,000, of which \$55,584,000 shall be for the Interagency Crime and Drug Enforcement program: *Provided*, That up to \$10,000,000 may be transferred as necessary from this account to the IRS Processing, Assistance, and Management appropriation or the IRS Information Systems appropriation solely for the purposes of management of the Interagency Crime and Drug Enforcement Program: *Provided further*, That up to \$10,000,000 may be transferred as necessary from this account to the IRS Processing, Assistance, and Management appropriation or the IRS Information Systems appropriation solely for the purposes of management of the Earned Income Tax Credit compliance program and to reimburse the Social Security Administration for the cost of implementing section 1090 of the Taxpayer Relief Act of 1997 (Public Law 105-33): *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 57, line 9, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems

and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$1,606,846,000, of which \$75,000,000 shall remain available until September 30, 2007.

AMENDMENT OFFERED BY MR. AL GREEN OF TEXAS

Mr. AL GREEN of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AL GREEN of Texas:

Page 57, line 17, after the dollar amount, insert the following: "(reduced by \$7,700,000)".

Page 91, line 8, after the dollar amount, insert the following: "(increased by \$7,700,000)".

Page 91, line 9, after the dollar amount, insert the following: "(increased by \$3,900,000)".

Mr. AL GREEN of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. AL GREEN of Texas. Mr. Chairman, I rise today in the spirit of a great and noble American, the Reverend Dr. Martin Luther King, who reminded us, Mr. Chairman, that injustice anywhere is a threat to justice everywhere.

And I would like to thank my colleagues on both sides of the aisle who have fought injustice in housing. I especially thank the gentleman from Michigan (Chairman KNOLLENBERG); the gentleman from Massachusetts (Mr. OLVER), ranking member; and the gentleman from Massachusetts (Mr. FRANK), my ranking member on the Committee on Financial Services. I would also like to thank Democrats and Republicans of goodwill who have been engaged in this fight for housing justice because fighting injustice in housing is neither Democratic nor Republican.

Fighting injustice in housing is an American cause, and all people of goodwill understand that we cannot allow invidious discrimination to steal the great American ideal of having a place to call home. This is why 37 years ago, Mr. Chairman, this august body passed the Federal Fair Housing Act. However, 37 years later we still have more than 3.7 million Fair Housing violations annually.

This is why my colleagues have supported the funding of the Fair Housing Initiatives program and the Fair Housing Assistance program. Mr. Chairman, I thank God for those Democrats and Republicans who have supported the funding of these vital programs that not only educate consumers about housing discrimination but, more importantly, promulgate investigations that produce evidence of discrimination.

So today, Mr. Chairman, I call upon Democrats and Republicans of goodwill to restore these vital programs to the fiscal year 2005 levels. If we are to keep real the American ideal of homeownership for all, we need to restore this funding. If we want the American Dream embodied in the adage "there is no place like home" to thrive and survive not only for those in the suites of life but also for those in the streets of life, we are to restore this funding.

Mr. Chairman, when it comes to housing, we cannot claim justice for all of us as long as there is injustice against any one of us. We ought to restore this funding.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

I am opposed to increasing the budget for the fair housing programs for two reasons. The funds are not really needed, and a reduction in HUD staffing to pay for it is completely contrary to what HUD really needs. I do not disagree with the gentleman's interest in providing more for a worthwhile project. The increase in funds is not needed.

I think I have said this before. In 2002, 2003, and 2004, HUD was awarded \$7 million in additional funding to conduct a new national survey of discrimination. This work was conducted by the Urban Institute and has now been completed, and the report is issued. However, in 2005 the increase in funds was retained to complete the work and reduce the backlog of discrimination cases that have built up at HUD and in the States. The backlog has been reduced and the report has been issued. Therefore, the administration requested that the budget return to historic funding levels, and the committee mark funds the program at the requested levels. We did not go below or above, but we did do it at requested levels.

So, therefore, I do not believe that a reduction in funding for HUD salaries and expenses is appropriate for an increase above the requested levels for fair housing programs. And what I figure is appropriate, I would say that we would urge the defeat of this.

I am prepared to go into specific details of why this does not represent any reduction in activity for the program if the gentleman would prefer, but the fact is that we have a very real and harmful cut to the agency's workforce in order to put more funds in FHIP. So I do not know where we go for more money, and that is the problem that I have.

The gentleman and I spoke yesterday; and the conversation was, I thought, very interesting; and also I admit to the fact that he has a point about things. I just wish that I could tell him this is what we can do, but we cannot do it under the circumstances.

I urge my colleagues, therefore, to prevent that from happening and vote "no" on the amendment. HUD can do better.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we agree with the gentleman from Michigan that reducing salaries and expenses would be a mistake, and there has been some confusion that is not the fault of the gentleman from Michigan. There was, as Members on our side talked about various offsets, some lacking at salaries and expenses, but, in fact, it has been changed, and the gentleman had no way to know this. He was not misrepresenting.

But the offset in this is not from salaries and expenses. It is from business systems modernization, a \$199 million account for technology. And the gentleman is correct, and we spoke with various other people who represent those who work at HUD. So this is not now a reduction of salaries and expenses. It comes from the account on page 57, line 20, and following, \$199 million for internal revenue.

Secondly, I would say this: when Secretary Jackson testified at his hearing before our committee, the Committee on Financial Services, in which the gentleman from Texas now makes a very important contribution from his own experience and awareness of the need here, I told Secretary Jackson I was disappointed to see this reduction from one year to the next. And Secretary Jackson's response, and it is available from the record and we will make it available for anyone who wants it, was that he agreed it would be a good idea to have more money, but he simply had to work within this limited budget. That is, Secretary Jackson did not say this is enough. He said it was not enough. He did not have enough resources.

We do believe the modernization is useful, but not at the expense of a fairly small amount. This is, what, less than 4 percent of the amount for modernization.

The fact is that housing discrimination continues to be a serious problem, and we have had recent hard evidence of that. By mandate of this Congress, we collect something that is known as the Home Mortgage Disclosure Act data, HMDA data people have heard; and the recent report from banks of the HMDA data shows a prima facie case of discrimination based on race. There may be some explanation for that, and we are going to be looking at that. People have said, well, there are other various reasons. But the fact is that the HMDA data is one indication of that.

I believe this country has made a great deal of progress in doing away with housing discrimination. It was not so long ago in the lifetime of many of us here when the Federal court still enforced racially restrictive covenants which said one could not sell their home to someone who was African American. That was changed less than 60 years ago. We still have racial discrimination. We still have racial discrimination particularly in housing;

\$24 million, which is what we would have if the gentleman's amendment passes, is hardly excessive for this country of 240-plus million people to deal with a continuing manifestation of what I think is the greatest single domestic problem we face from our inception, which is racial unfairness and racial discrimination.

The enforcement of racial discrimination is complicated. People have become sophisticated. They do not admit that they are discriminating. The need to test, the need to do very sophisticated work is important. People have a right, if they are prosecuted, to various procedural defenses. If we are going to make a good case to prove this, we need the money.

So I would agree with the gentleman from Michigan that it would have been a mistake to take it from salaries and expenses, and this does not do that. I also agree with Secretary Jackson, at least on this one occasion, and I am trying to think of others and they do not come to mind, that it would have been better if we had more money for housing discrimination, given the role that racial discrimination and unfairness have played in this country. The gentleman from Texas, from his own career and his own life, has a very profound understanding of this; and when he came to this Congress, one of the first things he asked those of us who had been on the committee about was can we address this.

And we asked him to take the lead, and he has done that very ably. This is a very well-thought-out, really quite moderate amendment. Adding \$7 million out of this \$199 million pool, I think, makes a great deal of sense. The money will clearly be well used. Yes, there had been other surveys, but no one familiar with the state of race relations in America thinks we have reached a point where housing discrimination has disappeared. And \$24 million in this Nation of 240 million people, what is that, a dime a person? I do not think a dime a person is too much for this country to spend, and I thank the gentleman from Florida (Mr. HASTINGS) for confirming my arithmetic because I was a little unsure there, but I do not think a dime a person is too much for this country to spend in trying to further combat what has been one of our enduring obstacles towards reaching our constitutional goal.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to thank the ranking member and the chairman of this committee. I recognize the constraints that they have operated under and we can go forward from there. But there comes a time when we do have to address consequential problems with reference to our actions.

□ 1630

In this particular instance, the gentleman from Texas (Mr. AL GREEN),

and the gentlewoman from California (Ms. LEE) and myself have seen fit to join hands and bring this amendment before the body because we know that this continues to be a concern and a serious problem in our Nation.

Two years ago, President Bush proclaimed June as National Home Ownership Month. In doing so, he pledged his support to help, and I quote him, "every citizen, regardless of race, creed, color or place of birth, have the opportunity to become a homeowner." Yet despite the administration's rhetorical commitment, more than 3.7 million fair housing violations continue to occur each year.

The Fair Housing Initiative Program and the Fair Housing Assistance Program play critical roles in fighting housing discrimination. Fair housing organizations and other nonprofit groups use Federal funds to provide vital services directly to communities. Grants are used for education and enforcement programs that educate consumers about how to recognize and report housing discrimination and to conduct investigations and testing of complaints of housing discrimination.

Despite this obvious need, funding for fair housing activities in fiscal year 2006 has been cut by more than 15 percent. This unnecessary cut will reduce services and leave many potential homeowners with no programs to advocate and enforce fair housing policies on their behalf.

The Green-Lee-Hastings amendment restores funding to fiscal year 2005 spending and levels the playing field for all who seek home ownership. Owning a home embodies the core American values of individuality, responsibility and self-reliance. Owning a home creates neighborhoods that promote growth and stability throughout our communities.

In my view, restoring this essential funding for fair housing activities ensures the American dream can become a reality. For the last 5 years, we have been about the business of a housing boom, and during that same period of time, 3.7 million discrimination acts a year have taken place.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for letting me correct myself.

Mr. Chairman, I misread this. Actually, the money comes out of the information system section of the IRS, not the business modernization. That is \$1.6 billion, including hiring of passenger motor vehicles. So we are talking about car rentals for the IRS and other accounts. It is \$1.6 billion.

Also I have been corrected by the gentleman from New York. The population is now closer to 290 million, so we are really talking about 8.5 cents a person. I would like to be precise. We are taking this out of the \$1.6 billion information systems account.

Mr. HASTINGS of Washington. Mr. Chairman, reclaiming my time, I thank again my colleagues from California, Texas and Florida. I think that kind of at least covers the breadth of the Nation. In the breadth of the Nation, I think what happens sometimes is maybe some of our colleagues have never suffered discrimination, but I have gone seeking an apartment that later was rented to someone else and told that the apartment was not available. It hurts.

We should stop that kind of discrimination. We made progress, but we are not nearly there yet. This is a \$7 million fund that can assist us in avoiding some measures of housing discrimination.

As far as the chairman's suggestion about the backlog, one of the reasons the backlog occurs is because people do not get on the front end and do their work. It is like EEOC. They have a backlog because they do not have the funds to do what we could have them do if we properly funded it.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this bill is woefully underfunded. It is unfortunate that the administration and many of our Republican colleagues seek to cut programs that help the most vulnerable in our country.

Fairness in housing should not be on the chopping block. This is America. That is why we are here to offer the Green-Lee-Hastings-Grijalva amendment. This amendment would restore much needed funding to the Department of Housing and Urban Development's Fair Housing Initiative in the amount of \$7.7 million, equal to the fiscal year 2005 account level.

Mr. Chairman, the Fair Housing Initiative Program and the Fair Housing Assistance Program are essential programs at HUD. They handle over 3.7 million fair housing complaints annually. Housing should be a basic right of every human being, and no one should be discriminated against. It is really just that simple.

HUD's Office of Fair Housing works daily to address the concerns of fair housing, civil rights and the disabled. But they still have a long way to go to gain the public confidence in the enforcement of civil rights laws, protecting minorities and people with disabilities.

Currently, and let me just mention this, because a lot of our colleagues do not know this, but discrimination complaints against the disabled are on the rise. A HUD report found that some landlords profiting from federally subsidized housing discourage, they discourage and they continue to discourage, disabled people from applying for housing through discriminatory practices.

Mr. Chairman, this is just simply unacceptable. It is wrong. How in the world can we allow anyone in this country, any landlord, to discriminate against the disabled?

The Department of Housing and Urban Development has a responsibility to every person in this country to ensure that there is no housing discrimination in America. We must work with HUD and the Assistant Secretary for Fair Housing and Equal Opportunity to ensure that they have the resources and the authority needed to protect minorities and the disabled in public housing and prosecute those, yes, prosecute those, who have violated the civil rights of these individuals.

Mr. Chairman, I close by reminding this Congress that many people who are discriminated against, who are seeking fair, equal and quality housing are in our own congressional districts, in your congressional districts and in my congressional district. This is not a partisan issue, and should not be.

We must make sure that we restore the \$7.7 million needed. We need really more than \$7.7 million. Let us at least restore that in the fair housing accounts to ensure that housing is fair and accessible for all. That is a basic, basic principle in terms of our American democracy that we should always adhere to. We should not discriminate, and we should fund every program that allows for nondiscrimination efforts. We need to make sure that this \$7.7 million is restored.

Mr. Chairman, I thank the chairman, and I ask my colleagues to support the Green-Lee-Hastings-Grijalva amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. AL GREEN).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. ADERHOLT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. AL GREEN) will be postponed.

AMENDMENT NO. 9 OFFERED BY GARY G. MILLER OF CALIFORNIA:

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. GARY G. MILLER of California:

Page 57, line 17, after the dollar amount, insert the following: "(reduced by \$24,000,000)".

Page 77, line 24, after the dollar amount, insert the following: "(increased by \$24,000,000)".

Mr. GARY G. MILLER of California. Mr. Chairman, I rise today to offer a modest amendment to ensure that HUD can continue to work to redevelop brownfields sites in our local communities.

As a member of the Committee on Financial Services and Committee on Transportation and Infrastructure, I would like to commend the subcommittee chairman, the gentleman

from Michigan (Mr. KNOLLENBERG), for his hard work to adequately fund our Nation's housing and transportation needs through this difficult budget year.

What we are trying to do here today is, there has been a program zeroed out for brownfields. As we all know, on the BEDI grants on brownfields through HUD, HUD looks at a brownfield in a different way than EPA does. HUD looks at a brownfield in a fashion where they look and say, what benefit is it to the local communities, and how can we revitalize communities and create economic development? They do it in that fashion. They are very discriminatory in how they issue the grants, too.

On the other hand, the EPA looks at one issue, cleaning up polluted areas. That is all they look at.

Experts estimate in the United States that more than 450,000 vacant, unused industrial areas sit fallow today because we really have not taken and spent the time necessary to clean them up. If you look throughout our communities, there are many sites that you see that are fenced in, old plants, old industrial areas, that are sitting vacant that could be utilized today for housing and for many other areas. And they are just basically blighted sites throughout individual communities. They threaten our groundwater supply. They cost our communities jobs and revenues, and they contribute to urban sprawl.

It is estimated that if, we clean these sites up the way we want to, 550,000 additional jobs will be provided through this country and \$2.4 billion in new tax revenues to cities and towns. To build the economies and attract employers, an increasing number of States and local governments are working to plan, clean up and redevelop brownfield sites.

There is a clear and critical role for the Department of Housing and Urban Development to get involved and play a role in this effort. The largest obstacle cities face in redevelopment of brownfield sites is a lack of capital needed for the initial work, the planning, the early stages, the assessment, remediation planning and basically actual cleanup.

Brownfields can be developed through HUD and developed in a positive fashion, but we do not do that today. BEDI grants are available. We have passed legislation now out of the authorizing committee, in fact, the gentleman from Ohio (Chairman OXLEY) was going to be here to speak in favor of this amendment today, to basically revitalize the BEDI process, to make it more simplistic, to make it easier for communities to be able to access the funds without pledging CDBG fund as they have had to in the past.

We need to return these contaminated sites to productive uses throughout our communities. BEDI programs give local communities valuable tools to address blight, create new jobs and expand their tax base.

It is completely different in every State today than EPA. EPA has a single goal, and that is just basically to clean up environmentally polluted sites. On the other hand, HUD looks at it in a different fashion. HUD looks at the BEDI process as a way to revitalize sites, to take an actual environmental condition that is perceived or real and basically develop it into a plan that currently exists.

They target for uses not just basically on one issue, but they target brownfields for use for economic development, to increase economic opportunities for low-and moderate-income persons, to stimulate and retain businesses or jobs, that would otherwise be left fallow and not lead to economic revitalization.

BEDI financed activities will provide near-term results and demonstrable economic benefits, such as job creation and increases in the local tax base. HUD does not encourage applicants who want to land bank, who want to go and acquire a site, remediate it, and then just let it sit there and allow it to remain fallow.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GARY G. MILLER of California. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding.

The gentleman from California has been a very creative leader on this. I just want to agree with what he has had to say. This is very important for all of the older, urban industrial areas. I do not want take time with my own 5 minutes because the gentleman from California has made the case, as will the gentleman from Texas. I just want to express my strong support and appreciation for his leadership on this and on the BEDI issue.

Mr. GARY G. MILLER of California. Mr. Chairman, reclaiming my time, I thank the gentleman.

The important part is you could generate \$2.4 billion to local government by cleaning these sites up. We need to give HUD an opportunity to do what they do best, and that is local economic development, community development. We need to reform the program, there is no doubt about it. The legislation we have at hand does that. I would encourage support in this area.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to begin by commending the gentleman from Michigan (Chairman KNOLLENBERG) and the ranking member, the gentleman from Massachusetts (Mr. OLVER), for their good work on this bill in the midst of an extremely tight budget environment. Both gentlemen have had to make some very unpopular decisions. However, eliminating funding for a proven, results-oriented program like the Brownfields Economic Development Initiative is one I, along



with my colleagues from California and Massachusetts, feel strongly should be reconsidered.

When cities redevelop brownfields, they boost their tax base, spawn job creation, spur neighborhood revitalization and provide environmental protection. Unfortunately, H.R. 3058 eliminates funding for the continued cleanup and redevelopment of urban brownfield sites for which \$24 million was provided last year when no funds were requested.

□ 1645

This amendment represents a renewed pledge to communities across the country signaling this body's commitment to creating and sustaining viable communities. This amendment increases grants available under the Community Development fund with the intent that this increase would be directed toward brownfields redevelopment activities.

The increase is offset by reducing the IRS information systems and telecommunications support program by \$24 million. This account is \$29 million above last year's appropriation and \$16 million more than the President's budget requested.

The assessment and cleanup of brownfields are critical to the economic and environmental health of communities across the Nation.

Within the city of Dallas, a Federal investment of less than \$2 million has leveraged more than \$370 million in private investment and created or helped retain close to 3,000 permanent, full-time jobs. Over 1,600 units of housing, including 134 units of affordable housing, have been developed on former brownfields sites. The program has brought new vitality to long-distressed portions of the city, boosting the tax base, and bringing important economic opportunities to many neighborhoods.

According to the Government Accountability Office, there are well over 500,000 brownfields across the country. Brownfields affect cities of all sizes and represent lost opportunity wherever they exist. Yet, in spite of this fact, the National Report on Brownfields Redevelopment produced by the U.S. Conference of Mayors cites the lack of funds as the biggest impediment to meaningful brownfields redevelopment.

I am aware of the argument that the expanded authority of EPA to handle brownfields precipitated the current cut in HUD's the brownfields account. EPA's guidelines are much more restrictive. However, in my respectful view, that flexibility for our Nation's communities to utilize more than one funding source should not be eliminated. Further, many communities across the country already have existing relationships with their local HUD offices.

I urge my colleagues to renew this body's pledge to American communities and urge a "yes" vote on this amendment. I thank my colleagues for this partnership opportunity.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is an amendment that is difficult for me, but I am looking at it, and I wanted to point out a few things that I think everybody ought to know about what the Brownfields amendment, what kind of heartburn it causes us on the committee. We typically oppose any amendment to the Brownfields because of the fact that there are several reasons why this program can and should be considered a low priority. Let me explain.

While this program has been funded at about \$25 million each year, the EPA has an identical program which in 2005 was funded at over \$160 million per year and which has addressed over 8,000 sites. In 2006, there was an increase of \$10 million to over \$170 million in EPA. The facts being cited about the number of projects that Brownfields funding has served must be referring to the EPA's program, because in the HUD program, it is very, very minimal. Let me give an example.

HUD's program has been extremely slow in spending money. Only \$35 million of the \$175 million in appropriations received from 1998 to 2004 has been spent; \$35 million out of \$175 million. Rather than putting these funds into project development, funds are often used as a loan loss reserve rather than for reconstructing sites.

Besides EPA, there are several other sources of remediation funding. Besides EPA, the Brownfields tax deduction of \$200 million is what is really driving redevelopment decisions, not the small amount of funds that are in HUD. Where grants have occurred, HUD grants are a very tiny portion of project development. HUD funds on average are just about 2.3 percent of the total development cost of the project. Moreover, for each HUD dollar, there are \$28 in private and \$12 in State and local funds committed to this project.

What all this means is that Brownfields has found a home at EPA; and it clearly belongs there, where there are fewer restrictions and more funds. However, I would pause at this point and say that on the basis of the work of the gentleman from California (Mr. GARY G. MILLER) and what he has been doing, and we have had several conversations about this, and there may be a future again to look at this down the road, so I am not going to oppose it, but I wanted my colleagues to know something about what troubles us within HUD; and I am going to, in fact, offer to accept the gentleman's amendment.

Mr. GARY G. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I agree that a more flexible, widely accessible program needs to be developed. I believe my bill, H.R. 280, achieves that goal, and that is

why the gentleman from Ohio (Chairman OXLEY) and I have been fighting very hard and believe that we do need this program. I think we need it. Does it need improvement? Yes, I agree. We are going to improve it, and I appreciate the gentleman's help.

Mr. KNOLLENBERG. Mr. Chairman, we accept the amendment.

Mr. PASCRELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to congratulate the chairman and I want to congratulate the gentleman from California (Mr. GARY G. MILLER). If there is any area that will positively affect, positively affect our cities, as a former city mayor, it is this piece of legislation.

I drive by Paterson, New Jersey and there are so many places that have been abandoned. Either the person could not keep up with the taxes, or he cannot clean up the property in the first place.

If there is anything that fosters private-public partnerships, it is this legislation, because it brings together the local community, the developer, usually State officials who have their own brownfields legislation themselves.

I want to commend the gentleman from California. I think that this is an excellent piece of legislation. I support the added \$24 million. I think this is going to go a long way. This is something tangible and far from a lot of hot air we hear about helping cities from both sides of the aisle here. Congratulations.

Mr. Chairman, I rise in strong support of the Miller-Johnson Amendment to increase the Community Development Fund by \$24 million—funding that will be allocated toward the HUD-Brownfields Redevelopment Program.

There are an estimated 500,000 to 1 million brownfields sites nationwide—covering nearly 200,000 acres of land across the country. Indeed, there are over 1,000 brownfields sites in the 2 counties that make up my district alone.

These sites are abandoned, often former industrial properties whose redevelopment can be an important ingredient in the economic recovery of urban areas.

As a former mayor, I can tell you that redevelopment is the only type of growth that is possible any longer in our urban communities.

Brownfields development can have a multitude of positive effects on our Nation's most troubled cities: they can help to create jobs, improve the quality of the environment, and spur smart growth and preservation of open space.

My district in New Jersey has many brownfields redevelopment success stories to tell. The formerly abandoned Boris Kroll Mill in Paterson has recently been transformed into market-rate rental housing—creating 39 new apartments for residents and 10,000 square feet of retail and office space.

With financial support from the Federal and local governments buttressing private support, the area surrounding the new redevelopment has been given new life.

The buildings have retained their beautiful 19th Century architecture with brick fronts, high ceilings and grid windows.

With the increasing commitment of Federal, State and local authorities to redevelopment, these success stories from our cities and suburbs are being heard around the country.

In the past decade, Congress has made an impressive bipartisan effort, as we are demonstrating in this amendment today, to raise the profile of brownfields redevelopment projects and pass laws to streamline the process.

Every member of the community benefits from increased Federal incentives for development: residents, land owners, developers, and businesses.

Unlike EPA brownfields funds, the HUD brownfields grants are primarily targeted for use in economic development projects.

This HUD program provides a powerful incentive for cities, developers and parties facing brownfields liability to convert dilapidated sites into engines of economic growth.

These redevelopment projects enable certain distressed communities to experience a type of rebirth.

They reconnect us to our historic past, renew our sense of pride in our cities, and infuse neighborhoods with the vitality and dynamism they once had in our great industrial past.

Let us not take a step backward by zeroing out funding for the important Brownfields Economic Development Initiative at HUD right at the moment when we are beginning to see real progress.

I urge the House to vote for the bipartisan Miller-Johnson amendment to add \$24 million in funding to this important community renewal program.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to congratulate the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from California (Mr. GARY G. MILLER) for their recognition that there are communities that are still suffering and that the brownfields cleanup has been something that even the least of those really understand. You go into a community where there has been, if you will, old oil cans piled up in their neighborhood, tires piled up in their neighborhood, and you will find that they understand what a cleanup and a brownfield is all about.

I wondered in the original drafting of this legislation whether there was full recognition of how important the brownfields cleanup is to our communities. In particular, in the community that I represent, we had a number of brownfields still waiting for dollars to provide that assistance. These extra dollars I hope will spread the opportunity for the cleanup but; more importantly, I hope that it will emphasize the importance of maintaining this program and maintaining it by funding it and letting it work.

Quality of life is something we owe all Americans. Many Americans live in neighborhoods where the quality of life is dependent upon public funding and public assistance. Brownfields dollars are extremely important. I would hope that our colleagues would vote for this amendment because it adds to the

quality of life of Americans, some of whom cannot fight for themselves.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, \$199,000,000, to remain available until September 30, 2008, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

#### HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107-210), \$20,210,000.

#### ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Tax Law Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

SEC. 205. None of the funds in this title may be used to modify the number or location of Taxpayer Assistance Centers until the Treasury Inspector General for Tax Administration completes a study detailing the impact that such closures would have on taxpayer compliance and submits such study to

the Committees on Appropriations of the House of Representatives and the Senate for review: *Provided*, That no funds shall be obligated by the Internal Revenue Service for such purposes for 60 days after receipt of such study: *Provided further*, That the Internal Revenue Service shall consult with stakeholder organizations, including but not limited to, the National Taxpayer Advocate, the Internal Revenue Service Oversight Board, the Treasury Inspector General for Tax Administration, and Internal Revenue Service employees with respect to the types of data to be included in the model that will determine which Taxpayer Assistance Centers should be closed and the relative weight of such data as it relates to such model.

#### ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 213. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the \$1 Federal Reserve note.

SEC. 214. The Secretary of the Treasury may transfer funds from "Financial Management Services, Salaries and Expenses" to "Debt Collection Fund" as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 215. Section 122(g)(1) of Public Law 105-119 (5 U.S.C. 3104 note), is further amended by striking "7 years" and inserting "8 years".

SEC. 216. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, Urban Affairs.

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of

Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 62, line 25, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 218. Not later than 60 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a report defining currency manipulation and what actions will be construed as another nation manipulating its currency, and describing how statutory provisions addressing currency manipulation by America's trading partners contained in, and relating to, title 22 U.S.C. 5304, 5305, and 286y can be better clarified administratively to provide for improved and more predictable evaluation.

POINT OF ORDER

Mr. THOMAS. Mr. Chairman, I make a point of order against section 218 on page 63, lines 1 through 10 of this bill, H.R. 3058, on the grounds that this provision violates clause 2(b) of House rule XXI because it is, in fact, legislation included in a general appropriations bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this section includes language imparting direction. The section therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

It is my understanding that the chairman intends to work with us to incorporate this provision into future legislation that the House will consider. Is that correct?

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

Mr. KNOLLENBERG. I yield to the gentleman from California.

Mr. THOMAS. Mr. Chairman, the Chair is not rising to a point of order on the substance because the Chair supports the substance; it is the manner in which it is being carried in an appropriations bill. The Chair wishes to work with the chairman very closely to make sure that this position represented in the legislative portion of the appropriations bill is included in a legislative vehicle that will be before us fairly soon.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, that is exactly my understanding.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE III—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
PUBLIC AND INDIAN HOUSING  
TENANT-BASED RENTAL ASSISTANCE  
(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,531,400,000, to remain available until expended, of which \$11,331,400,000 shall be available on October 1, 2005, and \$4,200,000,000 shall be available on October 1, 2006: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$14,089,755,725 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2006 funding cycle shall provide renewal funding for each public housing agency based on each public housing agency's 2005 annual budget for renewal funding as calculated by HUD, prior to projections, and by applying the 2006 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with the first-time renewal of tenant protection or HOPE VI vouchers: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following proviso, the entire amount provided under this paragraph shall be obligated to the public housing agencies based on the allocation and pro rata method described above: *Provided further*, That up to \$45,000,000 shall be available only (1) to adjust the allocations for public housing agencies, after application for an adjustment by a public housing agency and verification by HUD, whose allocations under this heading for contract renewals for the calendar year 2005 funding cycle were based on verified VMS leasing and cost data averaged for the months of May, June, and July of 2004 and solely because of temporarily low leasing levels during such 3-month period did not accurately reflect leasing levels and costs for the 2004 fiscal year of the agencies, and (2) for adjustments for public housing agencies that experienced a significant increase, as determined by the Secretary, in renewal costs resulting from the portability under section 8(r) of the United States Housing Act of 1937 of tenant-based rental assistance: *Provided further*, That none of the funds provided in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract;

(2) \$165,700,000 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, vouchers necessary to complete the consent

decree requirements in Walker vs. U.S. Department of Housing and Urban Development, and tenant protection assistance including replacement and relocation assistance;

(3) \$45,000,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) \$5,900,000 shall be transferred to the Working Capital Fund; and

(5) \$1,225,000,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$25,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs: *Provided*, That \$1,200,000,000 of the amount provided in this paragraph shall be allocated for the calendar year 2006 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2005: *Provided further*, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities, except that up to \$200,000,000 of funds made available on October 1, 2006, to this account may be transferred to the "Project Based Rental Assistance Account" at the discretion of the Secretary.

AMENDMENT OFFERED BY MR. NADLER

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

The Clerk read as follows:

Amendment offered by Mr. NADLER:

Page 63, line 20, after the dollar amount, insert the following: "(increased by \$100,000,000)".

Page 63, line 21, after the dollar amount, insert the following: "(increased by \$100,000,000)".

Page 63, line 25, after the dollar amount, insert the following: "(increased by \$100,000,000)".

Page 95, line 2, after the dollar amount, insert the following: "(reduced by \$120,000,000)".

□ 1700

Mr. NADLER. Mr. Chairman, this amendment would increase funding for section 8 housing vouchers for low-income people by \$100 million to enable an additional 15,000 low-income families to afford safe decent housing.

To offset this increase, the amendment cuts the working capital fund, a poorly managed computer upgrade program that has been the subject of lawsuits and which the committee criticizes in its report on Page 108. Even with the reduction, the bill would still provide up to \$110 million in working capital funds for IT projects.

Please note, the bill provides up to \$65 million in working capital funds in 11 accounts scattered around the bill other than the working capital fund itself.

We have a choice, Mr. Chairman. Do we want to help thousands of families obtain safe affordable housing, or do we think it is more important to have a somewhat faster computer upgrade in HUD? If we support American families, we should support this amendment. The need for housing assistance is staggering. All over the country, local housing authorities have long section 8 waiting lists, years long, but are forced

to reduce the number of housing vouchers they give out, not because there is not a huge need, but because we are failing to meet the need here in Washington.

In fiscal year 2001, we increased the number of section 8 vouchers by 79,000. For fiscal year 2002, the number of new vouchers dropped to 18,000. In fiscal years 2003, 2004 and 2005 not one new voucher at all was provided for. Rather, the debate concerned how much funding was necessary simply to maintain the same number of vouchers. And so it is again now as we debate the fiscal year 2006 budget.

Despite the committee's assurance that the bill fully funds section 8 voucher renewals, the committee has been flatly wrong in making this assertion in each of the last 3 years; 2 years ago, for example, we passed an amendment to boost section 8 voucher funding by \$150 million. The committee opposed the amendment on the Floor arguing that vouchers were fully funded.

Yet the conference report adopted a few months later added \$110 million over and above the \$150 million we added on the Floor, meaning that the committee would have underfunded section 8 vouchers by over \$1 billion while saying the account was fully funded. That was 2 years ago.

Last year, the conference report provided \$89 million more for voucher renewals than did the House bill. Yet just 2 months after the approval of the conference report, the Department, HUD, acknowledged that even the conference report fell \$568 million short of funding all voucher renewals.

Now the committee, once again, says it is fully funding section 8 voucher renewals. But the President, President Bush tells us that to renew all existing section 8 vouchers, we would need \$314 million more than the committee thinks is necessary. So the committee understated by \$1 billion, by \$568 million, and now by \$314 million in each of the last 3 years.

We all understand that the budget is extremely tight and that many programs are facing cuts. Our amendment therefore does not seek the \$314 million above the committee amount that the President would recommend. It seeks merely to restore \$100 million. This is less than the bare minimum of what is needed.

The amendment will not enable us to provide vouchers to any more families than receive them now, but it will allow us to continue to help 15,000 families who are now being helped. It enables us to avoid throwing 15,000 poor families out on the street. That is our choice. The section 8 housing voucher program provides safe affordable housing to approximately 2 million American families in urban and rural communities in every State across our country. These vouchers are often the only resource for low-income families confronted by our Nation's affordable housing crisis. Once again, the choice is, will we force an existing 15,000 fami-

lies who are now living in safe decent housing out on the street because we do not have the money to renew their vouchers? Or will we slow down a computerization program for the bureaucrats at HUD? That is the choice. I hope we will elect to help the low-income families meet their critical housing needs by supporting this amendment. I hope everyone will vote yes on the Nadler-Velázquez-Frank amendment.

Mr. Chairman, I will also at this time include in the RECORD a chart which documents the 11 different accounts in which funding for the working capital fund is squirreled away, so that people do not think that our offset takes too much money away from this program. And I will include in the RECORD a letter in support of this amendment signed by nine religious organizations representing Catholics, Jews, Lutherans, Presbyterians and Methodists.

<i>Account</i>	<i>Amount</i>
Working Capital .....	\$165,000,000
S&E—transferrable .....	15,000,000
Sect. 8 voucher acct .....	5,900,000
Sect. 8 project acct .....	1,000,000
Pub. Hsng. Capital .....	10,000,000
CDBG .....	1,600,000
HOME .....	1,000,000
Homeless grants .....	1,000,000
Sec. 202 elderly .....	400,000
Sec. 811 disabled .....	400,000
FHA—MMIF Acct .....	18,281,000
FHA—GI/SRI Acct .....	10,800,000
<b>Total .....</b>	<b>230,381,000</b>

Less reduction in Nadler amdt. .... -120,000,000  
 Working Capital after Nadler amdt. .... 110,381,000

\*Note: The bill hides \$65 million in additional working capital on top of the Working Capital Account by sprinkling amounts in 11 other program accounts. This also has the misleading appearance of overstating the amounts made available for programs like Public Housing and Section 8.

JUNE 28, 2005.

To: Members of the U.S. House of Representatives.

Re: Funding for the Housing Choice ("Section 8") Voucher Program.

As members of the faith community, we are writing to express our concern about funding for the Section 8 housing voucher program, and to ask that you vote to increase funding for vouchers when the FY 2006 TTHUD spending bill comes to the floor of the House of Representatives.

Our organizations work with millions of low-income individuals and families who, despite their best efforts, are struggling to meet their basic needs. For many of these families, high housing costs present a major hurdle in this struggle, often forcing them to choose between paying rent and paying for food, clothing, prescriptions and medical care, transportation to work, and other essentials. The Section 8 voucher program offers critical assistance to two million such families, allowing them to live with dignity in decent, safe and stable housing. Through our work, we are witness to the important role that housing vouchers play in preventing homelessness, and in helping families whose members are unemployed, working low-wage jobs, or living on fixed incomes to make progress towards economic stability and self-sufficiency.

Congress has for many years expressed a strong commitment to the Section 8 voucher

program, consistently voting to fully fund all vouchers. We were therefore disappointed to learn in January that HUD had announced a 4-percent cut in voucher renewal funding for FY 2005, despite Congress' intention to fully fund renewals for this year. This cut, which is equivalent to 80,000 housing vouchers, has reduced the availability of affordable housing in hundreds of communities around the country.

For FY 2006, the House Appropriations Committee has recommended increasing funding for Section 8 vouchers by \$765 million, which is well below the President's request of over \$1 billion. While the Committee recommendation would likely be sufficient to renew vouchers currently in use, it falls well short of restoring those vouchers that have been lost due to the FY 2005 funding shortfall.

Rep. Jerrold Nadler and other Members of the House are expected to introduce an amendment to increase Section 8 funding by \$100 million in the House bill. This amount would restore funding for approximately 15,000 vouchers, thereby helping 15,000 poor families obtain decent, stable housing in the coming year. While more is needed, this amendment provides an important step forward in supporting these families. We therefore ask you to support the amendment with your vote.

As faith organizations, we are committed to strengthening our communities by assisting those who are the most vulnerable, and we believe that our work is not simply a matter of charity, but of responsibility and justice. We urge you to assist in our work by renewing Congress' commitment to fully fund and expand the Section 8 voucher program.

- Sincerely,  
 Call to Renewal.  
 Catholic Charities USA.  
 Jewish Council for Public Affairs.  
 Lutheran Services in America.  
 National Advocacy Center of the Sisters of the Good Shepherd.  
 NETWORK, A National Catholic Social Justice Lobby.  
 Presbyterian Church (U.S.A.) Washington Office.  
 Union for Reform Judaism.  
 The United Methodist Church, General Board of Church and Society.

Mr. Chairman, the conscience of this Nation is asking for this amendment. I ask this House to agree with that and to adopt this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to this amendment. The amendment would require HUD to close down most of its systems and its operations, and would result in a loss of almost 400 jobs at HUD. All of this would occur almost immediately after the passage of the act.

And tragically, all of this would occur just to add funds to the Section 8 program that are not needed. It adds funds for renewals of vouchers when the renewal of vouchers has already been fully funded.

This is a tragic outcome for HUD for absolutely no benefit to families on assistance.

Everyone agrees that the renewal of vouchers at \$15.531 billion fully funds this program for 2006. The industry groups have said so and HUD has said so.

The only reductions in the Section 8 program that this committee took

were in overhead and funds originally requested that the Department now agrees will not be needed in 2006.

Specifically, we reduced overhead and administrative fees to reflect the transfer of assistance from the tenant-based vouchers to project-based vouchers, and we reduced tenant protection funds because the Department indicates that the anticipated regulation that might require those funds is not going to be put out until after 2006.

What this amendment would accomplish is nothing, or to fund a shortfall of any kind. Each PHA will receive the amount it is entitled to, and then the additional funds will sit there and be swept up and used for other purposes by the administration, just as excess funds have been swept up and used for non-HUD purposes for years.

But here is what I want you to look at. Look at what happens to HUD in the meantime. The original request for HUD's working capital fund was for \$265 million to maintain and develop new systems in HUD, new systems for accounting and new systems for programs.

The committee has already reduced the working capital fund by \$120 million in order to fully fund critical assistance programs, such as the Section 8 program. The amount remaining is the barest of minimums that HUD has to have to keep its functions, keep its systems functioning and keep its functioning going.

The committee has already removed funds for all system enhancements and removed funds for all initiatives. Funds left were for maintaining the current systems and upgrades needed to meet Federal requirements such as their accounting system.

An additional cut of \$120 million in their working capital fund would, according to HUD, simply shut down their systems, shut them down, and it would abrogate the contract they have with EDS and Lockheed Martin to maintain their systems. The contract itself runs over \$100 million each year, and it is only maintenance. This amendment would leave all of HUD with only \$45 million.

According to HUD officials, HUD would have to shut down the accounting system, the development of the new accounting system for FHA, system for PIH and to administer the Section 8 program, and then public housing programs will be shut down. Virtually all systems will be shut down.

Shutting down the contract that was painfully negotiated over a 4-year period will also throw HUD into chaos. They have no back up, nowhere to go except to the GSA schedule that will cost 150 percent of the cost of the contract, so with this amendment, HUD could not go there either.

I would just suggest to the gentleman that this is not workable by all of the investigation that we have done, and I would urge that we oppose this amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of restoring funding for Section 8 vouchers. Providing decent, safe affordable housing is one area that must not be overlooked in the greater debate on spending priorities. This bill funds Section 8 at the level of \$314 million below the President's request, jeopardizing the housing of low-income families across the country. Without restored funding, hardworking families struggling to make ends meet will be left without homes and will be forced to turn to the already crowded shelter system.

If you are committed to end homelessness as we know it, today you have the opportunity to vote for this amendment. The Nadler-Velázquez-Frank amendment will restore \$100 million for Section 8 providing vouchers for approximately 15,000 families by reducing funding for HUD's working capital fund which provides for the technology needs of the Department. This increase will ensure that families working to create a better life for their children will have a safe, decent place to call home.

Stable housing is the first step to economic advancement and positive outcomes for children. Without a steady home, children suffer from being shifted between shelters and the homes of family and relatives, missing school and lacking opportunity for the lasting relationships so crucial to healthy development. The Nadler-Velázquez-Frank amendment will help address this issue by restoring critical funding to a program that has had a tremendous impact on the lives of low-income families around the country.

The Section 8 program is a lifeline for hundreds of thousands of families without which they would face the cold reality of life on the streets or the uncertainty of navigating our Nation's swelling shelter system. This amendment will prevent 15,000 families from losing their homes, continuing the support so needed as they strive to achieve economic stability in the face of challenging circumstances.

In this body, day in and day out, we hear talk about family values. What issue could be more linked to the morals we espouse than providing safe and decent homes for America's families? The Section 8 program serves the approximately 2 million Americans in greatest need, and these families are depending on us here today.

The Nadler-Velázquez-Frank amendment will restore \$100 million in funding for 15,000 vouchers. This is a modest but important increase to protect the homes of families working to overcome obstacles in difficult economic times. I urge support of this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to begin by acknowledging that the gentleman from

Michigan (Mr. KNOLLENBERG) did a very good job of dealing with a difficult issue that was dumped in his lap in Section 8, and I acknowledge that. And I think he provided a great deal of comfort to tenants and administrators throughout the country by relieving them of the uncertainty that some proposed very drastic changes were there. And I thank the gentleman for that. And I understand also that he had a difficult situation. I would like to see even more.

The point I would just make is this: From a number of decisions that we have made, Section 8 has become the main housing program of the United States. I wish it were not. I think it is a mistake to have no production. And we have virtually no production. I think we have made the Section 8 program, by default, carry more load than it ought to.

Secretary Jackson talks about what an increasing percentage of the HUD budget Section 8 has become. That is partly because they have cut out everything else. And so what the Section 8 program is, is a survivor. And in an ideal world, we might allocate a little bit more to housing production, et cetera. But that is not where we are. We very much need this money. It is not nearly enough, but we are in a tight budget situation. Some of us wish we were not. Some of us voted not to be in it, but facts are facts.

As to renewals, the gentleman from Michigan may be right that there is enough for renewals. I hope he is. He may not be. But the point is that nothing in this amendment says it is only for renewals. The gentleman from New York pointed out that we have not had any new ones. Does anyone think that all of the people in America who need Section 8 housing now have it, and that we only have to work with renewals?

We had an amendment offered earlier by the gentleman from Minnesota, and I should acknowledge the gentleman from Minnesota (Mr. KENNEDY) voted for that affordable housing program that I talked about, and I should not have implied if anyone thought that he had not. But he talked about a \$100 million more for the homeless, taking it out of Amtrak.

If you want to provide \$100 million for the homeless, vote for this amendment because, you know what makes you homeless? Not having a home. That is what homelessness means. And one way to deal with the homeless is to get them homes. An additional \$100 million in Section 8 is the best, most efficient way to provide homes for the homeless. So we acknowledge that there is an unmet housing need. And as I said again, and I mean this very sincerely. I appreciate the gentleman from Michigan with regard to CDBG and HUD and Section 8 and HUD. He brought some order of a situation that was fraught with confusion for people, and I appreciate his willingness to do this.

□ 1715

We are talking now about a somewhat marginal increase. We wish it could be bigger. But I would say the argument against this on the merits has to be that you think America is now providing housing for everybody who needs it.

I would say to other Members, across party lines, across geographic lines, in past years when there have been threats for shortfalls in Section 8, I know all of us on the Committee on Financial Services that deals with housing have gotten anguished complaints from other Members saying, How can we stop this?

Well, I tell you the best way to stop another wave of threatened shortfalls, people not having enough. Rents can go up. You cannot entirely predict what the needs are going to be. I tell you a very good way to prevent yourself from being again besieged by fears that there will be people turned away, et cetera. Put this money in here now. If it is not needed for renewal, I hope it is not, I cannot be sure it is not, if it is not needed for renewals, then I think we will find in this country \$100 million worth of people who need housing. And that is of course what we do.

I would say again, if you were tempted by the homelessness amendment before, taking it out of Amtrak, let us put it here. As far as HUD's administration work is concerned, I think we can probably find some ways to deal with that. But I do not think that we ought to sacrifice HUD's primary goal of providing housing for people to deal with some of the bureaucratic issues. So I hope the amendment is adopted.

Mrs. MALONEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Nadler-Velazquez amendment to restore partial funding for the Section 8 Housing Choice Voucher Program. The underlying bill cuts some \$314 million for vouchers that enables low-income families to rent safe, affordable housing. This amendment would restore a third of that money, \$100 million, and thereby save about 15,000 low-income families from across this country from losing their homes.

If you are concerned about the homeless, then this should be a definite vote in favor of this amendment. This is very much a bipartisan issue. This past spring over 170 Members from both sides of the aisle signed a letter this spring to the appropriators urging them to restore full funding for the Section 8 voucher program. Those Members recognized that the Section 8 voucher program is the only effective Federal program supporting affordable rental housing in large urban areas such as New York City and Chicago and would be very much affected if this amendment does not pass.

Section 8 vouchers provide millions of families across the country a safe and affordable place to live and are critical to State and local efforts to end homelessness.

These cuts come at a time when Section 8 is already under attack due to program changes in April that threatened to cut over \$50 million in vouchers in New York City alone. Due to underfunding in the last bill, many housing agencies have had no choice but to reduce the number of vouchers and cut the subsidy below local rental levels.

The proposed cuts make this very, very bad housing crisis a much worse situation. The money to fund this amendment comes out of a program for computer upgrades that the committee criticized in its committee report as "poorly managed and inefficient."

I would certainly say that keeping 15,000 families in their homes instead is a better choice that supports family values. My colleagues on the other side of the aisle constantly talk about family values. I cannot think of a more important family value than keeping families in their homes. This is what this amendment does.

In fact, a wide range of faith-based organizations have written an open letter to me and other Members of Congress making exactly that same point. And these faith-based organizations call the effort to save Section 8 vouchers "not just a matter of charity but of responsibility and social justice."

There are so many drastic cuts in this bill for worthy housing programs that protect the most vulnerable among us, cuts to housing for those with HIV/AIDS, cuts to fair housing programs that reduce discrimination in housing, and cuts to the Community Development Grant, program just to name a few.

I do want to compliment my colleagues for accepting the Miller amendment. It is very, very important to have monies in the budget for brownfields, particularly urban areas in order to spur economic development.

You cannot really build affordable housing without a Federal role. The Section 8 voucher program has been one of the most successful in this country's history in providing affordable housing to those in need, and it is unconscionable to have this cut. It would literally put 15,000 families out on the street and increase the need for more homeless housing.

So if you care about housing in general, if you care about not reducing the need for homeless housing, and the other cuts that the leadership of our ranking member, the gentleman from Massachusetts (Mr. FRANK), has pointed out so clearly on the floor, you should support this amendment. I urge my colleagues to support this amendment.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have examined very carefully this budget that we have oversight responsibility for in the Committee on Financial Services and the Subcommittee on Housing and Community Development, and it is a matter of whether or not we are going to stand

up here on every issue and try and get those programs back that have been zeroed out and attempted to transfer over to Commerce, whether or not we are going to stand here and beg for some meager assistance to help us with the Section 8 program, whether or not we are trying to get the Brownfields back or the section 108.

Well, it is pretty difficult to choose which one you want to spend your time on. As ranking member of the Subcommittee on Housing and Community Development, I really would like to speak on all of them because it is really unconscionable that in this time in the United States of America, 2005, that we are haggling over dollars to help American citizens have a decent quality of life with decent housing.

We have a crisis in housing in America, not just in our cities, in our rural areas. People are not able to have decent housing. They are looking to their government for some help. We are giving some help. And I am appreciative of the gentleman from Michigan (Mr. KNOLLENBERG) for the hard work that he has put into this budget. I know that given what he had to work with, with the limitations of this budget, he has done the best job that he could possibly do. That is why some of us have been so opposed to these tax cuts.

We know that the tax cuts that we have passed in this Congress have benefited the richest 1 percent in America while we have people who are sleeping under bridges, families that are living in cars, people who work every day who cannot get into apartments because they cannot pay the first and last month's rent; children who go to school every day living in cars who are basically homeless because they do not have a place to live.

For those people who are fortunate enough to get the Section 8 vouchers, now we have to say to them as we did in Los Angeles that we cannot fund some of those vouchers. We made some mistakes in Los Angeles, and we over subscribed what we had. And we had people out there that we had given the authorizations to that we cannot honor. And now we are talking about taking money from one of the most profound programs in all of government, a program that simply allows individuals and families to have a decent place to live, and we are going to eliminate their ability to have decent housing because we want to spend money on some computers.

Well, I am all for good systems. I am all for upgrading. Now is not the time. Let us not take money from these housing subsidies in order to have computers when, in fact, if we take this amendment, we can fund 15,000 more vouchers. That is not too much to ask.

I know that there are those who have said we have made the additions. We are not going to undo them. We are not going to turn them around. But those of us who get these calls in our offices, ask us, Where can you find me a place to live? How can you help me?



The lines are long all over America. People wish to get in this Section 8 program because they cannot do any better.

Our ranking member referred to housing production. It is next to nothing. We do not have housing production. The cost of the land acquisition is too high. It is absolutely prohibitive to try and build low-cost units for people who really need them without some government help. And we do not have enough government help in order to acquire the lands and to write down the costs of building these units.

The best thing that we could do for those who could not do it without us is to provide them with Section 8 housing vouchers. I do not think it is too much to ask. I support this amendment, and I am very thankful that the gentleman from New York (Mr. NADLER) and the gentlewoman from New York (Ms. VELÁZQUEZ), despite the fact that they were advised not to do it, had the courage and the guts to do it. So I stand here with them to say no matter what else we are cutting, let us put the money back into this program.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I simply could not let the time go by without rising to support the Nadler-Velázquez amendment.

I realize the difficulty of finding resources. We all know about tight budgets, and we know that you cannot get blood out of a turnip. But the Section 8 housing voucher program is one of the best things that has happened for poor people in this country. Every day my phone rings incessantly with people asking if we know where they can find a place to live; do we know where they can find some low-income housing; do we know where they can find some affordable housing?

And while we are only talking about 15,000 vouchers, which is minimum, for those individuals who would be able to acquire them, it would be like receiving manna from heaven.

So I simply reiterate what has already been said and that is if we really want to help the homeless, do as the gentleman from Massachusetts (Mr. FRANK) said, provide them with a place to live. I support the amendment.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. MENENDEZ. Mr. Chairman, I want to rise in strong support of the Nadler-Velázquez amendment. And I appreciate the gentleman from Michigan's (Mr. KNOLLENBERG) attempt to protect Section 8 in the bill. I respect his support for the program, but we are here about a debate in large respect about our values. That is what the budget process is. That is what the appropriations process is.

We speak to the different issues that we care about in this country and our

personal values, and the total values of both our parties as well as our country are reflected in this national document that we call the budget and the appropriations process that fulfills that budget.

Now, when we think about values, what more values are there than of having a home, a place to call home, a place to bring your family, a place to bring your newborn child, a place where in fact that child is nurtured, a place where that child is going to study, a place where there will be celebrations, a place where difficult moments will be met together by family, a place that is secure and safe and warm and comforting and nurturing. That is a value when we talk about families because a family that does not have a home finds it very difficult to sustain itself as a family.

□ 1730

So this amendment strikes at the very heart of what we want to see, the ability of families to sustain themselves together in a nurturing environment that we call home. For too many people in this country, there is simply not a place for them to call home, and many times families are not even together because they are living with other family members. They are separated and apart.

So, ultimately, this is about creating an opportunity for more families to call someplace home, and I wish we were discussing an amendment that would be providing far more than \$100 million for Section 8, but still, this move, this is a critical one towards fulfilling the gap that the bill leaves open. At a minimum, we should be able to meet the President's request which recognizes the shortfalls in the program last year.

Section 8 is our Nation's most successful Federal low-income housing program, but it has been the victim of continual underfunding, sweeping structural changes and last-minute policy changes.

I have seen that firsthand in my district the havoc that it wreaks on the lives of people who are in it, and the millions who are waiting throughout the country and certainly thousands that are waiting in my own district as they wait on the list, and they are told after waiting so long, oh, we are still further underfunded; we are not going to get to that list. Without warning or rationale, HUD has changed the formulas, capped funding, established policies retroactively, making it harder and harder for housing authorities to keep up.

Last year's appropriation left a shortfall of 80,000 vouchers. What will it be this year, 100,000? The ongoing shortfall comes at a time when the administration has also put forward a proposal that dramatically threatens the future of Section 8, and finally, at a time when the cost of living is rising, when rented housing prices are increasingly out of reach, particularly in high

cost areas like New Jersey, the answer to these obstacles should not be weakening the very program that provides assistance to those who depend on it most. If home is where the heart is, let this Congress not be heartless and not make more people homeless at the end of the day.

Mr. DAVIS of Alabama. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I did not want this debate to end without expressing my support for what the gentleman from New York (Mr. NADLER) is doing today.

The reality is that, while this economy has improved in the last several years, while housing starts are on the rise, while the number of Americans with the chance at the dream of homeownership is rapidly expanding, there are a lot of breaks and gaps in this economy, and this program, Section 8, exists to remedy those breaks and those gaps.

The score of the amendment of the amount of money that the gentleman from New York (Mr. NADLER) proposes to add to this budget is roughly 1.6 percent of this bill. This is a fractional investment in the scheme of things, but it is a significant investment for numerous families who will benefit from Section 8.

So I want to thank the gentleman from New York (Mr. NADLER) for his outstanding work in raising this issue and being persistent and bringing it before this body.

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

Mr. DAVIS of Alabama. I yield to the gentleman from New York.

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding, and let me say that I also appreciate the work of the distinguished chairman from Michigan in bringing some order from the recommendation of the administration on this bill, but I have to make a couple of comments.

First of all, as I said before, look at what we have done on Section 8. We have hundreds of thousands of people on waiting lists, hundreds of thousands, waiting 8, 9, 10 years for decent housing for Section 8 vouchers. As recently as 2001, we increased the number of Section 8 vouchers by 79,000. In 2002, we increased it by 18,000. Since then, in 2003, 2004, 2005, we did not increase it by one, not by one. Instead, we debated, are we funding the existing number of vouchers, and this is what we are debating again now. I wish we were debating increasing the number of vouchers.

The gentleman from Michigan says Section 8 is fully funded. Well, I do not think it is, but even if it were, we should be increasing the number, and if we are wrong, and we are increasing the number by a few, that is the right thing to do, but the fact is, look at the history here.

Two years ago, the committee said we were fully funding Section 8. We added to that an amendment of \$150

million. The conference report added \$910 million above that, and that is what was necessary to fully fund it, \$1 billion above what the committee said was fully funded. Last year, the conference report added \$89 million above what the House did, \$89 million more than what the committee said was necessary to fully fund existing Section 8, and HUD later acknowledged during the year that that did not fully fund it. It was \$568 million short, and a huge number of people lost their vouchers.

Now the committee once again says it is fully funded, but the President says we need \$314 million more to fully fund it. This amendment would give \$100 million of the \$314 million the President says is necessary to fully fund it, and again, what do we mean by fully fund? Not kick people out on the street, not increase by one, not shorten the waiting list. So we ought to be doing that.

Finally, let me say that we are told that the offset would leave only \$45 million in its computer account. The fact is the co-committee has been very ingenuous in squirrelling away money in different accounts. I have here, and I submitted for the RECORD earlier, the list of all the places in the bill where money is squirrelled away. There is a total of \$230 million. If we take \$120 million away, as we will, that will leave \$110 million for this purpose, which is enough for the computer upgrade program that they are talking about. Again, are we in favor of people having decent housing, or are we in favor of a somewhat faster computer upgrade at the Department?

Do not believe bureaucrats when they tell us that all will be lost if they do not get all the money they need. We should know better than that.

Finally, Mr. Chairman, Republicans many of them support this amendment. We passed a similar amendment 2 years ago with Republican support; 170 Members have signed a letter in support of this amendment, including many Members from the other side of the aisle. They voted for the same amendment 2 years ago.

I urge everyone on both sides of the aisle to vote for this amendment, to indicate that the very least we can do is not reduce the number of people who have the assistance, who are having decent housing. If we value family values, if we value decency in providing people with the ability to have decent housing, we will support this amendment, and the damage will be mitigated. It is not as much as the President wants, \$314 million, but at least it is a third of that. Unfortunately, we could not find more offsets.

So I thank the gentleman for yielding. I thank the chairman. I urge everyone to vote for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 1 OFFERED BY MR. GINGREY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. GINGREY: At the end of the bill (before the short title), insert the following:

SEC. 948. None of the funds made available in this Act may be used to provide assistance under the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) for any private economic development project (including assistance for any project under paragraph (17) of section 105(a) of such Act) involving the obtaining of property by the exercise of the power of eminent domain.

The CHAIRMAN. The Chair notes that the amendment addresses a portion of the bill not yet read for amendment. Is the gentleman seeking a unanimous consent request to proceed out of order?

Mr. GINGREY. Mr. Chairman, I do ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to its consideration at this point in the reading?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. GINGREY. Mr. Chairman, I rise today to discuss an amendment that I have offered to H.R. 3058.

I would first like to thank the gentleman from Michigan (Chairman KNOLLENBERG) for this opportunity to speak on behalf of my amendment and to explain its intent within the greater context of the recent New London decision by the Supreme Court.

The amendment that I have offered would prevent any funds appropriated to the Community Development Block Grant program from being used to support an economic development project that acquires land through eminent domain.

Like many members of this body and most people in this country, I am incensed by the recent Supreme Court decision in the case of *Kelo v. the City of New London* that has effectively turned the deeds to every American home and business over to the government. Imagine a sign on every piece of real personal property that reads: For Sale By Government.

While most people recognize that eminent domain has been used historically for the building of a school or a road which serves the entire community, the American people will never accept the idea that government can

arbitrarily take away one person's home or business and give it to someone else for the sole purpose of increasing that government's tax base. Government should never have the power to force a person out so that a mini mall can move in.

In the city of Augusta, Georgia, where I grew up there is a little shop called the Sunshine Bakery. Owned by the same family for over 100 years, the Sunshine Bakery may not be a Fortune 500 company, Mr. Chairman, but it is this family's livelihood, and it serves as an important part of the community. Yet, the City of Augusta could now shut down the Sunshine Bakery and sell the property and their life to the highest bidder. Frankly, such an act is not only un-American but it is also unconstitutional.

Unfortunately, by the narrowest of majorities, the Supreme Court last Thursday decided to abandon its responsibility to uphold the Fifth Amendment to the Constitution. By a margin of only one vote, five justices have thrown out over 2 centuries worth of precedent and protections. They have taken away the constitutional guarantee that no one's home or business could be forcibly taken away by the government except for public use and with just compensation.

Mr. Chairman, I encourage every American to read the majority's opinion. Rather than ruling about what is public use and what is not public use, this narrow majority just threw up their hands and allowed government to take, for all intents and purposes, whenever it so desires.

Congress cannot, and I trust will not, stand idly by while States and local governments abuse their power of eminent domain. From the largest State to the smallest city, no government should use the New London decision as cover to take away personal real property and give it to a developer to increase the tax base.

Make no mistake, I fully support economic development and improvement. Like most Americans, I believe that communities should work in conjunction with their citizens to build stronger, more economically vibrant communities. However, what has distinguished this great country of ours above all others is our bedrock belief in individual liberty and property protections and the security these liberties and protections offer. This security has fostered economic prosperity. It has created a society in which this prosperity can be enjoyed. The Supreme Court, by removing these protections, has struck a serious and dangerous blow to the American way of life.

Mr. Chairman, my amendment would use Congress' power of the purse to make sure that this government never subsidizes eminent domain abuse and never subsidizes the theft and destruction of people's homes and businesses. However, Mr. Chairman, in light of the point of order reserved against my amendment, momentarily I will ask to withdraw it.

This amendment marks only the start of this discussion, and it is my hope that this Congress will set the record straight for the sake of the American people.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT OFFERED BY MS. KILPATRICK OF MICHIGAN

Ms. KILPATRICK of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. KILPATRICK of Michigan:

Strike "Provided" in line 3 on page 64 and all that follows through line 19 on page 65, and insert the following:

*Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, for the calendar year 2006 funding cycle the Secretary shall allocate and provide renewal funding for each public housing agency (other than an agency with a special funding agreement under the Moving To Work demonstration program) based on leasing and per-voucher cost data for the most recent 12-month period for which such data is available as of the time of the such allocation determinations, as adjusted to reflect likely reasonable future costs (A) by applying 2006 local and regional Annual Adjustment Factors as established by the Secretary using the most recent data available, and (B) by applying such additional adjustments to such prior period data, to compensate for changes in the leasing rate or average voucher cost, as the Secretary may approve for a public housing agency, pursuant to application by the agency: *Provided further*, That application and approval of such additional adjustments shall be in accordance with such limitations as the Secretary shall provide, which shall include the use of objective and fair approval criteria established by the Secretary that provide that (A) adjustment to the leasing rate shall be approved if an agency demonstrates need for renewal of previously issued tenant protection vouchers or of other authorized vouchers to comply with court orders or to meet previous commitments to owners for project-based vouchers in projects ready for occupancy in 2006, and (B) adjustment of the per-voucher cost shall be approved if an agency demonstrates (i) rent increases, (ii) utility rate changes, (iii) known changes in subsidy costs due to enhanced vouchers, portability, increased average unit size, or approval of higher subsidy payments for people with disabilities due to reasonable accommodation, (iv) change in average tenant income, including adjustments needed for areas with seasonal employment if income variations are not adequately reflected in the period of data used by HUD, or (v) increase in number of families participating in the Family Self-Sufficiency program who are building escrow savings due to increased earnings: *Provided further*, That the Secretary shall use per-voucher cost data from 2004 for a public housing agency in lieu of the prior-period data specified above if requested by the agency and the agency certifies that the reduction in its per-voucher cost in 2005 or authorized leasing level in 2004 or 2005 was due to policy changes made by the agency to respond to a funding shortage in 2004 or 2005 and it is necessary to modify such policies to comply with requirements under law or goals under the Secretary's regulations relating to voucher renewal funding: *Provided further*,

That the Secretary may deny the adjustments referred to in the preceding two provisos with respect to a public housing agency if the agency is not complying with section 8(o)(10)(A) of the Act (regarding rent reasonableness): *Provided further*, That the aggregate amount of such additional adjustments referred to clause (B) of the first proviso of this paragraph (1) and determined under the two provisos that follow such clause shall not exceed 2 percent of the total amount provided under this paragraph and each public housing agency for which such an adjustment is approved shall receive the same percentage of the approved amount: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, prorate each public housing agency's allocation otherwise established pursuant to this paragraph, except that such proration shall not apply to the renewal of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act currently subject to proration;

Ms. KILPATRICK of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

□ 1745

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the amendment offered by the gentleman from Michigan.

Ms. KILPATRICK of Michigan. Mr. Chairman, I thank the chairman for working with us, and I understand the point of order. It is something we need to bring to the attention of the Committee on Appropriations.

There has been much discussion already today about the section 8 program and the need of millions of Americans who are now in the section 8 program and millions more who are waiting for affordable, safe, clean housing. This amendment would talk about the distribution of the dollars, once we restore the section 8, and as we are in the section 8 program today.

In 1993, this Congress passed an act that would limit the distribution of those dollars and use a 3-month window to decide how those dollars would be distributed. First, the dollars are not enough, then they use a 3-month window rather than 12 months of the fluctuating cost of public housing authorities to decide how much each public housing authority will get in the section 8 housing choice voucher program.

I want to thank my colleague, the gentleman from Michigan (Mr. KNOLLENBERG), the chairman, and the ranking member, the gentleman from Massachusetts (Mr. OLVER), for providing an appropriation in this bill to address some of that need in the 2006 budget. As of right now, as this bill was debated and as it passed the Congress in 2003, in 2004, my district and districts all over America lost hundreds of thousands of vouchers. And for my district, in the 13th Congressional Dis-

trict, that was 1,500 vouchers people had in 2004 that they do not have in 2005, and there is some help in this budget to rectify some of that.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Ms. KILPATRICK of Michigan. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding to me, and I just want to express my support for what she is doing. As an authorizing member of the committee, I am very appreciative of what she has done on the appropriations subcommittee, along with my neighbor and ranking member. Well, not quite my neighbor, but my colleague.

And I just wanted to express my support and my hope that the very important issue she is raising now will be worked out satisfactorily.

Ms. KILPATRICK of Michigan. Mr. Chairman, reclaiming my time, I thank the ranking member; and I hope to get it in an authorizing bill as well as to rectify it permanently.

We suggest that the formula would be better distributed on a fairer basis if it would use the 12-month rather than the 3-month window, so that the housing authorities can get the dollars they so sorely need and deserve.

I have a list here of several organizations who support this fairer funding amendment and will be working with the ranking member and the chairman of the authorizing committee to make sure that as we save the section 8 program that it is funded properly and that the money is then distributed properly.

Organizations such as the Center For Budget and Policy Priorities support the fairer distribution; organizations such as the National Association of Housing and Redevelopment Officials support the distribution using the 12-month window rather than the 3-month. The National Association of State Housing Agencies supports using the 12-month need and flexibility rather than the 3-month window, which has an unfair distribution of those dollars. Also, the National Leased Housing Association also believes that we ought to consider distributing those dollars on a 12-month average rather than a 3-month average. The National Low-Income Housing Coalition also believes we should do that as well.

It is important that as we look at the section 8 program, and as was mentioned earlier, and I will not go back over all of that again, that we not only know the need and how important it is but that public housing authorities must be able to meet those needs in a better and fairer way. We have to be able to do what is necessary so that the program is saved.

The portability of those vouchers is something we want to maintain so that individuals, families, and children are able to create and have safe, clean, decent housing. The disparity that exists

when you use the 3-month window is really appalling and not equal and not fair. This prevents the displacement and the air that adds to the displacement of our elderly and disabled and other tenants who are sometimes in private development. They need these protections, and they need to make sure the distribution of the funding is fairer.

I know Chairman KNOLLENBERG has raised a point of order. Would my good Michigan colleague and chairman of the committee join me in a dialogue?

Mr. KNOLLENBERG. If the gentleman will yield, I will indeed.

Ms. KILPATRICK of Michigan. Mr. Chairman, reclaiming my time, I thank my colleague. I understand the gentleman's point of order, and I respect it highly as our chairman, but I wanted to ask if the gentleman would work with us to make a fairer distribution of the section 8 dollars as we go forward into next year.

I commend the chairman for putting in the extra dollars in this 2006 budget so that we can rectify some of that across the country.

Mr. KNOLLENBERG. Mr. Chairman, if the gentleman will continue to yield, I would say to my friend and colleague from Michigan that I will do everything I can to work with her. I intend to do that. I know that we have worked things out on some other issues, so we will do our darnedest to make sure we work in fulfilling her desire as best we can.

Ms. KILPATRICK of Michigan. Mr. Chairman, I thank the gentleman and appreciate his time and energy on that; and I am sure, Mr. Chairman, that we will work to strengthen the section 8 program in general and certainly the distribution of the funding. I hope that we will also work together to make permanent a 12-month distribution of those funds and not use the 3-month window, which will better serve the public housing authorities in this country.

Mr. Chairman, I rise today to offer an amendment addressing the growing concern I have with the unfair distribution of renewal funding for the Section 8 Housing Choice Voucher Program.

The trend of the past few years for providing allocations to state and local housing agencies for voucher renewal funding has been to base budget allocations on a 3-month "snap-shot," from May through July in 2005.

The justification for selecting those 3 months is only because that was the most recent fiscal quarter for which data was available. There was no consideration of local market condition changes throughout the year in different areas of the country.

While I greatly appreciate Chairman KNOLLENBERG and Ranking Member OLVER for recognizing this disparity, and including a set-aside of \$45 million to adjust the allocations of the housing agencies whose snap-shot did not accurately reflect leasing levels and costs for 2004, this "fix" still does not address the fundamental problem.

The essential problem is that we are basing yearly budgets on just 3 months of costs. That

leaves 9 months of fluctuating market conditions unaccounted for.

At a time when rising energy costs are driving utility costs up, and job markets are fluctuating, particularly in areas like Michigan with its manufacturing base, we cannot ignore the impact of these market changes on subsidy needs.

Similarly, housing agencies are required to pay portability costs for families who are relocating, though agencies have control over rent subsidies for those areas. They must simply compensate by reducing or denying assistance for someone else.

This arbitrary snap-shot creates a disparity where some housing agencies wind up with more money than they need to meet their commitments, and others will have to turn families out into the cold because their underestimated budgets could no longer support the same number of vouchers.

Mr. Chairman, my amendment would implement a formula for allocating renewal funding to state and local housing agencies that better captures the effects of fluctuating local conditions, while adding a cost containment incentive and retaining congressional control over total spending.

It would preserve a key feature of funding policy created last year in fiscal 2005 appropriations by continuing to base budgets on leasing and costs in the prior year, but to avoid unfair impacts of using a 3-month "snapshot," the most recent data available for a 12-month period would be used.

My amendment would help prevent the displacement of the elderly, the disabled, and the other tenants of privately owned developments by guaranteeing stable funding for tenant protection vouchers by exempting those un-negotiable costs from proration.

If total funding allocations are below the sum of the calculated budgets, the distribution of funds would be prorated so each housing agency would receive the same percentage of funds they should have if fully funded. Thus in times of constrained resources, there would be a shared sacrifice; each agency would still receive the same proportional amount.

Agencies currently manage their program over a 12-month period, with fluctuation in costs and leasing from month-to-month. A 12-month snapshot would provide a smoother and more accurate reflection of an agency's program reality than a 3-month snapshot, which could represent a hill or a valley in its budget year.

I know some may worry that agencies reimbursed for their actual costs, have no incentive to keep costs down, but all agencies will be constrained by the amount Congress provides regardless, and they know that, which in and of itself is a reason to constrain costs. This formula is simply a more fair way of distributing limited resources.

Mr. Chairman, if Congress wants to legitimately help American families have access to safe, affordable housing we must work toward a fair, balanced policy and seriously consider real market factors that families must face in their communities.

ENDORSERS OF THE PROPOSED HYBRID  
VOUCHER FUNDING POLICY

1. Center on Budget and Policy Priorities.
2. Jody Geese, Executive Director, Belmont Metropolitan Housing Authority (Martins Ferry, OH).
3. Neal Molloy, Executive Director, Housing Authority of St. Louis County, Missouri.

4. National Association of Housing and Redevelopment Officials (detailed proposal only, excluding item 4(a)(i)).

5. National Council of State Housing Agencies.

6. National Leased Housing Association.

7. National Low Income Housing Coalition.

8. Ohio Housing Authorities Conference.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the gentleman's amendment is withdrawn.

There was no objection.

PERMISSION TO OFFER AMENDMENT OUT OF  
ORDER

Mr. DAVIS of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair is informed that the reading of the bill has not yet progressed to the portion to which the gentleman's amendment may be offered.

Mr. DAVIS of Alabama. Mr. Chairman, the response I would make to that is that it is my understanding that because the funding has been zeroed out for HOPE VI, we are entitled to raise the amendment and that we can, in effect, either reach forward or reach backward as far as capturing these funds goes. That was the information relayed to me by the Parliamentarian.

The CHAIRMAN. The Chair is informed that the Clerk has read to page 67 and the gentleman's amendment proposes an insertion on page 73. So the gentleman's amendment should be held in abeyance until we reach that point.

Mr. DAVIS of Alabama. If that is the Chair's ruling, I would ask, without prejudice, permission to address it now, based on the absence of other people being on the floor. I would ask unanimous consent to address it now.

The CHAIRMAN. The Chair would ask, is the gentleman asking unanimous consent to offer his amendment at this point?

Mr. DAVIS of Alabama. I am, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. DAVIS OF  
ALABAMA

Mr. DAVIS of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Alabama:

Page 73, after line 4, insert the following new item:

REVITALIZATION OF SEVERELY DISTRESSED  
PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects, as authorized by section 24 of the United States Housing Act of 1937, as amended, and the amounts otherwise provided by this Act for "INDEPENDENT AGENCIES--GENERAL SERVICES ADMINISTRATION--FEDERAL BUILDINGS FUND" and for building operations under such item are hereby reduced by, \$60,000,000.

Mr. DAVIS of Alabama (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be

considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 20 minutes to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Alabama (Mr. DAVIS) is recognized for 10 minutes.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself 4 minutes, and let me begin by thanking the chair of this committee and the ranking member of the committee for their diligence. We have obviously had a difficult task this budget year, given the constraints that we have; and I recognize this whole argument proceeds in that context.

Let me begin by stating that this is a bipartisan amendment that speaks to a program that was created by George H.W. Bush, the 41st President of the United States, and by Jack Kemp, the former Secretary of Housing and Urban Development. In 1989, the Bush administration came up with a striking insight, that rather than write off a lot of our inner-city neighborhoods, that we try to revitalize them; that we sustain a public and private commitment to draw resources back into the inner-city; and that we literally change the face of abandoned neighborhoods. And they encapsulated this vision as HOPE VI. It has been around for 16 years. It is very much a bipartisan creation, and it is zero funded at this point in this budget.

Mr. Chairman, we ask that \$60 million be added, which of course is literally 1 percent of the value of this whole appropriations bill; that \$60 million be added to sustain this program and to allow its good works to go forward. And perhaps the best recommendation that I can offer comes not from my side of the aisle, but it comes, frankly, from the other side.

Our friend and colleague, the gentleman from Pennsylvania (Mr. DENT), speaking on June 6 in a press release announcing the HOPE VI project in his district said, "More than just an upgrade, this \$75 million project will be a catalyst for the revitalization of the entire community, and it will serve as a model of what public housing can and should be."

I also quote our friend and colleague, the gentleman from Mississippi (Mr. PICKERING), announcing a HOPE VI grant in his district in June of 2004: "This grant represents a significant investment into the overall economic development and renewal of the East Mississippi region."

I would next quote our friend and colleague, the gentleman from Michigan

(Mr. UPTON), who states that "This is tremendous news for the Ben Harbor community. It is another example of local, State and Federal levels coming together for the betterment of Ben Harbor and surrounding areas."

And I could go on and on, Mr. Chairman; but the reason that this program has captured so much bipartisan support is it draws down our two best instincts. It draws down our public instinct that we can reinvest in abandoned communities, and it draws on our private instinct that we can use private sector dollars.

I am told by CBO, frankly, that this amendment is budget neutral because of the nature of the way HOPE VI funds are disbursed, the nature of the way they are drawn down in escrow. So as a practical matter, there is no significant dollar consequence from this amendment, no significant dollar objection to this amendment. The only question is whether or not we believe this is a valuable program.

We are told by some that the program is backlogged. We are told by some that the program takes a while to work its way to completion. And I think all of us in this House are hoping to change some of the structure of HOPE VI, but the changes should not be such that the program cannot go forward. The thrust of this bipartisan amendment is that we restore a level of funding, whatever changes can be made administratively can be made, and we give these communities a chance to flourish.

Mr. Chairman, I make the very simple proposition that 4 days after the U.S. Supreme Court has granted unlimited powers of domain to many of our communities, HOPE VI represents a principled, balanced approach that respects the needs of people living in the community and draws on our instincts for the betterment of those communities.

I am happy to be joined by my cosponsor, the gentlewoman from Florida (Ms. HARRIS), who has been so stalwart on these issues. I thank her for lending her bipartisan voice to this amendment.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Ms. HARRIS).

Ms. HARRIS. Mr. Chairman, I rise today to join my colleague in offering an amendment that would restore funding for the Department of Housing and Urban Development's HOPE VI program. Created in 1992 by former Secretary Jack Kemp and President Bush, this program offers to renovate existing public housing sites and replace them with new mixed-income housing.

This grant program has been remarkably successful in its revitalizing of some of the most troubled and distressed communities. We have all seen these conditions that exist in public housing developments throughout the Nation: dilapidated buildings and homes, rampant rodent and insect in-

festation, barely functioning plumbing, and sometimes sewage that flows into our children's playgrounds, with high rates of violence and crime. These are the conditions that have overtaken too many of our public housing facilities, the very same conditions in which too many families are struggling to live and to raise their children.

This program is aptly named because hope is exactly what these grants supply to our communities. I can speak firsthand of the outstanding results of this program I have seen in Tampa, St. Petersburg, and Bradenton, areas that have been completely revitalized as a result of HOPE VI.

For example, in Bradenton Village the successful partnership between Federal and local governments, as well as the private sector, has restored and revitalized a community that years ago was left crumbling and suffering. Today, Bradenton Village is a vibrant and thriving area and a testament to the success of the HOPE VI grant program.

That success is not limited to Florida programs; it has been remarkable and responsible for rebuilding substandard housing and replacing them with quality affordable housing across the country. It is not just about bricks and mortar. By creating more options, giving consumers more and better choices in housing, education, job training and job placement, HOPE VI grants transform lives.

□ 1800

Our amendment, which I am so pleased to offer with the gentleman from Alabama (Mr. DAVIS) who has been a stalwart friend and supporter of housing programs, will ensure that Hope VI can continue to deliver on its promises.

The Davis-Harris amendment seeks to restore \$60 million to the Hope VI program so it can continue its mission of revitalizing communities across America. \$60 million is a far cry from the funding Hope VI has received in the past, but it is enough to keep the program going and keep hope alive, and we can continue to make a difference in our local communities.

Let us invest in Hope VI and invest in the strength and possibilities of our communities. I urge my colleagues to support the Davis-Harris amendment. Let us keep hope alive.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

As further proof of the bipartisan nature of this amendment, the National Home Builders Association, one of the larger lobbies that deals with this Congress, has also expressed its support for restoring these funds.

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

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

Let me respond and give a little history about Hope VI. I have been on the

committee for 11 years, and I have seen this item come into view, and I have seen some of the experiences it has gone through.

First of all, we know Hope VI has had a difficult and varied history as a 10-year demonstration program. It has worked well in some cases, but in many more, it has not. The program has been unsuccessful in fulfilling its mission over the last 10 years and has been extremely difficult to implement. Consider the following: At the end of last month there remains \$2.8 billion in appropriated funds that have been awarded to public housing agencies that has not as yet been spent.

Number two, Hope VI has failed to meet its mission. In the beginning, the idea was to demolish the 100,000 worst units. To date, over 133,000 of the worst units have been demolished, but only half of those were the result of Hope VI grants. The rest have been done by PHAs with their own money or with other Federal funds provided elsewhere in this bill.

Third, there are ample new funds available to continue the program until it is either fixed or dropped. No 2006 funds are necessary. I was one of the most supportive of this program when it first came on the scene, but I have grown tired over the years of seeing the subsidized failure that took place here.

The fourth item I would mention is that there would be a great disruption to the GSA programs if the amendment were adopted. The amendment proposes to seriously delay and reduce funding from seven important buildings that have been in the planning stage for many months.

I mention the security at the U.S. mission to the U.N., an FBI building in Houston, three courthouses in Missouri, Texas and New Mexico, and two border stations in Texas. These are critical projects that are scheduled for construction awards, and we plan to use them in 2005. These funds are not excess funds; far from it. They were added by GSA because of material, price increases, namely steel and concrete. Without the increases, these projects face real and significant funding shortfalls.

Last year, the committee had to reprogram funding five separate times from other projects because of materials' price increases on projects.

I know that there are places in the country that people can point to where they see this program working. But there are not as many as I would like, and for the reason I have already stated, I think this pretty much covers my position and what I feel would be the wrong move. As much as I know your hearts are strongly for this, I feel we cannot go there. We have been there, and it does not work. I ask for a "no" vote on the amendment.

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

Mr. DAVIS of Alabama. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I had an amendment at the desk that is a very similar amendment that I will not call up, and I would ask to be incorporated as a cosponsor of the Davis-Harris amendment, to be the Davis-Harris-Davis amendment.

Mr. Chairman, I represent more public housing I suspect than any Member of Congress other than perhaps the gentleman from New York (Mr. RANGEL) or the gentleman from New York (Mr. OWENS). Cabrini Green, Henry Horner, Rockwell Gardens, Opla, Ogden Courts, Laundale Courts, Hilliard Courts, Stateway Gardens, Ida B. Wells, Lakepoint Towers, all in Chicago.

If Members want to see where Hope VI has been working, we have a transformation plan in Chicago where thousands of people have been able to move out of high-rise buildings where they were packed together like sardines in a can, impossible for socialization to really occur.

I would agree Hope VI has not been perfect, but it has been the best thing that has happened to those individuals because they have been able to move from on top of each other. They have been able to have some breathing room and some space.

I recognize all of the things that the gentleman from Michigan (Chairman KNOLLENBERG) has pointed out, but let us continue to give people hope by providing the continuation of Hope VI programming and Hope VI funding.

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

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

First, in response to the gentleman's observations, with respect to where this account goes to sustain itself, where it goes to get the \$60 million, the GSA building fund, that fund is \$7.6 billion out of this budget. That is a \$550 million increase over last year. I do not think moving \$60 million from \$7.6 billion is of any consequence.

And I will also reiterate what I said at the outset: Because of the way that Hope VI funds are drawn down, this amendment is viewed by CBO as being budget neutral. In fact, it is actually viewed by CBO as being an amendment that will actually save outlays of around \$56 million this year. So, frankly, there is no dollar consequence this year. And in the scheme of things, even over the outyears, this is a very well-growing fund of \$7.6 million.

The second point, the gentleman from Michigan (Mr. KNOLLENBERG) has made observations, and Democrats and Republicans have made, about some of the weaknesses and some of the delays in Hope VI, and I do not think there is any opposition on this side of the aisle, and certainly not from proponents of this amendment, to looking closely at why the projects do not expedite and why it takes them awhile to move to completion, but that is not an argu-

ment for doing away with the program. That is an argument to reforming the program.

Mr. Chairman, \$60 million will amount to three or four projects around the country, but that will be three or four neighborhoods that have been written off and abandoned that can be reclaimed.

Finally, given the small dollar consequence of this, I think we ought to err on the side of these communities. We ought to err on the side of the community of the gentleman from Mississippi (Mr. PICKERING), we ought to err on the side of the community of the gentleman from Michigan (Mr. UPTON), we ought to err on the side of the community of the gentleman from Florida (Ms. HARRIS), and so many like it around the country.

We are in a phase where we can either write off a lot of our inner city neighborhoods, or we can reinvest in them. We can either consign them to being blighted places of neglect, or we can rebuild them, and this does it with our private and public dollars. I urge a "yes" vote on this amendment.

Mr. MENENDEZ. Mr. Chairman, it is a sad day when I am rising in support of an amendment that would provide only \$60 million for this critical program.

But this is the situation in which we find ourselves with this bill, when priorities of the Republic budget are focused elsewhere and we are sent a budget that puts the future of our Nation's housing programs in jeopardy.

While I am relieved to see the Committee has rejected the extremely unsound proposal to rescind the funding we appropriated for this current Fiscal Year, I find it hard to comprehend that this bill still provides no funding for Hope VI.

Just to provide some perspective, we should realize that HOPE VI funding for the last two fiscal years combined is only roughly half of the funding level provided in 2003.

I think part of the problem my colleagues have is trying to quantify the success of this program.

Mr. Chairman, I understand it is very hard to see the accomplishments of this program on paper.

There are not clear numbers of statistics that make it easy to put it in a bureaucratic category that proves it is "demonstrating results."

But Mr. Chairman, I can tell you personally of the success this program has brought, not only to communities in my district, but across the country.

HOPE VI has successfully transformed some of the nation's most dilapidated public housing into revitalized mixed income communities, providing a second chance for neighborhoods that often had little or no hope of improvement.

I have seen the transformation HOPE VI funds have brought to communities in my district and around New Jersey.

I have stood at communities that have been completely rebuilt, where renovated townhouses replace crumbling buildings, where senior centers and new playgrounds invite the community in, instead of shut it out.

Because cycles of poverty and crime are likely to be concentrated at the most distressed and run-down public housing structures, there is often little chance for changing



the surrounding community without providing a clean slate for the site.

HOPE VI proves neighborhoods with that chance.

What I think many have forgotten today is that this program was born out of strong bipartisan support.

HOPE VI began in 1992 with the express goal of demolishing and revitalizing 86,000 units of distressed housing.

Mr. Chairman, I have heard arguments that there is no longer a need for the HOPE VI program.

Are we really saying there are no more crumbling housing structures that are in need of repair?

Are we telling our communities struggling to find some hope of a better future that their neighborhood has no chance of revitalization?

That their children will not get a safe playground, that their family will never have a home they are proud to live in because the goals of HOPE VI have been accomplished?

Mr. Chairman, while we may have surpassed the original goal of transforming those 86,000 units, the program has not lost its need or effectiveness.

The fact remains that there is an ongoing need for fundamental revitalization in communities across the country that HOPE VI makes possible and which is currently unmatched by any other program.

HUD itself has noted the effectiveness of HOPE VI in affecting positive change beyond the housing structures and well into the community.

Perhaps most importantly, however, HOPE VI funds have become a critical source for localities to leverage private funds.

HOPE VI is thus not only a mechanism to bring about change, but it is a mechanism for drawing in critical investment.

Without HOPE VI as the incentive, communities will lose out on sources that are essential to ensuring true revitalization.

This program is a promise to people that if they live in a building that is unsafe, dilapidated, and beyond disrepair, we will not abandon them.

And it is a promise to our communities that our commitment continues far beyond the public housing structures we provided years ago—that we will be there to help all of communities be neighborhoods where we would be proud to raise our families.

Mr. Chairman, now is not the time to abandon our communities.

This program has provided many families and communities throughout the country hope of a better quality of life and we should not deprive additional communities of that chance.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Alabama, Mr. ARTUR DAVIS, which would restore funding to the Homeownership and Opportunity for People Everywhere program, more commonly referred to as HOPE VI.

The HOPE VI program is one of the Department of Housing and Urban Development's most successful programs, and it is a shame that it is one of the many valuable and worthwhile Federal programs that the Bush administration has targeted for elimination.

HOPE VI allows public housing authorities to revitalize neighborhoods affected by blighted public housing districts, and transform them into showcases of urban renewal and redevelopment.

For over 15 years, first as Mayor of the City of Alexandria and now as a Member of Congress, I have been involved in the revitalization of the former Samuel Madden public housing project, in the area known as the "berg."

While Samuel Madden was once a well-intentioned effort to provide affordable housing for those in need, it had become mired in controversy and the focal point of criticisms and problems synonymous with troubled public housing programs throughout the nation.

In 1999, the Alexandria Redevelopment Housing Authority received \$6.7 million dollars in HOPE VI grant funds to redevelop the 100-unit Samuel Madden public housing site.

This new project, Chatham Square, is a 152-residential unit development, 52 of which will be affordable rental homes operated as public housing units, and 100 of which will be market-rate townhouses for sale to the public.

This former public housing site has now become an inclusive community that is a mix of market-rate and subsidized public housing and continues to serve the needs of moderate and low-income residents.

Last year, I was proud to stand with representatives from the Alexandria Redevelopment Housing Authority and other City of Alexandria leaders as we attended the celebration and ribbon-cutting ceremony of this new development. The cornerstone of the event was the presentation of house keys to the first residents to move into the development: one who bought a market-rate townhouse and one who receives assistance with housing needs.

The Chatham Square project serves as a model for what public housing should become and identifies a successful mechanism through which this transformation can occur.

I have already shared with you a successful HOPE VI program from my congressional district, and there are thousands more all across the nation.

While the Bush administration may be critical concerning the HOPE VI program, it does not deserve to be gutted in next year's budget.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. DAVIS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DAVIS of Alabama. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama (Mr. DAVIS) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment by the gentlewoman from Florida (Ms. CORRINE BROWN), amendment by the gentleman from Minnesota (Mr. KENNEDY), amendment by the gentleman from Texas (Mr. AL GREEN), amendment by the gentleman from New York (Mr. NADLER), amendment by the gentleman from Alabama (Mr. DAVIS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. CORRINE BROWN OF FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. CORRINE BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 269, noes 152, not voting 12, as follows:

[Roll No. 336]

AYES—269

Abercrombie	English (PA)	LoBiondo
Ackerman	Eshoo	Lofgren, Zoe
Allen	Etheridge	Lowe
Andrews	Evans	Lynch
Baca	Farr	Maloney
Bachus	Fattah	Markey
Baird	Filner	Marshall
Baldwin	Fitzpatrick (PA)	Matheson
Barrow	Foley	Matsui
Bean	Forbes	McCarthy
Becerra	Ford	McCaul (TX)
Berkley	Fortenberry	McCollum (MN)
Berman	Frank (MA)	McCotter
Berry	Gerlach	McDermott
Bilirakis	Gibbons	McGovern
Bishop (GA)	Gilchrest	McIntyre
Bishop (NY)	Gonzalez	McKinney
Blumenauer	Goode	McMorris
Boren	Goodlatte	McNulty
Boswell	Gordon	Meehan
Boucher	Green (WI)	Meek (FL)
Boustany	Green, Al	Meeks (NY)
Boyd	Green, Gene	Melancon
Brady (PA)	Grijalva	Menendez
Brown (OH)	Gutierrez	Michaud
Brown, Corrine	Hall	Millender-
Brown-Waite,	Harman	McDonald
Ginny	Harris	Miller (NC)
Butterfield	Hart	Miller, George
Camp	Hastings (FL)	Mollohan
Capito	Hastings (WA)	Moore (KS)
Capps	Herseth	Moore (WI)
Capuano	Higgins	Moran (KS)
Cardin	Hinchey	Moran (VA)
Cardoza	Hinojosa	Murtha
Carnahan	Holden	Nadler
Carson	Holt	Napolitano
Case	Honda	Ney
Castle	Hooley	Norwood
Chandler	Hoyer	Nussle
Cleaver	Inslee	Oberstar
Clyburn	Israel	Obey
Costa	Jackson (IL)	Olver
Costello	Jackson-Lee	Ortiz
Cramer	(TX)	Osborne
Crenshaw	Jefferson	Owens
Crowley	Jindal	Pallone
Cuellar	Johnson (CT)	Pascarell
Cummings	Johnson, E. B.	Pastor
Davis (AL)	Jones (OH)	Payne
Davis (CA)	Kanjorski	Pelosi
Davis (FL)	Kaptur	Peterson (MN)
Davis (IL)	Keller	Pickering
Davis (TN)	Kelly	Platts
Davis, Jo Ann	Kennedy (RI)	Pomeroy
Deal (GA)	Kildee	Porter
DeFazio	Kilpatrick (MI)	Price (NC)
DeGette	Kind	Putnam
Delahunt	Kucinich	Rahall
DeLauro	Kuhl (NY)	Rangel
Dent	Langevin	Regula
Dicks	Lantos	Rehberg
Dingell	Larsen (WA)	Renzi
Doggett	Larson (CT)	Reyes
Doyle	Latham	Rogers (MI)
Drake	LaTourrette	Ros-Lehtinen
Edwards	Leach	Rothman
Ehlers	Lee	Roybal-Allard
Emanuel	Levin	Ruppersberger
Engel	Lipinski	Rush

Ryan (OH)	Snyder	Visclosky	Calvert	Granger	Lucas	Reynolds	Shays	Terry
Sabo	Solis	Walden (OR)	Cannon	Graves	Lungren, Daniel	Rogers (AL)	Sherwood	Thomas
Salazar	Souder	Wasserman	Cantor	Gutknecht	E.	Rogers (KY)	Shimkus	Thornberry
Sánchez, Linda	Spratt	Schultz	Cartor	Hayes	Mack	Rohrabacher	Simpson	Tiahrt
T.	Stark	Waters	Chabot	Hayworth	Manzullo	Royce	Smith (TX)	Walsh
Sanchez, Loretta	Stearns	Watson	Chocola	Hefley	Marchant	Ryan (WI)	Sodrel	Wamp
Sanders	Strickland	Watt	Coble	Hensarling	McCrery	Ryun (KS)	Sullivan	Weldon (FL)
Saxton	Stupak	Waxman	Cole (OK)	Herger	McHenry	Sensenbrenner	Sweeney	Weller
Schakowsky	Tanner	Weiner	Conaway	Hobson	McHugh	Sessions	Tancredo	Wilson (SC)
Schiff	Tauscher	Weldon (PA)	Cooper	Hoekstra	McKeon	Shadegg	Taylor (NC)	Wolf
Schwartz (PA)	Taylor (MS)	Westmoreland	Cox	Hostettler	Mica	NOT VOTING—12		
Schwarz (MI)	Thompson (CA)	Wexler	Cubin	Hulshof	Miller (FL)	Akin	Diaz-Balart, L.	Neal (MA)
Scott (VA)	Thompson (MS)	Whitfield	Cunningham	Hunter	Miller (MI)	Clay	Diaz-Balart, M.	Peterson (PA)
Serrano	Tiberi	Wicker	Davis (KY)	Hyde	Miller, Gary	Conyers	Lewis (GA)	Ross
Shaw	Tierney	Wilson (NM)	Davis, Tom	Inglis (SC)	Musgrave	Culberson	Murphy	Scott (GA)
Sherman	Towns	Woolsey	DeLay	Issa	Myrick			
Shuster	Turner	Wu	Doolittle	Istook	Neugebauer			
Simmons	Udall (CO)	Wynn	Dreier	Jenkins	Northup			
Skelton	Udall (NM)	Young (AK)	Duncan	Johnson (IL)	Nunes			
Slaughter	Upton	Young (FL)	Emerson	Johnson, Sam	Otter			
Smith (NJ)	Van Hollen		Everett	Jones (NC)	Oxley			
Smith (WA)	Velázquez		Feeney	Kennedy (MN)	Paul			
			Ferguson	King (IA)	Pearce			
			Flake	King (NY)	Pence			
			Fossella	Kingston	Petri			
			Fox	Kirk	Pitts			
			Franks (AZ)	Kline	Poe			
			Frelinghuysen	Knollenberg	Pombo			
			Blunt	Kolbe	Price (GA)			
			Bartlett (MD)	Garrett (NJ)	Pryce (OH)			
			Barton (TX)	Gillmor	Radanovich			
			Bass	Gingrey	Lewis (CA)			
			Beauprez	Gohmert	Lewis (KY)			
					Ramstad			
					Reichert			

NOES—152

Aderholt	Biggart	Bono
Alexander	Bishop (UT)	Boozman
Baker	Blackburn	Bradley (NH)
Barrett (SC)	Blunt	Brady (TX)
Bartlett (MD)	Boehler	Brown (SC)
Barton (TX)	Boehner	Burgess
Bass	Bonilla	Burton (IN)
Beauprez	Bonner	Buyer

**LEAVE OF ABSENCE**  
By unanimous consent, leave of absence was granted to:

Mr. BARROW (at the request of Ms. PELOSI) for today after 8:00 p.m. on account of BRAC hearings in the district.

Mr. HOLT (at the request of Ms. PELOSI) for today on account of official business in the district.

Mr. ROSS (at the request of Ms. PELOSI) for June 28 and the balance of the week on account of a family emergency.

Mr. PETERSON of Pennsylvania (at the request of Mr. DELAY) for today at noon and the balance of the week on account of attending the funeral of Richard Lee Wiles, a senior district staffer and long time dear friend.

**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

- Ms. WOOLSEY, for 5 minutes, today.
- Mr. DEFAZIO, for 5 minutes, today.
- Mr. BROWN of Ohio, for 5 minutes, today.
- Mr. DAVIS of Illinois, for 5 minutes, today.
- Mr. ENGEL, for 5 minutes, today.
- Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. DEAL of Georgia) to revise and extend their remarks and include extraneous material:)

- Mr. DEAL of Georgia, for 5 minutes, today.

Mr. MACK, for 5 minutes, June 30.

**SENATE BILLS REFERRED**

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 571. An act to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building"; to the Committee on Government Reform.

S. 775. An act to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office"; to the Committee on Government Reform.

S. 904. An act to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building"; to the Committee on Government Reform.

**SENATE ENROLLED BILL SIGNED**

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 714. An act to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition of junk fax transmissions.

**BILL PRESENTED TO THE PRESIDENT**

Jeff Trandahl, Clerk of the House reports that on June 27, 2005 he presented to the President of the United States, for his approval, the following bill.

H.R. 1812. To amend the Public Health Service Act to authorize a demonstration

grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and for other purposes.

**ADJOURNMENT**

Mr. DAVIS of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Thursday, June 30, 2005, at 10 a.m.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2474. A letter from the Director, Legislative Affairs Staff, NRCS, Department of Agriculture, transmitting the Department's final rule—Conservation Security Program (RIN: 0578-AA36) received June 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2475. A letter from the Director, Office of Executive Secretariat, Department of the Interior, transmitting the Department's final rule—Conforming Amendments to Implement the No Child Left Behind Act of 2001 (RIN: 1076-AE54) received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2476. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2477. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

□ 1830

**RECESS**

The CHAIRMAN (during the vote). Pursuant to clause 12(b) of rule I, the House will stand in emergency recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 30 minutes p.m.), the House stood in emergency recess subject to the call of the Chair.

**NOTICE**

*Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.*