

aware of." And yet another Democratic Senator declared, "they have found an individual that is brilliant, clearly capable as a jurist."

Mr. Speaker, I agree 100 percent. Judge Roberts embodies the qualities we expect in a justice on the highest court, someone who is fair, intelligent, impartial, and committed to faithfully interpreting the Constitution and the law.

In conclusion, God bless our troops and we will never forget September 11, or London, July 7.

#### GREAT ECONOMIC NEWS

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, job growth in the U.S. has increased for 25 straight months with unemployment at 5 percent, lower than the average for the last three decades. And the news just keeps getting better.

New home sales hit a record high in June. And that should not come as a surprise, seeing as how more Americans are working than ever before—over 130 million jobs.

But we do not see this on the front page of our newspapers or on the nightly newscasts.

The Republican accomplishments of this House speak for themselves. We passed medical liability reform to prevent frivolous lawsuits from forcing doctors out of practice or closing hospitals and leaving patients with limited access to care.

We passed Association Health Plans to let small businesses pool their resources together in order to purchase affordable health insurance for their employees.

Mr. Speaker, remember the death tax, the tax that unfairly burdened American families at the most inopportune of times? We listened to Americans, to our constituents, and we voted to repeal that unjust and unfair tax.

Mr. Speaker, as we head into the August work period we have a record of accomplishment and we look forward to sharing it with the American people.

#### TRANSPORTATION BILL: ITEMS ARE LARGER THAN THEY APPEAR

(Mr. FLAKE asked and was given permission to address the House for 1 minute.)

Mr. FLAKE. Mr. Speaker, this bill that we consider today, the transportation bill, ought to carry the same warning that drivers see on their rear view mirror: Items are larger than they appear.

This bill contains a rescission on the last day authorized by the bill several years hence which rescinds about \$9 billion. It is a gimmick. It is nothing more than a gimmick to allow us to spend more than the President said we need to or he would veto the bill.

Mr. President, please veto this bill. We are out of control here on spending.

And this bill goes far over the mark that you have laid out.

It also bothers a lot of us Republicans to hear it described as a "jobs bill." We are hearing jobs, jobs, jobs. We are not all Keynesians here. We do not believe that taking money out of taxpayers' pockets is the best way to create jobs. The best way is to leave it with them.

Mr. Speaker, we ought to have a transportation bill that reflects what is in the trust fund—nothing more. And it ought to be distributed in a way that does not include 6,000 earmarks.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to address their remarks to the Chair, and not to the President.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 9 minutes a.m.), the House stood in recess subject to the call of the Chair.

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#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS) at 10 o'clock and 15 minutes a.m.

#### PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3, SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 399.

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

The Clerk read as follows:

H. RES. 399

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. The Clerk shall not transmit to the Senate a message that it has adopted the conference report to accompany H.R. 3 until the House has received a message that the Senate has agreed to House Concurrent Resolution 226 as adopted by the House or passed H.R. 3514 without amendment.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### SURFACE TRANSPORTATION EXTENSION ACT OF 2005, PART VI

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation Infrastructure, the Committee on Science, the Committee on Ways and Means, and the Committee on Resources be discharged from further consideration of the bill (H.R. 3512) to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3512

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Surface Transportation Extension Act of 2005, Part VI".

#### SEC. 2. ADMINISTRATIVE EXPENSES FOR FEDERAL-AID HIGHWAY PROGRAM.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 4(a) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1147, 119 Stat. 325) is amended by striking "\$292,179,920" and inserting "\$309,260,880".

(b) LIMITATION ON OBLIGATIONS.—Of the obligation limitation made available for Federal-aid highways and highway safety construction programs for fiscal year 2005 by division H of Public Law 108-447 (118 Stat. 3204) not more than \$17,080,960 shall be available, in addition to any obligation limitation previously provided, for administrative expenses of the Federal Highway Administration for the period of July 30, 2005, through August 14, 2005.

(b) CONFORMING AMENDMENT.—Section 2(e)(3) of such Act (118 Stat. 1146, 119 Stat. 325) is amended by striking "July 30" and inserting "August 14".

#### SEC. 3. ADMINISTRATIVE EXPENSES FOR NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

(a) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay the administrative expenses of the National Highway Traffic Administration in carrying out the highway safety programs authorized by sections 157 and 163 of chapter 1 of title 23, United States Code, and sections 402, 403, 405, and 410 of chapter 4 of such title, the National Driver Register under chapter 303 of title 49, United States Code, the motor vehicle safety program under chapter 301 of such title 49, and the motor vehicle information and cost savings program under part C of subtitle VI of such title 49 \$4,125,000 for the period of July 30, 2005, through August 14, 2005.

(b) CONTRACT AUTHORITY.—Funds made available by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of

title 23, United States Code; except that such funds shall remain available until expended.

**SEC. 4. ADMINISTRATIVE EXPENSES FOR MOTOR CARRIER SAFETY ADMINISTRATION PROGRAM.**

Section 7(a)(1) of the Surface Transportation Extension Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330) is amended—

(1) by striking “\$213,799,290” and inserting “\$224,383,414”; and

(2) by striking “July 30” and inserting “August 14”.

**SEC. 5. ADMINISTRATIVE EXPENSES FOR FEDERAL TRANSIT PROGRAMS.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 5338(f)(2) of title 49, United States Code, is amended—

(1) in the heading by striking “JULY 30” and inserting “AUGUST 14”;

(2) in subparagraph (A)(vii)—

(A) by striking “\$54,350,686” and inserting “\$57,650,686”; and

(B) by striking “July 30” and inserting “August 14”; and

(3) in subparagraph (B)(vii) by striking “July 30” and inserting “August 14”.

(b) OBLIGATION CEILING.—Section 3040(7) of the Transportation Equity Act for the 21st Century (112 Stat. 394; 118 Stat. 885; 118 Stat. 1158; 119 Stat. 333) is amended—

(1) by striking “\$6,398,695,996” and inserting “\$6,401,995,996”; and

(2) by striking “July 30” and inserting “August 14”.

**SEC. 6. BUREAU OF TRANSPORTATION STATISTICS.**

(a) IN GENERAL.—Section 5001(a)(4) of the Transportation Equity Act for the 21st Century (112 Stat. 420; 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346; 119 Stat. 379; 119 Stat. 394) is amended by striking “\$25,730,000 for the period of October 1, 2004, through July 30, 2005” and inserting “\$27,000,000 for the period of October 1, 2004, through August 14, 2005”.

(b) LIMITATION ON OBLIGATIONS.—Of the obligation limitation made available for Federal-aid highways and highway safety construction programs for fiscal year 2005 by division H of Public Law 108-447 (118 Stat. 3204) not more than \$1,270,000 shall be available, in addition to any obligation limitation previously provided, for administrative expenses of the Bureau of Transportation Statistics for the period of July 30, 2005, through August 14, 2005.

**SEC. 7. EXTENSION OF AUTHORIZATION FOR USE OF TRUST FUNDS FOR OBLIGATIONS UNDER TEA-21.**

(a) HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in the matter before subparagraph (A), by striking “July 31, 2005” and inserting “August 15, 2005”;

(B) by striking “or” at the end of subparagraph (O),

(C) by striking the period at the end of subparagraph (P) and inserting “, or”;

(D) by inserting after subparagraph (P) the following new subparagraph:

“(Q) authorized to be paid out of the Highway Trust Fund under the Surface Transportation Extension Act of 2005, Part VI.”, and

(E) in the matter after subparagraph (Q), as added by this paragraph, by striking “Surface Transportation Extension Act of 2005, Part V” and inserting “Surface Transportation Extension Act of 2005, Part VI”.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) in the matter before subparagraph (A), by striking “July 31, 2005” and inserting “August 15, 2005”;

(B) in subparagraph (M), by striking “or” at the end of such subparagraph,

(C) in subparagraph (N), by inserting “or” at the end of such subparagraph,

(D) by inserting after subparagraph (N) the following new subparagraph:

“(O) the Surface Transportation Extension Act of 2005, Part VI.”, and

(E) in the matter after subparagraph (O), as added by this paragraph, by striking “Surface Transportation Extension Act of 2005, Part V” and inserting “Surface Transportation Extension Act of 2005, Part VI”.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by adding at the end the following: “The preceding sentence shall be applied by substituting ‘August 15, 2005’ for the date therein.”.

(b) AQUATIC RESOURCES TRUST FUND.—

(1) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “Subparagraphs (A), (B), and (C) shall each be applied by substituting ‘Surface Transportation Extension Act of 2005, Part VI’ for ‘Surface Transportation Extension Act of 2005, Part V’.”.

(2) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of such Code is amended—

(A) by striking “July 31, 2005” and inserting “August 15, 2005”; and

(B) by striking “Surface Transportation Extension Act of 2005, Part V” and inserting “Surface Transportation Extension Act of 2005, Part VI”.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by adding at the end the following new sentence: “The preceding sentence shall be applied by substituting ‘August 15, 2005’ for the date therein.”.

(c) TEMPORARY RULE REGARDING ADJUSTMENTS.—During the period beginning on the date of the enactment of the Surface Transportation Extension Act of 2003 and ending on August 14, 2005, for purposes of making any estimate under section 9503(d) of the Internal Revenue Code of 1986 of receipts of the Highway Trust Fund, the Secretary of the Treasury shall treat—

(1) each expiring provision of paragraphs (1) through (4) of section 9503(b) of such Code which is related to appropriations or transfers to such Fund to have been extended through the end of the 24-month period referred to in section 9503(d)(1)(B) of such Code, and

(2) with respect to each tax imposed under the sections referred to in section 9503(b)(1) of such Code, the rate of such tax during the 24-month period referred to in section 9503(d)(1)(B) of such Code to be the same as the rate of such tax as in effect on the date of the enactment of the Surface Transportation Extension Act of 2003.

(d) SUBSEQUENT REPEAL OF CERTAIN TEMPORARY PROVISIONS.—Each of the following provisions of the Internal Revenue Code of 1986 are amended by striking the last sentence thereof:

(1) Section 9503(b)(6)(B).

(2) Section 9504(b)(2).

(3) Section 9504(d)(2).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) SUBSEQUENT REPEAL.—The amendments made by subsection (d) shall take effect on the date of the enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and shall be executed immediately before the amendments made by such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**CONFERENCE REPORT ON H.R. 3, SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS**

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to House Resolution 399, I call up the conference report on the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 399, the conference report is considered read.

(For conference report and statement, see proceedings of the House of July 28, 2005, Book II.)

The SPEAKER pro tempore. The gentleman from Alaska (Mr. YOUNG) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

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

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

Mr. Speaker, this is truly a great day for the users of our Nation's transportation infrastructure. Today, I bring before you for consideration the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, which will for the future be known as SAFETEA-LU.

Mr. Speaker, the conference report is a result of a great deal of extremely hard work on the part of many people, including the leadership of the House and the Senate, our committee members, and all other committees of jurisdiction and our great staff.

Mr. Speaker, H.R. 3 provides a funding level of \$286.45 billion in guaranteed funding over 6 years for Federal highways and transit programs, as well as highway safety and motor carrier safety programs.

This legislation will strengthen this country's ability to move people, and especially freight. The American people need to know that SAFETEA-LU increases funding for constructing and improving our Nation's highways by 30 percent over TEA-21. This legislation improves transportation products delivery by ensuring better cooperation among State departments of transportation and Federal permitting agencies.

It improves the rate of return and scope for donor States and donee States, has a minimum growth of not less than 19 percent over TEA-21. It improves highway safety with a new program designed to increase safety belt use.

In the area of transit, we have created a new freedom initiative to give more mobility to the disabled and increase the transit funding over TEA-21 by 36 percent. We have dramatically improved the Federal motor carriers commercial driver's license system, and funding is increased for motor carrier safety.

This bill results in safer roads, which are built faster and last longer. Most