

FURTHER MESSAGE FROM THE SENATE

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

H.R. 5001. An act to authorize the Administrator of General Services to provide for the redevelopment of the Old Post Office Building located in the District of Columbia.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2631. An act to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

H.R. 2963. An act to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and for other purposes.

H.R. 5350. An act to authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property located in Norfolk, Virginia, and for other purposes.

H.R. 5618. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 906 An act to prohibit the sale, distribution, transfer, and export of elemental mercury, and for other purposes.

S. 1492. An act to improve the quality of Federal and State data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1582. An act to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes.

S. 2913. An act to provide a limitation on judicial remedies in copyright infringement cases involving orphan works.

S. 3109. An act to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

S. 3192. An act to amend the Act of August 9, 1955, to authorize the Cow Creek Band of Umpqua Indians of Oregon, the Coquille Tribe of Oregon, and the Confederated Tribes of the Siletz Reservation, Oregon, to obtain 99-year lease authority for trust land, and to authorize the Morongo Band of Cahuilla Mission Indians of the Morongo Reservation, California, to obtain 50-year lease authority for trust land.

S. 3477. An act to amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence.

S. 3536. An act to amend section 5402 of title 39, United States Code, to modify the authority relating to United States Postal Service air transportation contracts, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House of Representatives to the bill (S. 496) "An Act to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965."

GREAT LAKES LEGACY REAUTHORIZATION ACT OF 2008

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6460) to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike section 3(f) and all that follows and insert the following:

(f) *AUTHORIZATION OF APPROPRIATIONS.—Section 118(c)(12)(H) of such Act (33 U.S.C. 1268(c)(12)(H)) is amended—*

(1) by striking clause (i) and inserting the following:

"(i) IN GENERAL.—In addition to other amounts authorized under this section, there is authorized to be appropriated to carry out this paragraph \$50,000,000 for each of fiscal years 2004 through 2010."; and

(2) by adding at the end the following:

"(iii) ALLOCATION OF FUNDS.—Not more than 20 percent of the funds appropriated pursuant to clause (i) for a fiscal year may be used to carry out subparagraph (F)."

(g) PUBLIC INFORMATION PROGRAM.—Section 118(c)(13)(B) of such Act (33 U.S.C. 1268(c)(13)(B)) is amended by striking "2008" and inserting "2010".

SEC. 4. RESEARCH AND DEVELOPMENT PROGRAM.

Section 106(b) of the Great Lakes Legacy Act of 2002 (33 U.S.C. 1271a(b)) is amended by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—In addition to any amounts authorized under other provisions of law, there is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2004 through 2010."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 6460.

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

There was no objection.

Mr. OBERSTAR. Finally, we are here with essentially a conference report on the Great Lakes Legacy Reauthorization Act of 2008. This great and extraordinary body of water, the Great Lakes, represents one-fifth of all the fresh water, not frozen, on the face of the Earth and is a treasure for all of America, not just for the nearly 40 million people who reside on or near or within 100 miles of those Great Lakes. It's a treasure for all of America and for the world. It is our responsibility. And only us humans can protect that water.

Only Lake Baikal rivals the volume of water in Lake Superior. Lake Baikal

is deeper. It's almost 1 mile deep, not as much surface, enormously deep water. Next is Lake Victoria in Africa. But all are standing in line in significance, in volume and in quality of water to the Great Lakes.

The gentleman from Michigan, for whom I have enormous admiration, Mr. EHLERS, has been a relentless champion since entering the service of Congress, bringing his splendid scientific mind to the challenges of the Great Lakes, of invasive species, of water quality, of bottom sediments in the 45 toxic hotspots of the Great Lakes, principally the harbors throughout the lakes, the need to study, to understand the causes, but then for the need to implement an action program to deal with this. It is not enough just to verify in scientific test tubes that pollution exists and invasive species are present, but to get to the causes and then to roll back that pollution, to roll back those invasive species and to prevent their further or future entry into this waterway.

The Great Lakes Legacy Act gives us the opportunity to do that. It is the culmination of a great deal of effort on both sides of the aisle in both bodies of the Congress.

I must stop for a reflective moment and go back to 1955 when my predecessor, John Blatnik, assumed the chairmanship of the Subcommittee on Rivers and Harbors. John Blatnik was also a scientist, a biochemist. He served in the OSS in World War II behind Nazi lines in northern Yugoslavia in what is Slovenia today, rescuing American airmen shot down on returning bombing runs over the Ploesti oil fields in Romania. And John Blatnik started his service as an educator in the Civilian Conservation Corps after graduating from college. There weren't any jobs. He became camp educational adviser in the Superior National Forest, later a chemistry teacher in our hometown of Chisholm, and then later, as I mentioned a moment ago, with the OSS and working with the junior chamber of commerce on resource use conservation.

When he came to Congress, he brought his scientific mind to bear on the problems of the country. And in 1955 he took the chairmanship of the Rivers and Harbors Subcommittee and traveled down the Mississippi River to understand the work of the Corps of Engineers. What became more important for him was to see, as he described it, the raw phenols, the raw sewage that came in to the Mississippi River from its tributaries and from the cities that lie along the banks of those 2,000 miles as the river courses from Upper Leech Lake down to the Gulf of Mexico. He said that by the time we got to New Orleans, there were raw phenols bubbling in the water. It was toxic. It was a soup of chemicals. And he realized that more important than the locks and the navigation channels was to clean up the Mississippi.

And then he turned his attention as well to the Great Lakes. These were

great reservoirs of clean water. And how could they be fouled? But by that time, the lamprey had invaded the Great Lakes. And in 1953, just 2 years before he took the chairmanship of that subcommittee, the lake trout population plummeted from 3.5 million pounds of catch a year to 350,000 pounds. The white fish population plummeted from 2.5 million pounds to 250,000 pounds in just 1 year because the lamprey exploded with violent force on the Great Lakes, this invasive species that came in the ballast water of vessels probably from the Black Sea into the fresh waters of the Great Lakes.

That led John Blatnik to launch legislation that he called the Federal Water Pollution Control Act of 1956, signed into law by President Eisenhower, with three key provisions that are still the core of the EPA program today, research to understand the causes of pollution, funding to help cities build sewage treatment facilities and enforcement program to bring communities and industries together to clean up where they failed to do so voluntarily.

A great deal of progress has been made since 1956. Since 1968 when the Cuyahoga River caught on fire and caught people's attention, from later that year in 1968 when great mounds of suds were floating down the Ohio River and endangering water quality of homeowners who would turn on their faucets and instead of getting clean water, they would get suds coming out. When just a little later, in 1969, Lake Erie was declared a dead lake, a dead sea it was called.

There were many proposals for how to do this. One hare-brained scheme was to punch a hole in the bottom of Lake Erie and let all the sediments drain down 2,000 feet into some underground aquifer, which of course Blatnik said was an absolute idiotic idea and would endanger far more than the Great Lakes. But steadily with the funding that was provided under the Federal Water Pollution Control Act and later the Clean Water Act of 1972, of which he was the principal author and I served on the staff at the time, cities along the Great Lakes invested some \$10 billion, industry invested nearly \$110 billion in cleanup, and the toxics that once flowed into the Great Lakes began to recede and Lake Erie began to regain its vibrancy step by step. And now we have a vibrant fishery. We have the same on Lakes Michigan, Ontario, Huron and Superior.

But the challenge is never over. Those toxic hotspots, those 45 areas of concern, still have to be dealt with. And the Great Lakes Legacy Act, which the gentleman from Michigan championed in 2002 which the House passed, the Senate passed and got enacted, set the stage for substantial investment that we included in our House-passed version, \$150 million a year through 2013.

Regrettably, when this measure got over to the Senate, as so often happens

in the other body, one person can shut down the Senate and can shut down the country. In this case one objection held up Senate action on the bill until funding for the program was cut. I'm just so disappointed and so anguished over the failure of the Senate to provide the funding. They didn't change anything else in the bill, just implementing it, just funding it. That is cutting out the heart. That's all right.

□ 1200

Congress survives. We will come back next year. There will be a different spirit in the White House, a different spirit in the Congress. We will fix that. We will provide funding in years to come. For now, it is important to move ahead with this excellent piece of legislation, which will help us move further ahead, laying the groundwork for creating the framework within which we can undertake cleanup in those areas of concern.

I want to thank the gentleman from Arkansas, the ranking member of the Water Resources Subcommittee, for his attention to detail. He has really lent his best efforts to understanding the broad problems of water quality, water resource development issues, the programs of the Corps of Engineers, and I greatly appreciate his thoughtful, scholarly consideration. And, of course, our Chair of the subcommittee, the gentlewoman from Texas, EDDIE BERNICE JOHNSON, who has really been vigorous in her pursuit of the water resources issues under the jurisdiction of the committee.

I reserve the balance of my time.

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

Mr. Speaker, I want to first commend our colleague from Michigan, Dr. EHLERS, for his years of work with stakeholders from the Great Lakes to advance the Great Lakes Legacy Act. The Great Lakes are a vital resource for both the United States and Canada. The Great Lakes system provides a waterway to move goods, a water supply for drinking, industrial and agricultural purposes, a source of hydroelectric power, and swimming and other recreational activities.

But the industrialization and development of the Great Lakes Basin over the past 200 years has had an adverse impact on the Great Lakes. Although safe for drinking and swimming, in many places fish caught from the Great Lakes are not safe to eat. Lake sediments contaminated from the history of industrialization and development in the region are one of the primary causes of the problem.

By treaty, the United States and Canada are developing cleanup plans for the Great Lakes and for specific areas of concern. The Great Lakes Legacy Act, passed in 2002, has helped citizens restore the water quality of the Great Lakes by taking action to manage and clean up contaminated sediments and to prevent further contamination.

The Great Lakes Legacy Act authorized the Environmental Protection Agency, the EPA, to carry out qualified sediment remediation projects and conduct research and development of innovative approaches and techniques for the remediation of contaminated sediment in the Great Lakes. Legacy Act funding must be matched with at least a 35 percent non-Federal share, encouraging local investment. By encouraging cooperative efforts with State and local governments and through public-private partnerships, the Great Lakes Legacy Act has provided a better way to address the problem of contaminated sediments.

The Great Lakes Legacy Act does not try to presume any particular type of cleanup option. Rather, it simply encourages stakeholders to take action and make sure that the action they take will make a real improvement to human health and the environment. The Great Lakes Legacy Act reflects a consensus approach to addressing sediment contamination, and it is strongly supported by both environmental groups and business groups in the Great Lakes region.

The House passed H.R. 6460 earlier this month, and now the Senate has returned it to us in modified form. As the authorization for the Great Lakes Legacy Act expires this year, it is important that we move this legislation today. It is a compromise bill that keeps this important program working.

The earlier House-passed version would triple the authorization level by raising it to \$150 million per year. I am pleased to see a more realistic spending level associated with the bill before us today. This current bill maintains the authorization level in existing law. The act is being funded at a level between \$22 million and \$35 million per year, still far short of the existing \$50 million annual authorization level.

While we might like to see more money invested in cleaning up the Great Lakes, it is hard to justify tripling the authorization when Congress has not been willing to appropriate anything close to its current authorization levels. Again, I think that this is something that we need to work on to get the authorization level met by our appropriators.

I remain skeptical of including habitat restoration as one of the authorized purposes for the funds. By expanding this program to cover other purposes, there will be less money for the act's primary purpose of getting pollution out of the water. Nevertheless, by all means, the Great Lakes Legacy Act has been a successful program, and I support its reauthorization.

I want to congratulate Dr. EHLERS for his hard work in bringing the legislation to the floor. He has been a tireless champion for the Great Lakes.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I have no other speakers at this time, and I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield such time as he may consume to the

gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding. I appreciate his comments. I especially appreciate his support of this bill. I also commend the gentleman from Minnesota for his thorough discussion of the history of the Great Lakes pollution problems and the solutions that we have developed. I certainly appreciate his support for this bill.

I rise today in strong support of the reauthorization of one of, if not the most, effective Federal environmental cleanup programs ever developed. Those are not my words, those are the words I have heard from many individuals about the Great Lakes Legacy Act which we put in effect a few years ago. This bill today will continue that act.

In 2002, I authored the original Great Lakes Legacy Act, which was passed into law with broad bipartisan support. The Great Lakes Legacy Act provides Federal funding to clean up contaminated sediments in the tributaries of our Great Lakes. These contaminated sediments are a legacy of our industrial past, and the longer we wait to clean them up, the greater the likelihood that they will be transported into the open waters of the Great Lakes, where cleanup is virtually impossible.

Just to give one example, the city of Kalamazoo, Michigan, has been renowned for years for the paper plants which developed high quality paper using the forests of Michigan. When PCBs were discovered, that seemed like an ideal thing to include in the composition of the coatings on the paper. No one realized their poisonous, toxic nature, and today the Kalamazoo River bottom is littered with remnants of that time with considerable amounts of PCBs.

Earlier this year, Congressman OBERSTAR and I introduced H.R. 6460 to reauthorize and expand the Great Lakes Legacy Act. In addition to making a number of improvements to the original law, our bill also dramatically increased the authorization for Great Lakes cleanup from \$50 million per year to \$150 million per year. If fully appropriated, this funding level has the potential to clean up all of the known toxic hot spots within 10 years, which will save a considerable amount of money over the cost which will be incurred if we do not clean it up and those toxic materials get into the Great Lakes.

On September 18, the House passed the Great Lakes Legacy Act by an overwhelming majority of 371-20. Unfortunately, the Senate was unable to overcome the objections of a few Senators who did not appreciate the necessity to authorize enough money to clean up all of the contaminated sediments within the next decade. Because the Legacy Act expires on September 30th, which is rapidly approaching, supporters in the Senate, most notably Senator LEVIN and Senator VOINOVICH, worked hard to draft a compromise

amendment that ensures this vital cleanup program continues.

The Senate approved the amended Legacy Act by unanimous consent on September 25. That is the bill which is before us. It is not what I had hoped to have. It is not what I think we should have. But the Senate amendment, although it decreases the \$150 million per year authorization, does continue the current \$50 million per year authorization, plus \$4 million per year for ancillary activities.

The amendment also decreases the authorization from 5 years to 2 years. This is not because we want to shorten the period of time this bill is in effect, but because the Senators wanted to reintroduce the bill with us next year and put in place a longer bill with greater authorization.

Although I am disappointed that this funding authority has been decreased, I am pleased with for the broad support this program has garnered. Congressman OBERSTAR has mentioned some of that broad support. I especially appreciate the commitment of Chairman OBERSTAR to revisit this authorization in the 111th Congress.

I once again want to thank Chairman OBERSTAR, Chairwoman JOHNSON, and especially Ranking Members MICA and BOOZMAN for their hard work and for moving this bill so expeditiously. It is not always easy for individuals from other parts of the country to appreciate the importance of the Great Lakes and the importance of cleaning up the toxic materials. I personally want to thank Chairman BOOZMAN for his very diligent work in examining this issue, fully understanding it, and getting the bill through the process.

I also want to thank all the members of the Great Lakes Task Force, and there are many, who have joined in co-sponsoring this particular bill.

I ask my colleagues to once again join me in supporting H.R. 6460. Let's immediately get this bill on the President's desk for his signature, so that this important work can continue unabated.

Mr. BOOZMAN. I have another speaker, Mr. Chairman.

Mr. OBERSTAR. We have no further speakers on our side. I welcome the gentleman to recognize other speakers.

The SPEAKER pro tempore (Mr. ALTMIRE). The Chair recognizes the gentleman from Arkansas.

Mr. BOOZMAN. Thank you, Mr. Speaker. I am from Arkansas, and because of people like Dr. EHLERS' hard work, because of our chairman Mr. OBERSTAR's hard work, they really have educated us to help us understand the importance of this body of water. So I commend you all for your due diligence in that regard.

I yield such time as he may consume to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, I want to thank my colleague, Mr. BOOZMAN, who helped bring this bill forward and has developed an expertise on Great Lakes

harbors, and then our leaders on these issues, the chairman of the Transportation Committee, Mr. OBERSTAR.

We all should tell many of our fellow colleagues who don't represent the Great Lakes that quite obviously our region is studded with industrial cities which helped build the United States. But as our economy changed, many of these communities were left with bankrupt hulks occupying much of the most valuable resources and real estate in America.

In 2001, I joined with Chairman EHLERS to begin this new program, the Great Lakes Legacy Act. This program was designed to clean up these Midwestern harbors, like Waukegan, Illinois, that suffered from George Soros' Outboard Marine Corp that polluted our harbor before Soros then looted and bankrupt the company.

The funding for this program also resulted from a unique story. Congressman RAHM EMANUEL and I, as newer Members of Congress, were invited by the President of the United States on Air Force One. We decided jointly that in the corridor of that aircraft we would buttonhole the President, and me, somewhat more softly, and RAHM, somewhat more forcefully, urged the President to support the Great Lakes Legacy Act. Finally, the President relented and said, Okay, MARK, RAHM, I get it. Clean up Great Lakes harbors. So appropriations were found, even in the President's budget.

This program now has cleaned up five areas of concern, with 31 to go. The success of cleaning up harbors no longer can be doubted, especially in my area, because we are all now seeing what is happening in Kenosha and Racine, Wisconsin, recognized now as tremendous economic successes.

□ 1215

When we clean up Waukegan Harbor, in all likelihood, probably using a more traditional Superfund authority, we expect to see an \$800 million economic boom in eastern Lake County.

Now Chairman OBERSTAR and Ranking Member BOOZMAN have rightly backed this bill, which underscores a key point that environmental cleanup and economic development go hand in hand in the Great Lakes. We did run into a snag in the Senate, Senator COBURN, who set certain conditions on the passage of this bill.

I wish they could have visited some of these communities. I wish he could have seen how much economic development has already been fostered. I wish he could have seen the new entrepreneurs and businesses created. But, for now, here in the House, we rightly join together as Republicans and Democrats to build a success upon a success to keep this program on track.

I thank the authors of this legislation and commend their work and urge their quick adoption of this legislation.

Mr. OBERSTAR. Mr. Speaker, I reserve the balance of my time. I am prepared to close if the gentleman is prepared to close on his side.

Mr. BOOZMAN. I want to thank Mr. OBERSTAR for his leadership, Dr. EHLERS for his years and years of being so aggressive and bringing this before Congress. This is an important bill. It's something that we very much support.

Also, I appreciate Mr. MICA's hard work in this area and, of course, the chairlady of our subcommittee, EDDIE BERNICE JOHNSON and her staff, for all of their hard work, and then my staff. I look forward to working with Mr. OBERSTAR and EDDIE BERNICE in the sense of trying to get our appropriators working with them.

Mr. Speaker, we do have an authorization level that we haven't been able to meet thus far. I hope that we can work with them in the rest of this Congress and certainly the next Congress to get that level up to the maximum that we can with what we have dealt with.

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

Mr. OBERSTAR. Again, I want to express great appreciation to our colleagues on the committee on the Republican side who have worked without party barriers or banners to deal with a common issue of importance to all of us on the Great Lakes, and that is to address these issues, these areas of concern.

I also want to express great appreciation to Senators LEVIN and VOINOVICH, GEORGE VOINOVICH of Ohio, CARL LEVIN of Michigan, who both have been champions for the Great Lakes. I have known both men for many, many years, Senator VOINOVICH, particularly, going back to his years as mayor of Cleveland and Governor of Ohio. We worked together on so many issues.

We worked on economic development of the Great Lakes, water quality, trade between Canada and the United States, on the Asian carp issue, supporting funding for the barrier to the Chicago rivers, to prevent the Asian carp from getting into the Great Lakes; and then the second barrier that is authorized in the Water Resources Development Act south of the Twin Cities, to prevent Asian carp from going up the Mississippi into the inland waters of the State of Minnesota and into the upper Midwest. While there is occasionally obstruction from the other body, there are people of goodwill, good intentions and good bipartisan spirit who deserve recognition.

In the Duluth Harbor, with the Corps of Engineers and the EPA, we have had a remarkable success story in dredging bottom sediments with suction dredging and other technologies that avoid reintroduction into the water column of the removal of bottom sediments and putting them into a contained disposal facility. The Erie Pier in the Duluth-Superior Harbor has maybe 2 million cubic feet of bottom sediments that have been dredged from the harbor, deposited in the facility, with the sand filtration barrier that has allowed the water to filter back into the lake

relatively clean, not quite drinkable, but without the toxics, without the PCBs, without the mercury and cadmium and lead and other toxic metals that have been found in those bottom sediments.

What the Corps learned in this project was that the most complicated issue is that of grease, fuel oil, gasoline, other hydrocarbons that mix with the sand and the clay in the harbor bottom and become extremely difficult to extract in the cleanup process.

Attacking that issue, this is a typical issue, we had a steel mill in Duluth for nearly 100 years. Its discharges went into the harbor, and that's typical of many communities along the lower lakes that have to deal with these problems of bottom sediments. We learned a great deal from Duluth. We now need to apply those lessons to the other harbors on the Great Lakes.

It's somewhat of an embarrassment to us in the United States that Canada has cleaned up two of its three principal areas of concern and we have not done as well in the United States. This legislation sets the framework for us to move in that direction, \$150 million would have provided the funding we need to go in that direction, but we will deal with that in the next Congress.

Again, I thank all who have participated. I am pleased that the gentleman from Illinois mentioned Mr. EMANUEL from Chicago. RAHM EMANUEL has certainly been a champion on the issue on our side as well, along with a great list of Members.

Mr. Speaker, I yield back the balance of my time and ask for a unanimous vote in support of the Great Lakes Legacy Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 6460.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BOOZMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

TAKING RESPONSIBLE ACTION FOR COMMUNITY SAFETY ACT

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6707) to require Surface Transportation Board consideration of the impacts of certain railroad transactions on local communities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6707

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 "Taking Responsible Action for Community Safety Act".

SEC. 2. EFFECT OF MERGERS ON LOCAL COMMUNITIES AND RAIL PASSENGER TRANSPORTATION.

Section 11324 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the last sentence and inserting "The Board shall hold public hearings on the proposed transaction, including public hearings in the affected communities, unless the Board determines that public hearings are not necessary in the public interest.";

(2) in subsection (b)—

(A) by striking "which involves the merger or control of at least two Class I railroads," and inserting "with respect to a transaction that involves at least one Class I railroad,";

(B) by inserting "the effect on the public interest, including" after "the Board shall consider";

(C) in paragraph (2), by striking "on the public interest";

(D) by striking "and" at the end of paragraph (4);

(E) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(F) by adding at the end the following new paragraphs:

"(6) the safety and environmental effects of the proposed transaction, including the effects on local communities, such as public safety, grade crossing safety, hazardous materials transportation safety, emergency response time, noise, and socioeconomic impacts; and

"(7) the effect of the proposed transaction on intercity rail passenger transportation and commuter rail passenger transportation, as defined by section 24102 of this title.";

(3) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g) and inserting a new subsection (c) as follows:

"(c) The Board shall approve and authorize a transaction under this section when it finds the transaction is consistent with the public interest. The Board shall not approve a transaction described in subsection (b) if it finds that the transaction's impacts on safety and on all affected communities, as defined under subsection (b), outweigh the transportation benefits of the transaction. The Board may impose conditions governing a transaction under this section, including conditions to mitigate the effects of the transaction on local communities.";

(4) in subsection (d), as redesignated, by striking "The Board shall approve" and all that follows through "the transaction, including" and inserting "The conditions the Board may impose under this section include"; and

(5) in subsection (e), as redesignated, by striking "the merger or control of at least two Class I railroads, as defined by the Board" and inserting "a transaction described in subsection (b)".

SEC. 3. EFFECTIVE DATE.

The amendments made in this Act shall be applied to all transactions that have not been approved by the Board as of August 1, 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 6707, as amended.

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