

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3655	IL	Reconstruct I-57 from Frankfurt to Masoon	\$9,000,000
3656	CA	ITS improvements to reduce congestion on I 405 from RT 118 to RT 36	\$10,575,000
3657	IL	Construction on I-80 from Geneseo to Joliet	\$9,000,000
3658	IA	Safety enhancements along Rt 30 from Carroll to Dewitt	\$4,000,000
3659	IL	Reconstruction on RT 40 from US 52 to RT 90	\$8,000,000
3660	IL	Safety related improvements on RT 100 from US 136 to RT 16	\$9,000,000
3661	IL	Construct I-55 from Bolingbrook to Gardner	\$10,000,000
3662	AZ	Construction of Route 77 from Route 277 to Route 80	\$9,000,000
3663	OH	Reconstruction of I-71 from Cincinnati to Columbus	\$8,000,000
3664	IL	Make safety improvements to I-94 from Chesterton to Deerfield	\$9,000,000
3665	IL	Acquire land for Environmental Mitigation to preserve wildlife habitat connectivity along US 51 from RT 161 to RT 10	\$8,000,000
3666	CA	Construct I-80 from Truckee to Fairfield	\$8,000,000
3667	NC	Construct highway widening and safety improvements on Rt 301 between Rt 125 and Little River	\$5,000,000
3668	SC	Construction of operational improvements and purchase of ITS infrastructure on the I-26 corridor	\$6,500,000
3669	MI	Highway beautification of Rt 52 between Tr 46 and Fairfield	\$4,000,000
3670	TX	Resurfacing and Reconstruction on Rt 19 between Rt 71 and Rt 7	\$5,000,000
3671	IN	Highway-rail crossing safety related improvements on Rt 37 between US 35 and US 50	\$7,000,000
3672	AZ	Pave remaining stretch of the Turquoise Trail, BIA Route 4, which is a north-south road that joins AZ HW 160 in the north to AZ HW 264 in the south portion of BIA Route 4	\$2,000,000
3673	AK	Improve marine intermodal facilities in Ketchikan	\$25,000,000
3674	DC	Highway improvements to improve access to the Kennedy Center	\$5,000,000
3675	MN	Construction of four lanes on Hwy 53 between Virginia and Cook and construction of two passing lanes between Cook and International Falls	\$7,000,000
3676	OR	McKenzie highway enhancements, Lane and Linn Counties	\$3,100,000

In item 159 of the table contained in section 3038, strike “\$640,000” and insert “\$960,000”, strike “\$660,000” and insert “\$990,000”, and strike “\$700,000” and insert “\$1,050,000”.

On page 98 of the manager’s amendment, at the end of the table of projects for bus and bus-related facilities, add the following:

Project	FY 06	FY 07	FY 08
441. St. Paul, MN Intermodal Center	\$1,440,000	\$1,485,000	\$1,575,000
442. Albany, OR North Albany park and ride	\$256,000	\$264,000	\$280,000
443. Portland, OR Tri Met bus replacement	\$384,000	\$396,000	\$420,000

On page 158 of the manager’s amendment, strike subparagraph (C) of section 5403(1) that is proposed to be added at the end of subtitle D of title V by the manager’s amendment and insert the following:

(C) by striking “300,000 and that” and inserting “300,000.”; and

Mr. YOUNG of Alaska (during the reading). Mr. Speaker, I ask unanimous consent that the modifications be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

MAKING FINAL PERIOD OF GENERAL DEBATE PURSUANT TO HOUSE RESOLUTION 144 IN ORDER PRIOR TO DISPOSITION OF AMENDMENTS TO H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3 in the Committee of the Whole, pursuant to House Resolution 144, the final period of general debate may be in order before the disposition of amendments.

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

There was no objection.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The SPEAKER pro tempore. Pursuant to House Resolution 144 and rule XVIII, the Chair declares the House in the Committee of the Whole House on

the State of the Union for the further consideration of the bill, H.R. 3.

□ 1322

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with Mr. HEFLEY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 12 by the gentleman from Arizona (Mr. FLAKE) had been disposed of.

Pursuant to the order of the House of today, it is now in order to conduct a period of final debate on the bill.

The gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 5 minutes.

Does the gentleman from Oregon (Mr. DEFAZIO) claim the time?

Mr. DEFAZIO. Mr. Chairman, I claim the time on behalf of the gentleman from Minnesota (Mr. OBERSTAR) as the subcommittee ranking member.

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume, and I further yield to the gentleman from South Carolina (Mr. SPRATT) for a colloquy.

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

The gentleman from South Carolina (Mr. CLYBURN) and I had an amendment that we filed yesterday to forgive the debt owed by the Pee Dee Regional Transit Authority to the Federal Transit Administration. We are not going to bring this amendment up for a vote, but I would like to engage my colleague, the gentleman from Alaska (Chairman YOUNG) in particular, in a colloquy on this issue if agreeable.

Mr. Chairman, the Pee Dee Regional Transit Authority, PDRTA, is responsible for transportation and transit services in an area which encompasses 20 percent of South Carolina, more than 5,300 square miles in some of the most poorest, most rural areas of our State.

In the year 2000, the Federal Transit Administration's triennial review found that PDTRA had incorrectly used revenues from contract services as local match for operating assistance grants. The PDRTA finance director at that time determined that PDRTA owed an amount of \$895,083 to the FTA, although this number has not been verified by audit by the FTA.

PDTRA has completely replaced their management, reformed their business practices, and begun quarterly payments on the debt of around \$20,500. With an overall budget of \$3.5 million, these quarterly payments have crippled their ability to expand services and to improve access to jobs and medical facilities in this underserved region.

For this reason, the regional administrator of the FTA expressed in a January 31, 2001, e-mail to me that he supports PDTRA's efforts to obtain debt forgiveness. The gentleman from South Carolina (Mr. CLYBURN) and I both support the regional PDTRA administrator's position in favor of debt forgiveness. I am just asking the chairman and ranking member for help in trying to resolve this matter in conference.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, the regional transit authorities are important to transportation in rural areas. I would be happy to discuss this matter further with the gentleman from South Carolina (Mr. CLYBURN) and the gentleman to determine whether we can help with the problems in South Carolina.

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

Mr. YOUNG of Alaska. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, like the gentleman from Alaska (Chairman YOUNG), the gentleman from Minnesota (Mr. OBERSTAR) and I believe strongly in the importance of regional transit authorities and will work with the gentlemen from South Carolina (Mr. CLYBURN) and (Mr. SPRATT) to find an agreeable solution to this issue in conference.

Mr. SPRATT. Mr. Chairman, if the gentleman would further yield, I thank both gentlemen and look forward to working on this issue as the conference committee begins its deliberations. I thank the gentleman very much for this opportunity.

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

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Again, I want to thank the chairman of the full committee, chairman of the subcommittee, ranking member, the gentleman from Minnesota (Mr. OBERSTAR), the staff members, the leadership in the House, everyone who has contributed to what I think is an extraordinary product in this bill.

This bill is going to make vital investment in the crumbling infrastructure of the country to refurbish it, maintain it, improve it. It is going to anticipate growth needs and congestion. It is going to contribute to the growth of our economy. It is going to put tens of thousands, hundreds of thousands of people to work, and we do all this without borrowing any money, creating anymore deficit or debt. That is the most extraordinary thing about this bill and the most notable achievement.

We, unlike many other Federal programs, have an investment that is totally paid for by the taxpayers and will be of tremendous benefit to those same taxpayers. The money will be spent in the manner in which it was intended when it was collected from individuals and from commercial drivers at the pump, and this will be, I believe, the signature domestic legislation of this Congress in terms of the positive impact on the economy of our country.

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

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

I echo the words of my good friend, the gentleman from Oregon (Mr. DEFAZIO) and, of course, the gentleman from Minnesota (Mr. OBERSTAR), the ranking member.

I would also like to not only thank my staff but everybody who has dealt with me for the past 4 years on this legislation. This is a very frustrating position to be in when the cash flow is not really what we wanted it to be and yet trying to achieve what is necessary for this country, and that is a good infrastructure system.

I am convinced that we will be revisiting this issue when this bill is on the President's desk in the years coming because we have a real challenge in

this great Nation of ours. We have heard it time and again about how people are delayed and how product is delayed and how our bridges are crumbling, our roads are crumbling. These are not myths. These are actual facts. It was testified before us that we actually need probably \$500 billion to make sure this country keeps moving, to be competitive with that competitive China.

So this is just a small step forward, and I will agree with my friend from Oregon; I do believe this will be the premier domestic legislation that we will pass that will affect more lives immediately than any other piece of legislation we will have before this body in the next 14 months.

I am proud of the fact that we have been able to do this in a bipartisan fashion. I am proud of the fact that we have been able to, in fact, craft this bill, and there has been lots of cooks in this kitchen, but we have managed to bring everybody together, and I think come out with a very, not think, I know, a very good product in TEA-LU.

Now, we are going to go to the Senate after I hope everybody votes for this legislation. We will go to the Senate. God willing, they will move something, and we will have this bill done before the first of June.

□ 1330

And for that I thank each Member of this House, for participating in the process and showing the public how this House can work together to produce a product for the benefit of this Nation.

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

Mr. DEFAZIO. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member.

Mr. OBERSTAR. Mr. Chairman, the gentleman from Alaska (Mr. YOUNG), our chairman, expressed it very well. We are on the brink of a new era in transportation, with a substantially increased investment in transportation. It is and will be, as the title of this bill describes, transportation equity and a legacy for users, a legacy of a substantially increased investment in surface transportation; highways, bridges, and safety, over \$6 billion, over the next years of this legislation.

There is substantial investment in transit, the fastest growing segment of transportation over the last 5 years, adding 1 million new riders a day in transit systems. New innovations, truck lanes that the chairman has strongly advocated will be part of this legislation; increased funding for ferry service, to take more pressure off our roads. The environmental provisions of this provision are far-reaching, forward-looking, and visionary. We have a good beginning on this legacy for users of our transportation system, properly named.

In coming to this point, I, of course, want to thank our chairman, as I have

done at the outset, for his leadership and standing firmly for the \$375 billion we truly ought to be investing in transportation, but with the opener we have the opportunity to come back and do this again. And also thank you to the chairman of the subcommittee, the gentleman from Wisconsin (Mr. PETRI), and my very good friend and partner, the gentleman from Oregon (Mr. DEFAZIO), who is our ranking member on the Subcommittee on Highways, Transit & Pipelines.

Also our committee staff on both sides have worked tirelessly and selflessly toward this objective: Dave Heymsfeld, Ward McCarragher, Kathie Zern, Dara Schlieker, and Jen Walsh.

Ken House, Art Chan, Stephanie Manning, and Eric Van Schyndle, who spent an enormous amount of time on the Member high-priority projects. Beth Goldstein, and from the staff of the gentleman from Oregon (Mr. DEFAZIO) Kathie Dedrick.

We have also had unsung heroes and heroines: our unpaid interns Lauren Reed and Homer Carlisle.

The Legislative Counsel's office: Dave Mendelsohn, who I have known for years and who is a fount of knowledge on the crafting of the right legislative language; Curt Haensel and Rosemary Gallagher.

And Susan Binder and Ross Chrichton from the Federal Highway Administration.

That old African adage that it takes a village to raise a family, well, it really took a village of staff, of Members, of support, of participation by the leadership to produce this child, this Transportation Equity Act, this Legacy For Users. Let us move forward to make this the Transportation Century.

Mr. HASTERT. Mr. Chairman, I rise today in support of H.R. 3.

I'm glad this day has finally come. This is one of the most important bills this Congress can pass.

I designated this Highway and Transit Reauthorization as H.R. 3 because of its importance as the economic growth and jobs bill for this legislative year.

It's estimated for every \$1 billion we spend on road construction, nearly 48,000 jobs are created.

But it's more than just jobs. We need an adequate infrastructure to move people and the materials they make efficiently.

With more than 67 percent of the Nation's freight moving on highways, economists believe that our ability to compete internationally is tied to the quality of our infrastructure.

In an era of just-in-time delivery and an increasingly global economy it is unacceptable that traffic congestion currently affects 33 percent of all travel on America's major roadways; leading to 3.6 billion hours of delay each year.

I congratulate Chairman YOUNG and the Transportation and Infrastructure Committee for producing a bill that addresses this Nation's need for a transportation system suited to the 21st century's economy.

Further, Chairman YOUNG and the Committee have written a fiscally responsible bill at a \$283.9 billion funding level that fits within our budget and that the President can sign.

Given the demands of the infrastructure needs and the delicate balance that must be maintained among competing interests for highway and transit funds, this is no small accomplishment.

Today, the House of Representatives will prove that it is possible to pass a fiscally responsible Highway bill.

It is now up to the other body to quickly match our effort and get into conference so this legislation can be enacted into law before this year's construction season passes for States in the North.

The time is over for any further delay in reauthorizing these vital infrastructure programs.

For 2 years, uncertainty and delay over establishing multi-year funding levels has hampered our and the States' ability to plan for and build transportation systems.

In conclusion, I want to thank Chairman YOUNG, Ranking Member OBERSTAR and the members of the Transportation and Infrastructure Committee for producing this legislation.

To quote our Majority Leader TOM DELAY—who was also instrumental in getting us to this point—it is time to "get it done."

Mr. CROWLEY. Mr. Chairman, I rise today in strong support of this legislation.

I would like to commend the efforts of Chairman YOUNG and Ranking Member OBERSTAR as well as Subcommittee Chairman PETRI and Ranking Member DEFAZIO for their tireless efforts on crafting a strong bipartisan bill.

As we all know, this legislation has been a long time coming and I would like to extend my gratitude to these four men for the work they have done to produce such a strong bipartisan bill.

In today's current environment in the House, it is really a testament of how Chairman YOUNG and Mr. OBERSTAR run the committee and put the needs of United States infrastructure before partisan issues.

This is one of the most important pieces of legislation for me because of the benefits it will provide to my district.

Without the leadership of Mr. YOUNG, OBERSTAR, PETRI, and DEFAZIO and the incredible staff they have on the Transportation and Infrastructure Committee our Congressional Districts would still be waiting for the much needed funding to repair and improve of roadways.

I would like to thank you on behalf of my constituents for all the work you have done.

Mr. GERLACH. Mr. Chairman, I rise in support of H.R. 3 and commend Chairman YOUNG and Ranking Member OBERSTAR for their hard work in bringing this bill to the floor. As a Member of the House Transportation and Infrastructure Committee, I am proud of the work of our committee and am hopeful that we can enact TEA-LU quickly to give out State departments of transportation the stability and resources they need to plan for, design and build important highway and transit projects.

I would also like to highlight a few issues that I look forward to working with the chairman and ranking member on as this bill moves forward.

First, I strongly support a provision that was included in S. 1072, the Senate's version of the reauthorization in the 108th Congress. This provision, section 1620 of S. 1072, would provide a 2 percent set aside of funds to be used to address stormwater mitigation. If included in H.R. 3, the provision would bring over \$29 million back to Pennsylvania to help address some of the major stormwater runoff

problems. Stormwater runoff is a significant source of water pollution, untreated sewage overflows, beach closings and flooding. I believe addressing this need with specific funding in the bill to correct runoff problems associated with existing highways is good policy. Many of the communities in my own district have to deal with the impacts of runoff from highways and roads, yet have no funding to do so. This provision would correct this problem and give local communities access to much-needed funding for stormwater mitigation.

Second, I have worked with my colleagues on the Transportation and Infrastructure Committee from Pennsylvania to address a problem that has recently come to our attention regarding "flexing" of Federal highway dollars to shore up the operating budgets of Pennsylvania's transit agencies. I hope that the chairman will continue to work with us to see that our concerns are taken into account. While I certainly understand the ongoing crisis confronting SEPTA and the Commonwealth of Pennsylvania's other transit agencies, and hence believe the flexing of Federal highway dollars may provide an appropriate, short-term answer to the agency's budgetary problems, I likewise believe that any agreed-to flexing plan should be contingent upon an agreed-to repayment of these much-needed dollars within a short and fixed time period. These highway dollars are absolutely critical to the continued improvement of our region's road infrastructure. While the Pennsylvania Legislature and Governor Rendell continue to work toward a permanent solution to mass transit funding, the need to provide transit agencies with a "hand up" with these dollars may be appropriate. But that assistance should only be provided if the Commonwealth agrees to return these dollars to the effected MPOs within a specified time period to ensure the use of these dollars for the initial purposes for which the appropriations were made by the Federal Government. Further, I would like to see a plan in place to assure that the projects delayed by the flexing action are fast-tracked once the flexed dollars are returned.

Mr. Chairman, providing flexibility to our metropolitan planning organizations is a laudable goal, but these Federal dollars were never intended to plug holes in the operating budgets of transit agencies, I therefore ask the chairman and members of the committee to work with us to achieve an acceptable solution.

Finally, in the section 307 of the National Highway System Designation Act of 1995, there was included a provision that prohibited states from imposing arbitrary overhead rate caps. Section 307 did have its desired effect, most States are following common overhead and auditing procedures that promote quality design work. The problem is that section 307 provided states a window of opportunity to opt out of the Federal Highway Administration FHWA, overhead and auditing procedures by adopting State laws establishing alternative procedures. Thirteen States have taken advantage of this opt out and passed law to impose arbitrary overhead rate caps.

As a result, Congress cannot be assured that the most qualified firms are being selected for working on Federal-aid design projects. At the same time, many of these States require their own audits with their own procedures, instead of accepting the uniform

audit procedures used by most of their peers. This places unnecessary burdens on engineering firms and diverts time, staff and focus away from the technical aspect of the project.

Section 1703 of S. 1072, the Senate version of the highway reauthorization in the 108th Congress, included a permanent fix for this problem and I hope that the provision finds its way into the final bill.

Again, I would like to commend Chairman YOUNG and Ranking Member OBERSTAR for their commitment to our Nation's highways and transit systems. I am proud to support H.R. 3 and urge all my colleagues to support the bill as well.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to commend Chairman YOUNG and Ranking Member OBERSTAR, as well as the subcommittee leadership for their hard work in crafting the underlying legislation. However, I offer my support for the manager's amendment that seeks to incorporate very important initiatives that were contained in some of the amendments that were made in order by the Committee on Rules.

While the underlying bill before us proposes to provide \$620 million for some 175 high priority projects in the State of Texas, there remain issues that will pose significant problems for Houston and for Texas unless this body offers its commitment to address in the future.

Toll credits are a significant resource for transit providers because they can use them in lieu of obtaining a Federal match—thereby greatly expediting the development of major projects that serve the communities. This amendment will cripple the value of the toll credit program.

Without the revenue from toll credits, Texas will have less funding for the reduction of congestion and the improvement of air quality. In reducing an otherwise viable revenue stream, this amendment would restrict local governments like Houston from choosing the best tool to respond to local conditions and priorities. I would have voted against the amendment that would prohibit the tolling of new interstates, including the I-69 Corridor, which lacks an alternate source of financing.

I ask that the Committee on Transportation and Infrastructure continue its efforts to provide funds to complete the Interstate 69 Corridor. The termination of the Interstate Program in 1995 left no mechanism to finish the Nation's few remaining incomplete Interstates such as I-69. Currently, there is no program to fund major projects which benefit the Nation as a whole but whose costs exceed States' apportioned funds. Based on these needs, I ask my colleagues to include the National Corridor Infrastructure Improvement Program and the Projects of National and Regional Significance provisions in the bill underlying today. Furthermore, I ask that the committee include them at a funding level equal to those included in H.R. 3550.

The Greater Houston area is subdivided into 6 counties: Chambers, Fort Bend, Liberty, Montgomery, Waller, and my District, Harris. Harris County contains the city of Houston and the largest concentration of people. In the year 2000, approximately 3.5 million people lived in Harris County alone—by far the most populous area. Over the next 20 years, the population of the Houston region will continue to grow.

The historic Fourth Ward in Houston is long overdue for major transportation improve-

ments. Within the underlying bill we have before us today are projects that propose to make critical improvements to the Main Street Corridor. The Fourth Ward emerged as Houston's most prominent African-American neighborhood when thousands of freed slaves flooded into the city after emancipation. These newcomers settled on the fringes of the Third, Fifth, and Fourth wards. The Freedmentown area north of San Felipe and the streets west of downtown not only attracted the largest number of the new black residents but also housed the first black churches, schools, and political organizations. Several factors combined to facilitate the subsequent growth of the Fourth Ward's black community. I would ask that my colleagues take these requests under strong consideration after passage and leading into the conference report.

Improvements to Houston's and Texas' infrastructure will be the priority for me and for my colleagues. Statistically, Houstonians travel more miles per day than there are miles between the earth and the sun. The distance between the earth and the sun is about 93 million miles. Houstonians drive about 156 million miles per day.

The manager's amendment proposes key technical and program improvements to the underlying bill language. In particular, I support the changes to the calculation of "Revenue Aligned Budget Authority," RABA; re-establishment of budgetary firewalls for highways and transit programs; reauthorization of the Swift Rail Act at \$100 million per year, title IX of the bill; and extension of revenue provisions approved by the Ways and Means Committee.

Moreover, I support the improvements to the bill proposed in the manager's amendment. In particular, due to the tremendous bipartisan efforts of my colleagues, the amendment now includes language to guarantee that TEA 21's 90.5 percent minimum guarantee is protected, with a scope defined as no less than 92.6 percent of the highway program funds in the bill. This is a significant improvement over the bill passed by the House last year. I thank the distinguished majority leader for his work in ensuring that this measure will protect these provisions, allowing the House to move into conference in a stronger negotiating position toward achieving a higher MG above 90.5 percent. The manager's amendment makes this a better bill for Houstonians and for Texans.

I would like to offer my support for the amendment offered by Mr. DAVIS of Virginia that will ensure that tolls are applied equally to all users of toll facilities. This amendment would eliminate language in the underlying bill that requires lower tolls to be charged to low income drivers. Since the administration of differential tolls may be challenging for our existing and future toll authorities, this amendment will make important adjustments to the underlying bill.

Secondly, I support the Burgess amendment, which would change the calculation for transportation development credits to ensure that Texas and other States with toll facilities are able to take full advantage of these credits for the benefit of our transit, highway, and highway safety programs. This proposal is vital to the provision of a pro rata calculation of the credits so that we are not penalized for using Federal dollars in our transportation development projects. I support this amendment and ask that my colleagues join me as the Gentleman brings this proposal to the floor.

Furthermore, I support the proposal of Mr. PITTS that would provide a temporary transition period for transit entities, including three in Texas, that, under the most recent census, are now subject to the over 200,000 population prohibition on the use of transit formula dollars for operating expenses. The Pitts amendment would allow those small transit entities in this new situation to use up to 50 percent of their formula funds for operating expenses for fiscal years 2005 through 2007 and up to 25 percent of the formula funds for operating expenses in fiscal years 2008 and 2009.

In addition, I join my colleague from Texas, Mr. BARTON in the initiative of his amendment to require studies and assessments of risks to human health or the environment to use sound and objective scientific practices.

Due to the short time allotment given to the floor debate on this measure, I was unable to engage the distinguished ranking member from Minnesota in a colloquy. I wanted to discuss two very specific and very significant issues that relate not only to Houston, but to Texas and many other States that have developing infrastructure and economic cores.

I would have asked the ranking member for his assistance in maintaining the issues that I underscore here as priorities as he and his fellow conferees move closer to finalizing negotiations on this measure. These issues speak to (1) the need for increased transit-related funding in future authorizing and appropriating measures, and (2) the need to maintain Federal oversight of the way in which States and localities regulate the flow of interstate traffic. The Metropolitan Transit Authority of Harris County, METRO, is the agency charged with the public transportation and transit needs. METRO has worked over the past 2 years to create a long-range plan for mass transit in the Houston area. After having worked with the community to receive input, the METRO board of directors adopted a blue-print for its long-range plan called "METRO Solutions."

The METRO Solutions plan includes: (1) 50 percent increase in METRO's bus service, including approximately 44 new local, signature express, and Park & Ride bus routes, (2) nine new Transit Centers and nine new Park & Ride lots, as well as expansion and upgrading existing facilities, (3) expansion of the METRO Rail line and commuter line components, including an overall plan with 72.8 miles of rail, and (4) extension of the payments to local governments for street and other mobility improvements for five additional years, 2010–2014. Texas has a transportation code and it is authorized to act in this field of local government through METRO.

I believe that long-term and comprehensive projects such as that of Houston METRO should be given full Federal support? I would add that the authorization process should allow for innovative financing options to allow projects such as METRO's Advance Transit Plan, ATP, and METRO Solutions.

I would ask that the appropriators and authorizers remain open-minded in crafting measures such as H.R. 3 to the transit needs that exist in areas like Houston, the fourth largest city in the Nation. The distinguished majority leader has been cited as advocating the need for more innovative financing to build infrastructure and to foster economic activity.

Given the situation that Houston METRO and other similar entities face with administrative delays that stem from a very lengthy funding process, I ask that our colleagues follow

the leadership of the majority leader from Texas.

We should go to conference and continue to work with the committee to maintain the need for innovative financing for major transit infrastructure.

We should remain committed to maintaining the need for financing options for transit projects that promise to foster economic activity as a priority. Also, with respect to the issue of the need to maintain Federal oversight of the way in which States and localities regulate the flow of interstate traffic, a program called "SAFE Clear" has been initiated in the city of Houston and is in the city ordinance.

I congratulate the mayor and city council on the vigorous work that its Office of Mobility has done to improve transportation throughout the city of Houston and remain eager to collaborate with them to facilitate this endeavor from the Federal level.

However, I must make my colleagues aware that, through feedback that I have received from my constituents, the program has disproportionately affected certain groups of motorists, particularly those of lower socio-economic status and those who are or who primarily transport the elderly. While the proposed improvements to the ordinance that provide a "free tow" could serve our goals well, motorists who do not qualify for a "free tow" will possibly suffer from the disparate effects of the ordinance complained of by constituents.

I ask that the Transportation Conference ensure that provisions are included in this measure and measures in the future that maintain Federal oversight over the regulation of interstate travel. The potentially disparate overall effect of the ordinance merits further analysis, research, and oversight.

I hope we will continue to provide oversight over programs such as this through the legislation that is crafted in committee.

Mr. Chairman, for the foregoing reasons, I support the drafters of this legislation for their efforts to fund priority projects and urge my colleagues to do the same.

Mr. WEINER. Mr. Chairman, I rise today to thank the leadership of the Transportation and Infrastructure Committee for their hard work shepherding through TEA-LU, a bill that I will support despite its flaws. The Department of Transportation studied the Nation's infrastructure and prescribed a \$375 billion solution. In the 108th Congress, I joined the leadership in endorsing the original version of this bill, which filled that prescription. Unfortunately, the administration is unwilling to come up with the support necessary to ensure that we are able to maintain and improve the Nation's infrastructure, and threatened to veto any bill that authorized more than \$283.9 billion. As a result, we are today considering a bill that does not do nearly enough to improve the quality of life for individuals living in New York City and around the country. I look forward to working with the Committee leadership to see that this bill is improved in conference.

Mr. Chairman, as this bill moves to conference, I want to highlight four issues that are of particular import to me and my constituents. It is my hope that the conferees will include these improvements in the conference report.

First, this bill should ensure that resources are devoted by formula to states that require improvements. The minimum guarantee program shifts funding from states that have the

greatest need—like New York—to other States. Each year, New York provides \$20 billion more to Washington than it gets back. New Yorkers ought not be punished for our efforts to conserve fuel, as any expansion of the minimum guarantee program would do.

Second, this bill shortchanges New York on transit funding. Despite having almost half of the Nation's transit ridership, New York's share of transit funding leaves much to be desired. Transit funding should better reflect need.

Third, I hope that conferees will ensure that States starved for a consistent funding stream for ferries and waterborne transportation can count on funding from the Ferry Boat Discretionary Fund. I am acutely aware of how much a guaranteed stream of funding would mean to improve both congestion and homeland security all across the country, and particularly in New York City, where roads are clogged on a normal day, and ferry transportation would provide not only congestion relief but another way to ensure escape from Manhattan in the case of a terrorist attack. At a minimum, New York should receive \$5 million per year. I hope conferees will work with me and other Members who represent districts that would benefit from a guaranteed ferry funding stream.

Fourth, I hope that conferees will work with me to ensure that the generous funding we have provided for Senior transportation in this bill is put to its best use. I believe that establishing a center for best practices and a technical assistance center, would provide an enormous service to this nation's elderly population.

Nevertheless, Chairman YOUNG, Mr. OBERSTAR, Chairman PETRI, and Mr. DEFAZIO deserve the thanks and appreciation of every Member of this House for their tireless effort to ensure that the Nation's surface transportation systems receive the resources required to keep America moving.

In particular, I would like to thank both the Democratic and Republican staff of the Transportation Committee, both of whom worked tirelessly on this piece of legislation, and who deserve the entire House's thanks. In particular, I would like to thank Ken House, Clyde Woodle, Eric Vanschynle, Ward McCarragher, Kathleen Zern, David Heymsfeld, Dara Schleiker, and Sheila Lockwood of Mr. OBERSTAR's staff. Additionally, I would like to thank Jim Tymon of Mr. YOUNG's staff for his willingness to work with me on the issue of Ferry Transportation.

I would also like to thank Tom Kearney, Tom Herritt and their colleagues at the Albany Office of the Federal Highway Administration, Nancy Ross, Fred Neveu, Ron Epstein and their colleagues at the New York State Department of Transportation, and Andra Horsch and David Woloch and their colleagues at the New York City Department of Transportation.

Ms. LEE. Mr. Chairman, I rise in support of H.R. 3, the Transportation Equity Act: A Legacy for Users.

Mr. Speaker, TEA-LU represents the Federal government's ongoing commitment to improving our Nation's entire transportation system for the benefit of everyone.

Our taxes pay for this infrastructure, and this infrastructure is the lifeblood of the commerce that fuels our Nation. The profits of every single business are dependent on this transportation network, and in turn, are dependent on our willingness to pay the taxes that fund this network.

The very existence of our roads, our highways, our rail lines, our ports and our airports is testament to the critical role of the Federal government as the embodiment of our collective responsibility.

It's the elegantly simple idea that by paying your taxes you improve the quality of life of every person in this country and lay the foundation for a strong economy that benefits everyone.

Federal, State and local governments, corporations, small businesses, individuals—all of us have a responsibility to contribute our share. It is our right to use this infrastructure, but it is also our duty to maintain and improve it for the future.

While we plan for the future, the benefits are real, now.

In my district this bill will provide funding to a number of worthwhile projects that will improve the quality of life for my constituents, the State of California and the entire Nation.

One project in particular that I'm very proud of is the Ed Roberts Campus. This state of the art project makes it easier for people with disabilities to get around. It links eight disability organizations to create a multi-tenant facility that will serve as an intermodal transit center as well as a transportation information and travel-training center for people with disabilities.

The Ed Roberts Campus will play a major role in assisting and teaching people with disabilities to live their lives independently. And because it will be located above the Ashby BART station in Berkeley, its reach will stretch throughout the entire Bay Area, simultaneously serving as a model for urban independent living throughout the Nation.

I'm proud to support the Ed Roberts Campus, and I'm happy to announce that \$3 million will go towards it through TEA-LU.

Another set of projects that I'm also very proud of are the transit oriented developments planned in the City of Oakland and the City of Emeryville. Transit oriented development is a relatively new concept that joins housing, business, public transportation and recreational areas into one liveable community.

We have been on the cutting edge of transit oriented development in my district from the very beginning. And last year's successful opening of the Fruitvale Transit Village in Oakland has served as a model for other transit oriented development projects in the Bay Area and throughout the country.

I'm happy to announce that TEA-LU will directly provide another \$2 million for such projects in Oakland and Emeryville.

Another issue of concern and an area where this bill makes an immediate impact for my constituents is the construction of sidewalks in several unincorporated areas in Ashland and Cherryland in my district.

Even though sidewalks are often taken for granted—for a child, the simple act of walking to school can be treacherous without them. Thanks to TEA-LU, we will have another \$1 million to construct those sidewalks and keep these kids safe in many neglected parts of my district.

The funding in TEA-LU for these and other projects is incredibly important to me and my constituents. But the truth is we need much more funding and not just in my district, but throughout the country.

Our transportation system is aging. The growth and sprawl of many of our cities has

strained transportation networks throughout the country, and placed a greater burden on our environment.

I commend my colleagues on the Transportation and Infrastructure Committee for trying to address these problems through TEA-LU. But the President must also do his part and support more funding.

Make no mistake, this is not just about transportation. This is about jobs. This is about the health of our environment, and the health of our economy.

Every state, every city, and every member is invested in this piece of legislation, because this bill makes an investment in America.

The decisions we make today will affect the health of our nation for decades to come. And I hope that the President listens to us and makes the right one.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of the hard work of my colleagues, Chairman DON YOUNG, Ranking Member JIM OBERSTAR, Chairman TOM PETRI, and Ranking Member PETE DEFAZIO.

This legislation will help our nation keep up with its ever growing transportation needs, but I want to add that it does fall short.

It falls short because we have not indexed the gas tax or added the small increases necessary to allow the country to successfully grow.

The Department of Transportation estimated that it will take at least \$350 billion to keep up with our transportation needs, but the Administration has drawn a line in the sand at \$289 billion.

I would ask the President to look back at Texas, where the Republican leadership is now seriously considering indexing the Texas state gas tax, as I proposed many years ago in the state legislature.

The gas tax is the easiest tax to defend for a politician, because the benefit to drivers is obvious, and if you don't use your car or truck on the roads, you don't have to pay it.

Now we forced into a situation where every new highway in America will be tolled, something my middle and low-income commuters and professional truck drivers vigorously oppose.

So I support this legislation, but I also support the re-opener provision that allows us to consider a gas tax index proposal in the future.

I also support further efforts in conference to increase the scope of the minimum guarantee and increase the rate of return on that minimum guarantee. Texas deserves at least 95 percent of the gas tax revenue that we pay into the system.

I support the efforts of the Majority Leader to improve our rate of return, but I also encourage him to study what his colleagues, including the Speaker of the Texas House, are considering for the state gas tax.

This legislation also included two projects of critical importance to my area in Houston, the reconstruction of Clinton Dr. near the Port of Houston and the construction of US90 from the Beltway into Loop 610.

Clinton Dr. is currently in a state of disrepair causing safety concerns and the constant maintenance work is a drain on local resources.

US90 will provide much needed mobility for Northeast Harris County, by completing a project that has been on the books for many years. Development along this corridor will be encouraged and greatly improve the area.

I want to thank Congressman TED POE for working with us on the US90 project, which will also benefit his constituents by providing another route into central Houston and by relieving traffic on I-10 east and US 59 North.

Mr. Chairman, I encourage my colleagues to vote for the bill.

Mr. YOUNG of Alaska. Mr. Chairman, I insert into the RECORD an exchange of letters between myself and Chairman POMBO regarding H.R. 3.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON RESOURCES,  
Washington, DC, March 9, 2005.

Hon. DON YOUNG, Chairman,  
Committee on Transportation, and Infrastructure,  
Rayburn HOB Washington, DC.

DEAR MR. CHAIRMAN: I have reviewed the text of H.R. 3, the Transportation Equity Act: A Legacy for Users, as ordered reported from the Committee on Transportation and Infrastructure on March 2, 2005. I believe that the Committee on Resources has a substantial jurisdictional interest in many provisions of this important legislation including streamlining of procedures under the National Environmental Policy Act and resolving confusion on highway construction and section 106 of the National Historic Preservation Act

Further, this Committee maintains jurisdictional interests in provisions affecting recreational trails, highways on federal public lands (including national parks, Indian lands and public domain forest lands), the National Scenic Byways Program, projects to benefit wildlife, highway safety as it applies to Indian country.

Recognizing that this historic bill is scheduled to be considered by the House of Representatives this week, and noting the strong spirit of cooperation and coordination your staff has shown mine in the development of this bill, I will forego seeking a sequential referral of H.R. 3 to the Committee on Resources. Waiving the Committee on Resources' right to a referral in this case does not waive the Committee's jurisdiction over any provision in H.R. 3 or similar provisions in other bills. In addition, I ask that you support my request to have the Committee on Resources represented on the conference on this bill, if a conference is necessary. Finally, I ask that you include this letter in the Congressional Record during consideration of the bill.

Following your mark-up of H.R. 3, I want to acknowledge your efforts on the bill's environmental provisions, many of which touch upon Committee on Resources jurisdiction. I commend your efforts to streamline the environmental review process under the National Environmental Protection Act as well as Section 4(f) procedures. However, I do have serious concerns about the provision dealing with the pilot program for mass transit in National Parks. This provision address issues that lie squarely within the jurisdiction of the Committee on Resources and should be addressed in that context. Moreover, the bill passed last year by the Senate, S. 1075, contained a number of troubling provisions that I feel should not be included in any version of transportation legislation. These provisions include language relating to the Endangered Species Act and programs to address invasive species. Thank you for not including these provisions in your bill.

I appreciate your leadership and cooperation on this bill and I look forward to working with you to see that H.R. 3 is enacted into law soon.

Sincerely,

RICHARD W. POMBO,  
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, March 10, 2005.

Hon. RICHARD W. POMBO, Chairman,  
Committee on Resources, Longworth HOB,  
House of Representatives, Washington, DC  
20515

DEAR MR. CHAIRMAN: Thank you for your letter of March 9, 2005, regarding H.R. 3, the Transportation Equity Act: A Legacy for Users. Your assistance in expediting consideration of the bill is very much appreciated.

I agree that there are provisions in the bill that are of jurisdictional interest to the Committee on Resources and I agree that by foregoing a sequential referral the Committee on Resources is not waiving its jurisdiction.

I would be pleased to support the representation of your Committee in any conference on H.R. 3 on matters within the jurisdiction of the Committee on Resources. And, as you have requested, I will include this exchange of letters in the Record. Thank you for your cooperation and your continued leadership and support in surface transportation matters.

Sincerely,

DON YOUNG,  
Chairman.

Mr. SIMMONS. Mr. Chairman, I rise today in support of the "Transportation Equity Act: A Legacy for Users," a vitally important bill that will provide much-needed federal resources to improve the highways and infrastructure in all fifty States.

Highway and transit spending is a critical investment in national security and essential to our country's economic welfare and way of life. This is especially relevant at a time when our economy is losing more than \$78 billion annually due to highway congestion. Mr. Speaker, Americans waste more than 3.6 billion hours in traffic delays, and thousands of Americans die each year due to substandard road conditions.

Further, this highway bill will create millions of quality, high-paying jobs across America and thousands in my home state of Connecticut. At a time when too many Americans are either unemployed or "underemployed," such construction and infrastructure work will contribute significantly to the quality of life for many working families.

I look forward to a healthy debate on the details of this bill, but there is no question that the overall benefits of this bill will be felt by every American family. When they use our improved and safer highways to get to work, school, church, vacation, or just home, Americans will appreciate the investment we will make with passage today of this legislation.

I know that my constituents in Connecticut's Second District will especially appreciate the investment made under this bill. The measure we will pass today includes \$45 million for high priority projects for towns across the Second District. Whether it is the resources to finally get construction of Route 11 moving, to build Vernon's intermodal center, to make improvements to Enfield's South Maple Street bridge, or any of the other projects included, TEA-LU delivers for eastern Connecticut.

Mr. Chairman, in 1956 the 84th Congress passed and President Eisenhower signed into law the Federal Aid Highway Act to promote and invest in the interstate highway system. This law created jobs, stimulated the economy, led to new revenues that reduced our

Nation's debt, and brought life-changing improvements to the way Americans lived, worked, and played.

Nearly 50 years later, we must follow the same vision and courage that President Eisenhower and the Congress displayed then and once again invest in America by passing legislation to improve our Nation's highways and infrastructure.

Mr. KUHLE of New York. Mr. Chairman, I rise today to encourage my senior colleagues in the upcoming conference on the highway bill to agree to a provision which will appear in the Senate highway bill to more cost effectively use funding under the Congestion Mitigation and Air Quality Improvement Program—the so-called CMAQ program.

CMAQ is a program which has been used in the past to fund air quality improvements. It's a good program, but I think we can make it a lot better. Here's how.

Congress asked the National Research Council of the National Academy of Sciences to examine the cost-effectiveness of the CMAQ program. The Council reported that CMAQ funding could be used more cost effectively in the future to reduce pollution caused by fine particulate matter. This pollution is the most serious threat to human health. It has also been found to be 10 to 20 times more damaging to human health than other pollutants, like ozone, that have been historically the focus of CMAQ. And, EPA has found that excessive amounts of fine particulate matter are causing air quality problems for over 100 million people throughout the country.

The Senate amendment recognizes this reality and rebalances CMAQ toward the use of technologies which will reduce fine particulate matter. This change will focus CMAQ on the right issue. And, as importantly, it will result in a far more cost-effective use of limited government resources. The National Research Council found in its study commissioned by Congress that CMAQ is currently being used to fund projects that cost as much as \$252,000 per ton of pollution reduction. In the future, CMAQ can be spent on diesel retrofit technologies, made in my district, which can reduce pollution for a maximum of \$5,300 per ton—nearly a 50 times improvement in cost effectiveness. In fact, diesel retrofits, in many circumstances, are the most cost-effective way to use CMAQ funding.

In light of these facts, I strongly urge my senior colleagues who will be involved in the upcoming conference on the highway bill to adopt the Senate amendment to use CMAQ to fund the installation of diesel retrofit devices on heavy duty diesel vehicles used on construction sites. This amendment was included in last year's Senate bill and, from what I understand, will very likely be included in Chairman INHOFE's bill for consideration in his Committee next week. And, significantly, the Administration strongly endorsed the amendment during the debate over the highway bill last year.

Reduction of fine particulate matter emitted by heavy duty diesel vehicles has been a centerpiece of the President's environmental policy. He spoke about this during the Presidential debate. And, in his FY06 budget, he proposed the appropriation of \$25 million to deploy diesel retrofit technology on a range of heavy duty vehicles from school buses to dump trucks.

Mr. Chairman, I am very proud to promote the use of diesel retrofit technology because it

was invented in my district by Corning Incorporated. As many of my colleagues know, Corning was founded by the great, great grandfather of our distinguished former colleague, Amo Houghton. Under the Houghton family leadership, Corning has been a technology leader. In fact, it will receive the Technology Medal of Honor next week by President Bush for its invention of the core element of a catalytic converter. Diesel retrofit technology was built on this core invention.

In closing, Mr. Chairman, I strongly urge the leadership to accept the Senate amendment in conference, because it will lead to the most cost-effective use of CMAQ, because it will advance the use of technology to clean up the biggest threat in the environment to human health, and because it is a centerpiece of the President's environmental policy.

Mr. KIND. Mr. Chairman, I rise in support of H.R. 3, the Transportation Equity Act. I want to acknowledge the work of the Transportation Committee on this complex bill and especially thank my friend and colleague from Wisconsin, Mr. PETRI, for his leadership on the legislation; the Wisconsin delegation is lucky to have such a strong advocate for our citizens.

We all know that transportation bills are jobs bills, and now is certainly the time that we need more jobs throughout the country. I consistently hear from constituents who are searching for work; who have sent out dozens of résumés and updated their skills but remain unemployed. Each billion dollars spent on highway funding creates not only safer and better roads: it also creates an estimated 47,500 new jobs. An investment in highway funding is an investment for steady work for those in Wisconsin and around the nation.

Furthermore, I am pleased that the bill recognizes the importance of funding crucial highways and bridges in Wisconsin's Third Congressional District. Specifically, the inclusion of funding for the Stillwater Bridge, which connects Houlton, Wisconsin, and Stillwater, Minnesota, is great news for those of us who have been working on this project for years. The bridge is only one example of an important project that will provide the nation with safer roads, shorter commutes, and better jobs.

Finally, I would like to recognize the important conservation provisions that are retained in H.R. 3. These provisions include funding for refuge road maintenance, recreational trails and forest roads, as well as funding to facilitate fish passage. It also includes new money for signs to identify hunting and fishing areas accessible to the public. One of the most important provisions is authorization to facilitate a study to help reduce the growing number of highway accidents involving wildlife. I urge my colleagues to support the bill.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in support of H.R. 3, the Transportation Equity Act: A Legacy for Users (TEA-LU). I commend Chairman DON YOUNG and Ranking Member JIM OBERSTAR of the Committee on Transportation for their leadership in drafting this legislation and I thank them for supporting my request to set aside \$16 million for high priority projects in American Samoa.

This funding is in addition to American Samoa's annual federal highway funds and will be used for village road improvements, drainage mitigation, shoreline protection and upgrades and repairs of the Ta'u ferry terminal facility.

In consultation with the Honorable Togiola Tulafono, Governor of American Samoa, we have set aside \$10 million for village road improvements in the Eastern, Western, Central and Manu'a districts of American Samoa.

In consultation with Senator Tu'aloa Fruean and High Paramount Chief Mauga and members of the Pago Pago council of chiefs, we have set aside \$1 million for drainage mitigation for Pago Pago village roads.

In consultation with Senator Tago Suilefaiga, Representative Fagasoia Lealaitafea and Representative Mary Taufete'e and members of the Nuuli council of chiefs, we have set aside \$1 million for shoreline protection and drainage mitigation for Nuuli village roads.

In consultation with Senator Faiivae Galea'i, Senator Lualemaga Faoa and members of the Leone and Malaaloa councils of chiefs, we have set aside \$1.4 million for drainage mitigation for Malaaloa-Leone village roads.

In consultation with Senator Liufau Sonoma and Representative Paopao Fiaui, we have set aside \$1 million for shoreline protection and drainage mitigation in Aua village.

In consultation with Senator Faamausili Pola and members of the Ta'u village council of chiefs, we have set aside \$1.6 million to upgrade and repair the Ta'u harbor facility.

Like other insular areas, American Samoa will continue to receive its annual share of federal dollars provided by the Territorial Highway Program. The Territorial Highway Program includes American Samoa, Guam, the Virgin Islands and CNMI. Based on population, area, road mileage, or any combination of these factors, each Territory receives a portion of the funds allocated to the Territorial Highway Program.

To assure that American Samoa is treated equitably, I have worked closely with Chairman YOUNG and Ranking Member OBERSTAR to make sure that the administrative formula for apportionment is closely reviewed. It is my understanding that the Federal Highway Administration has not reviewed its administrative formula for ten years and I thank Chairman YOUNG and Ranking Member OBERSTAR for their commitment to revisit this issue.

Again, I commend the Chairman and Ranking Member for their leadership and for supporting my efforts to make sure that American Samoa's needs are addressed in this historic and important initiative. Without reservation, I urge my colleagues to vote yes on H.R. 3.

Mr. BOUCHER. Mr. Chairman, I rise today to express my strong support for the most effective use of the Congestion Mitigation and Air Quality program. H.R. 3, contains provisions which enable the continuation of CMAQ; however, these provisions do not include language included in the bill by the Senate in the last Congress which would alter CMAQ to ensure that new technologies which improve air quality are eligible for the funding. For example, diesel retrofits and anti-idling technologies are being used to achieve positive environmental results around the nation. Diesel retrofits, which operate much like the catalytic converter on a car, remove between 80 and 90 percent of pollutants from the exhaust stream of a diesel engine.

Because such technologies can remove pollution at a relatively low cost—approximately \$5,000 per ton of pollution removed—they would be an appropriate addition to the CMAQ program. Last year the Senate added to its

version of the transportation bill a provision which would begin to focus CMAQ on more cost-effective applications including deployment of diesel retrofits and anti-idling technologies, to reduce the emissions caused by construction equipment. That provision will likely be included by the Senate again this year, and the Administration has endorsed the provision.

Use of new technologies such as diesel retrofits and anti-idling technologies could make significant improvements to the CMAQ program and reduce pollution in many areas, and I urge my colleagues to favorably consider adopting such provisions as this legislation moves forward.

Mr. RAHALL. Mr. Chairman, I rise today to voice my support for the transportation bill currently before us. TEA-LU was crafted as the result of bipartisan compromise, which is the tradition of the Transportation Committee.

I congratulate Chairman DON YOUNG, Ranking Member OBERSTAR, Chairman TOM PETRI and Ranking Member PETER DEFAZIO for bringing this bill to the floor. I also congratulate the staffs on both sides of the aisle for their hard work.

While I know I speak for many of us who would have preferred an increased funding level—more in line with the needs of our country this bill serves as a good first step as we move to reauthorize TEA 21.

Investment in transportation is one of the wisest decisions this Congress can make. For every \$1 billion spend on infrastructure, 47,500 new jobs are created. That is certainly welcome news in my home state of West Virginia.

Transportation funding also spurs economic growth and development. Goods and services are delivered more quickly and efficiently, which benefits both the producer and the consumer.

In West Virginia, we have tied transportation investment to technology and tourism. New and improved roads allow for the tourism industry to thrive and the seeds of enhanced technology to be planted. In sum, transportation investment is a win-win for southern West Virginia.

As a member of the Committee, I know how hard our Chairmen and Ranking Members have worked to bring this bill to the floor. I urge my colleagues to support the underlying bill.

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

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN (Mr. LAHOOD). Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: an amendment offered by the gentleman from Virginia (Mr. TOM DAVIS) and an amendment offered by the gentleman from Pennsylvania (Mr. PITTS).

The Chair will reduce to 5 minutes the time for the second electronic vote.

AMENDMENT NO. 2 OFFERED BY MR. TOM DAVIS OF VIRGINIA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 201, not voting 9, as follows:

[Roll No. 62]

AYES—224

- |                 |                 |               |
|-----------------|-----------------|---------------|
| Abercrombie     | Foxx            | McKeon        |
| Aderholt        | Franks (AZ)     | McMorris      |
| Akin            | Frelinghuysen   | Mica          |
| Alexander       | Galleghy        | Miller (FL)   |
| Bachus          | Garrett (NJ)    | Miller (MI)   |
| Baker           | Gerlach         | Miller, Gary  |
| Barrett (SC)    | Gibbons         | Moran (KS)    |
| Bartlett (MD)   | Gilchrest       | Moran (VA)    |
| Barton (TX)     | Gillmor         | Murphy        |
| Bass            | Gohmert         | Musgrave      |
| Beauprez        | Goode           | Myrick        |
| Biggart         | Goodlatte       | Neugebauer    |
| Bilirakis       | Granger         | Ney           |
| Bishop (UT)     | Graves          | Norwood       |
| Blackburn       | Green (WI)      | Nunes         |
| Blunt           | Gutknecht       | Nussle        |
| Boehner         | Hall            | Osborne       |
| Bonilla         | Harris          | Otter         |
| Bonner          | Hart            | Oxley         |
| Bono            | Hastings (WA)   | Paul          |
| Boozman         | Hayes           | Pearce        |
| Boren           | Hayworth        | Pence         |
| Boustany        | Hefley          | Peterson (PA) |
| Bradley (NH)    | Hensarling      | Pickering     |
| Brady (TX)      | Herseth         | Pitts         |
| Brown (SC)      | Hobson          | Platts        |
| Brown-Waite,    | Hoekstra        | Poe           |
| Ginny           | Hostettler      | Pombo         |
| Burgess         | Hulshof         | Porter        |
| Burton (IN)     | Hunter          | Portman       |
| Buyer           | Hyde            | Price (GA)    |
| Calvert         | Inglis (SC)     | Pryce (OH)    |
| Camp            | Inslee          | Putnam        |
| Cannon          | Issa            | Radanovich    |
| Cantor          | Istook          | Regula        |
| Capito          | Jenkins         | Rehberg       |
| Carter          | Jindal          | Renzi         |
| Case            | Johnson (CT)    | Reynolds      |
| Chabot          | Johnson, Sam    | Rogers (KY)   |
| Chocoma         | Jones (NC)      | Rogers (MI)   |
| Coble           | Keller          | Rohrabacher   |
| Cole (OK)       | Kelly           | Ros-Lehtinen  |
| Conaway         | Kennedy (MN)    | Royce         |
| Cox             | King (IA)       | Ryan (WI)     |
| Cramer          | King (NY)       | Ryun (KS)     |
| Crenshaw        | Kingston        | Saxton        |
| Cubin           | Kirk            | Schwarz (MI)  |
| Culberson       | Kline           | Sensenbrenner |
| Cunningham      | Knollenberg     | Sessions      |
| Davis (KY)      | Kolbe           | Shadegg       |
| Davis, Jo Ann   | Kuhl (NY)       | Shaw          |
| Davis, Tom      | LaHood          | Shays         |
| Deal (GA)       | Latham          | Sherwood      |
| Dent            | LaTourette      | Shuster       |
| Diaz-Balart, L. | Leach           | Simmons       |
| Diaz-Balart, M. | Lewis (CA)      | Simpson       |
| Doolittle       | Lewis (KY)      | Smith (NJ)    |
| Drake           | Linder          | Smith (TX)    |
| Dreier          | LoBiondo        | Snyder        |
| Duncan          | Lucas           | Sodrel        |
| Edwards         | Lungren, Daniel | Souder        |
| Emerson         | E.              | Stearns       |
| English (PA)    | Mack            | Sullivan      |
| Feeney          | Manzullo        | Sweeney       |
| Ferguson        | Marchant        | Tancredo      |
| Flake           | McCaul (TX)     | Taylor (NC)   |
| Foley           | McCotter        | Terry         |
| Forbes          | McCrery         | Thomas        |
| Fortenberry     | McHenry         | Thornberry    |
| Fossella        | McHugh          | Tiahrt        |

- |             |              |             |
|-------------|--------------|-------------|
| Tiberi      | Wasserman    | Wicker      |
| Turner      | Schultz      | Wilson (NM) |
| Upton       | Weldon (FL)  | Wilson (SC) |
| Walden (OR) | Weller       | Wolf        |
| Walsh       | Westmoreland | Young (FL)  |
| Wamp        | Whitfield    |             |

NOES—201

- |                  |                 |                  |
|------------------|-----------------|------------------|
| Ackerman         | Green, Al       | Neal (MA)        |
| Allen            | Green, Gene     | Oberstar         |
| Andrews          | Grijalva        | Obey             |
| Baca             | Gutierrez       | Olver            |
| Baldwin          | Harman          | Ortiz            |
| Barrow           | Hastings (FL)   | Owens            |
| Bean             | Higgins         | Pallone          |
| Becerra          | Hinchee         | Pascrell         |
| Berkley          | Hinojosa        | Pastor           |
| Berman           | Holden          | Payne            |
| Berry            | Holt            | Pelosi           |
| Bishop (GA)      | Honda           | Peterson (MN)    |
| Bishop (NY)      | Hooley          | Petri            |
| Blumenauer       | Hoyer           | Pomeroy          |
| Boehlert         | Israel          | Price (NC)       |
| Boswell          | Jackson (IL)    | Rahall           |
| Boucher          | Jackson-Lee     | Rangel           |
| Boyd             | (TX)            | Reichert         |
| Brady (PA)       | Jefferson       | Reyes            |
| Brown (OH)       | Johnson (IL)    | Ross             |
| Brown, Corrine   | Johnson, E. B.  | Rothman          |
| Butterfield      | Jones (OH)      | Roybal-Allard    |
| Capps            | Kanjorski       | Ruppersberger    |
| Capuano          | Kaptur          | Rush             |
| Cardin           | Kennedy (RI)    | Ryan (OH)        |
| Cardoza          | Kildee          | Sabo             |
| Carnahan         | Kilpatrick (MI) | Salazar          |
| Carson           | Kind            | Sanchez, Linda   |
| Castle           | Kucinich        | T.               |
| Chandler         | Langevin        | Sanchez, Loretta |
| Clay             | Lantos          | Sanders          |
| Cleaver          | Larsen (WA)     | Schakowsky       |
| Clyburn          | Larson (CT)     | Schiff           |
| Conyers          | Lee             | Schwartz (PA)    |
| Cooper           | Levin           | Scott (GA)       |
| Costa            | Lewis (GA)      | Scott (VA)       |
| Costello         | Lipinski        | Serrano          |
| Crowley          | Lofgren, Zoe    | Sherman          |
| Cuellar          | Lowey           | Shimkus          |
| Cummings         | Lynch           | Skelton          |
| Davis (AL)       | Maloney         | Slaughter        |
| Davis (CA)       | Markey          | Smith (WA)       |
| Davis (FL)       | Marshall        | Solis            |
| Davis (IL)       | Matheson        | Spratt           |
| Davis (TN)       | Matsui          | Stark            |
| DeFazio          | McCarthy        | Strickland       |
| DeGette          | McCollum (MN)   | Tanner           |
| Delahunt         | McDermott       | Tauscher         |
| DeLauro          | McGovern        | Taylor (MS)      |
| Dicks            | McIntyre        | Thompson (CA)    |
| Dingell          | McKinney        | Thompson (MS)    |
| Doggett          | McNulty         | Tierney          |
| Doyle            | Meehan          | Towns            |
| Ehlers           | Meek (FL)       | Udall (CO)       |
| Emanuel          | Meeks (NY)      | Udall (NM)       |
| Engel            | Melancon        | Van Hollen       |
| Eshoo            | Menendez        | Velázquez        |
| Etheridge        | Michaud         | Visclosky        |
| Everett          | Millender-      | Waters           |
| Farr             | McDonald        | Watson           |
| Fattah           | Miller (NC)     | Watt             |
| Filner           | Miller, George  | Waxman           |
| Fitzpatrick (PA) | Mollohan        | Weiner           |
| Ford             | Moore (KS)      | Wexler           |
| Frank (MA)       | Moore (WI)      | Woolsey          |
| Gingrey          | Murtha          | Wu               |
| Gonzalez         | Nadler          | Wynn             |
| Gordon           | Napolitano      | Young (AK)       |

NOT VOTING—9

□ 1403

Messrs. GRIJALVA, ACKERMAN, and BUTTERFIELD, Ms. ESHOO and Mr. MCINTYRE changed their vote from “aye” to “no.”

Messrs. SHAW, LEWIS of Kentucky, LEWIS of California, BROWN of South Carolina, OTTER, SHUSTER, KINGSTON, MCKEON, ABERCROMBIE, SNYDER, and OSBORNE, Mrs. WILSON of New Mexico, and Mrs. JOHNSON of Connecticut, changed their vote from “no” to “aye.”

So the amendment was agreed to.



The result of the vote was announced as above recorded.

Stated for:

Mr. WELDON of Pennsylvania. Mr. Chairman today, I was requested to testify before the U.S. China Commission. Therefore, on rollcall vote 62 for H.R. 3, I was not recorded to vote. Had I been recorded, I would have voted "aye" for the amendment.

AMENDMENT NO. 8 OFFERED BY MR. PITTS

The Acting CHAIRMAN (Mr. LAHOOD). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 197, not voting 9, as follows:

[Roll No. 63]

AYES—228

Aderholt	Duncan	Kaptur
Akin	Edwards	Keller
Alexander	Emerson	Kelly
Baca	Engel	Kennedy (MN)
Baker	English (PA)	King (IA)
Baldwin	Etheridge	King (NY)
Bartlett (MD)	Everett	Kingston
Barton (TX)	Feeney	Kline
Bass	Flake	Kolbe
Beauprez	Foley	LaHood
Bilirakis	Forbes	Latham
Bishop (GA)	Fortenberry	Leach
Bishop (UT)	Fossella	Lewis (GA)
Blunt	Fox	Lewis (KY)
Boehlert	Frank (MA)	Linder
Boehner	Franks (AZ)	Lowe
Bonilla	Frelinghuysen	Lucas
Bonner	Garrett (NJ)	Lynch
Boozman	Gerlach	Mack
Boren	Gibbons	Maloney
Boustany	Gillmor	Manzullo
Bradley (NH)	Gingrey	Marchant
Brady (TX)	Gohmert	Markley
Brown (OH)	Gonzalez	Marshall
Brown, Corrine	Goode	McCaul (TX)
Brown-Waite,	Goodlatte	McCotter
Ginny	Granger	McGovern
Burgess	Graves	McHenry
Buyer	Green (WI)	McIntyre
Cantor	Green, Al	McKeon
Cardin	Green, Gene	McKinney
Carnahan	Gutknecht	McMorris
Carter	Hall	Meehan
Chabot	Harris	Meeke (FL)
Chocola	Hart	Melancon
Clay	Hastings (FL)	Mica
Cleaver	Hayes	Miller (FL)
Coble	Hayworth	Miller (NC)
Cole (OK)	Hensarling	Moore (KS)
Cooper	Herger	Moore (WI)
Costa	Hinojosa	Moran (KS)
Cramer	Holden	Murphy
Crenshaw	Hoolley	Musgrave
Cuellar	Hostettler	Myrick
Culberson	Hoyer	Neal (MA)
Cunningham	Hulshof	Neugebauer
Davis (AL)	Hunter	Nunes
Davis (FL)	Hyde	Nussle
Davis, Jo Ann	Insole	Olver
Davis, Tom	Issa	Ortiz
Delahunt	Istook	Osborne
Dent	Jefferson	Otter
Diaz-Balart, L.	Jenkins	Oxley
Diaz-Balart, M.	Jindal	Paul
Doggett	Johnson (CT)	Pence
Drake	Jones (NC)	Peterson (PA)

Pitts	Schiff
Platts	Schwartz (PA)
Poe	Schwarz (MI)
Pombo	Scott (GA)
Porter	Scott (VA)
Portman	Sessions
Price (GA)	Shadegg
Price (NC)	Shays
Putnam	Sherwood
Radanovich	Shimkus
Regula	Shuster
Rehberg	Simmons
Renzi	Skelton
Reyes	Smith (TX)
Reynolds	Souder
Rogers (MI)	Sullivan
Rohrabacher	Sweeney
Ros-Lehtinen	Tancredo
Ruppersberger	Tauscher
Ryan (WI)	Taylor (MS)
Ryun (KS)	Terry

Thornberry	□ 1411
Tiahrt	
Tierney	
Turner	
Udall (CO)	
Udall (NM)	
Wamp	
Watson	
Watt	
Weldon (FL)	
Weller	
Westmoreland	
Whitfield	
Wilson (NM)	
Wolf	
Woolsey	
Wu	
Wynn	
Young (FL)	

NOES—197

Abercrombie	Grijalva
Ackerman	Gutierrez
Allen	Harman
Andrews	Hastings (WA)
Bachus	Hefley
Barrett (SC)	Herseth
Barrow	Higgins
Bean	Hinchee
Becerra	Hobson
Berkley	Hoekstra
Berman	Holt
Berry	Honda
Biggert	Inglis (SC)
Bishop (NY)	Israel
Blackburn	Jackson (IL)
Blumenauer	Jackson-Lee
Bono	(TX)
Boswell	Johnson (IL)
Boucher	Johnson, E. B.
Boyd	Johnson, Sam
Brady (PA)	Jones (OH)
Brown (SC)	Kanjorski
Burton (IN)	Kennedy (RI)
Butterfield	Kildee
Calvert	Kilpatrick (MI)
Camp	Kind
Cannon	Kirk
Capito	Knollenberg
Capps	Kucinich
Capuano	Kuhl (NY)
Cardoza	Langevin
Carson	Lantos
Case	Larsen (WA)
Castle	Larson (CT)
Chandler	LaTourette
Clyburn	Lee
Conaway	Levin
Conyers	Lewis (CA)
Costello	Lipinski
Cox	LoBiondo
Crowley	Lofgren, Zoe
Cubin	Lungren, Daniel
Cummings	E.
Davis (CA)	Matheson
Davis (IL)	Matsui
Davis (KY)	McCarthy
Davis (TN)	McCollum (MN)
Deal (GA)	McCrery
DeFazio	McDermott
DeGette	McHugh
DeLauro	McNulty
Dicks	Meeke (NY)
Dingell	Menendez
Doolittle	Michaud
Doyle	Millender-
Dreier	McDonald
Ehlers	Miller (MI)
Emanuel	Miller, Gary
Eshoo	Miller, George
Farr	Mollohan
Fattah	Moran (VA)
Ferguson	Murtha
Finler	Nadler
Fitzpatrick (PA)	Napolitano
Ford	Ney
Gallegly	Norwood
Gilchrest	Oberstar
Gordon	Obey

Owens	
Pallone	
Pascrell	
Pastor	
Payne	
Pearce	
Pelosi	
Peterson (MN)	
Petri	
Pickering	
Pomeroy	
Pryce (OH)	
Rahall	
Rangel	
Reichert	
Rogers (KY)	
Ross	
Rothman	
Roybal-Allard	
Royce	
Rush	
Ryan (OH)	
Sabo	
Salazar	
Sanchez, Linda	
T.	
Sanchez, Loretta	
Sanders	
Saxton	
Schakowsky	
Sensenbrenner	
Serrano	
Shaw	
Sherman	
Simpson	
Smith (NJ)	
Smith (WA)	
Snyder	
Sodrel	
Solis	
Spratt	
Stark	
Stearns	
Strickland	
Tanner	
Taylor (NC)	
Thomas	
Thompson (CA)	
Thompson (MS)	
Tiberi	
Towns	
Upton	
Van Hollen	
Velázquez	
Visclosky	
Walden (OR)	
Walsh	
Wasserman	
Schultz	
Waters	
Waxman	
Weiner	
Wexler	
Wicker	
Wilson (SC)	
Young (AK)	

NOT VOTING—9

Baird	Northup	Slaughter
DeLay	Ramstad	Stupak
Evans	Rogers (AL)	Weldon (PA)

Mr. BISHOP of Georgia changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. WELDON of Pennsylvania. Mr. Chairman, today, I was requested to testify before the U.S. China Commission. Therefore, on rollcall vote 63 for H.R. 3, I was not recorded to vote. Had I been recorded, I would have voted "aye" for the amendment.

The Acting CHAIRMAN. There being no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LAHOOD, the Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, pursuant to House Resolution 144, he reported the bill, as amended pursuant to House Resolution 140, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HIGGINS

Mr. HIGGINS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HIGGINS. Mr. Speaker, I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Higgins moves to recommit the bill H.R. 3 to the Committee on Transportation and Infrastructure and the Committee on Ways and Means with instructions to report the same back to the House promptly with the following amendments:

(1) To increase funding for the highway, highway safety, transit, motor carrier safety, and highway research programs to a total of not less than \$318,000,000,000 of budget authority and \$301,000,000,000 of guaranteed funding.

(2) To distribute this increased funding to the States through the core highway and transit formula programs for State and local highway and transit infrastructure investments.

(3) To offset this increased infrastructure investment by raising \$34,000,000,000 over the next five years by eliminating the current tax incentives for companies to move jobs and operations offshore.

The SPEAKER pro tempore. The gentleman from New York (Mr. HIGGINS) is recognized for 5 minutes.

Mr. HIGGINS. Mr. Speaker, our Chamber is in its final moments of consideration of this landmark bill which proposes \$284 billion worth of Federal investments in transportation infrastructure across this Nation.

This measure represents so much to each of our districts. It is the embodiment of roads and transit systems that will be either newly built or rehabilitated to aid safe and efficient travel. It will spark an abundance of economic development and create millions of jobs specifically to carry out this transportation work.

I have been grateful for the opportunity during my first few weeks as a Member of this body to work alongside Chairman YOUNG and Ranking Member OBERSTAR on this legislation which will do so much for western New York. But I believe that before we submit to final passage of the bill, we must first acknowledge the fact that we should and can do more.

The President has signaled that he will support a transportation bill that spends no more than \$284 billion in guaranteed funding over 6 years. This number is simply arbitrary and could easily be increased, a fact that was demonstrated by the other body's version of transportation reauthorization last year.

□ 1415

My motion demonstrates one way in which we can match their level of guaranteed funding, \$318 billion, for even more transportation, economic and safety initiatives within this measure.

Specifically, this motion proposes to close a number of offshore loopholes that are enabling American companies to move jobs abroad, avoiding paying U.S. taxes in the process. In closing these loopholes, we are raising an additional \$34 billion, not from an increase in the gasoline tax, but instead by abolishing unfair tax shelters that are strangling job creation and growth in our country.

Seventy-two members of the other body voted to federally fund our transportation expenditures at \$318 billion last year. If we can find a way to match that funding without raising the gasoline tax, without falling deeper into deficit, then I for one believe it is our responsibility to pursue that option.

This motion to recommit would mean \$34 billion more in Federal infrastructure investments, as well as the final eradication of a number of unfair tax shelters that are weakening economic development efforts throughout our Nation. The motion would bring 100,000 additional jobs to my own State of New York, and countless more to the rest of the country. I hope that I may count on my colleagues to support this important measure.

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

Mr. YOUNG of Alaska. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Alaska is recognized for 5 minutes.

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

Mr. Speaker, I rise in opposition to the motion to recommit. I want to remind my fellow colleagues that this is a very well-crafted, bipartisan effort and this would disrupt what I would say is a great chariot that is going to go off on to the horizon and become law.

Mr. Speaker, I oppose the motion.

Mr. Speaker, I yield to the gentleman from California (Mr. THOMAS).

Mr. THOMAS. Mr. Speaker, I thank my chairman for yielding me this brief period of time.

Mr. Speaker, I would say to the gentleman from New York (Mr. HIGGINS), welcome to the House.

Under the motion to recommit, if in fact "promptly" is included in the first paragraph, it means that this is not a motion to recommit.

I was just waiting for the gentleman, because he is probably the one that told the gentleman to do this.

On "promptly," it kills the bill. So all of the statements the gentleman made about the jobs that were going to come to western New York and the dollar amounts that the gentleman is putting in the bill have no standing whatsoever, because by including "promptly" in the motion to recommit, the gentleman is in fact killing the bill.

In addition, the gentleman said that he wanted to try to match the Senate's amount of \$318 billion last year. The reason we did not have a highway bill last year was because the Senate was at \$318 billion. In the conference, we urged the Senate to agree at \$283.9 billion. The conference failed. This year the Senate is at \$283.9 billion; the House is at \$283.9 billion. We actually have a chance to get a highway bill.

But probably the most interesting and ironic part of the gentleman's motion to recommit, notwithstanding the fact it has no application, is the fact that the Highway Trust Fund is actually a user's fee; that people who use the highways raise the money to help build the highways. And the gentleman is looking to raise the additional money for the user-fee Highway Trust Fund from those companies who have left the country. So they are not using the highways, but the gentleman wants to have them pay.

So if the gentleman wants to work a motion to recommit that actually can work and that you can actually raise money and you can actually get it from people who use the Highway Trust Fund, I look forward to working with the gentleman. But if this is the effort conceived and delivered on the other side, I would urge my colleagues to vote this down, because if you really want a highway bill this year, the vote

on the motion to recommit is "no." If you really do want to kill it once again and give the gentleman from Alaska (Chairman YOUNG) an opportunity to work yet again in another Congress, you will vote yes on this ill-conceived motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. HIGGINS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 190, noes 235, not voting 10, as follows:

[Roll No. 64]

AYES—190

Abercrombie	Fattah	McNulty
Ackerman	Filner	Meehan
Allen	Ford	Meek (FL)
Andrews	Frank (MA)	Meeks (NY)
Baca	Gonzalez	Melancon
Baldwin	Gordon	Menendez
Barrow	Green, Al	Michaud
Bean	Green, Gene	Millender-
Becerra	Grijalva	McDonald
Berkley	Gutierrez	Miller (NC)
Berman	Harman	Miller, George
Berry	Hastings (FL)	Mollohan
Bishop (GA)	Herseth	Moore (WI)
Bishop (NY)	Higgins	Moran (VA)
Blumenauer	Hinchey	Murtha
Boswell	Hinojosa	Nadler
Boucher	Holden	Napolitano
Boyd	Holt	Neal (MA)
Brady (PA)	Honda	Oberstar
Brown (OH)	Hooley	Obey
Brown, Corrine	Hoyer	Olver
Butterfield	Inslee	Ortiz
Capps	Israel	Owens
Capuano	Jackson (IL)	Pallone
Cardin	Jackson-Lee	Pascrell
Cardoza	(TX)	Pastor
Carnahan	Jefferson	Payne
Carson	Johnson, E. B.	Pelosi
Chandler	Jones (OH)	Peterson (MN)
Clay	Kanjorski	Pomeroy
Cleaver	Kaptur	Price (NC)
Clyburn	Kennedy (RI)	Rahall
Conyers	Kildee	Rangel
Costa	Kilpatrick (MI)	Reyes
Costello	Kind	Ross
Cramer	Kucinich	Rothman
Crowley	Langevin	Royal-Allard
Cuellar	Lantos	Ruppersberger
Cummings	Larsen (WA)	Rush
Davis (CA)	Larson (CT)	Ryan (OH)
Davis (FL)	Lee	Salazar
Davis (IL)	Levin	Sánchez, Linda
Davis (TN)	Lewis (GA)	T.
DeFazio	Lipinski	Sanchez, Loretta
DeGette	Lofgren, Zoe	Sanders
Delahunt	Lowey	Schakowsky
DeLauro	Lynch	Schiff
Dicks	Maloney	Schwartz (PA)
Dingell	Markey	Scott (GA)
Doggett	Marshall	Scott (VA)
Doyle	Matsui	Serrano
Edwards	McCarthy	Sherman
Emanuel	McCollum (MN)	Skelton
Engel	McDermott	Smith (WA)
Eshoo	McGovern	Solis
Etheridge	McIntyre	Spratt
Farr	McKinney	Stark

Strickland Udall (NM) Watt  
 Tanner Van Hollen Waxman  
 Tauscher Velázquez Weiner  
 Thompson (CA) Visclosky Wexler  
 Thompson (MS) Wasserman Woolsey  
 Tierney Schultz Wu  
 Towns Waters Wynn  
 Udall (CO) Watson

NOES—235

Aderholt Gerlach Neugebauer  
 Akin Gibbons Ney  
 Alexander Gilchrest Norwood  
 Bachus Gillmor Nunes  
 Baker Gingrey Nussle  
 Barrett (SC) Gohmert Osborne  
 Bartlett (MD) Goode Otter  
 Barton (TX) Goodlatte Oxley  
 Bass Granger Paul  
 Beauprez Graves Pearce  
 Biggart Green (WI) Pence  
 Bilirakis Gutknecht Peterson (PA)  
 Bishop (UT) Hall Petri  
 Blackburn Harris Pickering  
 Blunt Hart Pitts  
 Boehlert Hastert Platts  
 Boehner Hastings (WA) Poe  
 Bonilla Hayes Pombo  
 Bonner Hayworth Porter  
 Bono Hefley Portman  
 Boozman Hensarling Price (GA)  
 Boren Herger Pryce (OH)  
 Boustany Hobson Putnam  
 Bradley (NH) Hoekstra Radanovich  
 Brady (TX) Hostettler Regula  
 Brown (SC) Hulshof Rehberg  
 Brown-Waite, Hunter Reichert  
 Ginny Hyde Renzi  
 Burgess Inglis (SC) Reynolds  
 Burton (IN) Issa Rogers (KY)  
 Buyer Istook Rogers (MI)  
 Calvert Jenkins Rohrabacher  
 Camp Jindal Ros-Lehtinen  
 Cannon Royce  
 Cantor Johnson (CT) Ryan (WI)  
 Capito Johnson (IL) Ryan (KS)  
 Carter Jones (NC) Saxton  
 Case Keller Schwarz (MI)  
 Castle Kelly Sensenbrenner  
 Chabot Kennedy (MN) Sessions  
 Chocola King (IA) Shadegg  
 Coble King (NY) Shaw  
 Cole (OK) Kingston Shays  
 Conaway Kirk Sherwood  
 Cooper Kline Shimkus  
 Cox Knollenberg Shuster  
 Crenshaw Kolbe Simmons  
 Cubin Kuhl (NY) Simpson  
 Culberson LaHood Smith (NJ)  
 Cunningham Latham Smith (TX)  
 Davis (AL) LaTourette Snyder  
 Davis (KY) Leach Sodrel  
 Davis, Jo Ann Lewis (CA) Souder  
 Davis, Tom Lewis (KY) Stearns  
 Deal (GA) Linder Sullivan  
 Dent LoBiondo Sweeney  
 Diaz-Balart, L. Lucas Tancredo  
 Diaz-Balart, M. Lungren, Daniel Taylor (MS)  
 Doolittle E. Taylor (NC)  
 Drake Mack Terry  
 Dreier Manzullo Thomas  
 Duncan Marchant Thornberry  
 Ehlers Matheson Tiahrt  
 Emerson McCaul (TX) Tiberi  
 English (PA) McCotter Turner  
 Everett McCrery Upton  
 Feeney McHenry Walden (OR)  
 Ferguson McHugh Walsh  
 Fitzpatrick (PA) McKeon Wamp  
 Flake McMorris Weldon (PA)  
 Foley Mica Weller  
 Forbes Miller (FL) Westmoreland  
 Fortenberry Miller (MI) Whitfield  
 Fossella Miller, Gary Wicker  
 Foxx Moore (KS) Wilson (NM)  
 Franks (AZ) Moran (KS) Wilson (SC)  
 Frelinghuysen Murphy Wolf  
 Gallegly Musgrave Young (AK)  
 Garrett (NJ) Myrick Young (FL)

NOT VOTING—10

Baird Ramstad Stupak  
 DeLay Rogers (AL) Weldon (FL)  
 Evans Sabo  
 Northup Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members

are advised 2 minutes remain in this vote.

□ 1441

Mr. BOREN changed his vote from “aye” to “no.”

Messrs. HASTINGS of Florida, TANNER, WYNN, and MURTHA, and Ms. BEAN changed their vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 9, not voting 9, as follows:

[Roll No. 65]

YEAS—417

Abercrombie Carnahan Feeney  
 Ackerman Carson Ferguson  
 Aderholt Carter Filmer  
 Akin Fitzpatrick (PA) Case  
 Alexander Chabot Foley  
 Allen Chandler Forbes  
 Andrews Chocola Ford  
 Baca Clay Fortenberry  
 Bachus Cleaver Fossella  
 Baker Clyburn Foxx  
 Baldwin Coble Frank (MA)  
 Barrett (SC) Cole (OK) Franks (AZ)  
 Barrow Conaway Frelinghuysen  
 Bartlett (MD) Conyers Gallegly  
 Cooper Garrett (NJ)  
 Bass Costa Gerlach  
 Bean Costello Gibbons  
 Beauprez Cox Gilchrest  
 Becerra Cramer Gillmor  
 Berkeley Crenshaw Gingrey  
 Berman Crowley Gohmert  
 Berry Cubin Gonzalez  
 Biggart Cuellar Goode  
 Bilirakis Culberson Goodlatte  
 Bishop (GA) Cummings Gordon  
 Bishop (NY) Cunningham Granger  
 Bishop (UT) Davis (AL) Graves  
 Blackburn Davis (CA) Green (WI)  
 Blumenauer Davis (FL) Green, Al  
 Blunt Davis (IL) Green, Gene  
 Boehlert Davis (KY) Grijalva  
 Bonilla Davis (TN) Gutierrez  
 Bonner Davis, Jo Ann Gutierrez  
 Bono Davis, Tom Gutknecht  
 Boozman Deal (GA) Hall  
 Boren DeFazio Harman  
 Boswell DeGette Harris  
 Boucher Delahunt Hart  
 Boustany DeLauro Hastert  
 Boyd Dent Hastings (FL)  
 Bradley (NH) Diaz-Balart, L. Hastings (WA)  
 Brady (PA) Diaz-Balart, M. Hayes  
 Brady (TX) Dicks Hayworth  
 Brown (OH) Dingell Hefley  
 Brown (SC) Doggett Hensarling  
 Brown, Corrine Doolittle Herseth  
 Brown-Waite, Doyle Higgins  
 Ginny Drake Hinojosa  
 Burgess Dreier Hinojosa  
 Burton (IN) Duncan Hobson  
 Butterfield Edwards Hoekstra  
 Buyer Ehlers Holden  
 Calvert Emanuel Holt  
 Camp Emerson Honda  
 Cannon Engel Hooley  
 Cantor English (PA) Hostettler  
 Capito Eshoo Hoyer  
 Capps Etheridge Hulshof  
 Capuano Everett Hunter  
 Cardin Farr Hyde  
 Cardoza Fattah Inglis (SC)

Inslee Melancon Salazar  
 Israel Menendez Sanchez, Linda  
 Issa Mica Sanchez, Loretta  
 Istook Michaud T.  
 Jackson (IL) Millender Sanchez  
 Jackson-Lee McDonald Saxton  
 (TX) Miller (FL) Schakowsky  
 Jefferson Miller (MI) Schiff  
 Jenkins Miller (NC) Schwartz (PA)  
 Jindal Miller, Gary Schwarz (MI)  
 Johnson (CT) Miller, George Scott (GA)  
 Johnson (IL) Mollohan Scott (VA)  
 Johnson, E. B. Moore (KS) Serrano  
 Johnson, Sam Moore (WI) Sessions  
 Jones (OH) Moran (KS) Shaw  
 Kanjorski Moran (VA) Shays  
 Kaptur Murphy Sherman  
 Keller Murtha Sherwood  
 Kelly Musgrave Shimkus  
 Kennedy (MN) Myrick Shuster  
 Kennedy (RI) Nadler Simmons  
 Kildee Napolitano Simpson  
 Kilpatrick (MI) Neal (MA) Skelton  
 Kind Neugebauer Smith (NJ)  
 King (IA) Ney Smith (TX)  
 King (NY) Norwood Smith (WA)  
 Kingston Nunes Snyder  
 Kirk Nussle Sodrel  
 Kline Oberstar Solis  
 Knollenberg Obey Souder  
 Kolbe Olver Spratt  
 Kucinich Ortiz Stark  
 Kuhl (NY) Osborne Stearns  
 LaHood Owens Strickland  
 Langevin Oxley Sullivan  
 Lantos Pallone Sweeney  
 Larsen (WA) Pascrell Tancredo  
 Larson (CT) Pastor Tanner  
 Latham Payne Tauscher  
 LaTourette Pearce Taylor (MS)  
 Leach Pelosi Taylor (NC)  
 Lee Pence Terry  
 Levin Peterson (MN) Thomas  
 Lewis (CA) Peterson (PA) Thompson (CA)  
 Lewis (GA) Petri Thompson (MS)  
 Lewis (KY) Pickering Tiahrt  
 Linder Pitts Tiberi  
 Lipinski Platts Tierney  
 LoBiondo Poe Towns  
 Lofgren, Zoe Pombo Turner  
 Lowey Pomeroy Udall (CO)  
 Lucas Porter Udall (NM)  
 Lungren, Daniel Portman Upton  
 E. Price (GA) Van Hollen  
 Lynch Price (NC) Velázquez  
 Mack Pryce (OH) Visclosky  
 Maloney Putnam Walden (OR)  
 Manzullo Radanovich Walsh  
 Marchant Rahall Wamp  
 Markey Rangel Wasserman  
 Marshall Regula Schultz  
 Matheson Rehberg Waters  
 Matsui Reichert Watson  
 McCarthy Renzi Watt  
 McCaul (TX) Reyes Waxman  
 McCollum (MN) Reynolds Weiner  
 McCotter Rogers (KY) Weldon (FL)  
 McCrery Rogers (MI) Weldon (PA)  
 McDermott Rohrabacher Weller  
 McGovern Ros-Lehtinen Westmoreland  
 McHenry Ross Wexler  
 McHugh Rothman Whitfield  
 McIntyre Roybal-Allard Wicker  
 McKeon Royce Wilson (NM)  
 McKinney Ruppertsberger Wilson (SC)  
 McMorris Rush Wolf  
 McNulty Ryan (OH) Woolsey  
 Meehan Ryan (WI) Wu  
 Meek (FL) Ryun (KS) Wynn  
 Meeks (NY) Sabo Young (AK)

NAYS—9

Boehner Otter Shadegg  
 Castle Paul Thornberry  
 Flake Sensenbrenner Young (FL)

NOT VOTING—9

Baird Jones (NC) Rogers (AL)  
 DeLay Northup Slaughter  
 Evans Ramstad Stupak

□ 1451

So the bill was passed. The result of the vote was above recorded.

The motion to reconsider was laid on the table.