

I reserve the balance of my time.

Mr. SHAYS. Madam Speaker, I yield such time as I may consume.

Madam Speaker, I rise today to urge passage of this bill honoring the late Honorable Judge Richard B. Allsbrook with the naming of the Judge Richard B. Allsbrook Post Office located at 725 Roanoke Avenue, in Roanoke Rapids, North Carolina. Described as a "meticulous, fair and compassionate" jurist, Allsbrook served as the Superior Court Judge for the Sixth Judicial District in Roanoke Rapids, North Carolina, for 22 years before retiring in 2000.

A native of Halifax, and son of the late State Senator Julian Allsbrook, Judge Allsbrook earned his undergraduate degree and his juris doctorate from the University of North Carolina, Chapel Hill.

After spending 4 years as a second lieutenant in the U.S. Navy, Allsbrook spent 20 years practicing law with his father in the practice of Allsbrook, Benton and Knott.

Judge Allsbrook was also an active member of the community, serving as the president of the Roanoke Rapids Kiwanis Club and the president of the Roanoke Rapids Chamber of Commerce. He also received awards for his service to the community, including the Boy Scouts of America's Distinguished Citizen Award.

A dedicated father and grandfather, distinguished public servant, and valuable member of the community, Judge Allsbrook touched many lives and, fittingly, his life deserves to be recognized with the naming of the Judge Richard B. Allsbrook Post Office in Roanoke Rapids, North Carolina, in his honor.

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

Ms. NORTON. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 4211.

The question was taken.

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

Ms. NORTON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ESTABLISHING NATIONAL TUNNEL INSPECTION STANDARDS

Mr. DEFAZIO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 409) to amend title 23, United States Code, to inspect highway tunnels, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 409

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

SECTION 1. NATIONAL TUNNEL INSPECTION PROGRAM.

(a) IN GENERAL.—Title 23, United States Code, is amended by inserting after section 149 the following:

“§ 150. National tunnel inspection program

“(a) NATIONAL TUNNEL INSPECTION STANDARDS.—The Secretary, in consultation with State transportation departments and interested and knowledgeable private organizations and individuals, shall establish national tunnel inspection standards for the proper safety inspection and evaluation of all highway tunnels. The standards established under this subsection shall be designed to ensure uniformity among the States in the conduct of such inspections and evaluations.

“(b) MINIMUM REQUIREMENTS FOR INSPECTION STANDARDS.—The standards established under subsection (a) shall, at a minimum—

“(1) specify, in detail, the method by which highway tunnel inspections shall be carried out by the States;

“(2) establish the maximum time period between the inspections based on a risk-management approach;

“(3) establish the qualifications for those charged with carrying out the inspections;

“(4) require each State to maintain and make available to the Secretary upon request—

“(A) written reports on the results of the inspections together with notations of any action taken pursuant to the findings of the inspections; and

“(B) current inventory data for all highway tunnels located in the State reflecting the findings of the most recent highway tunnel inspections conducted;

“(5) establish procedures for national certification of highway tunnel inspectors;

“(6) establish procedures for conducting annual compliance reviews of State inspections and State implementation of quality control and quality assurance procedures; and

“(7) establish standards for State tunnel management systems to improve the tunnel inspection process and the quality of data collected and reported by the States to the Secretary for inclusion in the national tunnel inventory to be established under this section.

“(c) TRAINING AND CERTIFICATION PROGRAM FOR TUNNEL INSPECTORS.—The Secretary, in cooperation with State transportation departments, shall establish a program designed to ensure that all individuals carrying out highway tunnel inspections receive appropriate training and certification. Such program shall be revised from time to time to take into account new and improved techniques.

“(d) NATIONAL TUNNEL INVENTORY.—The Secretary shall establish a national inventory of highway tunnels reflecting the findings of the most recent highway tunnel inspections conducted by States under this section.

“(e) AVAILABILITY OF FUNDS.—To carry out this section, the Secretary may use funds made available pursuant to the provisions of sections 104(a) and 502.”

(b) SURFACE TRANSPORTATION PROGRAM.—Section 133(b)(1) of such title is amended by inserting “, tunnels that are eligible for assistance under this title (including safety inspection of such tunnels),” after “highways”).

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by inserting after the item relating to section 149 the following:

“150. National tunnel inspection program.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 409.

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

There was no objection.

Mr. DEFAZIO. Madam Speaker, this legislation will fill a gap in the national inspection regime and in public safety, one that was brought to our attention by the gentleman from Massachusetts (Mr. CAPUANO). Obviously, a failing infrastructure is very much on the minds of the public, given the collapse in Minnesota this last year, but, unfortunately, the Minnesota instance is not unique and it points to the need for constant vigilance and inspection of the critical infrastructure to avoid tragic accidents. And in this case, the gentleman from Massachusetts has pointed out that we do not have a regular regime of tunnel inspection, nor do we have standards which are set nationally for tunnel safety and inspection, nor do we have certified tunnel inspectors. All of that would be rectified by this legislation, so I'm very supportive of the legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would like to voice my strong support for H.R. 409, and I would also like to commend Chairman DEFAZIO and the gentleman from Massachusetts (Mr. CAPUANO) for bringing this bill to the floor at this time.

On August 2, the Transportation and Infrastructure Committee passed an earlier version of this bill on a voice vote. I believe that the entire committee agreed with the main objective of this bill, to ensure that our Nation's highway tunnels are safe. But some members had concerns about the new tunnel inspections directly competing with ongoing bridge inspections. This substitute bill addresses these concerns.

This bill requires the Federal Highway Administration to establish a new national highway tunnel inspection program in consultation with State DOTs and other knowledgeable organizations. The new tunnel inspection program is modeled directly on the existing highway bridge inspection program and addresses three major areas: One, it establishes national highway tunnel inspection standards to ensure tunnel inspection uniformity. Secondly, this establishes a national tunnel inventory

to publish the findings of all tunnel inspections. And thirdly, it develops a national program for training and certification of highway tunnel inspectors.

This bill will make tunnel inspection requirements consistent with the current bridge inspection requirements. I think this is a concept we can all agree on.

There are approximately 400 highway tunnels in the United States, and we need to make sure that those tunnels are safe. But there are more than 580,000 road and highway bridges in the United States, including almost 55,000 interstate bridges. I'm pleased that instead of having tunnel inspections compete directly with highway bridge inspections, the substitute bill before us makes tunnel inspections eligible for funding from other highway programs: the Surface Transportation Program, the Federal Highway Administration administrative expenses, or surface transportation research funds.

I hope that if this legislation secures Senate passage and becomes law, we can further fine-tune the tunnel inspection funding source issue so that the different tunnel inspection activities are funded from the appropriate program.

Again, I voice my support for H.R. 409, and I urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Madam Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Madam Speaker, the substance of the bill has already been outlined. I just want to rise to thank the chairman and ranking member of the full committee, Mr. OBERSTAR and Mr. MICA, and the chairman and ranking member of the subcommittee, Mr. DEFAZIO and Mr. DUNCAN, for moving this forward; also thank the staff for working out a few items that need to be worked out.

And I would also want to take a moment just to thank the National Transportation Safety Board. This legislation was done in conjunction with them. We had a tragedy in Boston that led me, no different than any other American. I didn't come to Congress knowing that tunnels were not inspected, and I have not met anyone, anyone who thinks that they are not. And when they find out that they are not, it's one of those deals where, well, why not? Of course you should. This legislation will fix this. The National Transportation Safety Board took their duties investigating a tragedy we had in Boston and went, I think, the extra step, and I think the proper extra step, to call on us to pass legislation just like this. I think it was the right thing to do, the courageous thing to do. I think it's good for the country. And again, I want to extend my thanks to those people that made this possible.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 409, to amend title 23

of the United States Code, to ensure the safety of the traveling public by establishing a national program to inspect highway tunnels, modeled after the National Bridge Inspection Program.

I thank the gentleman from Massachusetts, Mr. CAPUANO, for introducing this important piece of legislation that will address the absence of comprehensive inspections standards for our Nation's highway tunnels.

Madam Speaker, recent tragic events have highlighted the very real crisis facing our Nation's transportation infrastructure. America's transportation network is aging and increasingly in need of maintenance or reconstruction. Many facilities are being stretched to the limit of their design life and beyond.

The tragic collapse of the Interstate 35W bridge in my home State illustrated the deteriorating conditions of our bridges and the need for routine inspections. Similarly, another tragedy in Massachusetts has shown that we must do the same for highway tunnels.

On Monday, July 10, 2006, at approximately 11 p.m., a section of the suspended concrete ceiling above the eastbound lanes of the Interstate 90 connector tunnel in Boston, Massachusetts, fell onto a vehicle traveling to Logan International Airport. A passenger, riding in the right front seat of the vehicle, was killed. The driver escaped with minor injuries.

The National Transportation Safety Board, NTSB, immediately launched an investigation into the cause of the ceiling panel collapse.

On July 10, 2007, the NTSB issued its accident report, identifying the failure of the epoxy adhesive used to attach the panels to the anchors in the ceiling to sustain long-term loads as the probable cause of the accident.

The NTSB report observed that had the Massachusetts Turnpike Authority inspected the area above the suspended ceilings at regular intervals, the anchor creep that led to this accident would likely have been detected, and this tragedy could have been prevented.

The NTSB report also found that the Federal Highway Administration, FHWA, lacked the regulatory authority to conduct tunnel inspections, and recommended that the FHWA seek legislation authorizing the agency to establish a mandatory tunnel inspection program similar to the National Bridge Inspection Program.

H.R. 409 will fulfill the NTSB recommendation, and establish a national program to inspect highway tunnels.

Under this legislation, the Secretary of Transportation, in consultation with State departments of transportation, private organizations and individuals, is required to establish national tunnel inspection standards for safety inspections and evaluations of all public highway tunnels.

This bill also establishes criteria for certification and training of tunnel inspectors, and requires States to prepare and maintain an inventory of public highway tunnels.

FHWA has already begun to develop a tunnel inspection regime modeled after the bridge inspection program. This regime must account for the inherent differences between bridges and tunnels. Working in conjunction with the Federal Transit Administration, the agency has published highway and rail transit tunnel inspection manuals.

FHWA has also begun the process of working with State departments of transportation, highway tunnel owners, and other stake-

holders to develop National Tunnel Inspection Standards and establish minimum training and qualification requirements for inspectors.

These are important steps, but the passage of this legislation will ensure that FHWA has the resources necessary to develop and implement comprehensive tunnel inspection standards and training.

I thank the gentleman from Florida, Ranking Member MICA, and his staff for working with us to ensure that this legislation accomplished its goal of increasing tunnel safety without inadvertently diverting resources from bridge inspections.

Madam Speaker, while we cannot undo the damage caused by this accident, we can, and we must, take the necessary actions to prevent future tunnel collapses. H.R. 409 establishes a framework to address the serious safety concerns raised by the NTSB, and ensures that tragedies like that of July 10, 2006, will never occur again.

I urge my colleagues to join me in strongly supporting H.R. 409.

Mr. MARKEY. Madam Speaker, I rise in strong support of H.R. 409. This legislation will require that tunnels are inspected with the same kind of intensity and scrutiny as bridges in every community in the United States.

In Massachusetts for years now we have been working on the Central Artery/Tunnel Project, also known as the "Big Dig", a system of tunnels that has made it much easier to get around in and outside of Boston. In July of 2006 there was a tragic death in the Ted Williams tunnel due to a collapse of a concrete panel in the ceiling. By adding tunnels to all inspection legislation we will give states the vital jurisdiction they need to look into important transportation structures.

This bill will not require excessive funds or staffing. As of right now it is estimated by the Department of Transportation that it will cost less than \$1 million and require 5 employees or less to run the program. This is a small amount to ask for the safety it would provide to all of our constituents across the U.S.

The legislation calls for standards that must be met for all of the tunnel inspections and timelines for states to fix any reported deficiencies. We have seen first hand in Minnesota this year what can happen if a structurally deficient bridge is left unchecked. This bill would help reduce the risk of more tragedies occurring as a result of tunnels that have fallen into disrepair. In addition, the Federal Highway Administration would be required to work with state transportation departments to establish a certification and training program for tunnel inspectors as well as keep an inventory of highway tunnels.

I urge adoption of this important legislation.

Ms. TSONGAS. Madam Speaker, I rise today in strong support of H.R. 409, a bill that will go a long way toward making our highway infrastructure safer. I want to give special thanks to my colleague from Somerville, Congressman CAPUANO, for introducing this common-sense bill.

H.R. 409 expands the National Bridge Inspection Program to include the inspection of highway tunnels. Current law does not contain national standards or requirements for inspecting tunnels. This bill corrects that flaw. In doing so, I believe that lives will be saved.

It is, sadly, because of the loss of life that this bill came to be.

On the evening of July 10, 2006, Milena Del Valle was killed tragically as she and her husband traveled to Boston's Logan Airport, utilizing the Ted Williams Tunnel. Milena was killed when sections of the concrete ceiling collapsed.

A number of investigations were launched in the wake of this tragedy. One, undertaken by the National Transportation Safety Board, cited "inadequate regulatory requirements for tunnel inspections" as a major safety issue that merited correction.

This bill puts in place those needed requirements, mandatory tunnel inspections, and creates a national list of tunnels, to complement existing lists of bridges. I hope that swift action today in the House will be followed by the Senate, so that any future tragedies like we saw in Massachusetts can be averted. Again, I want to thank Congressman CAPUANO, and am pleased to support this bill.

Mr. DUNCAN. Madam Speaker, I have no additional speakers, and I simply will urge passage, and yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 409, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 23, United States Code, to direct the Secretary of Transportation to establish national tunnel inspection standards for the proper safety inspection and evaluation of all highway tunnels, and for other purposes."

A motion to reconsider was laid on the table.

RECOGNIZING THE AMERICAN HIGHWAY USERS ALLIANCE ON THE OCCASION OF ITS 75TH ANNIVERSARY

Mr. DEFAZIO. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 772) recognizing the American Highway Users Alliance on the occasion of its 75th anniversary, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 772

Whereas in 1932, Alfred P. Sloan, Jr., then president of General Motors Corporation, and other civic leaders had the foresight to found the National Highway Users Conference for the purpose of working "for good, all-weather roads in every state";

Whereas in 1970, the National Highway Users Conference merged with the Automotive Safety Foundation to form the Highway Users Federation for Safety and Mobility, which in 1995 was renamed as the American Highway Users Alliance (known as the "Highway Users");

Whereas since its founding, the Highway Users has been a persistent and outspoken

proponent for adequate funding of the Nation's highway infrastructure and a consistent voice for motorists who use the highways for leisure, family, and business purposes and for those who depend on the Nation's transportation infrastructure for commercial purposes;

Whereas the Highway Users has voiced the interests of motorists and businesses on all major national highway and traffic safety legislation over the past 75 years, including the Federal-Aid Highway Act of 1956, which authorized the Interstate Highway System and established the Highway Trust Fund;

Whereas the Highway Users has been a consistent force for protecting the integrity of the Highway Trust Fund and State highway trust funds;

Whereas research conducted by the Highway Users has documented the promise and potential of modern United States highways in improving safety, facilitating emergency evacuations, and growing the national economy; and

Whereas the Highway Users has been a strong advocate in favor of strengthening the national highway network by promoting a strong Federal role in mobility and safety and by advocating policies that benefit highway users: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the American Highway Users Alliance on the occasion of its 75th anniversary;

(2) commends the many achievements of the American Highway Users Alliance; and

(3) encourages the American Highway Users Alliance to continue its tradition of excellence in service to motorists and the transportation industry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 772.

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

There was no objection.

Mr. DEFAZIO. Madam Speaker, I rise today in strong support of H. Res. 772, a resolution to congratulate the American Highway Users Alliance on the occasion of its 75th anniversary.

Founded in 1932 as the National Highway Users Conference, in 1970 the group merged with the Automotive Safety Foundation and were renamed the Highway Users Federation for Safety and Mobility, and in 1995 they took on the current name of American Highway Users Alliance ("the Highway Users").

The Highway Users has always been an outspoken proponent for adequate funding for our Nation's highway infrastructure and a consistent voice for motorists and those who depend on our highways for commercial purposes.

For the past 75 years, Highway Users have expressed the interests of motorists and businesses on all major national highway and traffic safety legis-

lation, including strong support for the Federal Aid Highway Act of 1956, which authorized the Interstate Highway System, established the Highway Trust Fund. Since then, it's been an unwavering force for protecting the integrity of the Federal Highway Trust Fund and State Highway Trust Funds.

As we received a report last week on the state of the Nation's infrastructure from a commission that was created by the passage of the SAFETEA-LU bill, we find that we are dramatically in deficit in investing in the Nation's infrastructure. And the current administration is dramatically in denial about the deficit in investing in infrastructure, so there will be a lot of work to be done by the American Highway Users Alliance and other advocates for an improved transportation network in the United States of America.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would like to also voice my support for House Resolution 772. House Resolution 772 was introduced by Chairman OBERSTAR, Ranking Member MICA, Highways and Transit Subcommittee Chairman DEFAZIO, and myself to recognize the 75th anniversary of the American Highway Users Alliance, a broad national coalition of organizations representing motorists and businesses.

The American Highway Users Alliance is a nonprofit advocacy organization with the mission to promote safe, uncongested highways and enhanced mobility. The group's membership includes over 300 national trade associations, corporations, small businesses, and other State and local nonprofit groups. They represent over 45 million highway users.

Since 1932, the group has fought for road and bridge investments that will save lives, promote economic growth, improve quality of life, and protect freedom of mobility.

The American Highway Users Alliance focuses its campaigns on fair highway use taxation, Federal highway policy and funding, and responsible environmental policy.

The American Highway Users Alliance is an important voice for the interests of motorists and businesses and has been an active participant in every major national highway and traffic safety law passed over the last 75 years.

I strongly support this resolution and congratulate the American Highway Users Alliance on its achievements and on its 75th anniversary. Madam Speaker, I urge all my colleagues to support this resolution.

Mr. OBERSTAR. Madam Speaker, I rise today in strong support of H. Res. 772, to congratulate American Highway Users Alliance on the occasion of its 75th anniversary.

The American Highway Users Alliance ("Highway Users") has changed its name several times over 75 years. The group was