Nussle	Rush	Sweeney
Oberstar	Ryan (WI)	Tancredo
Obey	Ryun (KS)	Tanner
Olver	Sabo	Tauscher
Ortiz	Sanchez	Tauzin
Osborne	Sanders	Taylor (MS)
Ose	Sandlin	Taylor (NC)
Otter	Sawyer	Terry
Owens	Saxton	Thomas
Oxley	Scarborough	Thompson (CA)
Pallone	Schaffer	Thompson (MS)
Pascrell	Schakowsky	Thornberry
Pastor	Schiff	Thune
Paul	Schrock	Thurman
Pelosi	Scott	Tiahrt
Pence	Sensenbrenner	Tiberi
Peterson (MN)	Serrano	Tierney
Peterson (PA)	Sessions	Toomey
Petri	Shadegg	Towns
Phelps	Shaw	Traficant
Pickering	Shays	Udall (CO)
Pitts	Sherman	Udall (NM)
Pombo	Sherwood	Upton
Pomeroy	Shimkus	Velazquez
Portman	Shows	Visclosky
Price (NC)	Shuster	Vitter
Pryce (OH)	Simmons	Walden
Quinn	Simpson	Walsh
Radanovich	Skeen	Waters
Rahall	Skelton	Watkins (OK)
Rangel	Slaughter	Watson (CA)
Regula	Smith (MI)	Watts (OK)
Rehberg	Smith (NJ)	Waxman
Reyes	Smith (TX)	Weiner
Reynolds	Smith (WA)	Weldon (FL)
Riley	Snyder	Weldon (PA)
Rivers	Solis	Weller
Rodriguez	Souder	Wexler
Roemer	Spence	Whitfield
Rogers (KY)	Spratt	Wicker
Rogers (MI)	Stark	Wilson
Rohrabacher	Stearns	Wolf
Ros-Lehtinen	Stenholm	Woolsey
Ross	Strickland	Wu
Roukema	Stump	Wynn
Roybal-Allard	Stupak	Young (AK)
Royce	Sununu	Young (FL)

NOT VOTING—22

Bryant	Hilliard	Putnam
Burton	Jenkins	Ramstad
Calvert	Kaptur	Rothman
Clement	LaTourette	Turner
Cunningham	McKeon	Wamp
Dooley	Miller, Gary	Watt (NC)
Duncan	Payne	
Hilleary	Platts	

□ 1435

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2299, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mrs. WILSON). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 178 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2299.

□ 1436

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am very pleased to present to the House the Department of Transportation and related agencies appropriations bill for fiscal year 2002. This is an excellent bill that reflects not only the priorities of the budget submitted by the President earlier this year but also the important contributions of all the Members of our subcommittee and full committee and we hope now the full House.

I want to especially thank the gentleman from Minnesota (Mr. SABO) for his tireless and insightful support of transportation programs during the many hours of our hearings, deliberations, and the markup of this bill this year. I also want to thank both the gentleman from Florida (Mr. YOUNG), the full committee chairman; and the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee, for their support of this subcommittee and the programs we oversee. I am also thankful to all the members of our subcommittee who had a part in the drafting of this bill and the full Committee on Appropriations, which had the chance to amend and correct as we went through that process. And, of course, we would not be here without our wonderful staff, both on the majority and the minority side upon whom we all so much depend.

Mr. Chairman, the bill I present today provides an increase of 6 percent in the programs and activities of the Department of Transportation. At first blush, this appears to be a healthy increase over current levels, but in fact it is barely enough to cover the 4.6 percent pay raise that will go to all Federal employees next year as well as the general cost of inflation for programs in our jurisdiction. So this is a lean bill, especially when compared with the explosive growth in needs caused by highway and air travel in this country. We are doing a lot in this bill to respond to that demand but not nearly as much as we would like. The Department of Transportation will have to economize, it will have to be more efficient, and it will have to live within the constraints of the spending limits set by the budget just like every other agency.

The bill is within our 302(b) allocation, in both budget authority and outlays. It fully funds the highway and aviation spending increases established by TEA–21 and AIR–21, and it will help relieve the congestion that is frustrating citizens on our interstates, in the skies, and in our bus and train terminals.

Our bill fully funds the Coast Guard's operating budget and provides $600 million, which is a huge increase, in their capital account. Within the capital appropriation, we have provided $300 million to kick off the Deepwater program, which will provide a vitally needed upgrade and replacement of the Coast Guard's ships and aircraft. Members should know that this is the largest acquisition program, that is the Deepwater program in the Coast Guard, ever attempted by the Department of Transportation or the Coast Guard. The Coast Guard estimates that the acquisition costs alone for the Deepwater program will cost $18 billion, and this bill allows the agency to award the first major contracts next year. This is a major step forward for the Deepwater program, and we are optimistic it will succeed. It will only succeed with careful oversight by the Coast Guard, the administration, and the Congress.

The bill also includes, Mr. Chairman, funds to address serious staffing, training, and equipment problems at our small-boat stations of the Coast Guard which were highlighted in our hearings with the Inspector General and the Coast Guard this year. I am proud that we could find a small amount of money to raise the staffing levels and the training at these stations which provide the backbone of our Nation's search and rescue capability. With an average workweek, Mr. Chairman, of 80 hours-plus, Coast Guardsmen at these stations are in desperate need of some help. We provide it in this bill.

Consistent with the provisions of AIR–21, this bill fully funds the airport grants program at $3.3 billion and fully funds FAA's capital appropriation at $2.9 billion. It also provides nearly 100 percent of the FAA's operating budget. In addition, this bill includes several initiatives that will hopefully lead to reductions in the number and severity of airline delays. Our gridlocked aviation system has been a major focus of this subcommittee, and it will continue to receive the scrutiny of our panel until we untangle it for the good of consumers and the economy. We will continue to press the aviation industry to cooperate, to come up with solutions, and to put those solutions to the test. In this bill we are doing everything possible to make sure the money is there for work and technologies that address the problem.

If we find programs and initiatives that work, we will fund them. If we find programs that fail, we will cut them off. It is that simple. We are determined to make improvements. Things will change. This bill is a start. But we will keep pressing for real action and real results in an area critical to all of us.

The bill restores proposed cuts to the essential air service program. Under the administration's proposal, 18 cities would have lost their air service next year. This bill maintains the eligibility of each of these cities in the program and provides the additional $13 million needed to maintain the program at current service levels. That will be good news to 18 cities across the country where EAS provides a necessary lifeline. In addition, the bill provides $10 million to kick off the new small community air service development pilot program authorized last year in AIR–21. This program will provide grants to small and rural communities around the country to foster air service where it does not exist and foster competition in those communities where there is monopoly service. I can personally attest to the declining air service in many smaller cities around the country. It is a tremendously needed program, and I am pleased the bill provides initial funding for it.

□ 1445

The bill includes $32.6 billion for our Nation's highways, an increase of $1.2 billion, 4 percent, consistent with the authorizations in TEA–21. This will provide for high-priority construction needs in every State of the Nation.

The bill provides $298 million for the Motor Carrier Safety Administration, an increase of 11 percent over the current year. Included in the bill is the additional $88.2 million requested by the President to maintain a high level of trucking safety on the border with Mexico as we fully open up the border next year pursuant to NAFTA. This is a very important initiative to ensure the safety of all Americans as Mexican trucks begin to drive beyond commercial zones near the border into the interior of the U.S.

I believe this funding, combined with the administration's regulatory and program activities, will ensure that we receive the benefits of greater trade with Mexico while at the same time protecting our people as we learn to share the road with our neighbors to the south.

The bill includes $419 million for the National Highway Traffic Safety Administration, a 4 percent increase above current year, essentially the same as the administration requested, and it provides the level of funding called for in TEA–21.

Amtrak, we are recommending the requested level of $521 million for Amtrak's capital needs, and we waive a limitation on funding carried for several years so that Amtrak can access those fund on the first day of the fiscal year. We have all read about and studied Amtrak's difficult cash situation. This bill will help them as much as we can next year. Ultimately, though, Congress will have to decide what to do next year if Amtrak does not meet its 5-year glide path to operational self-sufficiency mandated by Congress, soon to be 5 years ago. This bill for now meets the Federal commitment to help get Amtrak to that point. Now the debate will begin about whether or not Amtrak deserves the subsidies that will be required to keep it operating.

In transit, the bill provides $6.7 billion for transit programs, an increase of almost $500 million over the current year. For the New Starts program, where funding is very tight, the committee chose to provide a higher share of the requested amount to those transit projects which show a greater financial commitment by the local and State governments and where the Federal share is limited to 60 percent or less. This will allow the Congress to stretch the very limited amount of Federal money so as many worthy projects as possible can be conducted.

I hope all Members will appreciate that the explosive demand for transit services is far greater than we can possibly fund. By rewarding those projects with a higher local commitment, we are being good stewards of the taxpayers' money.

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

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

Mr. Chairman, I rise in support of the fiscal year 2002 appropriation bill. This bill is one that historically has been developed in a bipartisan manner, and I am happy to say that this year is no different.

This is the first year that the gentleman from Kentucky (Mr. ROGERS) has chaired the subcommittee, and I congratulate him on a job well done. He has been thorough, he has been fair, and we have a bill before us that deserves the support of all Members of this House.

I would also like to thank our staff, Bev Pheto and Marjorie Duske from my staff, and the subcommittee staff of Rich Efford, Stephanie Gupta, Cheryle Tucker, Linda Muir and Theresa Kohler. They all have worked exceptionally well together and have produced an outstanding product. So this is a good bill that deserves passage by a substantial margin, and I would hope unanimous support.

The subcommittee held a number of hearings this year on aviation delays. The gentleman from Kentucky (Mr. ROGERS) should be commended for bringing the FAA, airports, airlines and other stakeholders together for frank discussions on the problems facing aviation customers. Solutions are not easy to come by, but we need a balanced approach to increase aviation system capacity with updated air traffic control technology, new runways and responsible flight scheduling.

One important factor that must not be overlooked is the fact that many communities have a legitimate concern about airport noise that results in delays or even prevent airport expansion. We currently spend tens of millions of dollars every year to mitigate noise impacts by insulating or relocating homes. To help alleviate the noise problem at its source, the bill provides an additional $20 million to increase aircraft engine noise research so that quieter airplanes can be developed sooner.

Overall, this is a great bill. We should pass it.

Let me also, however, note some concerns of our colleagues that the committee did not extend several transit, bus and New Start earmarks and would allow them to be reprogrammed in 2002. I am sure that we can work out these issues as we move forward in the appropriations process.

In closing, I believe that the merits of this bill outweigh any problems that must be addressed, and I urge support of the bill.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, to finish my opening statement, this bill is fair, it is balanced, it is bipartisan. It satisfies our national transportation needs to the best of our ability. It emphasizes strong program oversight and financial accountability, and it represents the handiwork of every Member of this subcommittee.

I want to thank all of our Members for their suggestions, their hard work, and, again, special thanks to the ranking member, the gentleman from Minnesota (Mr. SABO), for his assistance throughout the process. I urge approval of the bill.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the very able chairman of the full committee who has been so helpful to us in the production of this bill and all of the others.

Mr. YOUNG of Florida. Mr. Chairman, I rise in enthusiastic support of this bill, and I want to compliment the gentleman from Kentucky (Mr. ROGERS) for having done an outstanding job in working with the gentleman from Minnesota (Mr. SABO), the ranking member, and the staff of the subcommittee, because they have taken a bill that has the potential for real controversy and made it a very good bipartisan bill.

That is not to say that there are not some differences, because there are some differences. That is always the case when we bring a bill to the floor. But these men have done a really good job.

I also want to compliment the gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee, for the tremendous relationship that he has established with the authorizing committee, the Committee on Transportation and Infrastructure, chaired by our friend and colleague, the gentleman from Alaska (Mr. YOUNG). They

had some problems that had to be worked out, and they were able to do that, mostly to the satisfaction of both of them. I believe this is a good example of how legislation can be drafted to get to a good bill that can be accepted by most everybody in this Chamber.

Mr. Chairman, I rise to support the bill, to thank the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO), and to thank the chairman of the authorizing committee, the gentleman from Alaska (Mr. YOUNG) for the good work he has done in helping us to resolve some of these differences.

It is a good bill. Let us vote for it.

Mr. SABO. Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a distinguished member of our subcommittee.

Ms. KILPATRICK. Mr. Chairman, I thank the ranking member, the gentleman from Minnesota (Mr. SABO) for his outstanding leadership as we brought a perfect bill to this floor.

Mr. Chairman, it has been a pleasure to work with the gentleman from Kentucky (Mr. ROGERS) on this first time on appropriations and in the subcommittee. This is a good bill. I strongly urge its adoption and that we move forward in the process.

Mr. Chairman, the chairman of our entire subcommittee spent many hours working with the airline industry because we know that cancellations, as well as late flights, are a problem for all Americans.

Mr. Chairman, I want to commend the gentleman from Kentucky (Mr. ROGERS) on his tenacity in making the airline industry come to the table and to address that problem. We have a safe industry here in America, and we are proud of that, but there is much work yet to be done as it relates to cancellations and timely departures and arrivals. With the leadership of the gentleman from Minnesota (Mr. SABO) and our chairman, I am sure we will get to the bottom of that as well.

The bill is a good one, as has been mentioned; not a perfect bill, but seldom do we have a perfect bill.

I want to mention a little bit about the motor carrier safety that we are seeing in America. Trucks are responsible for many accidents that we have in our country. We have to make sure that we have an adequately staffed motor carrier division, and this bill begins to address that.

In our NAFTA provisions that were passed a few years back, beginning January 1, as has been mentioned, many trucks coming from Canada, coming from Mexico must be inspected. Everything has to be safe and within the rules of America's transportation system. As the gentleman from Minnesota (Mr. SABO) mentioned earlier, with NAFTA many trucks now will be coming into America further than the 30 miles, coming across into our country, and sometimes they may not meet the requirements that our country has set for our own trucks. I hope we will revisit the Sabo amendment and that we make those trucks coming in from Mexico meet the very same standards that our trucks have.

Many trucks coming from Mexico do not have regular hours of service. Sometimes their inspection records are not up-to-date like ours must be. I hope we take the time in this bill to revisit that issue, to make sure that all American citizens are secure and safe as trucks move around our country.

I strongly support this bill. I ask that my colleagues support it and that we move it to the Senate as soon as possible.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), the new and very able and strong chairman of the Committee on Transportation and Infrastructure, the authorizing committee, with whom I have a very close working relationship, and I appreciate his work very much and his cooperation.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of H.R. 2299, the Department of Transportation and Related Appropriations Act for Fiscal Year 2002.

I first want to again to congratulate the gentleman from Kentucky (Chairman ROGERS) for his excellent work on this legislation. He has done an outstanding job in making difficult choices with very little money and finding the funds to ensure the Nation's transportation infrastructure needs are met.

While I may not agree with every choice made in the legislation, I do recognize his leadership and hard work, and it has resulted in an excellent bill. I want to congratulate him for the work well done in his first term as chairman of the subcommittee.

At the beginning of this Congress, the gentleman from Kentucky (Mr. ROGERS) and I began a process of improving communications between our two committees, and I am hopeful that we can continue to work together to improve our communications and cooperation.

I also would like to thank the gentleman from Florida (Mr. YOUNG) and the gentleman from Kentucky (Mr. ROGERS) for reporting a bill that generally honors the funding guarantees contained in both the Transportation Equity Act for the 21st Century, TEA–21, and the Aviation Investment and Reform Act of the 21st Century, AIR–21.

However, I still have several concerns about the legislation. First, I have made it clear from the beginning of my term as chairman of Committee on Transportation and Infrastructure that I am going to ensure that the guaranteed funding provided by TEA–21 and AIR–21 are respected. These funds are essential to maintaining and improving our ground and aviation transportation systems.

The formula adopted by Congress under TEA–21 and AIR–21 guarantees that our promises are kept to the taxpayers who pay the taxes on fuels for the purpose of improving and maintaining our highways and airports.

A major guarantee of TEA–21 is that as the revenue from taxes increases, those revenues would automatically be distributed to the States through a process called Revenue Aligned Budget Authority, or RABA. Unfortunately, section 310 and section 323 both redistribute RABA funds for NAFTA-related spending in violation of the guarantee provided in TEA–21.

While I do support the object of the funding, strict safety inspections of Mexican trucks, I am concerned that opening up RABA to other purposes is not the appropriate manner in which to solve this problem. For that reason, I will object to this change in the law contained in bill.

The bill was reported with actually 50 legislative provisions that fall within this jurisdiction of the Committee on Transportation and Infrastructure. I am not objecting to the majority of these provisions, either because the appropriate consultation with my committee has taken place or because we are able to reach an agreement on the merits of certain actions. However, there will be a number, as I mentioned before, of other provisions that I will object to and raise a point of order that the committee has legislated in an area that is under the jurisdiction of the Committee on Transportation and Infrastructure.

□ 1500

Finally, I want to express my strong support for the amendment to be offered by the chairman of the Subcommittee on Coast Guard and Maritime Transportation, the gentleman from New Jersey (Mr. LOBIONDO). His amendment is needed to address the significant shortfall in the appropriation to the Coast Guard. It was my understanding that the Committee on the Budget had provided a sufficient Function 400 to cover all the needs of the Coast Guard. Unfortunately, that allocation was not passed along in the Subcommittee on Transportation, which now makes this amendment necessary.

Again, I want to thank the Subcommittee on Transportation of the Committee on Appropriations for its consideration and cooperation. I want to commend the excellent staff of the gentleman from Kentucky (Chairman ROGERS) and the staff of the Subcommittee on Transportation for their hard work and willingness to work with my staff.

I look forward to continuing to work with the gentleman through this appropriation process to produce the best transportation appropriation bill possible.

Mr. SABO. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), a member of the full committee.

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

Mr. Chairman, I wish to engage in a colloquy with our distinguished chairman, the gentleman from Kentucky (Mr. ROGERS), on the subject of Stewart Airport.

Mr. Chairman, I thank you for joining in a colloquy with me and the distinguished ranking member, the gentleman from Minnesota (Mr. SABO), to discuss an important issue regarding air traffic in the New York-New Jersey metropolitan region.

Mr. Chairman, I am grateful for your efforts and those of our distinguished ranking member and for the work of the committee to research how to reduce the terrible problem of aircraft noise, which affects tens of thousands of my constituents in northern New Jersey.

I also want to thank the chairman and ranking member for addressing the critical problem of airline delays and for their work on the redesign of the New Jersey-New York metropolitan area's regional air space.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. ROTHMAN. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I want to thank the gentleman from New Jersey for requesting this colloquy. I am proud to inform him of the work the committee has done in our oversight hearings and in this bill to address the serious issue of airline delays. I am also pleased to report that the bill includes $8.5 million, which the Federal Aviation Administration is to use only for the redesign of the New Jersey-New York metropolitan region's air space.

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

Mr. ROTHMAN. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Chairman, the committee has also increased funding for the Federal Aviation Administration's environment and energy budget to research aircraft noise mitigation to $27.6 million, an increase of $24.1 million over fiscal year 2001, in order to speed the introduction of lower-noise aircraft technologies.

Mr. ROTHMAN. Mr. Chairman, reclaiming my time, I thank the gentlemen.

As the Federal Aviation Administration looks at ways of reducing the stress on our overburdened regional air space, particularly the air space over northern New Jersey, I would also ask the committee to work with the FAA on examining the important role that Stewart International Airport could play in accommodating general aviation aircraft that now use Teterboro Airport, located in my district in New Jersey. Such a shift from Teterboro to Stewart would reduce the aircraft noise and air traffic that affects hundreds of thousands of my constituents every day.

Mr. ROGERS of Kentucky. If the gentleman will continue to yield, I want to thank the gentleman from New Jersey (Mr. ROTHMAN) and the others for highlighting these additional ways that the FAA can reduce aircraft noise and ease air traffic congestion in the region. We will work with the gentleman on these important issues as the committee moves forward.

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

Mr. ROTHMAN. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I represent the area around the Stewart Airport, and I want the gentleman to know just today we have been meeting with the FAA to emphasize the need for using regional airports, such as Stewart, to alleviate the congestion of LaGuardia Airport. I want to commend the gentleman for focusing attention on this important issue.

Mr. ROTHMAN. Mr. Chairman, reclaiming my time, I thank my distinguished colleague.

Mr. SABO. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the full Committee on Appropriations.

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

Mr. Chairman, I simply want to say while we will certainly be debating a number of issues about which there is some disagreement today, including the Sabo amendment, overall, this is a very reasonable bill and it deserves to be supported. I expect to support it, and I expect a large number of Members will do the same.

I congratulate the gentleman from Kentucky and the gentleman from Minnesota for the job they have done. I appreciate their good work, as I know the House does, and we look forward to disposing of this bill in fairly short order today.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON), one of the hardest working members of our subcommittee.

Mrs. EMERSON. Mr. Chairman, I rise today in support of H.R. 2299, and want to thank the gentleman from Kentucky (Chairman ROGERS) and the gentleman from Minnesota (Mr. SABO), the ranking member, for the fabulous job they have done in putting this bill together, as well as the staffs, who have worked tremendously.

I believe very strongly this bill goes a long way towards meeting our Nation's transportation priorities. I come from a rural district; and, as cochair of the Rural Caucus, there is probably nothing more critical to helping rural America than improving our infrastructure. It is probably the most important thing that we needed to address in this issue, from my perspective, and, for the first time, our legislation does fund the Small Community Air Service Development Pilot Program, which will stimulate new and expanded air service at under-utilized airports in small and rural communities.

The legislation also includes important language which strongly urges the Department of Transportation to issue rural consultation provisions which were included back when we did TEA–21 3 years ago. These important rules will ensure that our rural local elected officials have a seat at the table when our State departments of transportation are making Statewide transportation planning decisions.

So, again, I would like to thank the chairman for his tremendous hard work; and I look forward to working with him and the ranking member as we continue on with the process.

Mr. SABO. Mr. Chairman, I yield 1 minute to a distinguished member of our subcommittee, the gentleman from Arizona (Mr. PASTOR).

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

Mr. PASTOR. Mr. Chairman, first of all I would like to congratulate our chairman, the gentleman from Kentucky (Mr. ROGERS), and ranking member, the gentleman from Minnesota (Mr. SABO), for the fine work they have done in bringing this bill before us. It is a reasonable bill, it is a fair bill, and I congratulate them and also thank them.

I would like to thank the subcommittee for the work that they did on the issue of the borders in this bill. We have monies dedicated to building facilities that will inspect the trucks, as we have the international flow of trucks, and also we have additional personnel on the borders. This bill contains additional money for personnel on the borders that will inspect the trucks.

I would also like to congratulate the subcommittee for the work they have done in dealing with airport congestion. As the gentleman from New Jersey (Mr. ROTHMAN) talked about hubs, this subcommittee has taken on the responsibility of dealing with the congestion that we have, and I look forward to working with them to resolve that.

I would like to thank the staff for the fine work they have done. This is a good bill, and we support it.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. SWEENEY), another one of the very hardworking members of our subcommittee.

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

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

Mr. Chairman, I basically wanted to stand and commend and congratulate our chairman of the subcommittee, who faced a number of challenges, as well as the ranking member, the gentleman from Minnesota (Mr. SABO).

This is a comprehensive bill that moves forward the transportation needs of this Nation in a very positive way, connecting road, rail and air. They faced a great many challenges.

I come from a State that has huge transportation infrastructure needs. For example, in the New Start program, they faced the challenge that the Federal Transit Administration account has been drawn down to dangerously low levels in the New Start program, and there are a number of programs that need funding.

We were able to secure some funding for the New York City area, which has huge and substantial needs. In addition to that, as my colleague, the gentleman from New Jersey (Mr. ROTHMAN), pointed out, this bill moves forward in a very positive way. I think it is the first tangible way that any level of government began to look at the use of Stewart Airport as one of the four major airports in the New York metropolitan area. And this is not a Northeast regional issue or problem, it is a national problem, because 30 percent of all delays in air travel come out of that region. If we are able, through the commission of a study in this bill, to find a way to ease that problem, it will have an effect nationally.

There are a number of other provisions in this bill that work to serve the Northeast and my constituents, an I–87 corridor study and many other efforts in the high speed rail area, to connect our region.

But I want to especially commend the chairman, the gentleman from Kentucky (Mr. ROGERS), and his staff for their paying attention to these problems, for taking the issues that are at hand here today and working hard with them.

In addition, I understand we are going to add some new money into the FAA's General Counsel's office to handle airport-airline complaints. All of those efforts are consumer friendly and are important to moving the agenda forward, and I want to commend the chairman for that.

Mr. PASTOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. SERRANO), a member of the subcommittee.

Mr. SERRANO. Mr. Chairman, I rise to engage my chairman, the gentleman from Kentucky (Mr. ROGERS), in a colloquy.

Mr. Chairman, as you know, New York City is the Nation's biggest user of mass transportation. The city's transit needs are constantly growing and transit improvements and expansion are of critical importance to the city's mobility and general well-being.

One project that is vital to the transit network of the future is the Second Avenue Subway. I requested funding for this project, as did other Members of the New York delegation. However, as a member of the subcommittee, I am keenly aware of the funding limits that the gentleman from Kentucky (Chairman ROGERS) and the ranking member, the gentleman from Minnesota (Mr. SABO), faced in putting their bill together and of the tough decisions that they were forced to make.

One of these decisions was to limit New Starts funding to projects already in preliminary engineering. This made funding the numerous projects that are still in the alternatives analysis stage of the planning process impossible.

I would ask the gentleman from Kentucky (Chairman ROGERS) if there were any exceptions to this policy and if the decision was made without prejudice to any of the projects, especially to my great city?

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The gentleman from New York is correct. There were no exceptions to the policy and it was made without prejudice; and, I would add, the gentleman from New York has been very, very persuasive with us.

Mr. SERRANO. Mr. Chairman, reclaiming my time, I thank the chairman for those comments. I would like to close by saying this continues to be a major concern to my city and to certainly the surrounding area, the people who come in to visit. I would hope that in the near future we could move to find a way to fund this project.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

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

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

Mr. Chairman, I am pleased to rise in strong support of this measure, the Fiscal Year 2002 Transportation Appropriations Act. I commend the gentleman from Kentucky (Mr. ROGERS), the subcommittee's distinguished chairman, for his diligence and hard work in crafting this legislation, which appropriates over $59 billion in budgetary resources to meet our Nation's transportation needs, including almost $20 million for New York State and my Congressional district.

I am gratified to note that over $6 million has been earmarked for improving Stewart International Airport, which we have been discussing, providing funding for the construction of a new, long-needed air traffic control tower.

In addition, funds are going to be allocated to the Stewart Airport Connector Study, which will improve surface access to the airport. Moreover, I welcome Chairman ROGERS' support for Stewart by his recognition of its potential as a priority alternative regional airport for the New York metropolitan region.

Earlier today, I was pleased to host a meeting with Chuck Seliga, Managing Director of Stewart International, and with officials from the Federal Aviation Administration to review the future of Stewart Airport and how our efforts to alleviate congestion at LaGuardia should include Stewart Airport.

□ 1515

Stewart International has the infrastructure location and capability to be a viable alternative for the New York metropolitan region, and I fully support efforts to promote this underutilized airport. I commend the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, for his efforts in crafting this vital legislation.

Accordingly, I urge my colleagues to fully support this important appropriations bill.

Mr. PASTOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I would like to engage the gentleman from Kentucky (Mr. ROGERS), the subcommittee chairman, in a colloquy.

Mr. Chairman, I would like to request that a study be conducted on pier safety in navigable waters.

Currently, no Federal regulations exist requiring safety standards for piers. This deeply concerns me because there have been a great number of fatal pier accidents that could have been prevented if Federal safety standards were in place.

One such fatal accident took place on May 18, 2000, when a 140-foot portion of Pier 34 on the Delaware River in Philadelphia collapsed, killing three constituents of mine. This accident could have been avoided if Federal pier safety standards had existed.

I believe that Congress can take an active role in preventing these tragic accidents from occurring by creating safety standards for piers in navigable waters. Therefore, I respectfully ask for the chairman to support my efforts by urging the conferees to include language in the final transportation appropriations bill that calls for a study to be conducted on pier safety.

Mr. Chairman, I thank the gentleman for yielding.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, while I have not examined this particular issue in detail, I can assure the gentleman that we will seriously consider his request.

Mr. ANDREWS. Mr. Chairman, I thank the subcommittee chairman and the staff.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF), the very able immediate past chairman of this subcommittee and now the chairman of the Subcommittee on Commerce, Justice and State and Judiciary.

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

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

Mr. WOLF. Mr. Chairman, I rise in strong support of the bill.

I do want to just say, though, for the membership of the body and for the administration, the gentleman from Minnesota (Mr. SABO) is right. We have to

be careful on this truck issue. Five thousand people a year die in the United States from trucks. If you go out on a truck inspection of American trucks, you will be fearful when you go out on the road sometimes.

Mexico has no hours of service. None. Mexico has no drug testing. None. Mexico has no alcohol testing. None. Mexico has no commercial driver's license. None. Mexico has no truck inspection. None. Mexico uses leaded gasoline and not unleaded gasoline.

Frankly, the administration has not thought this thing through, and we do not even have an Office of Motor Carrier Administration yet on the job.

Now, I know the gentleman from Kentucky (Mr. ROGERS) said we will watch this carefully and I appreciate that. But this is an important issue. I tell the administration, you better be careful and you better handle this right, because if this is not handled right, people will die. So this is an important issue, and I appreciate the chairman's commitment to making sure that those regulations are good. I think the Congress ought to be very careful and the administration especially so, to listen to what the gentleman from Minnesota (Mr. SABO) was trying to say.

The truck safety issue is one that I advocated as the chairman of the House transportation appropriations subcommittee over the past six years. I sat in hearings and heard testimony about the widespread safety problems involving trucks from Mexico, including testimony from the inspector general at the U.S. Department of Transportation. That office issued a December 1998 audit report which "concluded that neither the Office of Motor Carriers nor the border states, with the exception of California, are taking sufficient actions to ensure that trucks entering the United States from Mexico meet U.S. safety standards."

I understand the requirements under NAFTA permitting cross-border trucking services. Nevertheless, the U.S. needs to ensure that trucks coming across our borders and traveling on our highways will meet U.S. safety standards. The Department of Transportation must establish a consistent enforcement program that provides reasonable assurance of the safety of trucks from Mexico entering the United States.

The United States and Mexico must establish, test and implement a comprehensive truck safety program at our borders. It is unacceptable to have unsafe trucks from anywhere on U.S. highways. These trucks could be traveling on I–81 through the Shenandoah Valley in the heart of my congressional district, or on I–5 in California, or on the streets of the nation's capital. We have an obligation to protest our families, our friends and our neighbors who use the nation's highway system every hour of every day.

I urge the Bush Administration to take every precaution necessary to ensure that no lives are lost because of unsafe trucks on our highways. I have spent considerable time on this issue over the past six years and believe it deserves your close attention.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2001.

Hon. NORMAN MINETA,
Secretary, Department of Transportation, Washington, DC.

DEAR SECRETARY MINETA: I am very troubled by the news reports today that the U.S. government may be poised to allow trucks from Mexico to cross U.S. borders under the North American Free Trade Agreement (NAFTA). I am writing to urge that you tread very carefully on this issue because lives are at stake.

The truck safety issue is one that I advocated as the chairman of the House transportation appropriations subcommittee over the past six years. I sat in hearing and heard testimony about the widespread safety problems involving trucks from Mexico, including testimony from the inspector general at the U.S. Department of Transportation. That office issued a December 1998 audit report (TR–1999–034) which "concluded that neither the Office of Motor Carriers nor the border states, with the exception of California, are taking sufficient actions to ensure that trucks entering the United States from Mexico meet U.S. safety standards." A copy of the report is enclosed.

I understand the requirements under NAFTA permitting cross-border trucking services. Nevertheless, the U.S. needs to ensure that trucks coming across our borders and traveling on our highways will meet U.S. safety standards. Already more than 5,000 people die every year on our roads in accidents involving heavy trucks. That number could skyrocket if unsafe trucks from Mexico are allowed on our highways. According to the December 1998 IG report, barely 1 percent of the 3.7 million trucks from Mexico crossing the border were inspected. Of those, nearly half were placed our of service because of safety violations. The Department of Transportation must establish a consistent enforcement program that provides reasonable assurance of the safety of trucks from Mexico entering the United States.

In addition, I am concerned that no drug and alcohol testing program exists for truck drivers from Mexico. Mexico also has no hours of service regulations. This means that a truck driver from Mexico could have been driving for 24 hours straight before even entering the United States. Furthermore, no database exists between Mexico and the United States to exchange information on past violations of drivers from Mexico.

The United States and Mexico must establish, test and implement a comprehensive truck safety program at our borders. It is unacceptable to have unsafe trucks from anywhere on U.S. highways. These trucks could be traveling on I–81 through the Shenandoah Valley in the heart of my congressional district, or on I–5 in California, or on the streets of the nation's capital. We have an obligation to protect our families, our friends and our neighbors who use the nation's highway system every hour of every day.

I urge the Bush Administration to take every precaution necessary to ensure that no lives are lost because of unsafe trucks on our highways. I have spent considerable time on this issue over the past six years and believe it deserves your close attention.

I would be happy to talk with you about this critical matter. Lives are at stake. Please do not hesitate to call.

Best regards.

Sincerely,

FRANK R. WOLF,
Member of Congress.

Mr. PASTOR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to express my appreciation to the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, for putting together a very excellent bill to help us deal with the transportation needs of our country over the course of the upcoming fiscal year.

In particular, I want to thank him for his attention to our air traffic needs and particularly to the subject of air traffic safety and the need to relieve air traffic congestion in many places around the country.

The airport at the LaGuardia field in New York City is principal among them. The chairman has recognized that it is possible to relieve air traffic congestion at LaGuardia and other metropolitan airports by providing an alternative venue at Stewart International Airport, which is located just 60 miles north of Manhattan.

The chairman has expressed that by working with us to obtain an appropriation of $5.7 million for a new air traffic control tower and air traffic control system at Stewart. If we are going to be successful in attracting new carriers into Stewart, new commercial carriers, this air traffic control system, which is funded in this appropriations bill, will be absolutely essential. I thank the chairman for that.

I also want to express my appreciation to the chairman for his recognition and allowing of report language in the bill which instructs the Federal Aviation Administration to pay attention to Stewart Airport as it addresses the need to relieve congestion at LaGuardia and other airports in the metropolitan region. We have placed language, report language, in the bill which stipulates that this should occur and that the FAA and the Federal Department of Transportation in addressing these needs also pay attention to the need to provide surface transportation between Newburgh where Stewart Airport is located and the metropolitan area of New York City. That is essential if this airport is going to be used in that way, and I thank the gentleman very much for his assistance in achieving these objectives.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GEKAS) for the purpose of a colloquy.

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

The current bill contains a provision in which the result is a reallocation of certain funds that were appropriated for what is called Corridor One in central Pennsylvania, a very vital item in the revitalization of mass transit transportation and economic development. We want to try to reconstitute this reallocation and allow the stream of funding to continue, and we would urge the chairman, and I will yield to him for a colloquy on this. I would ask him to work with us, staff-to-staff and Member to Member, so that we can try to refashion the appropriation and restore what has been reallocated.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. GEKAS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I appreciate the concerns of the gentleman. We would be pleased to work with him as the transportation bill moves along this year, and I assure the gentleman of that.

Mr. GEKAS. Mr. Chairman, I thank the gentleman.

Mr. PASTOR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ).

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

I would ask if he, on behalf of the gentleman from Minnesota (Mr. SABO) and the distinguished chairman, as well as the gentleman from New Jersey (Mr. ROTHMAN), would join in a colloquy.

Mr. Chairman, I would like to thank the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, and the gentleman from Minnesota (Mr. SABO), the ranking Democrat on the committee, as well as the gentleman from New Jersey (Mr. ROTHMAN), for addressing the needs of New Jersey this year. We have received generous consideration with regard to important projects such as the Hudson-Bergen Light Rail, and I deeply appreciate that consideration.

There is, however, one particular project that would greatly benefit my district and the region which did not receive funding. I am referring to the ferry terminal and pier project located in the heart of Jersey City's growing Colgate redevelopment zone. This $10 million project was recently submitted for funding, but was not included in the subcommittee's mark; and I was wondering if the gentleman could comment on that.

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

Mr. MENENDEZ. I yield to the gentleman from Arizona.

Mr. PASTOR. Mr. Chairman, I understand that the subcommittee's decision was without prejudice to the merits of the Jersey City project.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman is correct.

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

Mr. MENENDEZ. I yield to the gentleman from New Jersey.

Mr. ROTHMAN. Mr. Chairman, I too wish to express my gratitude to the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, and to the gentleman from Arizona (Mr. PASTOR) on behalf of the ranking member, the gentleman fro Minnesota (Mr. SABO), for the cooperation and generosity of the committee for its help on a wide range of transportation priorities in New Jersey that are included in this bill.

I understand the funding constraints under which the committee is working. I would also, however, like to point out that this new ferry hub project would provide an important transportation solution for the tri-state area, New York, New Jersey and Connecticut, as well as in particular for Jersey City. It would connect the New York and New Jersey financial districts with a 5-minute ferry ride, transport up to 30,000 passengers daily, and provide relief to the now congested PATH and Holland Tunnel interstate traffic.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank all of my colleagues for bringing the Jersey City project to our attention. I will be glad to work with my colleagues and other project sponsors as we move the transportation bill through the process this year.

Mr. MENENDEZ. Mr. Chairman, I thank the chairman for his consideration.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I applaud the gentleman from Kentucky (Mr. ROGERS) and the committee for taking action to fight the growing gridlock that plagues northern Illinois.

For the first time in 70 years, our country is building a new commuter rail line, Metra's North Central line; and once complete, this line will pull thousands of cars off of our crowded highways and will help us meet our obligations under the Clean Air Act.

The bill also contains funding for a traffic control center in Libertyville, Illinois, the Pace Suburban Bus System that relieves the pressure for the reverse commuters and for runway construction at Palwaukee Airport that will rebuild a crumbling runway that is crucial to relieving congestion at nearby O'Hare.

I want to thank the gentleman from Minnesota (Mr. SABO) and the gentleman from Kentucky (Mr. ROGERS) for their commitment to the quality of life and environment of northern Illinois.

Mr. Chairman, I urge strong support for this bill.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), one of our colleagues on the Committee on Appropriations and an old friend.

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

Mr. Chairman, I applaud the efforts of the chairman and the ranking member on this bill.

I rise to speak on behalf of a provision which will help the Anacostia waterfront become a vibrant community of residents and commerce, a project that will make Poplar Point a recreation destination, and to make South Capitol Street the center of a vital community and an appropriate gateway entrance into this capital city.

Last year, the gentlewoman from the District of Columbia (Ms. NORTON) shepherded through the Congress a bill to allow private development of the Southeast Federal center. Her bill was key in bringing commercial and residential growth into this community. Over the past several months, I have been working with the gentlewoman from the District of Columbia (Ms. NORTON), Mayor Williams, and a host of Federal and local agencies and all of my colleagues from the Washington metropolitan area to identify what the Federal Government's next step can be. The next step must be addressing the terrible state of the South Capitol Street entrance to the Nation's capitol.

I therefore rise in strong support of the initiative in this bill for the Transportation Department to examine how to rework South Capitol Street. The transportation study will examine ways to create better infrastructure that links the waterfront community to the existing Capitol Hill community.

Once completed, this study is certain, certain to help community residents, Federal and District officials, and entrepreneurs to combine their skills and energy to realize the Anacostia's full potential.

We in Congress, Mr. Chairman, have a duty, a duty to this great city. By supporting the South Capitol Street traffic pattern study, we will be giving our Nation's capital a critical planning tool to make a smart, balanced development decision in the next few years. We will also be sending a powerful signal to District residents and entrepreneurs that we care about Washington, D.C.'s future.

I am very pleased to support this bill and the initiative. I think it is an initiative that all of us will look back on a decade, 2 decades from now and say, this was a substantial step, not just for the capital city, but for America as well.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. FOSSELLA) for the purposes of a colloquy.

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

Mr. Chairman, I would like to thank the gentleman from Kentucky (Mr. ROGERS) for giving me the opportunity to discuss an issue that is vital not just to New York, but indeed the entire country.

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As the gentleman knows, the dynamics of the Regional Airspace Redesign recently brought this issue to our attention. The FAA is currently undertaking the New York-New Jersey-Philadelphia Airspace Redesign project, which is expected to take 5 years to complete.

According to the FAA, the purpose of the New York-New Jersey Airspace Redesign project is to ''increase the efficiency of air traffic flows into and out of the metropolitan area, including Philadelphia, while maintaining or improving the level of safety and air traffic services that are currently in place.''

In accordance with the Federal law, the FAA must conduct an environmental review before implementing any new flight plans. A concern that I have is the environmental impacts of departure delays. Anybody on the runway of any of the major airports knows what I mean, particularly, for example, in Newark airport, where it is not uncommon to sit on the runway for 45 minutes or hour, an hour, 15 minutes in the morning.

It is something that I feel deserves more consideration while conducting the redesign. By increasing efficiency, not only will delays be reduced, but the environments of surrounding communities will see a significant reduction in air pollution. Airports are significant sources of ground-level volatile organic compounds and nitrogen oxides. In our Nation's largest and busiest airports, these idling planes can create as much, if not more, ground-level pollution as many of their large industrial neighbors.

According to a July 2000 report by Department of Transportation Office of Inspector General, at the 28 largest U.S. airports, the number of flights with taxi-out times of 1 hour or more increased 130 percent over the past 5 years, with nearly 85 percent of all delay times occurring on the ground. In addition, it was reported that the departure delays were significantly underreported, so the full environmental effects of idling planes is not known.

The area included in the redesign contains four of the Nation's 10 most delayed airports.

By encouraging the FAA to take the environmental impacts of departure delays into consideration while evaluating new departure paths, this could lead to not only more efficient airports with less delays and happier consumers, but also a cleaner environment; therefore, I respectfully ask that the gentleman include language in the committee report directing the FAA to consider these impacts while conducting its environmental review.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I want to thank the gentleman from Florida (Mr. YOUNG), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for their great work on this bill.

Mr. Chairman, $65 million for the Mission Valley East Light Rail Extension is included in this bill, and that is part of the San Diego Trolley, an area that we have been trying to improve for a number of years. Also it includes $2 million for phase 1 of the Mid Coast Corridor Extension.

Mr. Chairman, I want to thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) for their long-standing commitment to mass transit.

I also want to recognize and thank my colleagues in the San Diego congressional delegation, the gentleman from California (Mr. HUNTER), the gentleman from California (Mr. CUNNINGHAM), the gentleman from California (Mr. FILNER) and the gentleman from California (Mr. ISSA). We have worked together on this Mission Valley East Extension, and this bipartisan cooperation will make a big difference for all of our constituents in San Diego.

What does that mean? It means that we are going to be increasing the trolley ridership by 2.5 million new annual transit riders. It means that students at San Diego State University will now be connected to our light rail system. It means that patients at Alvarado Medical Center will be connected to the light rail system as well. It also means that we are going to close the gap between our blue and our orange lines, and we will take a first step towards linking the University of California at San Diego to our light rail system.

Mr. Chairman, I thank the gentleman from Kentucky (Mr. ROGERS) for the opportunity to acknowledge these needed transit improvements that will be coming to the San Diego region and the big difference it will be making for all of us.

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

Mr. ROGERS of Kentucky.

Mr. Chairman, I submit the following for the RECORD.

TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	63,245	69,500	67,726	+4,481	-1,774
Immediate Office of the Secretary	(1,827)	(1,989)	(1,929)	(+102)	(-60)
Immediate Office of the Deputy Secretary	(587)	(638)	(625)	(+38)	(-13)
Office of the General Counsel	(9,972)	(13,355)	(11,654)	(+1,682)	(-1,701)
Office of the Assistant Secretary for Policy	(3,011)	(3,153)	(3,153)	(+142)	.....
Office of the Assistant Secretary for Aviation and International Affairs	(7,289)	(7,650)	(7,650)	(+361)	.....
Office of the Assistant Secretary for Budget and Programs	(7,362)	(7,728)	(7,728)	(+366)	.....
Office of the Assistant Secretary for Governmental Affairs	(2,150)	(2,282)	(2,282)	(+132)	.....
Office of the Assistant Secretary for Administration	(19,020)	(20,262)	(20,262)	(+1,242)	.....
Office of Public Affairs	(1,674)	(1,776)	(1,776)	(+102)	.....
Executive Secretariat	(1,181)	(1,241)	(1,241)	(+60)	.....
Board of Contract Appeals	(496)	(523)	(523)	(+27)	.....
Office of Small and Disadvantaged Business Utilization	(1,192)	(1,251)	(1,251)	(+59)	.....
Office of Intelligence and Security	(1,262)	(1,321)	(1,321)	(+59)	.....
Office of the Chief Information Officer	(6,222)	(6,331)	(6,331)	(+109)	.....
Subtotal	(63,245)	(69,500)	(67,726)	(+4,481)	(-1,774)
Across the board (0.22%) rescission	-139	.....	.....	+139	.....
Office of civil rights	8,140	8,500	8,500	+360	.....
Across the board (0.22%) rescission	-18	.....	.....	+18	.....
Transportation planning, research, and development	11,000	5,193	5,193	-5,807	.....
Across the board (0.22%) rescission	-24	.....	.....	+24	.....
Transportation Administrative Service Center	(126,887)	(125,323)	(125,323)	(-1,564)	.....
Minority business resource center program	1,900	900	900	-1,000	.....
Across the board (0.22%) rescission	-4	.....	.....	+4	.....
(Limitation on guaranteed loans)	(13,775)	(18,367)	(18,367)	(+4,592)	.....
Minority business outreach	3,000	3,000	3,000	.....	.....
Across the board (0.22%) rescission	-7	.....	.....	+7	.....
Payments to air carriers (Airport & Airway Trust Fund)	.....	.....	13,000	+13,000	+13,000
Total, Office of the Secretary	87,285	87,093	98,319	+11,034	+11,226
ATB rescissions	-192	.....	.....	+192	.....
Net total	87,093	87,093	98,319	+11,226	+11,226
Coast Guard					
Operating expenses	2,851,000	3,042,588	3,042,588	+191,588	.....
Defense function	341,000	340,250	340,000	-1,000	-250
Subtotal	3,192,000	3,382,838	3,382,588	+190,588	-250
Across the board (0.22%) rescission	-6,967	.....	.....	+6,967	.....
Acquisition, construction, and improvements:					
Vessels	156,450	79,390	90,990	-65,460	+11,600
Aircraft	37,650	500	26,000	-11,650	+25,500
Other equipment	60,113	95,471	74,173	+14,060	-21,298
Shore facilities & aids to navigation facilities	63,336	79,262	44,206	-19,130	-35,056
Personnel and related support	55,151	66,700	64,631	+9,480	-2,069
Integrated Deepwater Systems	42,300	338,000	300,000	+257,700	-38,000
Subtotal, A C & I (excluding rescissions)	415,000	659,323	600,000	+185,000	-59,323
Across the board (0.22%) rescission	-869	.....	.....	+869	.....
Environmental compliance and restoration	16,700	16,927	16,927	+227	.....
Across the board (0.22%) rescission	-37	.....	.....	+37	.....
Alteration of bridges	15,500	15,466	15,466	-34	.....
Across the board (0.22%) rescission	-35	.....	.....	+35	.....
Retired pay	778,000	876,346	876,346	+98,346	.....
Reserve training	80,375	83,194	83,194	+2,819	.....
Across the board (0.22%) rescission	-176	.....	.....	+176	.....
Research, development, test, and evaluation	21,320	21,722	21,722	+402	.....
Across the board (0.22%) rescission	-40	.....	.....	+40	.....
Trust fund share of expenses (ATB rescission)	-108	.....	.....	+108	.....
Total, Coast Guard	4,518,895	5,055,816	4,996,243	+477,348	-59,573
ATB rescissions	-8,232	.....	.....	+8,232	.....
Net total	4,510,663	5,055,816	4,996,243	+485,580	-59,573
Federal Aviation Administration					
Operations	6,544,235	6,886,000	6,870,000	+325,765	-16,000
Air traffic services	(5,200,274)	(5,447,421)	(5,494,883)	(+294,609)	(+47,462)
Aviation regulation and certification	(694,979)	(744,744)	(727,870)	(+32,891)	(-16,874)
Civil aviation security	(139,301)	(150,154)	(135,949)	(-3,352)	(-14,205)
Research and acquisition	(189,988)	(196,674)	(195,258)	(+5,270)	(-1,416)
Commercial space transportation	(12,000)	(14,706)	(12,254)	(+254)	(-2,452)
Financial services	(48,444)	(50,684)	(50,480)	(+2,036)	(-204)
Human resources	(54,864)	(74,516)	(67,635)	(+12,771)	(-6,881)
Regional coordination	(99,347)	(90,893)	(84,613)	(-14,734)	(-6,280)
Staff offices	(105,038)	(116,208)	(108,776)	(+3,738)	(-7,432)
Undistributed	.....	.....	(-7,718)	(-7,718)	(-7,718)
Subtotal	(6,544,235)	(6,886,000)	(6,870,000)	(+325,765)	(-16,000)
Across the board (0.22%) rescission	-14,397	.....	.....	+14,397	.....

NOTE: FY01 rescissions included in Net total lines.

TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Facilities & equipment (Airport & Airway Trust Fund)	2,656,765	2,914,000	2,914,000	+257,235	
Across the board (0.22%) rescission	-5,845			+5,845	
Research, engineering, and development (Airport and Airway Trust Fund)	187,000	187,781	191,481	+4,481	+3,700
Across the board (0.22%) rescission	-411			+411	
Grants-in-aid for airports (Airport and Airway Trust Fund):					
(Liquidation of contract authorization)	(3,200,000)	(1,800,000)	(1,800,000)	(-1,400,000)	
(Limitation on obligations)	(3,200,000)	(3,300,000)	(3,300,000)	(+100,000)	
Across the board (0.22%) rescission	(-7,040)			(+7,040)	
Across the board (0.22%) rescission	-4			+4	
Rescission of contract authoritization	-579,000	-331,000	-301,000	+278,000	+30,000
Net subtotal	(2,613,956)	(2,969,000)	(2,999,000)	(+385,044)	(+30,000)
Total, Federal Aviation Administration	9,388,000	9,987,781	9,975,481	+587,481	-12,300
(Limitations on obligations)	(3,200,000)	(3,300,000)	(3,300,000)	(+100,000)	
Total budgetary resources	(12,588,000)	(13,287,781)	(13,275,481)	(+687,481)	(-12,300)
ATB rescissions	(-7,040)			(+7,040)	
ATB rescissions	-20,657			+20,657	
Rescission	-579,000	-331,000	-301,000	+278,000	+30,000
Net total	(11,981,303)	(12,956,781)	(12,974,481)	(+993,178)	(+17,700)
Federal Highway Administration					
Limitation on administrative expenses	(295,119)	(317,693)	(311,837)	(+16,718)	(-5,856)
Limitation on transportation research			(447,500)	(+447,500)	(+447,500)
Federal-aid highways (Highway Trust Fund):					
(Limitation on obligations)	(26,603,806)	(27,042,994)	(27,197,693)	(+593,887)	(+154,699)
Across the board (0.22%) rescission	(-58,528)			(+58,528)	
Revenue aligned budget authority (RABA)	(3,058,000)	(4,341,700)	(4,486,700)	(+1,428,700)	(+145,000)
Innovative transportation solutions program (RABA)		(45,000)			(-45,000)
Alternative transportation grant program (RABA)		(100,000)			(-100,000)
Border infrastructure construction program (RABA)		(56,300)	(56,300)	(+56,300)	
Subtotal, RABA	(3,058,000)	(4,543,000)	(4,543,000)	(+1,485,000)	
Across the board (0.22%) rescission	(-6,728)			(+6,728)	
RABA transfer to FMCSA		(-22,837)	(-23,896)	(-23,896)	(-1,059)
Subtotal, limitation on obligations	(29,661,806)	(31,563,157)	(31,716,797)	(+2,054,991)	(+153,640)
(Exempt obligations)	(1,069,000)	(955,000)	(955,000)	(-114,000)	
(Liquidation of contract authorization)	(28,000,000)	(30,000,000)	(30,000,000)	(+2,000,000)	
Emergency Relief Program (Highway Trust Fund) (contingent emergency appropriation)	720,000			-720,000	
Across the board (0.22%) rescission	-1,584			+1,584	
State infrastructure banks (rescission)			-6,000	-6,000	-6,000
Total, Federal Highway Administration					
Contingent emergency	720,000			-720,000	
(Limitations on obligations)	(29,661,806)	(31,563,157)	(31,716,797)	(+2,054,991)	(+153,640)
(Exempt obligations)	(1,069,000)	(955,000)	(955,000)	(-114,000)	
Total budgetary resources	(31,450,806)	(32,518,157)	(32,671,797)	(+1,220,991)	(+153,640)
ATB rescissions	(-65,256)			(+65,256)	
ATB rescissions	-1,584			+1,584	
Rescission			-6,000	-6,000	-6,000
Net total	(31,383,966)	(32,518,157)	(32,665,797)	(+1,281,831)	(+147,640)
Federal Motor Carrier Safety Administration					
Motor carrier safety (limitation on obligations administrative expenses)	(92,194)	(139,007)	(92,307)	(+113)	(-46,700)
Across the board (0.22%) rescission	(-202)			(+202)	
National motor carrier safety program (Highway Trust Fund):					
(Liquidation of contract authorization)	(177,000)	(204,837)	(205,896)	(+28,896)	(+1,059)
(Limitation on obligations)	(177,000)	(182,000)	(182,000)	(+5,000)	
Across the board (0.22%) rescission	(-389)			(+389)	
RABA transfer from FHWA:					
Border-State grants		(18,000)			(-18,000)
State commercial driver's license		(4,837)			(-4,837)
Motor carrier safety assistance grants			(23,896)	(+23,896)	(+23,896)
Subtotal, RABA		(22,837)	(23,896)	(+23,896)	(+1,059)
Subtotal, limitation on obligations	(177,000)	(204,837)	(205,896)	(+28,896)	(+1,059)
Total, Federal Motor Carrier Safety Administration					
(Limitations on obligations)	(269,194)	(343,844)	(298,203)	(+29,009)	(-45,641)
Total budgetary resources	(269,194)	(343,844)	(298,203)	(+29,009)	(-45,641)
ATB rescissions	(-591)			(+591)	
Net total	(268,603)	(343,844)	(298,203)	(+29,600)	(-45,641)

TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Highway Traffic Safety Administration					
Operations and research	116,876	122,000	122,420	+5,544	+420
Operations and research (Highway trust fund):					
(Liquidation of contract authorization)	(72,000)	(72,000)	(72,000)		
(Limitation on obligations)	(72,000)	(72,000)	(72,000)		
National Driver Register (Highway trust fund)	2,000	2,000	2,000		
Subtotal, Operations and research	(190,876)	(196,000)	(196,420)	(+5,544)	(+420)
Across the board (0.22%) rescission	-261			+261	
Across the board (0.22%) rescission	(-158)			(+158)	
Highway traffic safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(213,000)	(223,000)	(223,000)	(+10,000)	
(Limitation on obligations):					
Highway safety programs (Sec. 402)	(155,000)	(160,000)	(160,000)	(+5,000)	
Occupant protection incentive grants (Sec. 405)	(13,000)	(15,000)	(15,000)	(+2,000)	
Alcohol-impaired driving countermeasures grants (Sec. 410)	(36,000)	(38,000)	(38,000)	(+2,000)	
State highway safety data grants (Sec. 411)	(9,000)	(10,000)	(10,000)	(+1,000)	
Across the board (0.22%) rescission	(-469)			(+469)	
Total, National Highway Traffic Safety Administration	118,876	124,000	124,420	+5,544	+420
(Limitations on obligations)	(285,000)	(295,000)	(295,000)	(+10,000)	
Total budgetary resources	(403,876)	(419,000)	(419,420)	(+15,544)	(+420)
ATB rescissions	(-627)			(+627)	
ATB rescissions	-261			+261	
Net total	(402,988)	(419,000)	(419,420)	(+16,432)	(+420)
Federal Railroad Administration					
Safety and operations	101,717	111,357	110,461	+8,744	-896
Across the board (0.22%) rescission	-224			+224	
Offsetting collections		-41,000			+41,000
Railroad research and development	25,325	28,325	27,375	+2,050	-950
Across the board (0.22%) rescission	-56			+56	
Offsetting collections		-14,000			+14,000
Rhode Island Rail Development	17,000			-17,000	
Across the board (0.22%) rescission	-37			+37	
Pennsylvania Station Redevelopment project (advance appropriations, FY 2001, FY 2002, FY 2003) 1/	20,000	20,000	20,000		
Across the board (0.22%) rescission	-44			+44	
Rescission			-20,000	-20,000	-20,000
Next generation high-speed rail	25,100	25,100	25,100		
Across the board (0.22%) rescission	-55			+55	
Alaska Railroad rehabilitation	20,000			-20,000	
Across the board (0.22%) rescission	-44			+44	
West Virginia Rail development	15,000			-15,000	
Across the board (0.22%) rescission	-33			+33	
Capital grants to the National Railroad Passenger Corporation	521,476	521,476	521,476		
Across the board (0.22%) rescission	-1,147			+1,147	
Total, Federal Railroad Administration	743,978	651,258	684,412	-59,566	+33,154
ATB rescissions	-1,640			+1,640	
Net total	742,338	651,258	684,412	-57,926	+33,154
Federal Transit Administration					
Administrative expenses	12,800	13,400	13,400	+600	
Across the board (0.22%) rescission	-28			+28	
Administrative expenses (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(51,200)	(53,600)	(53,600)	(+2,400)	
Subtotal, Administrative expenses	(63,972)	(67,000)	(67,000)	(+3,028)	
Formula grants	669,000	718,400	718,400	+49,400	
Across the board (0.22%) rescission	-1,360			+1,360	
Formula grants (Highway Trust Fund) (limitation on obligations)	(2,676,000)	(2,873,600)	(2,873,600)	(+197,600)	
Across the board (0.22%) rescission	(-5,887)			(+5,887)	
Subtotal, Formula grants	(3,343,640)	(3,592,000)	(3,592,000)	(+248,360)	
University transportation research	1,200	1,200	1,200		
University transportation research (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(4,800)	(4,800)	(4,800)		
Across the board (0.22%) rescission	(-3)			(+3)	
Subtotal, University transportation research	(6,000)	(6,000)	(6,000)		
Transit planning and research	22,200	23,000	23,000	+800	
Transit planning and research (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(87,800)	(93,000)	(93,000)	(+5,200)	
Subtotal, Transit planning and research	(110,000)	(116,000)	(116,000)	(+6,000)	
Rural transportation assistance	(5,250)	(5,250)	(5,250)		
National transit institute	(4,000)	(4,000)	(4,000)		
Transit cooperative research	(8,250)	(8,250)	(8,250)		
Metropolitan planning	(52,114)	(55,422)	(55,422)	(+3,308)	

1/ Funding provided in P.L. 106-113.

TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
State planning	(10,886)	(11,578)	(11,578)	(+692)	
National planning and research	(29,500)	(31,500)	(31,500)	(+2,000)	
Subtotal	(110,000)	(116,000)	(116,000)	(+6,000)	
Across the board (0.22%) rescission	-49			+49	
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(5,016,600)	(5,397,800)	(5,397,800)	(+381,200)	
Capital investment grants	529,200	568,200	568,200	+39,000	
Capital investment grants (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(2,116,800)	(2,272,800)	(2,272,800)	(+156,000)	
Subtotal, Capital investment grants	(2,646,000)	(2,841,000)	(2,841,000)	(+195,000)	
Fixed guideway modernization	(1,058,400)	(1,136,400)	(1,136,400)	(+78,000)	
Buses and bus-related facilities	(529,200)	(568,200)	(568,200)	(+39,000)	
New starts	(1,058,400)	(1,136,400)	(1,136,400)	(+78,000)	
Subtotal	(2,646,000)	(2,841,000)	(2,841,000)	(+195,000)	
Across the board (0.22%) rescission	-1,274			+1,274	
Discretionary grants (Highway Trust Fund, Mass Transit Account) (liquidation of contract authorization)	(350,000)			(-350,000)	
Job access and reverse commute grants	20,000	25,000	25,000	+5,000	
Across the board (0.22%) rescission	-44			+44	
(Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(80,000)	(100,000)	(100,000)	(+20,000)	
Trust fund share of expenses (limitation on obligations) (ATB rescission)	(-8,492)			(+8,492)	
Subtotal, Job access and reverse commute grants	(99,956)	(125,000)	(125,000)	(+25,044)	
Total, Federal Transit Administration	1,254,400	1,349,200	1,349,200	+94,800	
(Limitations on obligations)	(5,016,600)	(5,397,800)	(5,397,800)	(+381,200)	
Total budgetary resources	(6,271,000)	(6,747,000)	(6,747,000)	(+476,000)	
ATB rescissions	(-14,382)			(+14,382)	
ATB rescissions	-2,755			+2,755	
Net total	(6,253,863)	(6,747,000)	(6,747,000)	(+493,137)	
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	13,004	13,345	13,426	+422	+81
Across the board (0.22%) rescission	-29			+29	
Net total	12,975	13,345	13,426	+451	+81
Research and Special Programs Administration					
Research and special programs:					
Hazardous materials safety	18,750	21,217	21,348	+2,598	+131
Emergency transportation	1,831	1,897	1,897	+66	
Research and technology	4,816	4,760	1,784	-3,032	-2,976
Program and administrative support	10,976	14,059	11,458	+482	-2,601
Adjustment		60			-60
Subtotal, research and special programs	36,373	41,993	36,487	+114	-5,506
Across the board (0.22%) rescission	-79			+79	
Offsetting collections		-12,000			+12,000
Pipeline safety:					
Pipeline Safety Fund	36,556	46,286	41,003	+4,447	-5,283
Oil Spill Liability Trust Fund	7,488	7,472	7,472	-16	
Pipeline safety reserve	(3,000)			(-3,000)	
Subtotal, Pipeline safety program (including reserve)	(47,044)	(53,758)	(48,475)	(+1,431)	(-5,283)
Across the board (0.22%) rescission	-19			+19	
Emergency preparedness grants:					
Emergency preparedness fund	200	200	200		
Limitation on emergency preparedness fund	(14,300)	(14,300)	(14,300)		
Total, Research and Special Programs Administration	80,617	83,951	85,162	+4,545	+1,211
ATB rescissions	-98			+98	
Net total	80,519	83,951	85,162	+4,643	+1,211
Office of Inspector General					
Salaries and expenses	48,450	50,614	50,614	+2,164	
Across the board (0.22%) rescission	-106			+106	
(By transfer from FTA)	(1,000)	(2,000)		(-1,000)	(-2,000)
Net total	(49,344)	(52,614)	(50,614)	(+1,270)	(-2,000)
Surface Transportation Board					
Salaries and expenses	17,954	18,457	18,563	+609	+106
Offsetting collections	-900	-950	-950	-50	
Net total	17,054	17,507	17,613	+559	+106
Across the board (0.22%) rescission	-37			+37	

TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bureau of Transportation Statistics					
Office of airline information (Airport & Airway Trust Fund)		3,760			-3,760
General Provisions					
Appalachian development highway system (Sec. 326)	54,963			-54,963	
Across the board (0.22%) rescission	-561			+561	
Amtrak Reform Council (Sec. 326)	750	785	785	+35	
Across the board (0.22%) rescission	-2			+2	
Muscle Shoals, Tuscumbia, and Sheffield (Sec. 375)	5,000			-5,000	
Valley trains and tours (Sec. 376)	1,000			-1,000	
Miscellaneous highways (Sec. 378)	1,370,000			-1,370,000	
Across the board (0.22%) rescission	-2,607			+2,607	
Woodrow Wilson Memorial Bridge (Sec. 379)	600,000			-600,000	
Miscellaneous appropriations (P.L. 106-554):					
Huntsville International Airport (sec. 1104)	2,500			-2,500	
Southeast Light Rail Extension Project (sec. 1105)	1,000			-1,000	
Newark-Elizabeth rail link project (sec. 1107)	3,000			-3,000	
Commercial remote sensing products and spatial information technologies (sec. 1109)	4,000			-4,000	
Rural farm-to-market roads (sec. 1121)	2,400			-2,400	
Buses & bus facilities, A&M University (sec. 1123)	500			-500	
Highway Trust Fund, various projects (sec. 1128)	8,700			-8,700	
Across the board (0.22%) rescission	-1,333			+1,333	
Total, General provisions	2,049,310	785	785	-2,048,525	
Net total, title I, Department of Transportation	18,426,918	17,094,110	17,088,675	-1,338,243	-5,435
Appropriations	(18,326,012)	(17,425,110)	(17,415,675)	(-910,337)	(-9,435)
Rescissions	(-619,094)	(-331,000)	(-327,000)	(+292,094)	(+4,000)
Contingent emergency	(720,000)			(-720,000)	
(By transfer)	(1,000)	(2,000)		(-1,000)	(-2,000)
(Limitations on obligations)	(38,432,600)	(40,899,801)	(41,007,800)	(+2,575,200)	(+107,999)
(Rescissions of limitations on obligations)	(-87,896)			(+87,896)	
(Exempt obligations)	(1,069,000)	(955,000)	(955,000)	(-114,000)	
Net total budgetary resources	(57,840,622)	(58,948,911)	(59,051,475)	(+1,210,853)	(+102,564)
TITLE II - RELATED AGENCIES					
Architectural and Transportation Barriers Compliance Board					
Salaries and expenses	4,795	5,015	5,046	+251	+31
Across the board (0.22%) rescission	-11			+11	
Net total	4,784	5,015	5,046	+262	+31
National Transportation Safety Board					
Salaries and expenses	62,942	64,480	66,400	+3,458	+1,920
Across the board (0.22%) rescission	-139			+139	
Net total	62,803	64,480	66,400	+3,597	+1,920
Total, title II, Related Agencies	67,587	69,495	71,446	+3,859	+1,951
Grand total (net)	18,494,505	17,163,605	17,160,121	-1,334,384	-3,484
Appropriations	(18,393,749)	(17,494,605)	(17,487,121)	(-906,628)	(-7,484)
Rescissions	(-619,244)	(-331,000)	(-327,000)	(+292,244)	(+4,000)
Contingent emergency	(720,000)			(-720,000)	
(By transfer)	(1,000)	(2,000)		(-1,000)	(-2,000)
(Limitation on obligations)	(38,432,600)	(40,899,801)	(41,007,800)	(+2,575,200)	(+107,999)
(Rescissions of limitations on obligations)	(-87,896)			(+87,896)	
(Exempt obligations)	(1,069,000)	(955,000)	(955,000)	(-114,000)	
Net total budgetary resources	(57,908,209)	(59,018,406)	(59,122,921)	(+1,214,712)	(+104,515)
Scorekeeping adjustments:					
Pipeline safety (OSLTF)	-7,000	-47,000	-42,000	-35,000	+5,000
Across the board cut (0.22%)	-42,000			+42,000	
CBO/OMB adjustment	40,244			-40,244	
Total, adjustments	-8,756	-47,000	-42,000	-33,244	+5,000
Net grand total (including scorekeeping)	18,485,749	17,116,605	17,118,121	-1,367,628	+1,516
Appropriations	(18,386,749)	(17,447,605)	(17,445,121)	(-941,628)	(-2,484)
Rescissions	(-621,000)	(-331,000)	(-327,000)	(+294,000)	(+4,000)
Contingent emergency	(720,000)			(-720,000)	
(By transfer)	(1,000)	(2,000)		(-1,000)	(-2,000)
(Limitations on obligations)	(38,432,600)	(40,899,801)	(41,007,800)	(+2,575,200)	(+107,999)
(Rescissions of limitations on obligations)	(-87,896)			(+87,896)	
(Exempt obligations)	(1,069,000)	(955,000)	(955,000)	(-114,000)	
Net grand total budgetary resources	(57,899,453)	(58,971,406)	(59,080,921)	(+1,181,468)	(+109,515)

TRANSPORTATION APPROPRIATIONS BILL, 2002 (H.R. 2299)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAP BY FUNCTION					
Mandatory	778,000	876,346	876,346	+98,346	.....
Discretionary:					
Highway category:					
(Limitation on obligations)	(30,216,000)	(32,202,001)	(32,310,000)	(+2,094,000)	(+107,999)
Mass Transit category	1,254,400	1,349,200	1,349,200	+94,800	.....
(Limitation on obligations)	(5,016,600)	(5,397,800)	(5,397,800)	(+381,200)	.....
General purpose discretionary:					
Defense discretionary	341,000	340,250	340,000	-1,000	-250
Nondefense discretionary	16,112,349	14,550,809	14,552,575	-1,559,774	+1,766
Total, General purpose discretionary	16,453,349	14,891,059	14,892,575	-1,560,774	+1,516
Total, Discretionary	17,707,749	16,240,259	16,241,775	-1,465,974	+1,516
Total, mandatory and discretionary	18,485,749	17,116,605	17,118,121	-1,367,628	+1,516

Ms. PELOSI. Mr. Chairman, I support the Sabo amendment, which would ensure that Mexican trucking companies undergo safety reviews before their trucks gain access to American highways.

Trucks are a major factor in highway fatalities. Even with safety regulations in place in the U.S., crashes involving large trucks killed 5,282 people in 1999. Of these fatalities, 363 occurred in my home state of California. Mexico's regulations are much weaker than ours. Drivers do not log their hours on the road, restrictions on hours behind the wheel are not enforced, drivers can be under 21, trucks that violate safety standards are not taken off the road, and trucks can weigh significantly more than in the U.S.

Of the nearly 4 million trucks that enter the U.S. commercial zones from Mexico annually, the U.S. inspects only 1%. Of that 1%, more than a third are removed from service because they are unsafe. This is a dismal record. We must ensure that trucks from Mexico are safe before they are allowed on every highway in the United States. I urge my colleagues to vote for the Sabo amendment.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2299, the Transportation appropriations bill for fiscal year 2002.

This Member would like to commend the distinguished gentleman from Kentucky (Mr. ROGERS), the Chairman of the Transportation Appropriations Subcommittee, and the distinguished gentleman from Minnesota (Mr. SABO), the ranking member of the Subcommittee for their hard work in bringing this bill to the Floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Transportation Appropriations Subcommittee operated. In light of these constraints, this Member is grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

This Member is particularly pleased that this appropriations bill includes $1,517,000 for preliminary work leading to the construction of bridges in Plattsmouth and Sarpy County to replace two obsolete and deteriorating bridges. The request for these funds was made by this Member as well as the distinguished gentleman from Nebraska (Mr. TERRY) and the distinguished gentlemen from Iowa (Mr. GANSKE and Mr. BOSWELL).

The agreement leading to the funding was the result of intensive discussions and represents the consensus of city, county and state officials as well as the affected Members of Congress. The construction of these replacement bridges (a Plattsmouth U.S. 34 bridge and State Highway 370 bridge in Bellevue) will result in increased safety and improved economic development in the area. Clearly, the bridge projects would benefit both counties and the surrounding region.

This Member is also pleased that the bill includes $325,000 requested by this Member for the construction of a 1.7-mile bicycle and pedestrian trail on State Spur 26E right-of-way, which connects Ponca State Park and the Missouri National Recreational River Corridor to the City of Ponca. This trail will play an important role as the area prepares for the bicentennial of the Lewis and Clark Corps of Discovery expedition and the significant increase in tourism which it will help generate. The approaching bicentennial represents a significant national opportunity and it is crucial that communities such as Ponca have the resources necessary to prepare for this significant commemoration.

The trail will provide the infrastructure necessary to improve the quality of life by providing pedestrian and bicycle access between Ponca and the Ponca State Park and increases the potential for economic benefits in the surrounding region. The trail addresses serious safety issues by providing a separate off-road facility for bicyclists and pedestrians.

This member would also like to mention that this bill provides more than $2.6 million in Section 5307 urban area formula funding for mass transit in Lincoln, Nebraska. This represents an increase of $230,753 over the FY2001 level.

Finally, this bill includes $1,976,000 for Nebraska's Intelligent Transportation System (ITS). This funding, which was requested by this Member and the distinguished gentleman from Nebraska (Mr. OSBORNE), is to be used to facilitate travel efficiencies and increased safety within the state.

The Nebraska Department of Roads has identified numerous opportunities where ITS could be used to assist urban and rural transportation. For instance, the proposed Statewide Joint Operations Center would provide a unifying element allowing ITS components to share information and function as an intermodal transportation system. Among its many functions, the Joint Operations Center will facilitate rural and statewide maintenance vehicle fleet management, roadway management and roadway maintenance conditions. Overall, the practical effect will be to save lives, time and money.

Mr. Chairman, in conclusion, this member supports H.R. 2299 and urges his colleagues to approve it.

Mr. NADLER. Mr. Chairman, today I rise in support of this bill to provide appropriations for the Department of Transportation for Fiscal Year 2002.

First, I would like to thank Chairman YOUNG, Ranking Member OBEY, Subcommittee Chairman ROGERS, and Ranking Member SABO, for including funds for the Cross Harbor Rail Freight Tunnel Environmental Impact Study in this bill. This project was first authorized in TEA–21, and received funds for a Major Investment Study, which was just completed last year. After examining numerous alternatives, the MIS recommended construction of a rail tunnel under New York Harbor to facilitate cross-harbor freight movement. The MIS confirmed that a tunnel would be beneficial in several respects. The economic return to the region would be about $420 million a year. The benefit to cost ratio is 2.3 to 1. The environmental impact would be profoundly felt, as the tunnel would remove one million trucks from our roads per year, not to mention the economic benefit produced by reduced congestion and the lower cost of consumer goods.

I would like to thank the Committee leadership for understanding the importance of this project, and including funds for the EIS phase so that we can continue the progress of the last few years and correct the freight infrastructure imbalance that exists in the region East of the Hudson of New York and Connecticut.

I do have a few concerns, however, regarding transit funding. As many of you know, New York relies heavily on public transportation, and as such, we have a number of projects which are essential to the economic stability, as well as to the environmental quality, of the city. I would like to thank the Committee for including funds for one of these projects, The East Side Access Project, to connect the Long Island Railroad to Grand Central Station in Manhattan. Unfortunately, no funds were included for the Second Avenue Subway. Both of these projects are important, and will require a greater federal investment if they are to be completed in the sufficient time frame. That being said, I hope this problem can be resolved, and I urge the Appropriations Committee to include funding for the Second Avenue Subway when this bill goes to Conference with the Senate.

I have a number of other concerns with this bill. For instance, funds should be included for the inspection of Mexican trucks operating in the United States. We must not sacrifice safety in an attempt to comply with NAFTA. Overall, however, this is a good bill, which fully funds the highway and aviation trust funds. I would like to comment Chairman ROGERS and Ranking Member SABO for all their hard work in crafting this important legislation, and I urge all my colleagues to support it.

Mr. CROWLEY. Mr. Chairman, I rise today in firm support of the transportation appropriations bill for fiscal year 2002.

I would like to commend Chairman ROGERS and Mr. SABO for crafting a bill that addresses the unique transportation needs in this country.

Though this bill takes into account the demands and constraints of the current transportation network throughout the country, I would like to make special mention of certain aspects of this bill that have a tremendous impact on my constituents in the 7th Congressional district of New York.

I want to thank Mrs. LOWEY, Mr. SERRANO, Mr. HINCHEY, and Mr. SWEENEY for their assistance in securing the inclusion of $250,000 for the Long Island City Links Project.

The LIC Links research funded in this bill will lead to a comprehensive network of pedestrian, bicycle and transit connections between Long Island City residential and business areas and new parks, retail stores, and cultural institutions.

These innovative improvements will help reduce automobile traffic and improve our neighborhood air quality.

Furthermore, this project will improve the overall social and economic conditions in Queens County.

I would also like to thank the Committee for the inclusion of $10 million for the East Side Access Project.

The East Side Access connection will involve constructing a 5,500-foot tunnel from the LIRR Main Line in Sunnyside, Queens to the existing tunnel under the East River at 63rd Street.

A new Passenger Station in Sunnyside Yard, Queens will also be constructed to provide access to the growing Long Island Business District.

The elements of this bill beneficial to my constituency is not limited to ground transportation.

As representative of LaGuardia Airport in Congress, the issue of congestion in the air and on the ground is a problem that plagues residents in and around the airport on a daily basis.

I am pleased that this bill has included two million dollars for the procurement of air traffic control equipment at LaGuardia Airport. It is my hope that these funds will help alleviate the traffic problems that plague one of the most congested airports in the country.

In that same vein, I would like to commend my colleagues in the New York and New Jersey delegation for their work with regard to airspace redesign and the diversion of traffic to Stewart Airport.

The idea of burden sharing of airports in the tri-state is essential to the future of LaGuardia Airport.

Given that LaGuardia is completely saturated, the report initiated by Mr. Hinchey to increase service at Stewart Airport will be a welcome relief for travelers and residents of Queens alike.

This is a reasonable and comprehensive bill that truly addresses the needs of Americans in the 21st century.

Therefore, I strongly urge my colleagues to vote in favor of this bill.

Mr. GREEN of Texas. Mr. Chairman, I rise today in support of this bill. While there are areas that I hope we can improve via amendments that will be offered, it is a good bill that will continue meeting the transportation needs of our constituents.

I would particularly like to praise the Committee for including funding for the Greater Harris County 9–1–1 Emergency Network from the Department of Transportation's Intelligent Transportation Systems (ITS) program. Harris County, which includes Houston, Texas, is pioneering the practical application of critical data provided by Automatic Collision Notification boxes that are beginning to be installed on late-model automobiles.

By deploying these boxes to 9–1–1 centers and trauma hospitals in Harris and Fort Bend Counties, these locations will be able to receive up-to-date information on automobile accident victims.

This information will enable 9–1–1 operators to direct appropriate levels of resources to accident locations, and will also allow doctors and nurses at hospitals the time and information that they need to prepare for incoming accident victims.

The goal of this technology is saving lives, through better distribution of emergency response personnel and a higher level of preparedness for incoming patients by emergency room personnel.

The transmitted data will include the speed of the vehicle at impact; number of times that vehicle may have rolled; the number of occupants in the vehicle; heat generation, which may indicate whether or not the vehicle is on fire; and other valuable information.

The lessons we learn in the implementation and testing of this system will serve as a model for other jurisdictions across the United States as they develop and deploy their own lifesaving networks.

Again, I support this bill, and I support the funding for this innovative program that will save lives.

Mr. FRELINGHUYSEN. Mr. Chairman, today I rise in support of H.R. 2299, the fiscal year 2002 Transportation Appropriations bill and I urge my colleagues to do the same.

First, I want to thank Chairman ROGERS and Ranking Member SABO for all their hard work in crafting this bill, and for their assistance in addressing New Jersey's transportation priorities. A special thanks to Rich Efford and the Transportation Subcommittee staff for their help.

Mr. Chairman, as we debate this important bill, thousands of my constituents back in New Jersey are struggling right now to battle traffic delays on Interstate 80, in Denville, in the heart of my Congressional District. The westbound lanes were closed last week after a fiery tractor trailer collision last week damaged the roadway beyond immediate repair.

This is a major commuter route into and out of New York City, and commuters snarled in rush hour traffic this morning learned that extensive repairs to the highway may not be completed until this October. My constituents—these commuters stuck in traffic—know only too well that New Jersey's mass transportation projects deserve our full commitment.

Because New Jersey is the most densely populated state in the nation, innovative commuter light rail projects such as the Hudson-Bergen Light Rail and Newark-Elizabeth Rail Link are vital to relieving traffic congestion in some of the most densely populated areas of our state.

I am pleased to report that these two commuter rail projects, New Jersey's top transportation priorities, have received major support and funding, within the confines of the overall budget allocation, which keeps our commitment to the Balanced Budget Agreement of 1997. I also am pleased to note that President Bush recognized the need for these projects and fully funded them in his budget request in April. I thank the President for his leadership on these top New Jersey priorities.

The Hudson-Bergen Light Rail system will result in a 21-mile, 30 station corridor connecting commuters along the Palisades and Hudson River waterfront with vital transportation arteries in and out of New York City.

The Newark-Elizabeth Rail Link will be an 8.8 mile light rail system connecting the Newark City Subway with revitalized downtown Newark and Elizabeth. It will provide an important connection between the Newark Broad Street rail station and Newark Penn Station, a major commuter hub along Amtrak's Northeast rail corridor while providing commuters who travel on NJ Transit's Morris/Essex and Boonton Lines with a connection from Newark's Broad Street Station to one of our nation's busiest airports, Newark International.

Our investment in the Hudson-Bergen and Newark-Elizabeth light rail projects will also help our state meet environmental standards as outlined in the Federal Clean Air Act and keep New Jersey on the right track so that we can ensure tomorrow's economic prosperity and environmental protection.

I am also pleased that this bill will provide a minimum of $8.5 million specifically for the ongoing Federal Aviation Administration's New Jersey/New York Metropolitan Airspace Redesign. For too long, constituents in my district have been suffering from the daily burden of aircraft noise. We have been repeatedly told by the FAA that the only way to alleviate aircraft noise in New Jersey will be through the comprehensive redesign of our airspace. That is why continued, dedicated funding for this redesign effort is vitally important, and I thank the subcommittee for its continued commitment to this vital effort.

Again, I want to thank Chairman ROGERS and Ranking Member SABO for all their hard work, and urge my colleagues to support this legislation.

Mr. WELLER. Mr. Chairman, I rise today in strong support of H.R. 2299, Making Appropriations for the Department of Transportation for Fiscal Year 2002. H.R. 2299 is an important bill for Illinois, providing much needed funding for Metra Commuter Rail Service New Start Projects and the Elgin, Joliet and Eastern Railroad Bridge reconstruction. The legislation also directs the Federal Aviation Administration to make a priority of processing the Environmental Impact Statement for the proposed South Suburban Chicago Third Airport and to help Lewis University Airport with much needed expansion.

I would like to focus on the unique needs of Lewis University Airport today. Lewis University Airport is the busiest ''single-runway'' airport in Illinois with 104,000 annual aircraft landings and takeoffs. Located in Will County, Illinois, it serves as the only corporate airport in Illinois' fastest growing county. The airport is home to 295 based aircraft and over 35 regular visiting customers. Jet fuel sales—an indicator of corporate aircraft use—have increased from 1,469 gallons sold in 1991 to 200,000 gallons sold in 2000. In less than a decade, jet sales have increased to 136 times the first year's sales.

The existing 12,000 square yard apron has space for only 10 aircraft. The small size of the apron limits its use to only visiting aircraft arriving at the Airport's new terminal building. The apron is regularly over-filled with visiting corporate jets. There are no spaces available for based aircraft.

To meet federal airport safety and design standards, the Airport must soon relocate 150 aircraft storage positions that are too close to the runway. The proposed terminal apron expansion will provide space for the relocation of these Airport residents.

The proposed apron is part of a multi-phased development program of the Airport. The Runway 1–19 construction program is using innovative construction and land use techniques to save over $9,600,000 in federal airport development dollars. The project received recognition by the FAA with the award of one of the first projects funded under the FAA's Innovative Development Funding Program.

In addition, Lewis University Airport is by far the closest and most convenient airport to the new ChicagoLand Motor Speedway, opening July 2001. This NASCAR Winston Cup race is expected to bring 200 to 300 aircraft to the Joliet/Will County area, providing a serious need to increase the apron capacity of the airport.

Mr. Chairman, the House Transportation Appropriations Bill recognizes the importance of Lewis University Airport and encourages the Federal Aviation Administration to make its expansion a priority. This is good legislation for Illinois and the Nation's transportation infrastructure. I encourage all of my colleagues to support this bill and vote yes on the rule and final passage.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed

in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2299

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $67,726,000: *Provided,* That notwithstanding any other provision of law, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,500,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $5,193,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $125,323,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

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

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,000,000, to remain available until September 30, 2003: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, to be derived from the Airport and Airway Trust Fund, $13,000,000, to remain available until expended.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare, $3,382,588,000, of which $340,000,000 shall be available for defense-related activities; and of which $24,945,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That none of the funds appropriated in this or any other Act shall be available for pay of administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation.

AMENDMENTS OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Mr. Chairman, I offer en bloc amendments.

The Clerk read as follows:

Amendments offered by Mr. LOBIONDO:

Page 4, line 25, after the dollar amount insert ''(increased by $250,000,000)''.

Page 5, line 16, after the first dollar amount insert ''(increased by $59,323,000)''.

Page 5, line 18, after the dollar amount insert ''(reduced by $16,000,000)''.

Page 5, line 20, after the dollar amount insert ''(increased by $1,500,000)''.

Page 5, line 23 after the dollar amount insert ''(increased by $16,198,000)''.

Page 5, line 25, after the dollar amount insert ''(increased by $19,056,000)''.

Page 6, line 2, after the dollar amount insert ''(increased by $569,000)''.

Page 6, line 5, after the dollar amount insert ''(increased by $38,000,000)''.

Mr. LOBIONDO (during the reading). Mr. Chairman, I ask unanimous consent that the amendments en bloc be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. LOBIONDO. Mr. Chairman, my amendment provides increased funds for Coast Guard operations and acquisitions in accordance with the levels allocated in the fiscal year 2002 budget resolutions passed by the House and the Senate.

Earlier this year our committee worked with the Committee on the Budget to ensure that the function 400 allocation in the fiscal year 2002 budget resolution not only accommodated the TEA–21 and the AIR–21 funding guarantees, but also provided approximately $5.3 billion for the Coast Guard's appropriated programs. This represents an increase of $250 million over the President's budget. Unfortunately, the 302(b) allocations approved by the Committee on Appropriations failed to include funds that would address critical Coast Guard needs.

H.R. 1699, the Coast Guard Authorization Act of 2001, passed the House on June 7 by a vote of 411–3. H.R. 1699 conformed to the Coast Guard funding levels in the budget resolution.

The amounts authorized by H.R. 1699 would allow the Coast Guard to correct immediate budget shortfalls. Many of the Coast Guard's most urgent needs are similar to those experienced by the Department of Defense, including spare parts shortages and personnel training deficits. The funding increase contained in the budget resolution and H.R. 1699 addresses those needs, and also increases the amounts available for Coast Guard drug interdiction.

H.R. 1699 also provides for $338 million for the Coast Guard's vital Deepwater asset modernization program. I strongly believe that the Integrated Deepwater system is the most economical and effective way for the Coast Guard to provide future generations of Americans with lifesaving services.

Mr. Chairman, I want to take this opportunity to commend the men and women of the Coast Guard for their exceptional services that they provide to our Nation. All Americans benefit from a strong Coast Guard that is equipped to stop drug smugglers, support the country's defense and respond to national emergencies.

During the fiscal year 2000 and 2001, the Coast Guard has been forced to reduce, let me repeat that, they have been forced to reduce illegal drug interdiction and other law enforcement operations by up to 30 percent. Yes, that is up to 30 percent, due to insufficient funds. Without additional operational funding for the fiscal year 2002, the Coast Guard will be forced to cut drug interdiction by 20 percent, including eliminating 5 cutters, 19 aircraft and 520 positions.

Mr. Chairman, without the funding increase provided in my amendment, the Coast Guard's operating budget during the next fiscal year will again be inadequate to respond to critical missions. The law enforcement emergency concerning migrant interdiction or a surge in drug smuggling would severely degrade other Coast Guard law enforcement activities. None of us want drug smugglers to be given open access to the United States, but that is exactly what could happen if we are not careful with these funding levels.

Should my amendment not be accepted today, I would urge the House and the Senate conferees on H.R. 2299 to fund the Coast Guard at a level consistent with the budget resolution and the Coast Guard Authorization Act of 2001. I would respectfully request that the gentleman from Kentucky (Mr.

ROGERS), the gentleman from Florida (Mr. YOUNG) and the gentleman from Alaska (Mr. YOUNG) work toward that end.

I understand the Senate Appropriation Committee's Transportation 302(b) allocation is about $690 million above the House allocation. I strongly believe that the U.S. Coast Guard is the best place to allocate a portion of this funding.

Mr. Chairman, I urge the House to support my amendment and allow the Coast Guard to be funded at the levels necessary to respond to the operational emergencies.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on his point of order?

Mr. ROGERS of Kentucky. I do, Mr. Chairman.

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

Mr. ROGERS of Kentucky. Mr. Chairman, sure we would have liked to have found more money for the Coast Guard, but as it is, we are 6 percent above current spending levels. We are 99 percent of the Coast Guard's request.

The supplemental that just passed the House and is headed towards the Senate would include another $92 million, and that is available throughout fiscal year 2002. This amendment would throw the bill way above the budget allocations provided to us pursuant to the budget resolution. It simply is beyond our capability.

I appreciate what the gentleman from New Jersey (Mr. LOBIONDO) is trying to do. The gentleman is a great chairman. He is a great spokesman on behalf of the Coast Guard and the other matters that he represents, but this amendment is simply unaffordable. It violates the Budget Act, and we have very little choice.

For that reason, I do make a point of order against the amendment, because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2002 on June 13, 2001. This amendment would provide new budget authority in excess of the subcommittee suballocation made under section 302(b), and it is not permitted under section 302(f) of the act.

Mr. Chairman, I ask for a ruling.

The CHAIRMAN. Does the gentleman from New Jersey wish to be heard on the point of order?

Mr. LOBIONDO. No, Mr. Chairman.

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

Mr. DELAHUNT. I do, Mr. Chairman.

Mr. Chairman, I have great respect for the gentleman from Kentucky (Mr. ROGERS), but the reality is, is that we all claim we want the Coast Guard to stop the flow of illegal drugs into this country, and to save our depleted fisheries, and to protect the coastal environment from oil spills, to intercept illegal immigrants, to secure international ports from terrorists, to conduct ice-breaking operations so critical supplies of home heating oil can reach our constituents, and to maintain aids to navigation for commercial and recreational boaters, and, of course, to save lives.

If we want those things, we have to ante up. I understand the difficulties as articulated by the gentleman from Kentucky (Mr. ROGERS), but we have to find a way.

The facts are with inexcusably inadequate resources, the Coast Guard does a heroic job of balancing their multiple responsibilities with heroic professionalism. At the same time budget constraints have been so severe and so chronic that the Coast Guard can barely keep its fleet in the water and its airplanes in the air.

The authorization bill recently passed and championed by the gentleman from New Jersey (Mr. LOBIONDO) responded to those challenges by boosting the Coast Guard's operating budget for the next year by 250 million, and thus far in the appropriations process, that promise stands unfulfilled.

We have to do better. We have to find a way, otherwise we face the predictable consequences of a crippled Coast Guard, lost property, lost commerce and, of course, lost lives, both the lives of the men and women in the Coast Guard who serve us every day, as well as those who use the seas either for enjoyment or to secure a livelihood.

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Let me just finally remind my colleagues that just recently came reports that the Coast Guard recalled port security forces that were sent overseas to protect U.S. naval units after the destroyer *Cole* was attacked. Why? Because it can no longer foot the bill. That, Mr. Chairman, is simply disgraceful, and it is unacceptable.

The CHAIRMAN. Is there anyone else who wishes to be heard on the point of order?

The Chair is prepared to rule on the point of order.

The Chair is authoritatively guided under section 312 of the Budget Act by an estimate of the Committee on the Budget that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentleman from New Jersey would increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $600,000,000, of which $19,956,000 shall be derived from the Oil Spill Liability Trust Fund; of which $90,990,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2006; $26,000,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2004; $74,173,000 shall be available for other equipment, to remain available until September 30, 2004; $44,206,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2004; $64,631,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2003; and $300,000,000 for the integrated deepwater systems program, to remain available until September 30, 2004: *Provided*, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and made available only for the national distress and response system modernization program, to remain available for obligation until September 30, 2004: *Provided further*, That upon initial submission to the Congress of the fiscal year 2003 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the United States Coast Guard which includes funding for each budget line item for fiscal years 2003 through 2007, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That none of the funds provided under this heading may be obligated or expended for the Integrated Deepwater Systems (IDS) system integration contract until the Secretary of Transportation, or his designee within the Office of the Secretary, and the Director, Office of Management and Budget jointly certify to the House and Senate Committees on Appropriations that IDS program funding for fiscal years 2003 through 2007 is fully funded in the Coast Guard Capital Investment Plan and within the Office of Management and Budget's budgetary projections for the Coast Guard for those years.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $16,927,000, to remain available until expended.

Ms. BROWN of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO), chairman of the Subcommittee on Coast Guard and Maritime Transportation.

Our U.S. Coast Guard performs to the same high standards and faces many of the same dangers as our Armed Forces, but does not get funded in the larger Department of Defense budget. Each year they compete for funding with major agencies in the transportation budget, and for the last several years has been forced to either decrease operations or transfer money from maintenance to operations.

Just 2 weeks ago we passed a Coast Guard authorization by 411 to 3 that added $300 million more than this bill provides. Without this additional funding, the Coast Guard will be forced to

reduce operations by 20 percent including deactivating two medium cutters, two TAGOS ships, and 13 Falcon jets. This is not how we should be treating the men and women who risk their lives stopping drug smugglers and illegal immigrants, protecting our ports, and performing search-and-rescue missions.

I urge our colleagues to vote yes on this amendment and support a budget for the United States Coast Guard that meets our Nation's priorities.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $15,466,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $876,346,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services, $83,194,000: *Provided*, That no more than $25,800,000 of funds made available under this heading may be transferred to Coast Guard ''Operating expenses'' or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve: *Provided further*, That none of the funds in this Act may be used by the Coast Guard to assess direct charges on the Coast Guard Reserves for items or activities which were not so charged during fiscal year 1997.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $21,722,000, to remain available until expended, of which $3,492,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $6,870,000,000, of which $5,773,519,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $5,494,883,000 shall be available for air traffic services program activities; not to exceed $727,870,000 shall be available for aviation regulation and certification program activities; not to exceed $135,949,000 shall be available for civil aviation security program activities; not to exceed $195,258,000 shall be available for research and acquisition program activities; not to exceed $12,254,000 shall be available for commercial space transportation program activities; not to exceed $50,480,000 shall be available for financial services program activities; not to exceed $67,635,000 shall be available for human resources program activities; not to exceed $84,613,000 shall be available for regional coordination program activities; and not to exceed $108,776,000 shall be available for staff offices: *Provided*, That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $6,000,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Transportation Administrative Service Center.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $2,914,000,000, of which not to exceed $2,536,900,000 shall remain available until September 30, 2004, and of which not to exceed $377,100,000 shall remain available until September 30, 2002: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2003 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2003 through 2007, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $191,481,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2004: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for administration of such programs and of programs under section 40117; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for implementation of section 203 of Public Law 106–181; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $1,800,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,300,000,000 in fiscal year 2002, notwithstanding section 47117(h) of title 49, United States Code: *Provided further*, That of the funds limited under this heading for small airports due to returned entitlements, $10,000,000 shall be utilized only for the small community air service development pilot program authorized in section 203 of Public Law 106–181: *Provided further*, That notwithstanding any other provision of law, not more than $56,300,000 of funds limited under this heading shall be obligated for administration.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found at page 13, beginning on line 24 which begins ''for administration of such programs'' and continuing to line 25 and ending with the words ''section 40117.''

The language would fund the cost of administering the Airport Improvement Program from contract authority

that, under chapter 471 and section 48103 of Title 49 U.S.C., is authorized only for grants, not administrative expenses. This is an unauthorized earmark of funds.

This language clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

Mr. Chairman, I also make a point of order against the language found on page 14, beginning on line 12 with the word ''Provided'' and continuing to end the end of line 20.

The language on lines 12 through 17 before the words ''Provided further'' would fund the cost of the Small Community Air Service Development Pilot Program from contract authority that is authorized only for AIP grants under chapter 471 and section 48103 of Title 49 U.S.C. Although I support this program, I must object to funding it with AIP grants as this would constitute an unauthorized earmark of funds.

This language clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

Mr. Chairman, the language found at page 14, beginning on line 17 with the words ''That notwithstanding'' and continuing through the end of line 20 would fund the cost of administering the Airport Improvement Program from contract authority under chapter 471 and section 48103 of Title 49 U.S.C., that is authorized only for grants, not administrative expenses. This supersedes existing law and clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky (Mr. ROGERS) wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Yes, I do.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) is recognized.

Mr. ROGERS of Kentucky. Mr. Chairman, I will concede the point of order in just a minute, but it is unfortunate that the point of order is made. It would defer the beginning of an important and authorized program. These funds would help promote development of smaller airports and promote competition where there is none.

As I indicated, the program is authorized, just not from this particular funding source. But we believe it is appropriate to use funds otherwise available to small airports for this new program, which only benefits small airports.

But, Mr. Chairman, I concede, technically, the point.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) concedes the point of order. The point of order is conceded and sustained. The provisions are stricken from the bill.

The Clerk will read.

The Clerk read as follows:

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $301,000,000 are rescinded.

AMENDMENT NO. 2 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DEFAZIO:

Page 2, line 8, after ''$67,726,000'' insert ''(increased by $720,000)''.

Page 9, line 14, after ''$6,870,000,000'' insert ''(reduced by $720,000)''.

Mr. DEFAZIO. Mr. Chairman, this amendment, which is coauthored by the gentleman from Connecticut (Mr. SHAYS) and myself, would enable American consumers to have a centralized place to go to file complaints on a toll-free number with the Department of Transportation.

An office already exists, but in lengthy hearings last year over the delays at the Detroit airport involving Northwest Airlines, one aggrieved consumer stood up and said, you know, I spent over $100 on toll bills before I found out there was anybody at the Department of Transportation in a subcategory of the General Counsel's Office who would listen to my complaint.

This office generally has labored in obscurity merely to compile statistics with a phone recording, people leave their complaints, and sometimes to advocate on the behalf of those with disabilities.

This amendment would increase the rescission of funds on line 25 by $720,000, and it would allocate those funds in the Secretary's office to the Office of General Counsel, to the people who handle it in the Aviation Consumer Protection Division. It would be funds that could establish a 1–800 number and would also provide for some funding for staff for that number.

I have consulted with the former general counsel a number of times over this over the years and have contacted the Department. They feel that, although this is a relatively modest amount of money, that given the existing number of complaints and the complaints they feel would warrant further action by the Department of Transportation and by that office, they believe it would be adequate funds to begin to better serve aviation consumers.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. DEFAZIO. Yes, I yield to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, do I understand the gentleman's amendment is intended to provide funds which the Secretary of the Department of Transportation would be able to use to establish a hotline for consumers to complain of airline delays, cancellations, problems and so forth associated with air travel?

Mr. DEFAZIO. Yes, Mr. Chairman, the gentleman from Kentucky, the able chairman, is absolutely correct.

Mr. ROGERS of Kentucky. Mr. Chairman, in that instance, I have no objection to the amendment.

Mr. DEFAZIO. I thank the gentleman.

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

Mr. DEFAZIO. I am happy to yield to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Mr. Chairman, do I understand also that the gentleman from Oregon has offset the cost of his amendment with a rescission that equals the cost of his amendment?

Mr. DEFAZIO. Yes, Mr. Chairman, the gentleman is correct.

Mr. SABO. Mr. Chairman, I think the gentleman has a good amendment.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I just want to clarify. I am sorry, I had a different number on mine. I want to make sure we all agreed on the same amendment. With that, I thank the chairman, and I thank the ranking member.

The CHAIRMAN. The Chair would note the wrong amendment was designated.

The Clerk will report the correct amendment.

The Clerk read as follows:

Amendment offered by Mr. DEFAZIO:

Page 14, strike lines 24 and 25 and insert the following:

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $301,720,000 are rescinded.

The amount otherwise provided in this Act for ''OFFICE OF THE SECRETARY—Salaries and Expenses'' is hereby increased by $720,000.

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

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Alaska:

Page 14, after line 25, insert the following:

SMALL COMMUNITY AIR SERVICE DEVELOPMENT PILOT PROGRAM

For necessary expenses to carry our section 41743 of title 49, United States Code, $10,000,000, to remain available until expended.

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

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

There was no objection.

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

The CHAIRMAN. The point of order is reserved.

Mr. YOUNG of Alaska. Mr. Chairman, my amendment restores funding for the Small Community Air Service Development Pilot Program that was stricken by my point of order.

This program will help small communities that do not have adequate, affordable commercial air service attract new service. Without reliable air service, small communities cannot sustain its economic growth.

The Small Community Air Service Development Pilot program authorized by section 203 of the Aviation Investment Reform Act for the 21st Century, AIR–21, will assist underserved airports obtain jet air service. It will also allow communities to market that service to increase passenger service.

The money provided by this program could also assist a small or midsized community by making money available to subsidize air carriers' operations for up to 3 years if the Secretary of Transportation determines that the community is not receiving sufficient air carrier service.

Mr. Chairman, this program is important to many small communities through our Nation, and I urge the adoption of the amendment.

Mr. Chairman, I also suggest, although I struck the money, I do support the program. This is an attempt to put the money back in without having tapped the sources that it originated.

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

Mr. YOUNG of Alaska. Yes, I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I supported this program as a pilot program in AIR–21 last year. In fact, Chairman Shuster and I worked together to fashion the language. I have long supported service to small communities and to initiatives of this kind.

We all know that deregulation has saved billions of dollars for air travelers, but we also know that, in the process, deregulation has cost communities air service.

What we have now is a phenomenon of the community in my district and elsewhere around the country where people are traveling by car as much as 100 miles to get adequate air service.

With the kind of initiative that we anticipated in this provision, this pilot program, we can both prevent communities from becoming essentially air service towns, where the Federal Government is coming in to support air service with direct dollar payments, and help them to advertise, undertake initiatives locally to encourage air travel from lesser-served communities and boost their air service. Such initiatives have worked in communities in my district to more than double air travel in those towns, saving their air service.

I think that this pilot program in the manner in which the chairman has proposed to fund it ought to be approved and will help increase demand in such markets to create adequate service without direct Federal assistance.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman from Minnesota for his comments. I hope to work with the ranking member and of course the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, to see if we cannot get these monies somehow into this program. It is a good program.

Again, though, I think it should be coming from the general fund and not necessarily from the funds that were set aside for the improvements of these airports.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Kentucky have a point of order?

Mr. ROGERS of Kentucky. Yes.

The CHAIRMAN. The gentleman from Kentucky (Mr. ROGERS) is recognized on his point of order.

Mr. ROGERS of Kentucky. Mr. Chairman, we are in an unfortunate situation here. We had monies in the bill, as has been noted, for the small airports, which was stricken on a point of order. Now the amendment would seek to add monies back in, but we have no monies to add back in. The budget authority that we were given does not permit it.

No one is a bigger advocate for smaller airports than I am because that is all I have in my district.

□ 1600

But I am forced to make a point of order against the amendment because it is in violation of 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations fields a suballocation of budget totals for fiscal year 2002 on June 13, 2001. This amendment would provide new budget authority in excess of the subcommittee's suballocation made under section 302(b) and is not permitted under section 302(f) of the Act. I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Alaska (Mr. YOUNG) wish to be heard on the point of order?

Mr. YOUNG of Alaska. I do. Mr. Chairman, I agree with the gentleman that one of the most unfortunate things that occurred to the Subcommittee on Transportation is the fact they do not have the money. I do think the budgeteers did a bad thing. Four percent is not enough. I said this all along. So I will continue to try to seek funding of this program as we progress with this bill and other bills to see if we cannot accomplish what we are all seeking.

I have more small airports than any place in the United States and most of my people do not have highways, so I am very supportive of this program, but we also have to make sure it is funded adequately and appropriately and I concede the point of order at this time.

The CHAIRMAN. The gentleman from Alaska concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take all of the 5 minutes, but I wanted to bring a point of concern to the attention of my colleagues now that we have both the Chair of our appropriations subcommittee and the Chair of our substantive committee.

Every day, in some of the busiest airports in America, hundreds of aircraft, charter planes, private jets, commercial flights, and even helicopters ferrying oil platform workers, disappear from the radar screens of our air traffic controllers. These flights are not victims of any air disaster, but rather the fact that, for a wide area of airspace over the Gulf of Mexico, we have no effective radar coverage.

In this area, the air traffic controllers at Houston; Miami; and at Merida, Mexico; who share responsibilities for coverage in the Gulf, can neither see these flights nor communicate directly with the pilots who are flying them. For 3 years, the Federal Aviation Administration, the FAA, has worked with airline representatives, pilots, controllers, and other Federal entities, like the Department of Defense, to complete a Gulf of Mexico strategic plan. This plan sets out a detailed recommendation on how to resolve the Gulf of Mexico airspace issues.

I urge the FAA Administrator Jane Garvey to act quickly and approve the solutions laid out by this working group. These solutions are inexpensive and easy to implement and would have a very real impact on the traffic jam in our skies in the Gulf of Mexico.

It will increase safety in our skies and access to Houston's Bush Intercontinental Airport, an important travel hub, especially for the growing markets in Central and South America.

Where previously controllers have had to employ oceanic nonradar separation standards, this enhanced coverage will allow better utilization of empty airspace and more effective management of air traffic. This would reduce delays and save airlines and passengers time and money. I would hope the FAA would move forward with this much-needed project.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration not to exceed $311,837,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That of the funds available under section 104(a)(1)(A) of title 23, United States Code, $9,911,000 shall be available for Federal Motor Carrier Safety Administration (FMCSA) motor carrier safety enforcement at the United States/Mexico border, and $4,000,000 shall be available for FMCSA U.S./Mexico border safety audits.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found at page 15, beginning on line 9 and continuing to line 14 which begins ''That of the funds available under section 104(a)(1)(A) of title 23, United States Code'' and ending on line 14 with the words ''border safety audits.''

The language is unauthorized earmark of $13.911 million of Federal Highway Administration administrative funds for Federal Motor Carrier Safety Administration in violation of clause 2 rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS. No, Mr. Chairman.

The CHAIRMAN. Does the gentleman concede the point of order?

Mr. ROGERS. We would concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

LIMITATION ON TRANSPORTATION RESEARCH

Necessary expenses for transportation research of the Federal Highway Administration, not to exceed $447,500,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration: *Provided,* That this limitation shall not apply to any authority received under section 110 of title 23, U.S. Code; *Provided further,* That this limitation shall not apply to any authority previously made available for obligation.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

Mr. ROGERS. Mr. Chairman, on this amendment I reserve a point of order.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. JACKSON-LEE of Texas:

Page 15, line 24, before the period insert the following: '': *Provided further,* That the Secretary shall make available $5,000,000 of the amount made available in this paragraph for the operation of the control center that monitors traffic in Houston, Texas, known as 'Houston TransStar' ''.

The CHAIRMAN. The point of order is reserved on the amendment.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I hope that my colleagues will see the necessity and importance of waiving the point of order.

This amendment in particular deals with current events that are happening in Houston, Texas. It is an amendment to earmark $5 million in FHWA traffic research funding for the operation of Houston TranStar, a high-tech transportation traffic control and monitoring center operated by local Houston authorities and the State of Texas. The amendment is intended to enhance the ability of the facility to deal with disaster relief efforts being conducted in the wake of flooding caused by Tropical Storm Allison.

Let me say, Mr. Chairman, that it is unusual for a focus to be placed on a high-tech center that deals with transportation in the context of a tropical storm or a disaster. The impact of not funding the expansion of the transportation emergency center, also known as Houston TranStar, would be undermining Houston's transportation system. Mr. Chairman, we cannot afford to eliminate additional multimodal transportation management functions requested by the residents of Houston and to limit the transportation emergency management functions to those now existing at the center in inadequate space.

This is not an old unit, the Houston TranStar center, but it has proven itself to be old in wiseness and usefulness. It was very effective in moderating the congestion in Houston, all over the community, but more importantly, in these last couple of weeks, Houston TranStar, that center, became the anchor, the heart of the strategy to help us recover from Tropical Storm Allison. The governor met there, the FEMA director met there, the mayor met there, the judge of Harris County met there, Members of Congress, all support staff, fire department, police department, the health department, all of those individuals were able to gather and design a strategy to help us begin to pull ourselves up.

The establishment and implementation of a temporary command post was a real element of TranStar's viability. It directed people where not to go because of the flooding in different highways and freeways. The initial action to get pumping gear at the Texas Medical Center, Southwestern Bell's main switching station, and the Civic Center garage all were part of Houston TranStar.

The coordination of shelter identification, operation of the Salvation Army and the American Red Cross occurred there. The coordination of rescue efforts in unincorporated portions of Harris County, with the Harris County Sheriff's liaison and the Harris County Fire Marshall's liaison. The relocation operation of the 911 system in unincorporated portions of Harris County, and the direction, operation and control functions of the Harris County government were pretty much housed at Houston TranStar. The transfer and operation of the Harris County Sheriff's department and the coordination of the Harris County air search and recovery unit.

Two times I lifted off in a helicopter, one a Black Hawk, to be able to survey the area; and it was from the Houston TranStar. Houston TranStar represents a major element of transportation in Houston and the surrounding areas. This is a request for $5 million for a center that has proven not only to assist Houston but also the major surrounding counties as well.

These monies come from the pool of monies that are available for this particular usage, and I would ask that my colleagues consider waiving the point of order for this funding source that is basically very necessary to continue the work that we are already doing in expanding and expediting the recovery that is going on now in Houston, Texas.

Mr. Chairman, I rise to offer an amendment that would provide $5 million in funding for the Houston TranStar program, which has been so instrumental in the response to Tropical Storm Allison.

The impact of not funding the expansion of the transportation and emergency center—also known as Houston TranStar—would be destructive to Houston's transportation system. Mr. Chairman we cannot afford to eliminate additional multi-modal transportation management functions requested by the residents of Houston and to limit the transportation and emergency management functions to those now existing at the center in inadequate space.

As we all know, Tropical Storm Allison has already been dropped an unprecedented record amount of rainfall in Houston causing homes and businesses near bayous, freeways and even the world renowned Texas Medical Center to flood. Citizens from all walks of life: rich, poor, African-American, White, Hispanic, Asian, Baptist, Catholic, Muslim, and especially the vulnerable were all impacted by the Tropical Storm Allison.

Houston TranStar was one of success stories in helping the relief effort to recover from Tropical Storm Allison. Houston TranStar began operating in 1996 as the only such center of its kind in the nation. It has functioned quietly in the background for many years providing safe and efficient transportation management around the clock in the Houston community. However, during the recent tragedy inflicted by the recent flood, Houston TranStar, the Transportation and Emergency Management center for the greater Houston region, played a major role in identifying heavy flooded areas, marshelling resources, communicating with the citizens and assisting other local, state and national agencies addressing the devastation that was Tropical Storm Allison.

Much of the success Houston TranStar has and is enjoying can be attributed to in large part to its unique partnership compromised of the City of Houston, Harris County, the State of Texas and METRO. Together, these agencies have combined their agencies and expertise to provide a greater level of immediate services to the residents in entire Houston area.

The fact that Houston TranStar is a valuable resource has never been more evident to me than in the past few weeks. To see this unique center in action is truly a pleasure. It makes you feel positive that people can and are trying to make a difference in people's lives in a tangible way. For instance, during Tropical Storm Allison and all other weather-related events, Houston TranStar serves as a one-stop shop for all agencies charged with addressing the demands of the region while ensuring a minimal loss of life and or harm to property.

Some of the recent efforts to aid and assist Houston have included the establishment and implementation of temporary command posts by the Houston Fire Department to direct rescue efforts and dispatch evacuation and rescue boats that moved more than 10,000 people, the initiation action to get pumping gear to the Texas Medical, Southwestern's Main Switching Station and the Civic Center Garage, and the coordination of shelter identification and operations with Salvation Army and the American Red Cross.

In addition, Houston TranStar assisted with the coordination of rescue efforts in unincorporated portions of Harris County with the Harris County Sheriff's Liaison and the Harris County Fire Marshall's Liaison, the direction and control functions of Harris County Government were housed at Houston TranStar, the logistical support of representatives from FEMA, the Army Corp of Engineers and all agency partner personnel working extended hours, among other valued efforts.

Despite the valiant efforts by TranStar, Tropical Storm Allison cost the Houston community 23 lives and damage to the residential and commercial structures has been assessed at more than $4.8 billion. The mere fact that Houston TranStar was able to communicate with its citizens, marshal local, state, and national resources and minimize the impact on the region, is a true testament to how effective this unique partnership is for the greater Houston region.

Let us find a way to include the $5 million funding allocation in the bill to maintain these essential funds for the entire Houston. Mr. Chairman, we cannot squander this opportunity to preserve the TranStar program. I urge my colleagues to support the Jackson Lee amendment.

POINT OF ORDER

Mr. ROGERS. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program, therefore, violates clause 2 of rule XXI, which states in pertinent part, ''An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.''

Mr. Chairman, the authorization for this program has not been signed into law. The amendment, therefore, violates clause 2 of rule XXI. I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentlewoman wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. I certainly would.

Mr. Chairman, I thank the chairman very much and the ranking member. As I noted, this comes from a large pool of funding of the Federal Highway Administration, some $447 million. My point is that because of the emergency nature of this request, I am asking that the point of order be waived so that this particular unit can carry forth its emergency efforts in helping Houston recover and remain as an emergency center coordinating all forms of government effectively and helping to continue the recovery process in finding resources dealing with heavy equipment, in hosting the Coast Guard and the Army Corps of Engineers.

Mr. Chairman, we researched the question to determine authorization. It is unclear whether such has been authorized. But in any event, I would ask the chairman of the subcommittee to consider the fact of the ongoing work of Houston TranStar, its importance and vitality in bringing the city back to its feet, and also its key involvement to the transportation modules in our community and coordinating transportation in a large metropolitan area.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The amendment proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests with the proponent of the amendment.

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

The Clerk will read.

The Clerk read as follows:

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $31,716,797,000 for Federal-aid highways and highway safety construction programs for fiscal year 2002.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $30,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

AMENDMENTS OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Chairman, I offer several amendments, and I ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. ROGERS:

On page 16, line 12 of the bill, strike ''Notwithstanding any other provision of law,'';

On page 19, line 16 of the bill, strike ''Notwithstanding any other provision of law,'';

On page 25, line 4 of the bill, strike ''Notwithstanding any other provision of law,'';

On page 55, line 14 of the bill, strike ''Beginning in fiscal year 2002 and thereafter,'';

On page 55, line 18 and all that follows through page 56, line 2.

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

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

There was no objection.

The CHAIRMAN. Without objection, the amendments will be considered en bloc.

There was no objection.

Mr. ROGERS of Kentucky. Mr. Chairman, I shall not take the full 5 minutes time.

This is a manager's amendment and accommodates the concerns expressed by the Committee on Transportation and Infrastructure by removing in five cases authorizing language. It has been cleared with the minority as well as the authorizing committee. I believe it is noncontroversial, and I would ask for its adoption.

Mr. SABO. Mr. Chairman, I support the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Kentucky.

The amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATE INFRASTRUCTURE BANKS

(RESCISSION)

Of the funds made available for State Infrastructure Banks in Public Law 104–205, $6,000,000 are rescinded.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses for administration of motor carrier safety programs and motor carrier safety research, pursuant to section 104(a)(1)(B) of title 23, United States Code, not to exceed $92,307,000 shall be paid in accordance with law from appropriations made available by this Act and from any available take-down balances to the Federal Motor Carrier Safety Administration, together with advances and reimbursements received by the Federal Motor Carrier Safety Administration: *Provided*, That such amounts shall be available to carry out the functions and operations of the Federal Motor Carrier Safety Administration.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106, and 31309, $205,896,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $205,896,000 for ''Motor Carrier Safety Grants'', and ''Information Systems''.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $122,420,000, of which $90,430,000 shall remain available until September 30, 2004: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2002, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000, to be derived from the Highway Trust Fund, and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411, to remain available until expended, $223,000,000, to be derived from the Highway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2002, are in excess of $223,000,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411, of which $160,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402, $15,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405, $38,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Grants'' under 23 U.S.C. 410, and $10,000,000 shall be for the ''State Highway Safety Data Grants'' under 23 U.S.C. 411: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed $8,000,000 of the funds made available for section 402, not to exceed $750,000 of the funds made available for section 405, not to exceed $1,900,000 of the funds made available for section 410, and not to exceed $500,000 of the funds made available for section 411 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $110,461,000, of which $6,159,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $27,375,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using federal funds for the credit risk premium during fiscal year 2002.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 U.S.C. 26101 and 26102, $25,100,000, to remain available until expended.

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For necessary expenses of capital improvements of the National Railroad Passenger Corporation as authorized by 49 U.S.C. 24104(a), $521,476,000, to remain available until expended.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $13,400,000: *Provided*, That no more than $67,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: *Provided further*, That not to exceed $2,600,000 for the National transit database shall remain available until expended.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $718,400,000, to remain available until expended: *Provided*, That no more than $3,592,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds provided under this heading, $5,000,000 shall be available for grants for the costs of planning, delivery, and temporary use of transit vehicles for special transportation needs and construction of temporary transportation facilities for the XIX Winter Olympiad and the VIII Paralympiad for the Disabled, to be held in Salt Lake City, Utah: *Provided further*, That in allocating the funds designated in the preceding proviso, the Secretary shall make grants only to the Utah Department of Transportation, and such grants shall not be subject to any local share requirement or limitation on operating assistance under this Act or the Federal Transit Act, as amended: *Provided further*, That notwithstanding section 3008 of Public Law 105–178, the $50,000,000 to carry out 49 U.S.C. 5308 shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under ''Federal Transit Administration, Capital investment grants''.

□ 1615

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found at page 23, beginning on line 20 and continuing to page 24, line 2, which begins ''Providing further, that notwithstanding section 3008 of Public Law 105–78'' and ending on page 25, line 2, with ''capital investment grants.''

This language violates the guarantees of TEA–21 to provide funds for the Clean Fuels Bus formula grant program to the other discretionary grant program. This language supersedes existing law and clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, the point of order is conceded.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available until expended: *Provided*, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $23,000,000, to remain available until expended: *Provided*, That no more than $116,000,000 of budget authority shall be available for these purposes: *Provided further*, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)), $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315), $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)), $55,422,400 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305), $11,577,600 is available for State planning (49 U.S.C. 5313(b)); and $31,500,000 is available for the national planning and research program (49 U.S.C. 5314).

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105–178, $5,397,800,000, to remain available until expended, and to be derived from the Mass Transit Account of the Highway Trust Fund: *Provided*, That $2,873,600,000 shall be paid to the Federal Transit Administration's formula grants account: *Provided further*, That $93,000,000 shall be paid to the Federal Transit Administration's transit planning and research account: *Provided further*, That $53,600,000 shall be paid to the Federal Transit Administration's administrative expenses account: *Provided further*, That $4,800,000 shall be paid to the Federal Transit Administration's university transportation research account: *Provided further*, That $100,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: *Provided further*, That $2,272,800,000 shall be paid to the Federal Transit Administration's capital investment grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $568,200,000, to

remain available until expended: *Provided*, That no more than $2,841,000,000 of budget authority shall be available for these purposes: *Provided further*, That none of the funds provided under this heading shall be available for section 3015(b) of Public Law 105–178; *Provided further*, That notwithstanding any other provision of law, there shall be available for fixed guideway modernization, $1,136,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $568,200,000 together with $50,000,000 transferred from ''Federal Transit Administration, Formula grants''; and there shall be available for new fixed guideway systems $1,136,400,000, together with $8,128,338 of the funds made available under ''Federal Transit Administration, Discretionary grants'' in Public law 105–66, and $22,023,391 of the funds made available under ''Federal Transit Administration, Capital investment grants'' in Public Law 105–277; to be available as follows:

$10,296,000 for Alaska or Hawaii ferry projects;

$25,000,000 for the Atlanta, Georgia, North line extension project;

$10,867,000 for the Baltimore, Maryland, central light rail transit double track project;

$11,203,169 for the Boston, Massachusetts, South Boston Piers transitway project;

$5,000,000 for the Charlotte, North Carolina, south corridor transitway project;

$35,000,000 for the Chicago, Illinois, Douglas branch reconstruction project;

$23,000,000 for the Chicago, Illinois, Metra North central corridor commuter rail project;

$19,118,735 for the Chicago, Illinois, Metra South West corridor commuter rail project;

$20,000,000 for the Chicago, Illinois, Metra Union Pacific West line extension project;

$2,000,000 for the Chicago, Illinois, Ravenswood reconstruction project;

$5,000,000 for the Cleveland, Ohio, Euclid corridor transportation project;

$70,000,000 for the Dallas, Texas, North central light rail transit extension project;

$60,000,000 for the Denver, Colorado, Southeast corridor light rail transit project;

$192,492 for the Denver, Colorado, Southwest light rail transit project;

$25,000,000 for the Dulles corridor, Virginia, bus rapid transit project;

$30,000,000 for the Fort Lauderdale, Florida, Tri-Rail commuter rail upgrades project;

$3,000,000 for the Johnson County, Kansas-Kansas City, Missouri, I–35 commuter rail project;

$60,000,000 for the Largo, Maryland, metrorail extension project;

$1,800,000 for the Little Rock, Arkansas, river rail project;

$10,000,000 for the Long Island Rail Road, New York, East Side access project;

$49,686,469 for the Los Angeles North Hollywood, California, extension project;

$5,500,000 for the Los Angeles, California, East Side corridor light rail transit project;

$3,000,000 for the Lowell, Massachusetts-Nashua, New Hampshire commuter rail extension project;

$12,000,000 for the Maryland (MARC) commuter rail improvements project;

$19,170,000 for the Memphis, Tennessee, Medical center rail extension project;

$5,000,000 for the Miami, Florida, South Miami-Dade busway extension project;

$10,000,000 for the Minneapolis-Rice, Minnesota, Northstar corridor commuter rail project;

$50,000,000 for the Minneapolis-St. Paul, Minnesota, Hiawatha corridor project;

$4,000,000 for the Nashville, Tennessee, East corridor commuter rail project;

$20,000,000 for the Newark-Elizabeth, New Jersey, rail link project;

$4,000,000 for the New Britain-Hartford, Connecticut, busway project;

$141,000,000 for the New Jersey Hudson Bergen light rail transit project;

$13,800,000 for the New Orleans, Louisiana, Canal Street car line project;

$3,100,000 for the New Orleans, Louisiana, Desire corridor streetcar project;

$13,000,000 for the Oceanside-Escondido, California, light rail extension project;

$16,000,000 for the Phoenix, Arizona, Central Phoenix/East valley corridor project;

$6,000,000 for the Pittsburgh, Pennsylvania, North Shore connector light rail transit project;

$20,000,000 for the Pittsburgh, Pennsylvania, stage II light rail, transit reconstruction project;

$70,000,000 for the Portland, Oregon, Interstate MAX light rail transit extension project;

$5,600,000 for the Puget Sound, Washington, RTA Sounder commuter rail project;

$14,000,000 for the Raleigh, North Carolina, Triangle transit project;

$328,810 for the Sacramento, California, light rail transit extension project;

$15,000,000 for the Salt Lake City, Utah, CBD to University light rail transit project;

$718,006 for the Salt Lake City, Utah, South light rail transit project;

$65,000,000 for the San Diego Mission Valley East, California, light rail transit extension project;

$2,000,000 for the San Diego, California, Mid Coast corridor project;

$80,605,331 for the San Francisco, California, BART extension to the airport project;

$113,336 for the San Jose Tasman West, California, transit light rail project;

$40,000,000 for the San Juan, Puerto Rico, Tren Urbano project;

$31,088,422 for the St. Louis, Missouri, MetroLink St. Clair extension project;

$8,000,000 for the Stamford, Connecticut, urban transitway project; and

$1,000,000 for the Washington County, Oregon, Wilsonville to Beaverton commuter rail project.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found on page 26, beginning on line 9 and continuing to line 10 which states ''That notwithstanding any other provision of law'' and also against the language found on page 26, beginning on line 15 and continuing to line 16 which states ''together with $50 million transferred from ''Federal Transit Administration, Formula grants''; this clause ''notwithstanding any other provision of law'' explicitly supersedes existing law and clearly constitutes legislation on appropriations bill in violation of clause 2 of rule XXI of the rules of the House of Representatives.

This language on lines 15 and 16 transferring $50 million provided by TEA–21 for Clean Fuels Bus formula grants program to the transit bus discretionary capitol investment grant program affects the total transit program outlays for fiscal year 2002, which violates section 8101 of Public Law 105–178 and supersedes existing law.

This language clearly constitutes legislation on an appropriations bill in violation of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provisions are stricken from the bill.

The Clerk will read.

The Clerk read as follows:

JOB ACCESS AND REVERSE COMMUTE GRANTS

Notwithstanding section 3037(1)(3) of Public Law 105–178, as amended, for necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $25,000,000, to remain available until expended: *Provided*, That no more than $125,000,000 of budget authority shall be available for these purposes: *Provided further*, That up to $250,000 of the funds provided under this heading may be used by the Federal Transit Administration for technical assistance and support and performance reviews of the job access and reverse commute grants program.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against the language found on page 31, beginning on line 9 and continuing to line 10 which begins ''Notwithstanding section 3037(1)(3) of Public Law 105–178, as amended.''

This language waives the statutory distribution of funds specified in TEA–21 for the Job Access and Reverse Commute Grants program and explicitly supersedes existing law. This language clearly constitutes legislation on an appropriations bill in violation of clause 2 of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $13,426,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $36,487,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $2,170,000 shall remain available until September 30, 2004: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $48,475,000, of which $7,472,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2004; and of which $41,003,000 shall be derived from the Pipeline Safety Fund, of which $20,707,000 shall remain available until September 30, 2004.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2004: *Provided*, That not more than $14,300,000 shall be made available for obligation in fiscal year 2002 from amounts made available by 49 U.S.C. 5116(i), 5127(c), and 5127(d): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5127(c), and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $50,614,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3) to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $18,563,000: *Provided*, That notwithstanding any other provision of law, not to exceed $950,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2002, to result in a final appropriation from the general fund estimated at no more than $17,613,000.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,046,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $66,400,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Such sums as may be necessary for fiscal year 2002 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 304. None of the funds in this Act shall be available for salaries and expenses of more than 105 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision or political and Presidential appointees in an independent agency funded in this Act may be assigned on temporary detail outside the Department of Transportation or such independent agency.

SEC. 305. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 306. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 307. The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

SEC. 308. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 309. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

Mr. ROGERS of Kentucky (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 38, line 22, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

Mr. YOUNG of Alaska. Mr. Chairman, I have a point of order on page 38, line 23.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 310. (a) For fiscal year 2002, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid Highways amounts authorized for administrative expenses and programs funded from the administrative takedown authorized by section 104(a)(1)(A) of title 23, United States Code, for the highway use tax evasion program for amounts provided under section 110 of title 23, United States Code, and for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for the previous fiscal year the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid Highways less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) of section 117 of title 23, United States Code (relating to high priority projects program), section 201 of the Appalachian Regional Development Act of 1965, the Woodrow Wilson Memorial Bridge Authority Act of 1995, and $2,000,000,000 for such

fiscal year under section 105 of title 23, United States Code (relating to minimum guarantee) so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such section (except in the case of section 105, $2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5) for Federal-aid highways and highway safety construction programs (other than the minimum guarantee program, but only to the extent that amounts apportioned for the minimum guarantee program for such fiscal year exceed $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under title 23, United States Code, in the ratio that—

(A) sums authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the sums authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; and (8) under section 105 of title 23, United States Code (but only in an amount equal to $639,000,000 for such fiscal year).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1943–1945).

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds: (1) that are authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and highway-related programs under chapter 4 of title 23, United States Code; and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL RULE.—Obligation limitation distributed for a fiscal year under subsection (a)(4) of this section for a section set forth in subsection (a)(4) shall remain available until used and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highways and highway safety construction programs for future fiscal years.

(g) Notwithstanding Public Law 105–178, as amended, of the funds authorized under section 110 of title 23, United States Code, (other than the funds authorized for the motor carrier safety grant program) for fiscal year 2002, $56,300,000 shall be to carry out a program for state and Federal border infrastructure construction.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against all of section 310 beginning on page 38, line 23, and ending on page 44, line 2.

This language explicitly directs the Secretary of the Department of Transportation to alter the TEA–21 distribution of funds contrary to existing law. It directs the redistribution of $56.3 million of Federal Highway Revenue Aligned Budget Authority (RABA) to carry out a program for State and Federal border infrastructure construction. This is a clear violation of clause 2 of rule XXI of the Rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. The point of order is conceded.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 311. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 312. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 313. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: *Provided*, That, the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 314. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2004, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 315. Notwithstanding any other provision of law, any funds appropriated before October 1, 2001, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 316. None of the funds in this Act may be used to compensate in excess of 335 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2002.

SEC. 317. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 318. Funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities, or to improve existing vessels and facilities, including both the passenger and vehicle-related elements of such vessels and facilities, and for repair facilities.

SEC. 319. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 320. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content

associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 321. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegraph, telephone, letter, printed or written material, radio, television, video presentation, electronic communications, or other device, intended or designed to influence in any manner a Member of Congress or of a State legislature to favor or oppose by vote or otherwise, any legislation or appropriation by Congress or a State legislature after the introduction of any bill or resolution in Congress proposing such legislation or appropriation, or after the introduction of any bill or resolution in a State legislature proposing such legislation or appropriation: *Provided*, That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress or to Congress, on the request of any Member, or to members of a State legislature, or to a State legislature, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of business.

SEC. 322. (a) IN GENERAL.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. ROGERS of Kentucky (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 50, line 21, be considered as read, printed in the RECORD and open to amendment at any point.

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

Mr. ANDREWS. Mr. Chairman, reserving the right to object, I have an amendment that comes in at page 52 and I wonder what effect that will have on the gentleman's request. I do not intend to object other than to preserve the right to offer my amendment.

The CHAIRMAN. The Chair understands the request is to advance the reading to page 50 line 21.

Mr. ANDREWS. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Chairman, I have a point of order beginning on line 22.

The CHAIRMAN. Before the Clerk reads into that section, are there any amendments to the portion of the bill now open?

The Clerk will read.

The Clerk read as follows:

SEC. 323. Notwithstanding any other provision of law, of the $23,896,000 provided under 23 U.S.C. 110 for the motor carrier safety grants program, the Secretary of Transportation may reserve up to $18,000,000 for grants to the States of Arizona, California, New Mexico, and Texas, to hire State motor carrier safety inspectors at the United States/Mexico border: *Provided*, That, such funding is only available to the extent the States submit requests for such funding to the Secretary and the Secretary evaluates such requests based on established criteria: *Provided further*, That, on March 31, 2002, the Secretary shall distribute to the States any undistributed amounts in excess of ½ of the amount originally reserved, consistent with section 110 of title 23, U.S.C., for the motor carrier safety grants program: *Provided further*, That on July 1, 2002, the Secretary shall distribute to the States any remaining undistributed amounts consistent with section 110 of title 23, U.S.C., for the motor carrier safety grants program.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against all of section 323 beginning on page 50, line 22, and ending on page 51, line 15.

This language authorizes the Secretary of Transportation to reserve up to $18 million of Federal Motor Carrier Safety Administration, RABA, for four States, Arizona, California, New Mexico and Texas, for the purpose of hiring State motor carrier safety inspectors at the U.S.-Mexican border. This explicitly waives existing law in violation of clause 2 of rule XXI of the Rules of the House of Representatives.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, the point is conceded.

The CHAIRMAN. The gentleman from Kentucky concedes the point of order. The point of order is conceded and sustained. The provision is stricken from the bill. Section 323 is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 324. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 2002.

SEC. 325. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 326. For necessary expenses of the Amtrak Reform Council authorized under section 203 of Public Law 105–134, $785,000, to remain available until September 30, 2003: *Provided*, That the duties of the Amtrak Reform Council described in section 203(g)(1) of Public Law 105–134 shall include the identification of Amtrak routes which are candidates for closure or realignment, based on performance rankings developed by Amtrak which incorporate information on each route's fully allocated costs and ridership on core intercity passenger service, and which assume, for purposes of closure or realignment candidate identification, that Federal subsidies for Amtrak will decline over the 4-year period from fiscal year 1999 to fiscal year 2002: *Provided further*, That these closure or realignment recommendations shall be included in the Amtrak Reform Council's annual report to the Congress required by section 203(h) of Public Law 105–134.

AMENDMENT NO. 1 OFFERED BY MR. ANDREWS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. ANDREWS:

In section 326 (relating to Amtrak Reform Council), after the dollar amount, insert the following: ''(reduced by $335,000)''.

Mr. ANDREWS. Mr. Chairman, the purpose of this amendment is twofold. It is to strongly support the continued operation of Amtrak as a national passenger railroad system, and it is to save the taxpayers of our country $335,000.

This amendment strikes the amount of $335,000 from the amount appropriated for the operations of the so-called Amtrak Reform Council. I believe there are two good arguments for this. The first is that the remaining fund for the Amtrak Reform Council, which is $450,000, are more than sufficient for the council to carry on its work. When the council was first created in 1997, it was projected by the Congressional Budget Office that its annual cost of operation would be approximately $500,000. This amendment would bring the cost of operating the council back to that general level.

The second reason for this is that the Amtrak Reform Council, in my judgment, has been less about reform and more about criticism of Amtrak. The place where Amtrak's future should be decided, with all due respect, is in the authorizing committee and on the floor

of this House and we can have a good debate about the future of the railroad. I do not believe that ceding our judgment to an unelected body of people, many of whom have expressed strong prejudices against the operation of Amtrak, is a wise course.

Mr. Chairman, in each of the last two Congresses, the House has approved a similar amendment, by a roll call vote in 1999 and by voice in the year 2000. I believe this is a reasonable balance. It permits the work of the Amtrak Reform Council to go on, despite the fact that many of us disagree with that work, while at the same time requiring the council to rely on the good offices already existing in the Department of Transportation, not expanding spending to outside consultants and other expenditures, which I believe the taxpayers should not be burdened with.

The amount of the cut is $335,000. I would point out that I believe this is an amendment which supports Amtrak. In turn it is supported by the transportation trades department of the AFL-CIO speaking for the men and women who are Amtrak employees.

Mr. Chairman, I would urge the adoption of the amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, we accept this amendment. It would reduce funding for the Amtrak Reform Council by $335,000. This action would be consistent with the levels of funding provided by the House for the Amtrak Reform Council for the past 2 years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 327. None of the funds in this Act may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 328. Section 232 of H.R. 3425 of the 106th Congress, as enacted by section 1000(a)(5) of the Consolidated Appropriations Act, 2000 is repealed.

SEC. 329. None of the funds in this Act shall be available for planning, design, or construction of a light rail system in Houston, Texas.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. JACKSON-LEE of Texas.

Page 53, lines 15 through 17, strike section 329.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am an eternal optimist. I believe that transportation is such a vital part of the quality of life of Americans and Houstonians and Texans, that I offer this amendment and hope my colleagues can work collaboratively with me to ultimately strike the language that removes the opportunity for planning and design and construction of light rail in Houston, Texas.

I say that because I was on the floor just previously talking about Houston TranStar which is a collaboration between city and local officials helping us move and moderate our traffic. Every major city, Houston now being known as the third largest city in the Nation, has traffic congestion. Polling in Houston suggests that not only the city of Houston, but small cities surrounding Houston are favorable toward this whole idea of light rail.

Mr. Chairman, I am hoping that I will be able to work with my colleagues, including the gentleman from Texas (Mr. DELAY), in his interest in the Houston TranStar, I hope we will be able to work together on securing that authorization and funding for TranStar.

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At the same time, I am hoping that we can strike this language or work collaboratively so that the City of Houston can fulfill the commitment it has made to its citizens and the citizens can have the commitment made to them by the City of Houston and the county judge and the metropolitan transit authority to have light rail in our community.

Conventional wisdom also suggests that the light rail project would be immensely useful to complement the Main Street connectivity which continues to enrich the lives of countless Houstonians. Another traffic center is the Texas Medical Center, one of the largest employers in our region. We have also heard of the devastation facing the Texas Medical Center. One of the contributing factors as they recover and also as they continue to grow is the ability to move those medical professionals, nurses, technicians, and doctors into one of the most important medical centers in our country. They need light rail.

I believe that we can do this together. Working with the administration of President George Bush; working with both Houses, the Senate and the House; working with our appropriations committee; and authorization committee. Never have we seen in the history of Houston the convergence of so many supporters, business community, local and regional communities, local cities that surround Houston, Houston and Harris County, all the local officials in large part. I cannot imagine why light rail is not in the destiny of Houston, Texas. Our sister city has it. What we are asking for as we go and do focus groups is the ability to be able to secure from our citizens the design of light rail. All have been eager to participate. In fact, in my 18th Congressional District they have said, ''When will it come into my neighborhood?''

I believe that there are good will people and there are people who will work with us, including members of my own delegation who will find that light rail will be able to answer many questions prospectively, today and in the future.

I would ask that my colleagues support this amendment. If we cannot have this amendment moved to a vote, I would certainly like to strike a collaborative chord with the members of the appropriations committee and the authorization committee so that we can work together to have light rail in the city of Houston.

Mr. Chairman, I rise to offer an amendment that ensures that light rail remains at least eligible from Federal funding for the City of Houston. Unfortunately, an unnecessary and destructive rider has been inserted within H.R. 2299, the transportation appropriation bill. We must strike that language in the appropriations measure in the interest of fundamental fairness, Mr. Chairman.

Last year, I joined my colleagues on the House floor to protest the lack of funding for the critical light rail project that is so important for Houston. I do not see why we should deprive the City of Houston of the light rail system. This is something that the Mayor of the City of Houston, the County Judge, the Metropolitan Transit Authority in Houston, residents and countless other interested have expressed a strong desire to see come to fruition. We need federal funding for light rail in the 18th Congressional District of Texas as we revitalize the transportation system for the 21st century.

Conventional wisdom also suggests that the light rail project would be an immensely useful compliment to the Main Street Connectivity, which continues to enrich the lives of countless Houstonians.

I have been supportive of light rail project for some years. From the outset of the planning stages of the project, it became clear to me that commuters in Houston needed to expand their options in making their days more efficient and enjoyable. The light rail project offered a formidable transportation solution that Houstonians had long awaited. It is my firm belief that light rail will significantly touch all parts of our community.

Earlier in March of this year, I was delighted to announce that a 7.5 mile METRORail line in Houston. Many individuals worked hard to make that happen. We must face the fact that the light rail project is of urgent need. Light rail will help alleviate Houston's traffic congestion problem and, among other things, significantly reduce the number of motorists that presently pollute the air with exhaust.

Like all Houstonians, I believe that nothing is more important than mobility for the region's future. For these reasons, I am part of our federal team dedicated to increasing funding for our infrastructure needs in the Houston area. Mr. Chairman, we all have the common goal

of making transportation more easily accessible in the Houston area. The goal of accessibility and faster modes of transportation will inevitably lead to an improved environment and a better quality of life for all Houstonians. We can do so much together when we make a commitment to work together.

Lastly, let me say that I recognize that I will continue to work with the Administration and Congress to bring Federal assistance to the light rail project in Houston. I look forward to working with METRO and city officials to match ingenuity being shown by other transportation mechanisms utilized by other major metropolitan cities. With a continued collective effort from local, regional, and Federal resources, I believe the light rail system will help transform Houston's transportation system into one of the premier systems in America.

I know that Congress needs to move forward on this bill, and we cannot debate local issues. But I hope the Congress realizes that this is not a local issue. This is a question of equality and parity when all of the other areas of the nation are able to get dollars for light rail. I think, if a community wants light rail and meets the requirement, then this Congress should give them consideration. The 18th Congressional District of Texas deserves fair treatment regarding these matters.

I urge my colleagues to support my amendment to strike the language prohibiting funding for the light rail program in Houston.

Mr. BENTSEN. Mr. Chairman, I rise in support of the gentlewoman's amendment.

This prohibition affects a rail project in the city of Houston, a large portion of which is in the gentlewoman's district and the other portion which runs into my district. It is one of the main traffic arteries in the city of Houston. The gentlewoman mentioned the Texas Medical Center, which is the largest medical center in the world, which is located in my district, which has approximately 60 to 70,000 people moving in and out of a very concentrated area every day of the week. This is an important project.

The gentlewoman also mentioned that this project enjoys the support of the locally elected political establishment of Houston and Harris County. The Houston Metro board is a metropolitan organization made up of appointees by the elected leadership. So it does have an indirect connection to the voters in that the directly elected officials appoint the members of this board and those members are approved by the elected members of the county commissioners court and the elected members of the Houston city council.

Finally, I would say there are some who have said that this should not go forward because there has been no direct election by the people. But the county attorney of Harris County and the attorney general of the State of Texas have ruled that there is no statute in Texas law that would grant the right for such an election. So that is sort of the basis of this. And where we stand now is because of this specific prohibition affecting the City of Houston, the City of Houston is the only metropolitan area, the only municipal area in the United States of which I am aware where the United States Congress has specifically banned the use of Federal funds for rail.

It comes down not to a question of whether you support rail or not, it comes down to a question of equity and whether or not we are going to allow locally elected officials to make the decisions or whether we are going to allow Washington to make the decisions. Unfortunately this provision in the bill has Washington telling the locally elected officials, both Republicans and Democrats and independents and nonpartisan candidates, that they cannot make the decision.

I hope that the House will adopt the gentlewoman's amendment and allow the elected officials, the locally elected officials of the City of Houston, of Harris County, to decide what they want to do with their share of the Federal funding just in the same way that locally elected officials throughout the United States are allowed to do so under this very bill without this prohibition that only affects one jurisdiction in the United States.

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

Mr. Chairman, I rise today in opposition to the amendment. As a representative from the city of Houston and as a former member of the Texas House of Representatives, I can say that Texas law already provides for a mechanism for the voters to have their voice heard. If the metropolitan transit authority in Houston chooses to issue debt, there is a requirement that they have an election. Having just gone through a very extensive election campaign in Houston, I can tell Members firsthand the voters of Houston want an opportunity to speak on this issue; and I know we would all welcome a chance to debate it in the public arena in Houston.

The voters of Houston have the right to have their voices heard particularly because of the extraordinary cost of any rail proposal. The numbers that we have seen indicate that it could cost up to $300 million plus to build a rail system in Houston. I can tell Members that the highest transportation priority in Harris County in the opinion of the entire legislative delegation to Austin, I know with the support of many of my colleagues here, is the expansion of the Katy Freeway. The Katy Freeway still needs another $500 million to complete its expansion. That $300 million minimum that is proposed to finish out the cost to build a rail system in Houston would virtually finish the Katy Freeway project. $300 million would build 50 miles of freeway.

We in the city of Houston have a very different type of geography. The way the city has grown is different from other cities. Our city was laid out on a salt grass prairie and those wide open spaces have enabled us to grow very rapidly in many directions. Seventy-six percent of the jobs in our city are outside Loop 610, and the city of Houston is just simply not well situated for a rail plan.

All of these factors together, the fact that the rail plan would absorb so many transportation dollars, move so few riders, have to be subsidized so heavily, and the fact that State law already provides a mechanism for a vote lead me to the conclusion that it is entirely proper, in fact essential, that there be a vote in Houston before money is spent on rail.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CULBERSON. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for yielding. I appreciate his recounting the needs in the Houston and surrounding areas. I support the gentleman in helping to improve the Katy Freeway, I–10 West, which goes through a number of our districts, including mine. I think it is important; and, as I note, there is money in the bill for the Katy Freeway. I think it is only fair. It is important to note that Metro has committed to an election. They are now in the process of doing focus groups, if you will, and preparing that when there is a design ready for the next extension thereof or putting in the rail, that they would be more than happy to put that plan forward. The gentleman may well know that the county attorney ruled that they could not ask for a vote on this particular seven-mile run because it was not funded by Metro.

Mr. CULBERSON. If I could reclaim my time and in response say that the Metro has indicated they are willing to have an election, but we have not seen the election occur yet. Metro moved forward very rapidly to build this rail plan from downtown Houston out to the Astrodome without asking for voter approval. They could have asked for voter approval, a simple referendum had they chosen to but did not. There are also other mechanisms to allow for a vote and they chose not to do so.

The cost of the rail plan coupled with the immense amount of subsidy that is going to be required, when you compare the cost of rail systems in other cities, the cost per rider to taxpayers is about $3,000 a year, the subsidized cost per taxpayer in Los Angeles for each rider is about 9,000 tax dollars a year and in Dallas about $4,000. The geography, the growth patterns, the work patterns in the city of Houston are such that I am not sure that we could support it. In fact every town hall meeting I have held and where I have asked questions on this issue to my constituents, the overwhelming response of my constituents is that almost all of them need their cars in order to get to work.

Because of the unique nature of our city, because of where the job centers, the economic centers of Houston are spread out around the metropolitan area, the bottom line is there must be

an election and I strongly support the gentleman from Texas (Mr. DELAY) in his call for an election before any transportation dollars are spent on the construction of a rail system in Houston. I urge Members to vote against the amendment so that there can be a vote in the city of Houston.

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

Mr. Chairman, I oppose this amendment because the Houston Metro bureaucracy still has not resolved a primary shortcoming. They have not assembled the facts and they have not placed those facts before our community in Houston. Without the facts, how can Houstonians make an informed decision about light rail? The answer is they cannot, and I am not going to tolerate an end run around accountability.

Without a referendum on rail, Houstonians would be blindly committing billions of dollars to a vast project with an unknown price tag, unproven performance, and an undetermined impact on our most pressing problem in the Houston-Galveston area, and that is mobility. The decision to make a multi-billion-dollar transportation commitment cannot be made without the consent of the whole community. That is why I took action last year to suspend the diversion of Federal funds approved for transportation improvements from being used to fund light rail. And it is why I am asking my colleagues to continue supporting this restriction.

My constituents expect me to safeguard their tax dollars, not flit them away on an unproven concept. A light rail system is far from the most effective way for Houston to reduce congestion. In fact, Houston Metro has even admitted that the Main Street line does nothing to reduce congestion and is not even a transportation project. They themselves call it an economic development project.

The decision to build a light rail system would affect everyone in Houston. Supporters must document the ability of a rail system to reduce congestion and increase mobility. And they must take that case to the citizens of Houston to earn their support for a citywide light rail system. The people of Houston and the Houston metroplex deserve to be heard on this question and a referendum gives them that voice. But the community cannot make an informed choice without all the facts and Houston Metro is not giving them the information that they need.

The method used to build the Main Street line gives every appearance of an attempt to evade accountability. Metro is moving forward with a piecemeal construction plan much like they did in Dallas, Texas, and they are moving that piecemeal construction plan without explaining light rail's broader mobility impact on the region.

I trust the people of Houston. They can make the right choice if they have all the facts. Metro needs to prepare a comprehensive mobility plan that takes all of our needs into account. It should document all the challenges that contribute to congestion in the Houston region. It should describe all the different options to reduce congestion. And it should measure and compare the effectiveness of those options. Only then will people be able to make an informed decision about light rail.

An additional problem with the Main Street line is that it simply is not a mobility project. The Main Street line is an economic development project. We have a mobility crisis in Houston. We must spend the available transportation dollars on measures that actually target and reduce congestion.

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In the last 2 years running, we have added over 500,000 new trips to our transportation system; and yet we are only able to come up with enough money, about $300 million, to add more capacity to our mobility plan. And guess what this little 7-mile economic development plan costs? $300 million. We could do a lot more for that $300 million in improving the mobility of Houston.

So contrary to what some people may think, the pool of Federal transportation dollars is not infinite. Spending billions on light rail will severely restrict the funds for highway improvements and other mobility improvements. Houston cannot afford to gamble on an unproven light rail system. So I ask Members to oppose this amendment and demand accountability in transportation spending.

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

Mr. Chairman, the amendment strikes a prohibition in this bill that was also carried in last year's bill, which prohibits the planning, design and construction of light rail in Houston. This prohibition is necessary as proponents of light rail in Houston seek to alter an existing full funding grant agreement for a bus program. Congress has fully funded that $500 million grant agreement.

The last Federal payment was made this year. However, implementation of the work is still going on. Some in Houston would like to forego elements of the approved Houston regional bus plan, which are explicit components of the existing full funding grant agreement and instead replace these elements will light rail. The sponsors would defer the planned bus elements into the future. The committee cannot support the impact of this amendment. Under current law, funds provided for the existing full funding grant agreement are only for those regional bus plans outlined in the existing agreement. The Committee on Appropriations, authorizing committees, and the Department of Transportation all must approve an amendment of this nature.

As we have heard here today, there is dissension among the community about this project. Members within the Houston delegation are on both sides of the issue, some supporting light rail, others opposing it in favor of buses. So until agreement can be reached, Mr. Chairman, at least locally, and some semblance of consensus occurs locally, it is premature to shift this funding, away from a completed full funding grant agreement; it is too early for that to take place.

Houston has a state-of-the-art transit program, largely bus-driven. The light rail project is just one component of this larger transit program. Keeping this provision in place in our bill will not adversely impact the overall transportation system in Houston, particularly as the community has local funds that it could use to build this light rail project.

Mr. Chairman, I strongly oppose this amendment.

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

Mr. Chairman, I yield to my friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the ranking member, the gentleman from Minnesota (Mr. SABO), for yielding.

Mr. Chairman, I appreciate the collegiate spirit on which we are debating this issue on the floor. For me, however, this is an intense issue that impacts an inner-city district.

It is interesting, as I look through the funding and I see Chicago, Illinois, and Cleveland, Ohio; Dallas, Texas; Denver, Colorado; the Dulles Corridor; Fort Lauderdale; Largo, Maryland; Little Rock, Arkansas; Long Island Railroad, New York; Los Angeles; Maryland; New Britain, Hartford, Connecticut; New Jersey; New Orleans; Phoenix, Arizona; Pittsburgh, Pennsylvania; Portland, Oregon; Puget Sound, Washington; Raleigh, North Carolina, and others that are engaged in securing transit dollars and in particular many of them light rail projects.

Can I say, what is wrong with Houston, Texas?

I appreciate the opposition, but I am certainly disturbed that I can rise to the floor of the House and support the expansion which is in this bill, and time after time after time I cannot get colleagues that would join us in recognizing the importance of light rail. I give credit where credit is due, and I appreciate that we have been able to work together in a bipartisan way. This is not personal, but it certainly begs the question about some of the representations that have been made.

First of all, Metro is seeking out the input of the community. They have a number of mayors surrounding the area that want light rail and have expressed it verbally and have expressed it openly and publicly. This is the first time that we have a county judge, a Republican, and the Mayor of the City of Houston joined together around light rail. We are seeking to earn the support of Houstonians. We would not do to overlook their input.

The only reason that we did not have an election is because the county attorney, a Republican, said that we could not have an election because we were not offering funding from Metro in the 7-mile experimental light rail system that is in place now.

The reason why we are using other funds is because it was suggested to us to use economic development funds. I can only say that I started out by saying I am an eternal optimist, but the Texas Southern University, University of Houston, downtown Houston and out into the suburbs have all come together suggesting that light rail is a people-mover and an effective transit vehicle.

Why are we standing here in the 21st century and having Houston denied? This is a viable amendment. I believe the delegation can sit down and have the issues resolved. Metro has been given the facts. They are seeking input from others. They are planning a comprehensive plan, and I do not know why an inner city has to be ignored and prevented from having the light rail system when all of us can come together on all kinds of large highways and byways and Members from the inner city can support it; but yet an inner-city district, economically in need, cannot have the light rail system that would then generate to all parts of our community, including the suburbs. For the first time, we have friends in the suburbs. We have friends in the inner city and surrounding areas all saying that they want light rail.

I am distressed that we on the floor, this Congress, would deny Houston, Texas, the fourth largest city in the Nation, along with this long litany of other cities, the opportunity to design and construct its plan with the input of the larger body of citizens in our area. We have tried over and over again. I am going to come back here, if I am reelected, every single year and beg this House for light rail because I am appalled that Houston, Texas, would be isolated and segregated as opposed to all the rest of the people that are getting light rail.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

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

Mr. Chairman, I will be brief. I rise to engage the chairman of the committee in a colloquy regarding the Florida high speed rail project.

Mr. Chairman, last November 7, the voters of Florida passed a State referendum requiring the construction of a statewide high speed rail system, and that provision is now a part of our State constitution. Unfortunately, the legislature did not pass the enabling legislation in time for the subcommittee's funding deadline, which was April 6. In fact, the Florida Senate passed the High Speed Rail Authority Act on May 2 and the Florida house on May 3. Our Florida Governor signed this measure into law just a few weeks ago, on June 1.

The State of Florida has now taken action to authorize and commit $4.5 million in State funds for high speed rail, and we respectfully ask the subcommittee's support and assistance and consideration in the future.

Mr. Chairman, I hope that the gentleman from Kentucky (Mr. ROGERS) will be able to work with my colleagues in the Florida delegation and help us identify and secure funding for this project, which also has been authorized under one of the high speed rail corridors.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, let me thank the gentleman from Florida (Mr. MICA) for offering his comment. We would be pleased to work with the gentleman as this transportation bill moves through the appropriations process, especially as the gentleman is the chairman of a very important subcommittee over there on the Committee on Transportation and Infrastructure.

Mr. MICA. Mr. Chairman, I prepared an amendment to earmark funds for fiscal year 2002 funds for the Florida project, but I will not offer that amendment today. I want to thank the chairman for his intention to work with us on this project. It is most important to the people of Florida.

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. EMERSON) having assumed the chair, Mr. CAMP, 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. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. YOUNG of Florida. Madam Speaker, I wanted to announce to the membership that it is my intention to file the fiscal year 2002 energy and water development appropriations bill this afternoon, which we will do following this colloquy; that the Committee on Rules has agreed to meet this afternoon at 5:00 to receive testimony to grant a rule on that bill. The House would then consider the energy and water appropriations bill sometime midday tomorrow; and I say midday because in the morning two subcommittees of the Committee on Appropriations will mark up their bills. It will be midday before we could get to the energy and water bill.

With respect to the agriculture bill, it is my intention not to file the fiscal year 2002 agriculture, rural development, Food and Drug Administration and related agencies appropriation bill until the apples issue is resolved. If an agreement can be reached on apples, I would expect to file the agriculture appropriations bill tomorrow.

The Committee on Rules would then meet tomorrow evening to report the rule, and the House could work into the evening on Thursday night, hoping to complete that bill before adjourning for the July 4 recess.

I share the Members' desire to finish the agriculture bill by midnight Thursday or earlier if possible. In order for us to meet this ambitious schedule, it will require the cooperation of all of our colleagues in the House, and, of course, the cooperation of the Committee on Rules, which is always cooperative.

In order for the House to complete action on the agriculture bill, I would expect that the gentleman from Wisconsin and his leadership would be prepared to enter into time agreements, as we have on previous appropriations bills, and limitations on amendments to be offered on the agriculture appropriations bill. Since we all would like to get home to our districts for the 4th of July holiday, we desire not to have a hard drive into the wee hours of the morning Friday to finish the work. Rather, if necessary, we could complete the work on the agriculture bill when we return in July.

Mr. OBEY. Madam Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, I thank the gentleman from Florida (Mr. YOUNG) for his statement.

Madam Speaker, essentially for the benefit of the Members, what that means is that we would expect tomorrow after the committee is finished with its work in committee to finish action on the energy and water bill, which is being filed right now, and which will be in the Committee on Rules very shortly. On Thursday, if the agriculture bill is brought to the floor, we will work out time agreements and try to get as much done as possible, hope to finish. If we do not, it can be finished whenever the leadership decides it ought to be dealt with, and that would mean that Members would have notice that we would not be in session on Friday. Is that right?

Mr. YOUNG of Florida. The gentleman is correct. It is our intention if, in fact, we are able to take up the agriculture appropriations bill that we will do the best we can to complete it Thursday night; but we will not go into, as has been referred to so many times, the dark of night to try to finish it. We would try to finish it at an early time. We will not go into 2:00 or 3:00 or 4:00 in the morning.