

**Union Calendar No. 494**

107th Congress, 2d Session - - - - - House Report 107-793

**(107-104)**

**SUMMARY  
OF  
LEGISLATIVE AND OVERSIGHT ACTIVITIES**

---

**ONE HUNDRED SEVENTH CONGRESS**

**FIRST SESSION**

**Convened JANUARY 3, 2001**

**Adjourned DECEMBER 20, 2001**

**SECOND SESSION**

**Convened JANUARY 23, 2002**

**Adjourned NOVEMBER 22, 2002**

---

**COMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE**

**U.S. HOUSE OF REPRESENTATIVES**



DECEMBER 20, 2002.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE

19-006

WASHINGTON : 2002

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

DON YOUNG, Alaska, *Chairman*

THOMAS E. PETRI, Wisconsin, *Vice-Chair*  
SHERWOOD L. BOEHLERT, New York  
HOWARD COBLE, North Carolina  
JOHN J. DUNCAN, Jr., Tennessee  
WAYNE T. GILCHREST, Maryland  
STEPHEN HORN, California  
JOHN L. MICA, Florida  
JACK QUINN, New York  
VERNON J. EHLERS, Michigan  
SPENCER BACHUS, Alabama  
STEVEN C. LATOURETTE, Ohio  
SUE W. KELLY, New York  
RICHARD H. BAKER, Louisiana  
ROBERT W. NEY, Ohio  
JOHN R. THUNE, South Dakota  
FRANK A. LOBIONDO, New Jersey  
JERRY MORAN, Kansas  
RICHARD W. POMBO, California  
JIM DEMINT, South Carolina  
DOUG BEREUTER, Nebraska  
MICHAEL K. SIMPSON, Idaho  
JOHNNY ISAKSON, Georgia  
ROBIN HAYES, North Carolina  
ROB SIMMONS, Connecticut  
MIKE ROGERS, Michigan  
SHELLEY MOORE CAPITO, West Virginia  
MARK STEVEN KIRK, Illinois  
HENRY E. BROWN, Jr., South Carolina  
TIMOTHY V. JOHNSON, Illinois  
BRIAN D. KERNS, Indiana  
DENNIS R. REHBERG, Montana  
TODD RUSSELL PLATTS, Pennsylvania  
MIKE FERGUSON, New Jersey  
SAM GRAVES, Missouri  
C.L. (BUTCH) OTTER, Idaho  
MARK R. KENNEDY, Minnesota  
JOHN ABNEY CULBERSON, Texas  
BILL SHUSTER, Pennsylvania  
JOHN BOOZMAN, Arkansas  
JOHN SULLIVAN, Oklahoma  
JAMES L. OBERSTAR, Minnesota  
NICK J. RAHALL II, West Virginia  
ROBERT A. BORSKI, Pennsylvania  
WILLIAM O. LIPINSKI, Illinois  
PETER A. DeFAZIO, Oregon  
BOB CLEMENT, Tennessee  
JERRY F. COSTELLO, Illinois  
ELEANOR HOLMES NORTON, District of  
Columbia  
JERROLD NADLER, New York  
ROBERT MENENDEZ, New Jersey  
CORRINE BROWN, Florida  
JAMES A. BARCIA, Michigan  
BOB FILNER, California  
EDDIE BERNICE JOHNSON, Texas  
FRANK MASCARA, Pennsylvania  
GENE TAYLOR, Mississippi  
JUANITA MILLENDER-McDONALD,  
California  
ELIJAH E. CUMMINGS, Maryland  
EARL BLUMENAUER, Oregon  
MAX SANDLIN, Texas  
ELLEN O. TAUSCHER, California  
BILL PASCRELL, Jr., New Jersey  
LEONARD L. BOSWELL, Iowa  
TIM HOLDEN, Pennsylvania  
NICK LAMPSON, Texas  
JOHN ELIAS BALDACCI, Maine  
MARION BERRY, Arkansas  
BRIAN BAIRD, Washington  
SHELLEY BERKLEY, Nevada  
BRAD CARSON, Oklahoma  
JIM MATHESON, Utah  
MICHAEL M. HONDA, California  
RICK LARSEN, Washington  
MICHAEL E. CAPUANO, Massachusetts

## SUBCOMMITTEES

The Chairman and the Ranking Minority Member of the Committee are ex officio voting members of all Subcommittees. The Member of the Majority Party ranking immediately after the Chairman shall be Vice Chairman or Chairwoman of the Subcommittee, and the ranking Member of the Minority Party shall serve as Subcommittee Ranking Minority Member for the 107th Congress.

### SUBCOMMITTEE ON AVIATION

JOHN L. MICA, Florida, *Chairman*

THOMAS E. PETRI, Wisconsin	WILLIAM O. LIPINSKI, Illinois
JOHN J. DUNCAN, JR., Tennessee	ELEANOR HOLMES NORTON, District of Columbia
STEPHEN HORN, California	EDDIE BERNICE JOHNSON, Texas
JACK QUINN, New York	LEONARD L. BOSWELL, Iowa
VERNON J. EHLERS, Michigan	JOHN ELIAS BALDACCI, Maine
SPENCER BACHUS, Alabama	PETER A. DeFAZIO, Oregon
SUE W. KELLY, New York	JERRY F. COSTELLO, Illinois
RICHARD H. BAKER, Louisiana	ROBERT MENENDEZ, New Jersey
JOHN R. THUNE, South Dakota	CORRINE BROWN, Florida
FRANK A. LoBIONDO, New Jersey	JUANITA MILLENDER-McDONALD, California
JERRY MORAN, Kansas	MAX SANDLIN, Texas
MICHAEL K. SIMPSON, Idaho	ELLEN O. TAUSCHER, California
JOHNNY ISAKSON, Georgia	BILL PASCARELL, JR., New Jersey
ROBIN HAYES, North Carolina, <i>Vice Chairman</i>	TIM HOLDEN, Pennsylvania
MARK STEVEN KIRK, Illinois	NICK LAMPSON, Texas
TIMOTHY V. JOHNSON, Illinois	SHELLEY BERKLEY, Nevada
DENNIS R. REHBERG, Montana	BRAD CARSON, Oklahoma
SAM GRAVES, Missouri	JIM MATHESON, Utah
MARK R. KENNEDY, Minnesota	MICHAEL M. HONDA, California
JOHN ABNEY CULBERSON, Texas	NICK J. RAHALL II, West Virginia
BUD SHUSTER, Pennsylvania	JAMES L. OBERSTAR, Minnesota
JOHN BOOZMAN, Arkansas	<i>(Ex Officio)</i>
JOHN SULLIVAN, Oklahoma	
DON YOUNG, Alaska	
<i>(Ex Officio)</i>	

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

FRANK A. LOBIONDO, New Jersey

HOWARD COBLE, North Carolina

WAYNE T. GILCHREST, Maryland

JIM DEMINT, South Carolina

ROB SIMMONS, Connecticut *Vice-Chair*

DON YOUNG, Alaska

*(Ex Officio)*

CORRINE BROWN, Florida

JAMES A. BARCIA, Michigan

GENE TAYLOR, Mississippi

PETER A. DeFAZIO, Oregon

JAMES L. OBERSTAR, Minnesota

*(Ex Officio)*

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY  
MANAGEMENT

STEVEN C. LATOURETTE, Ohio, *Chairman*

ROBERT W. NEY, Ohio

MIKE ROGERS, Michigan

SHELLEY MOORE CAPITO, West Virginia,

*Vice-Chair*

JOHN SULLIVAN, Oklahoma

DON YOUNG, Alaska

*(Ex Officio)*

JERRY F. COSTELLO, Illinois

MARION BERRY, Arkansas

ELEANOR HOLMES NORTON, District of

Columbia

JAMES A. BARCIA, Michigan

JAMES L. OBERSTAR, Minnesota

*(Ex Officio)*

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

THOMAS E. PETRI, Wisconsin, *Chairman*

SHERWOOD L. BOEHLERT, New York	ROBERT A. BORSKI, Pennsylvania
HOWARD COBLE, North Carolina	NICK J. RAHALL II, West Virginia
JOHN J. DUNCAN, JR., Tennessee	JAMES A. BARCIA, Michigan
JOHN L. MICA, Florida	BOB FILNER, California
JACK QUINN, New York	FRANK MASCARA, Pennsylvania
STEVEN C. LATOURETTE, Ohio	JUANITA MILLENDER-McDONALD, California
SUE W. KELLY, New York	ELIJAH E. CUMMINGS, Maryland
RICHARD H. BAKER, Louisiana	MAX SANDLIN, Texas
JOHN R. THUNE, South Dakota	BILL PASCARELL, JR., New Jersey
JERRY MORAN, Kansas	TIM HOLDEN, Pennsylvania
RICHARD W. POMBO, California	SHELLEY BERKLEY, Nevada
JIM DEMINT, South Carolina	ELLEN O. TAUSCHER, California
DOUG BEREUTER, Nebraska	BRAD CARSON, Oklahoma
JOHNNY ISAKSON, Georgia	JIM MATHESON, Utah
ROBIN HAYES, North Carolina	MICHAEL M. HONDA, California
ROB SIMMONS, Connecticut	RICK LARSEN, Washington
MIKE ROGERS, Michigan	WILLIAM O. LIPINSKI, Illinois
SHELLEY MOORE CAPITO, West Virginia	BOB CLEMENT, Tennessee
MARK STEVEN KIRK, Illinois	JERROLD NADLER, New York
HENRY E. BROWN, JR., South Carolina	EDDIE BERNICE JOHNSON, Texas
TIMOTHY V. JOHNSON, Illinois	LEONARD L. BOSWELL, Iowa
BRIAN D. KERNS, Indiana	BRIAN BAIRD, Washington
DENNIS R. REHBERG, Montana	JERRY F. COSTELLO, Illinois
TODD RUSSELL PLATTS, Pennsylvania	CORRINE BROWN, Florida
MIKE FERGUSON, New Jersey	JAMES L. OBERSTAR, Minnesota
SAM GRAVES, Missouri	MICHAEL E. CAPUANO, Massachusetts
C.L. (BUTCH) OTTER, Idaho	<i>(ex officio)</i>
MARK R. KENNEDY, Minnesota, VICE-CHAIR	
BILL SHUSTER, Pennsylvania	
DON YOUNG, Alaska	
<i>(ex officio)</i>	

SUBCOMMITTEE ON RAILROADS

JACK QUINN, New York, *Chairman*

THOMAS E. PETRI, Wisconsin	BOB CLEMENT, Tennessee
SHERWOOD L. BOEHLERT, New York	JERROLD NADLER, New York
HOWARD COBLE, North Carolina	NICK J. RAHALL II, West Virginia
JOHN L. MICA, Florida	ROBERT A. BORSKI, Pennsylvania
SPENCER BACHUS, Alabama	BOB FILNER, California
JERRY MORAN, Kansas	ELIJAH E. CUMMINGS, Maryland
JIM DEMINT, South Carolina	EARL BLUMENAUER, Oregon
ROB SIMMONS, Connecticut	JOHN ELIAS BALDACCI, Maine
SHELLEY MOORE CAPITO, West Virginia	RICK LARSEN, Washington
TODD RUSSELL PLATTS, Pennsylvania	WILLIAM O. LIPINSKI, Illinois
MIKE FERGUSON, New Jersey, <i>Vice-Chair</i>	JAMES L. OBERSTAR, Minnesota
DON YOUNG, Alaska	<i>(ex officio)</i>
<i>(ex officio)</i>	

SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

JOHN J. DUNCAN, Jr., Tennessee

SHERWOOD L. BOEHLERT, New York	PETER A. DeFAZIO, Oregon
WAYNE T. GILCHREST, Maryland	ROBERT MENENDEZ, New Jersey
STEPHEN HORN, California	GENE TAYLOR, Mississippi
VERNON J. EHLERS, Michigan	EARL BLUMENAUER, Oregon
STEVEN C. LATOURETTE, Ohio	JAMES P. McGOVERN, Massachusetts
SUE W. KELLY, New York	NICK LAMPSON, Texas
RICHARD H. BAKER, Louisiana	BRIAN BAIRD, Washington
ROBERT W. NEY, Ohio	FRANK MASCARA, Pennsylvania
RICHARD W. POMBO, California	MARION BERRY, Arkansas
DOUG BEREUTER, Nebraska	ROBERT A. BORSKI, Pennsylvania
MICHAEL K. SIMPSON, Idaho	BOB FILNER, California
HENRY E. BROWN, Jr., South Carolina	EDDIE BERNICE JOHNSON, Texas
BRIAN D. KERNS, Indiana	JUANITA MILLENDER-McDONALD, California
DENNIS R. REHBERG, Montana, <i>Vice-Chair</i>	BILL PASCARELL, Jr., New Jersey
C.L. (BUTCH) OTTER, Idaho	MICHAEL M. HONDA, California
JOHN ABNEY CULBERSON, Texas	JAMES L. OBERSTAR, Minnesota
BILL SHUSTER, Pennsylvania	<i>(Ex Officio)</i>
JOHN BOOZMAN, Arkansas	
DON YOUNG, Alaska	
<i>(Ex Officio)</i>	

### **Majority Full Committee Staff**

LLOYD A. JONES, *Chief of Staff*  
ELIZABETH MEGGINSON, *Chief Counsel*  
CHARLES ZIEGLER, *Deputy Chief Counsel and Parliamentarian*  
CHRISTINE KENNEDY, *Administrator*  
RAGA ELIM, *Special Counsel to the Chairman*  
DEBBIE CALLIS, *Executive Assistant to the Chief of Staff*  
FRASER VERRUSIO, *Policy Director*  
JOSEPH GRAZIANO, *Chief Financial Administrator*  
JIMMY MILLER, *Director of Committee Facilities and Travel*  
STEPHEN BEAULIEU, *Special Assistant to the Chief Counsel*  
KRIS DEMIRJIAN, *Staff Assistant*  
KIMBERLEE SARANKO, *Staff Assistant*

---

### **Minority Full Committee Staff**

DAVID A. HEYMSFELD, *Minority Staff Director*  
WARD MCCARRAGHER, *Minority Chief Counsel*  
KATHLEEN DONNELLY, *Minority Counsel*  
SHEILA R. LOCKWOOD, *Minority Systems Administrator*  
DARA M. SCHLIEKER, *Minority Financial Administrator*

---

### **Budget**

SHARON BARKELOO, *Professional Staff Member for Budget and Aviation*

---

### **Information Systems**

KEVEN SARD, *Manager Information Systems*  
CHRISTOPHER HEWETT, *Web and Graphics Editor*  
SONIA TUTIVEN, *Assistant Systems Administrator*

---

### **Press Office**

STEVE HANSEN, *Communications Director*  
JUSTIN HARCLERODE, *Deputy Communications Director*  
JIM BERARD, *Minority Director of Communications*

---

### **Editorial**

GILDA FUENTEZ, *Editor*  
TRACY MOSEBEY, *Legislative Calendar Clerk*

**Majority Staff**

**Investigations Office**

BOB FABER, *Senior Counsel*  
MARK ZACHARES, *Investigative Counsel*  
DEREK MILLER, *Investigative Counsel*  
CHARLES YESSAIAN, *Legislative Staff Assistant*

**Minority Staff**

TRINITA BROWN, *Minority Counsel*

---

**AVIATION**

**Majority Staff**

DAVID SCHAFFER, *Staff Director and Senior Counsel*  
HOLLY E. WOODRUFF LYONS, *Counsel*  
ADAM TSAO, *Professional Staff Member*  
SHARON BARKELOO, *Professional Staff Member for Budget and Aviation*  
CHERYL MCCULLOUGH, *Senior Legislative Staff Assistant*

**Minority Staff**

STACIE SOUMBENIOTIS, *Minority Staff Director and Senior Counsel*  
GILES GIOVINAZZI, *Minority Counsel*  
MICHAEL HERREN, *Minority Staff Assistant*

---

**COAST GUARD AND MARITIME TRANSPORTATION**

**Majority Staff**

REBECCA DYE, *Staff Director and Senior Counsel*  
EDWARD LEE, *Professional Staff Member*  
MARSHA CANTER, *Senior Legislative Staff Assistant*

**Minority Staff**

JOHN CULLATHER, *Minority Staff Director*  
ROSE M. HAMLIN, *Minority Staff Assistant*

**ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND EMERGENCY  
MANAGEMENT**

**Majority Staff**

MATT WALLEN, *Staff Director*  
DAN SCHULMAN, *Counsel*

**Minority Staff**

SUSAN F. BRITA, *Minority Staff Director*  
TRINITA BROWN, *Minority Counsel on Emergency Management*  
ROSE M. HAMLIN, *Minority Staff Assistant*

---

**HIGHWAYS AND TRANSIT**

**Majority Staff**

LEVON BOYAGIAN, *Staff Director*  
GRAHAM HILL, *Counsel*  
JOYCE ROSE, *Professional Staff Member*  
JAMES TYMON, *Professional Staff Member*  
MELISSA THERIAULT, *Staff Assistant*  
AMY WARDER, *Staff Assistant*

**Minority Staff**

CLYDE WOODLE, *Minority Senior Staff Director*  
KENNETH HOUSE, *Minority Staff Director*  
FRANK MULVEY, *Minority Staff Director*  
ERIC SCHYNDLE, *Minority Staff Assistant*

---

**RAILROADS**

**Majority Staff**

GLENN SCAMMEL, *Staff Director and Senior Counsel*  
JOHN SCHEIB, *Counsel*  
TRAVIS JOHNSON, *Staff Assistant*

**Minority Staff**

FRANK MULVEY, *Minority Staff Director*  
MICHAEL HERREN, *Minority Staff Assistant*

---

**WATER RESOURCES AND ENVIRONMENT**

**Majority Staff**

SUSAN BODINE, *Staff Director and Senior Counsel*  
JONATHAN PAWLOW, *Counsel*  
JOHN ANDERSON, *Professional Staff Member*  
DONNA CAMPBELL, *Senior Legislative Staff Assistant*  
FESS CASSELS, *Legislative Staff Assistant*

**Minority Staff**

KENNETH J. KOPOCIS, *Minority Staff Director*

RYAN SEIGER, *Minority Counsel*

ARTHUR CHAN, *Minority Chief Economist*

PAMELA KELLER, *Minority Staff Assistant*

(x)

**LETTER OF SUBMITTAL**

DECEMBER 20, 2002.

Hon. JEFF TRANDAHL,  
*The Clerk, House of Representatives,*  
*Washington, DC.*

DEAR MR. TRANDAHL: In compliance with Rule XI, Clause 1(d) of the Rules of the House of Representatives, there is transmitted herewith the Summary of Activities of the Committee on Transportation and Infrastructure for the 107th Congress.

The purpose of the report is to provide the Members of the House of Representatives, and the general public, with an overview of the legislative and oversight activities conducted by the Committee pursuant to Rule X, Clause 1(q) of the Rules of the House of Representatives.

This document is intended as a general reference tool, and not as a substitute for the hearing records, reports, and other committee files.

Sincerely yours,

DON YOUNG,  
*Chairman, Committee on Transportation and Infrastructure*  
Enclosure.

(XI)



## CONTENTS

	Page
Letter of Submittal .....	XI
Foreword .....	XV
Jurisdiction of the House Committee on Transportation and Infrastructure .....	1
Bills enacted into law .....	2
Committee Bills and Resolutions that passed the House but not acted on by the Senate .....	5
Bills reported to the House but not acted upon .....	7
Resolutions approved by both Chambers .....	8
Senate Bills and Resolutions Referred to the Committee but not acted on .....	9
Bills that passed both the House and Senate but not signed into public law .....	11
Bills enacted into law (summaries of public laws):	
107-2 To designate the John Joseph Moakley United States Courthouse .....	11
107-23 To designate the James C. Corman Federal Building .....	11
107-31 To designate the Edward N. Cahn Federal Building and United States Courthouse .....	12
107-33 To designate the Thurgood Marshall United States Courthouse .....	12
107-42 Air Transportation Safety and System Stabilization Act .....	13
107-49 To designate the Lee H. Hamilton Federal Building and United States Courthouse .....	13
107-71 Aviation and Transportation Security Act of 2001 .....	14
107-80 To designate the James A. McClure Federal Building and United States Courthouse .....	14
107-90 Railroad Retirement and Survivors' Improvement Act .....	15
107-106 National Museum of African American History and Culture Plan for Action Presidential Commission Act of 2001 .....	15
107-107 National Defense Authorization Act for fiscal year 2002 .....	16
107-118 Small Business Liability Relief and Brownfields Revitalization Act .....	16
107-149 Appalachian Regional Development Reauthorization Act of 2001 .....	16
107-154 Extended Unemployment Assistance Act .....	17
107-174 Notification and Federal Employee Antidiscrimination and Retalia- tion Act of 2002 .....	17
107-175 To designate the Ron de Lugo Federal Building .....	18
107-176 To designate the Donald J. Pease Federal Building .....	18
107-177 To designate the William L. Beatty Federal Building and United States Courthouse .....	19
107-178 To designate the Mike Mansfield Federal Building and United States Courthouse .....	19
107-182 Paul Simon Chicago Jobs Corps Center .....	20
107-224 John F. Kennedy Center for the Performing Arts Plaza Authoriza- tion Act of 2002 .....	21
107-230 To provide a temporary waiver from certain transportation con- formity requirements and metropolitan transportation planning require- ments under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been de- stroyed by acts of terrorism, and for other purposes .....	21
107-232 Transit Operating Flexibility Act .....	22
107-257 To designate the Wayne Lyman Morse United States Courthouse ...	22
107-295 Maritime Transportation Security Act of 2002 .....	23
107-298 Real Interstate Driver Equity Act of 2001 .....	33
107-303 Great Lakes and Lake Champlain Act of 2002 .....	34
107-310 Dam Safety and Security Act of 2002 .....	34
107-314 Bob Stump National Defense Authorization Act for fiscal year 2003 .....	35
107-320 To direct the Secretary of the Army to convey a parcel of land to Chatham County, Georgia .....	35
107-355 To enhance the security and safety of pipelines .....	35

XIV

	Page
Committee Views and Estimates Report .....	37
Summary of activities:	
Full Committee on Transportation and Infrastructure .....	39
Subcommittee on Aviation .....	43
Subcommittee on Coast Guard and Maritime Transportation .....	51
Subcommittee on Economic Development, Public Buildings and Emergency Management .....	79
Subcommittee on Highways and Transit .....	109
Subcommittee on Railroads .....	119
Subcommittee on Water Resources and Environment .....	121
Oversight .....	129
Public Building Project Resolutions and 11(b) Resolutions Approved Pursuant to the Public Buildings Act of 1959 .....	138
Water Survey Resolutions Adopted .....	166
Publications .....	169

## FOREWORD

The 107th Congress will be remembered as one of the most extraordinary times in the history of our nation and the Congress. As the new Congress began, the Committee on Transportation and Infrastructure was poised to solve the problems facing the country's vast transportation infrastructure. The problems that we faced were congestion on our roads, in the air, and on our waterways. During the early months of the Congress, we focused on the need for capital investment in new and improved infrastructure. We felt secure and strong.

That sense of security changed one tragic day in September, 2001. The Committee had to focus on protecting our transportation systems and the infrastructure that supports that system from the threat of terrorism. The Committee rose to the challenge and in record time produced legislation to keep our aviation transportation system operating and to make it truly secure. The Committee made a significant contribution to legislation to create a new Department of Homeland Security and proposed legislation relative to security of our water infrastructure, our bus systems, and our ports.

In the midst of dealing with the urgency of the terrorist threat, the Committee was also able to continue its work on the more routine but important legislation that falls within its jurisdiction including a new vision for passenger rail, the protection of our water, the management of our public buildings, encouraging economic development, and laying the foundation for reauthorization of highway and aviation programs.

These accomplishments would not have occurred without the strong bipartisanship of the Committee's members and the leadership of the Ranking Minority Member, Rep. James L. Oberstar. I also want to extend my thanks and appreciation to Aviation Subcommittee Chairman John L. Mica and Ranking Minority Member William O. Lipinski, Coast Guard and Maritime Transportation Subcommittee Chairman Frank A. LoBiondo and Ranking Minority Member Corrine Brown, Economic Development, Public Buildings and Emergency Management Subcommittee Chairman Steven C. LaTourette and Ranking Minority Member Jerry F. Costello, Highways and Transit Subcommittee Chairman Thomas E. Petri and Ranking Minority Member Robert A. Borski, Railroads Subcommittee Chairman Jack Quinn and Ranking Minority Member Bob Clement, and Water Resources and Environment Subcommittee Chairman John J. Duncan and Ranking Minority Member Peter A. DeFazio.

It is with pride that the House Committee on Transportation and Infrastructure submits its summary of legislative and oversight activities for the 107th Congress—accomplishments that will build a

safer, more efficient, and more economically strong America for the  
21st Century.

DON YOUNG,  
*Chairman, Committee on Transportation and Infrastructure.*

## Union Calendar No. 494

107TH CONGRESS }  
2d Session } HOUSE OF REPRESENTATIVES { REPORT  
107-793

---

---

### SUMMARY OF LEGISLATIVE AND OVERSIGHT ACTIVITIES—COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

DECEMBER 20, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG, from the Committee on Transportation and Infrastructure, submitted the following

### R E P O R T

#### PROVISIONS OF THE RULES OF THE HOUSE OF REPRESENTATIVES APPLICABLE TO COMMITTEE ACTIVITIES; JURISDICTION OF THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

##### “RULE X

##### “ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

##### “The Committees and Their Jurisdiction

“1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

##### “(q) Committee on Transportation and Infrastructure.

“(1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.

“(2) Federal management of emergencies and natural disasters.

“(3) Flood control and improvement of rivers and harbors.

“(4) Inland waterways.

“(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

“(6) Navigation and the laws relating thereto, including pilotage.

“(7) Registering and licensing of vessels and small boats.

“(8) Rules and international arrangements to prevent collisions at sea.

“(9) Measures relating to the Capitol Building and the Senate and House office buildings.

“(10) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

“(11) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

“(12) Measures relating to merchant marine, except for national security aspects of merchant marine.

“(13) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

“(14) Oil and other pollution of navigable waters, including inland, coastal, and ocean waters.

“(15) Marine affairs (including coastal zone management) as they relate to oil and other pollution of navigable waters.

“(16) Public buildings and occupied or improved grounds of the United States generally.

“(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams) .

“(18) Related transportation regulatory agencies.

“(19) Roads and the safety thereof.

“(20) Transportation, including civil aviation, railroads, water transportation, transportation safety (except automobile safety), transportation infrastructure, transportation labor, and railroad retirement and unemployment (except revenue measures related thereto) .

“(21) Water power.”

#### BILLS ENACTED INTO LAW

Public Law Number	Date Enacted	Bill Number	Title
107-2 .....	Mar. 13, 2001 .....	H.R. 559 .....	To designate the United States courthouse located at 1 Courthouse Way in Boston, Massachusetts, as the “John Joseph Moakley United States Courthouse”.
107-23 .....	Aug. 3, 2001 .....	S. 468 .....	A bill to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the “James C. Corman Federal Building”.
107-31 .....	Aug. 20, 2001 .....	H.R. 558 .....	To designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the “Edward N. Cahn Federal Building and United States Courthouse”.

## BILLS ENACTED INTO LAW—Continued

Public Law Number	Date Enacted	Bill Number	Title
107-33 .....	Aug. 20, 2001 .....	H.R. 988 .....	To designate the United States courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse".
107-42 .....	Sep. 22, 2001 .....	H.R. 2926 .....	To preserve the continued viability of the United States air transportation system.
107-49 .....	Oct. 15, 2001 .....	H.R. 1583 .....	To designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse".
107-56 .....	Oct. 26, 2001 .....	H.R. 3162 .....	To deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.
107-71 .....	Nov. 19, 2001 .....	S. 1447 .....	A bill to improve aviation security, and for other purposes.
107-80 .....	Dec. 12, 2001 .....	S. 1459 .....	A bill to designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the "James A. McClure Federal Building and United States Courthouse".
107-90 .....	Dec. 21, 2001 .....	H.R. 10 .....	An Act to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.
107-106 .....	Dec. 28, 2001 .....	H.R. 3442 .....	To establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and Culture in Washington, D.C., and for other purposes.
107-118 .....	Jan. 11, 2002 .....	H.R. 2869 .....	To provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.
107-149 .....	Mar. 12, 2002 .....	S. 1206 .....	A bill to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.
107-154 .....	Mar. 25, 2002 .....	H.R. 3986 .....	To extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001.
107-173 .....	May 14, 2002 .....	H.R. 3525 .....	To enhance the border security of the United States, and for other purposes.

## BILLS ENACTED INTO LAW—Continued

Public Law Number	Date Enacted	Bill Number	Title
107-174	May 15, 2002	H.R. 169	To require that Federal agencies be accountable for violations of anti-discrimination and whistleblower protection laws, and for other purposes.
107-175	May 17, 2002	H.R. 495	To designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the "Ron de Lugo Federal Building".
107-176	May 17, 2002	H.R. 819	To designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the "Donald J. Pease Federal Building".
107-177	May 17, 2002	H.R. 3093	To designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse".
107-178	May 17, 2002	H.R. 3282	To designate the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the "Mike Mansfield Federal Building and United States Courthouse".
107-182	May 21, 2002	S. 378	A bill to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Job Corps Center".
107-224	Sep. 19, 2002	H.R. 5012	A bill to amend the John F. Kennedy Center Act to authorize the Secretary of Transportation to carry out a project for construction of a plaza adjacent to the John F. Kennedy Center for the Performing Arts, and for other purposes.
107-230	Oct. 2, 2002	H.R. 3880	To provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism, and for other purposes.
107-232	Oct. 2, 2002	H.R. 5157	To amend section 5307 of title 49, United States Code, to allow transit systems in urbanized areas that, for the first time, exceeded 200,000 in population according to the 2000 census to retain flexibility in the use of Federal transit formula grants in fiscal year 2003, and for other purposes.
107-257	Oct. 29, 2002	S. 1270	A bill to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the "Wayne Lyman Morse United States Courthouse".

## BILLS ENACTED INTO LAW—Continued

Public Law Number	Date Enacted	Bill Number	Title
107-259	Oct. 29, 2002	S. 1646	A bill to identify certain routes in the States of Texas, Oklahoma, Colorado, and New Mexico as part of the Ports-to-Plains Corridor, a high priority corridor on the National Highway System.
107-295	Nov. 25, 2002	S. 1214	A bill to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes.
107-296	Nov. 25, 2002	H.R. 5005	To establish the Department of Homeland Security, and for other purposes.
107-298	Nov. 26, 2002	H.R. 2546	To amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, and for other purposes.
107-303		H.R. 1070	An Act to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to provide assistance for remediation of sediment contamination in areas of concern, to authorize assistance for research and development of innovative technologies for such remediation, and to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 2000 to modify provisions relating to the Lake Champlain basin, and for other purposes.
107-310		H.R. 4727	To reauthorize the national dam safety program, and for other purposes.
107-320		H.R. 2595	To direct the Secretary of the Army to convey a parcel of land to Chatham County, Georgia.
107-355		H.R. 3609	To amend title 49, United States Code, to enhance the security and safety of pipelines.

## COMMITTEE BILLS AND RESOLUTION THAT PASSED THE HOUSE BUT NOT ACTED ON BY THE SENATE

Bill Number	Passed the House	Title
H.R. 554	2/14/2001	To establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents.
H.R. 621	2/28/2001	To designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the "James C. Corman Federal Building".
H.R. 691	6/27/2001	To extend the authorization of funding for child passenger protection education grants through fiscal year 2003.

COMMITTEE BILLS AND RESOLUTION THAT PASSED THE HOUSE BUT NOT ACTED ON BY THE  
SENATE—Continued

Bill Number	Passed the House	Title
H.R. 852 .....	11/27/2001 .....	To designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the "Nathaniel R. Jones and Frank J. Battisti Federal Building and United States Courthouse".
H.R. 1098 .....	3/21/2001 .....	To improve the recording and discharging of maritime liens and expand the American Merchant Marine Memorial Wall of Honor, and for other purposes.
H.R. 1099 .....	3/22/2001 .....	To make changes in laws governing Coast Guard personnel, increase marine safety, renew certain groups that advise the Coast Guard on safety issues, make miscellaneous improvements to Coast Guard operations and policies, and for other purposes.
H.R. 1140 .....	7/31/2001 .....	To modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.
H.R. 1699 .....	6/7/2001 .....	To authorize appropriations for the Coast Guard for fiscal year 2002.
H.R. 1801 .....	5/21/2001 .....	To designate the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the "Eldon B. Mahon United States Courthouse".
H.R. 1831 .....	5/22/2001 .....	To provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
H.R. 1979 .....	6/20/2002 .....	To amend title 49, United States Code, to provide assistance for the construction of certain air traffic control towers.
H.R. 2501 .....	8/2/2001 .....	To authorize the Appalachian Regional Development Act of 1965.
H.R. 2672 .....	10/7/2002 .....	To designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the "Wayne Lyman Morse United States Courthouse".
H.R. 2776 .....	11/13/2001 .....	To designate buildings 315, 318, and 319 located at the Federal Aviation Administration's William J. Hughes Technical Center in Atlantic City, New Jersey, as the "Frank R. Lautenberg Aviation Security Complex".
H.R. 2804 .....	5/19/2002 .....	To designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the "James R. Browning United States Courthouse".
H.R. 2841 .....	11/13/2001 .....	To designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Court of International Trade Building".
H.R. 2911 .....	5/7/2002 .....	To designate the Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, as the "Harvey W. Wiley Federal Building".
H.R. 3370 .....	12/11/2001 .....	To amend the Coast Guard Authorization Act of 1996 to modify the reversionary interest of the United States in a parcel of property conveyed to the Traverse City Area School District in Traverse City, Michigan.
H.R. 3429 .....	11/15/2002 .....	To direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes.

COMMITTEE BILLS AND RESOLUTION THAT PASSED THE HOUSE BUT NOT ACTED ON BY THE  
SENATE—Continued

Bill Number	Passed the House	Title
H.R. 3441 .....	12/11/2001 .....	To amend title 49, United States Code, to realign the policy responsibility in the Department of Transportation, and for other purposes.
H.R. 3479 .....	7/15/2002 .....	To expand aviation capacity.
H.R. 3507 .....	12/20/2001 .....	To authorize appropriations for the Coast Guard for fiscal year 2002, and for other purposes.
H.R. 3694 .....	5/14/2002 .....	To provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.
H.R. 4006 .....	5/7/2002 .....	To designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the "Alfonse M. D'Amato United States Courthouse".
H.R. 4028 .....	5/7/2002 .....	To designate the United States courthouse located at 600 West Capital Avenue in Little Rock, Arkansas, as the "Richard S. Arnold United States Courthouse".
H.R. 4466 .....	6/4/2002 .....	To amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003, 2004, and 2005, and for other purposes.
H.R. 4481 .....	7/9/2002 .....	To amend title 49, United States Code, relating to airport project streamlining, and for other purposes.
H.R. 4635 .....	7/10/2002 .....	To amend title 49, United States Code, to establish a program for Federal flight deck officers, and for other purposes.
H.R. 5083 .....	10/7/2002 .....	To designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".
H.R. 5169 .....	10/7/2002 .....	To amend the Federal Water Pollution Control Act to enhance the security to wastewater treatment works.
H.R. 5335 .....	10/7/2002 .....	To designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse".
H.R. 5422 .....	10/8/2002 .....	To prevent child abduction, and for other purposes.
H.R. 5427 .....	10/7/2002 .....	To designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building".
H.R. 5604 .....	11/15/2002 .....	To designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse".
H.R. 5611 .....	11/15/2002 .....	To designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building".

BILLS REPORTED TO THE HOUSE, BUT NOT ACTED UPON

Bill No.	Report No.	Date reported	Title
H.R. 1407 .....	107-77, Part I .....	May 23, 2001 .....	To amend title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays, and for other purposes.

## BILLS REPORTED TO THE HOUSE, BUT NOT ACTED UPON—Continued

Bill No.	Report No.	Date reported	Title
H.R. 2481 .....	107-243 .....	Oct. 16, 2001 .....	To improve maritime safety and the quality of life for Coast Guard personnel, and for other purposes.
H.R. 2972 .....	107-301 .....	Nov. 27, 2001 .....	To designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the "James A. McClure Federal Building and United States Courthouse".
H.R. 3347 .....	107-406, Part I .....	Apr. 15, 2002 .....	To provide economic relief to general aviation entities that have suffered substantial economic injury as a result of the terrorist attacks perpetrated against the United States on September 11, 2001.
S. 1622 .....	107-377 .....	Dec. 10, 2001 .....	A bill to extend the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001.

## RESOLUTIONS APPROVED BY BOTH CHAMBERS

Resolution Number	Passed House	Passed Senate	Title
H. Con. Res. 74 .....	5/8/2002 .....	5/9/2001 .....	Authorizing the use of the Capitol Grounds for the 20th annual National Peace Officers' Memorial Service.
H. Con. Res. 76 .....	5/21/2001 .....	5/22/2001 .....	Authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.
H. Con. Res. 79 .....	5/21/2001 .....	5/22/2001 .....	Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
H. Con. Res. 87 .....	5/21/2001 .....	5/22/2001 .....	Authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.
H. Con. Res. 272 .....	11/16/2001 .....	12/10/2001 .....	Expressing the sense of Congress regarding the crash of American Airlines Flight 587.
H. Con. Res. 347 .....	4/30/2002 .....	5/8/2002 .....	Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.
H. Con. Res. 348 .....	4/30/2002 .....	9/3/2002 .....	Authorizing the use of the Capitol Grounds for the National Book Festival.
H. Con. Res. 356 .....	4/30/2002 .....	5/23/2002 .....	Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
S. Con. Res. 41 .....	6/20/2001 .....	5/22/2001 .....	A concurrent resolution authorizing the use of the Capitol grounds for the National Book Festival.
S. Con. Res. 82 .....	11/27/2001 .....	11/13/2001 .....	A concurrent resolution authorizing the 2002 Winter Olympics Torch Relay to come onto the Capitol Grounds.

## RESOLUTIONS APPROVED BY BOTH CHAMBERS—Continued

Resolution Number	Passed House	Passed Senate	Title
S. Con. Res. 110 .....	9/24/2002 .....	6/19/2002 .....	A concurrent resolution honoring the heroism and courage displayed by airline flight attendants on a daily basis.

## SENATE BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE BUT NOT ACTED ON

Bill Number	Passed Senate	Title
S. Con. Res. 80 .....	12/18/2001 .....	A concurrent resolution expressing the sense of Congress regarding the 30th anniversary of the enactment of the Federal Water Pollution Control Act.
S.J. Res. 42 .....	11/14/2002 .....	A joint resolution commending Sail Boston for its continuing advancement of the maritime heritage of nations, its commemoration of the nautical history of the United States, and its promotion, encouragement, and support of young cadets through training.
S. 235 .....	2/8/2001 .....	A bill to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes.
S. 350 .....	4/25/2001 .....	A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.
S. 774 .....	5/24/2001 .....	A bill to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse".
S. 980 .....	2/25/2002 .....	A bill to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.
S. 1632 .....	10/15/2002 .....	A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to extend the deadline for submission of State recommendations of local governments to receive assistance of predisaster hazard mitigation and to authorize the President to provide additional repair assistance to individuals and households.
S. 1637 .....	12/20/2001 .....	A bill to waive certain limitations in the case of use of the emergency fund authorized by section 125 of title 23, United States Code, to pay the costs of projects in response to the attack on the World Trade Center in New York City that occurred on September 11, 2001.
S. 1644 .....	5/22/2002 .....	A bill to further the protection and recognition of veterans' memorials, and for other purposes.
S. 2037 .....	7/18/2002 .....	A bill to mobilize technology and science experts to respond quickly to the threats posed by terrorist attacks and other emergencies, by providing for the establishment of a national emergency technology guard, a technology reliability advisory board, and a center for evaluating antiterrorism and disaster response technology within the National Institute of Standards and Technology.

## SENATE BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE BUT NOT ACTED ON—Continued

Bill Number	Passed Senate	Title
S. 2896 .....	9/10/2002 .....	A bill to enhance the operation of the AMBER Alert communications network in order to facilitate the recovery of abducted children, to provide for enhanced notification on highways of alerts and information on such children, and for other purposes.
S. 2949 .....	11/18/2002 .....	A bill to provide for enhanced aviation security, and for other purposes.
S. 3149 .....	10/17/2002 .....	A bill to provide authority for the Smithsonian Institution to use voluntary separation incentives for personnel flexibility, and for other purposes.

## BILLS THAT PASSED BOTH THE HOUSE AND SENATE BUT NOT SIGNED INTO PUBLIC LAW

Bill No.	Passed House	Passed Senate	Title
H.R. 4 .....	Aug. 2, 2002 .....	Apr. 25, 2002 .....	To enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes.

## **BILLS ENACTED INTO LAW**

(Summaries of Public Laws)

---

### **JOHN JOSEPH MOAKLEY UNITED STATES COURTHOUSE**

(Public Law 107-2)

(H.R. 559)

This law designates the United States courthouse located at 1 Boston Way in Boston, Massachusetts as the “John Joseph Moakley United States Courthouse.” Congressman Moakley was born, raised, and lived most of his adult life in South Boston. He began his long and distinguished career in public service at the age of 15, when he enlisted in the United States Navy and served in the South Pacific during World War II. Upon returning from service in World War II, Congressman Moakley attended the University of Miami, and later received his law degree from Suffolk University Law School in Boston. At the age of 25, Congressman Moakley was elected to the Massachusetts State Legislature, serving in both the State House of Representatives and State Senate for 18 years before being elected to the Boston City Council. In 1972, Congressman Moakley was elected to the United States House of Representatives. After his first term in the House, Congressman Moakley was appointed to the Rules Committee. He later became Chairman of the Rules Committee in 1989. Congressman Moakley was known for having an affable personality and an ability to give everyone a fair hearing before the Rules Committee, even during difficult political debates. In addition to his work on the Rules Committee and being an ardent supporter for South Boston’s transportation infrastructure, Congressman Moakley was dedicated to ending human rights violations around the world.

---

### **JAMES C. CORMAN FEDERAL BUILDING**

(Public Law 107-23)

(S. 468)

This law designates the Federal building in Van Nuys, California as the “James C. Corman Federal Building.” Former Representative Corman was born in Galena, Kansas and was a graduate of Belmont High School. He earned his undergraduate degree from UCLA, his J.D. from USC and his LL.D. from the University of San Fernando Valley School of Law. He was admitted to the California Bar in 1949. Former Representative Corman first served his coun-

try in the United States Marine Corps during World War II and later as a Colonel in the Marine Corps Reserves. In 1957, he was elected to the Los Angeles City Council. He served on the council until being elected to the 87th Congress in 1960, and was re-elected to the House of Representatives for 10 succeeding terms. He served on the Judiciary Committee where he was instrumental in fighting for passage of the 1964 Civil Rights Act, and on the Ways and Means Committee where he was a leading advocate for the poor and disadvantaged, working on tax and welfare reform. Congressman Corman was also proud to serve on President Johnson's National Advisory Commission on Civil Disorders to investigate the causes of multi-city rioting in 1967.

---

EDWARD N. CAHN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(Public Law 107-31)

(H.R. 558)

This law designates the federal building and United States courthouse located in Allentown, Pennsylvania as the "Edward N. Cahn Federal Building and United States Courthouse." Judge Cahn was born and raised in Allentown, Pennsylvania. Judge Cahn was part of the Allentown High championship basketball team in 1951. He went on to attend Lehigh University and graduated magna cum laude in 1955. Judge Cahn was the first Lehigh University basketball player to score 1000 points during his collegiate career. After graduating from Yale Law School, Judge Cahn returned to the Lehigh Valley. He was in the United States Marine Corps Reserves until 1964 and active in private law practice until 1974. In 1974, President Ford appointed Edward Cahn to Pennsylvania's Eastern District Federal Court. For the next 23 years Judge Cahn fairly and expeditiously administered the law from the federal bench in Allentown, Pennsylvania. He is the only judge in the 3rd Circuit to work out of the Allentown courthouse. In 1993, Judge Cahn was appointed the court's Chief Judge until his retirement in December 1998.

---

THURGOOD MARSHALL UNITED STATES COURTHOUSE

(Public Law 107-33)

(H.R. 988)

This law designates the United States courthouse located at 40 Centre Street in New York City, New York as the "Thurgood Marshall United States Courthouse." Thurgood Marshall was born in Baltimore, Maryland, July 2, 1908. His father, William C. Marshall, was a club steward and his mother Norma A. Marshall, was a primary school teacher. In 1930, he graduated cum laude from Lincoln University in Chester, Pennsylvania. Three years later, he graduated at the top of his class from the Howard University School of Law. Upon graduation from law school, Justice Marshall

embarked on a legal career with the National Association for the Advancement of Colored People (NAACP). In 1940, he became the head of the newly formed NAACP Legal Defense and Education Fund, a post that he held for twenty years. It was during this tenure as Chief Counsel that Justice Marshall organized efforts to end segregation in voting, housing, public accommodations, and education. These efforts led to a series of cases grouped under the title of *Brown v. Board of Education*, in which Marshall argued and the Supreme Court declared segregation in public schools unconstitutional. In 1961, President John F. Kennedy appointed Marshall to the Second Circuit Court of Appeals. Four years after he received appointment to the court of appeals, President Lyndon B. Johnson chose Justice Marshall to be the nation's solicitor general. Two years later, on June 13, 1967, President Johnson chose Marshall to be a Justice of the Supreme Court where he served with distinction until his retirement in 1991. He died in 1993.

---

AIR TRANSPORTATION SAFETY AND SYSTEM  
STABILIZATION ACT

Became Public Law 107-42

(H.R. 2926)

This legislation was passed in the week immediately following the terrorist attacks of September 11, 2001 to stabilize the United States commercial air transportation system. It provided \$5 billion in grants to commercial air carriers for direct and incremental losses suffered as a result of the attacks. The legislation also authorized the Federal government to issue up to \$10 billion in loan guarantees to the airlines to ensure their continued viability.

---

LEE H. HAMILTON FEDERAL BUILDING AND UNITED  
STATES COURTHOUSE

(Public Law 107-49)

(H.R. 1583)

This law designates the Federal building and United States courthouse at 121 West Spring Street in New Albany, Indiana as the "Lee H. Hamilton Federal Building and United States Courthouse." This law had the strong bipartisan support of the entire Indiana delegation. Lee Hamilton represented the ninth Congressional district in Indiana for 34 years. Congressman Hamilton was born in Daytona Beach, Florida and moved to Evansville, Indiana in 1944 where he attended public schools. He is a graduate of DePauw University and went on to study at Goethe University in Frankfurt, Germany before graduating from Indiana School of Law in 1956. Congressman Hamilton was admitted to the state bar in 1957. He entered private law practice in Chicago, but returned shortly thereafter to Columbus, Indiana where he continued in private law practice until running for the U.S. House of Representatives in 1964. He was first elected to serve in the eighty-ninth Con-

gress and was re-elected to sixteen succeeding Congresses. While in the House, Congressman Hamilton was a leader with a penchant for working with both sides of the aisle. He served as Chairman of the House Intelligence Committee from 1985 until 1987, as Chairman of the Joint Economic Committee in 1989 and 1990 and as Chairman of the International Relations Committee from 1993 until 1995. In 1992, he was appointed to serve as co-Chair of the Joint Committee on the Organization of Congress. The Committee's recommendations were used as a starting point for the reorganization of Congress 1995. Congressman Hamilton retired from Congress in 1996.

---

AVIATION AND TRANSPORTATION SECURITY ACT OF 2001

Became Public Law 107-71

(S.1447/H.R. 3150)

This legislation is a landmark aviation security package that will create a federalized airport screening system and insure 100 percent baggage screening at our Nation's airports. The law is the result of a House-Senate Conference Committee and includes numerous provisions from the House-passed legislation. The legislation was drafted as the result of the September 11th terrorist attacks and includes provisions recommended from both U.S. and international aviation and security experts to create a uniform, consistent security system at our Nation's airports and provide for Federal marshals on commercial flights and increased security in all areas of our airports and jets.

---

JAMES A. McCLURE FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(Public Law 107-80)

(S. 1459)

This law designates the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho as the "James A. McClure Federal Building and United States Courthouse." James A. McClure was born in Payette, Idaho on December 27, 1924. He attended public schools in Payette and went on to serve in the United States Navy from 1942 until 1946. Following his tour with the Navy he earned his J.D. degree from the University of Idaho College of Law in 1950 and was admitted to the Idaho bar that same year. He commenced private practice in Payette before serving as prosecuting attorney of Payette County until 1956. During that time he served as city attorney from 1953 until 1966, and in the Idaho State Senate from 1961 until 1966, as well as being a member of the Payette County Central Committee for fifteen years. Senator McClure was elected to the United States House of Representatives to serve in the 90th Congress. He served for three succeeding terms until being elected to the United States Senate in 1972. Senator McClure served succeeding terms in the

Senate until his retirement in 1991. While in the Senate, Senator McClure was Chairman of the Committee on Energy and Natural Resources from 1981 until 1987 and Chairman of the Senate Republican Conference from 1981 until 1985.

---

RAILROAD RETIREMENT AND SURVIVORS' IMPROVEMENT  
ACT

(H.R. 1140/H.R. 10—S. Amdt. 2170)

Became Public Law 107-90

This legislation amends the Railroad Retirement Act of 1974 to increase benefits available under the Railroad Retirement Act of 1974. It improves the benefits for railroad employees, retirees and their beneficiaries and revises the financing of the pension part (Tier II) of the Railroad Retirement system.

The law was a result of Senate Amendment 2170, which incorporated H.R. 1140, the Railroad Retirement and Survivors' Improvement Act, as substitute text in H.R. 10, formerly the Comprehensive Retirement Security and Pension Reform Act. H.R. 10, now the Railroad Retirement and Survivors' Improvement Act, became Public Law 107-90 on December 21, 2001.

The new law serves to modernize the financing of the railroad retirement system, provide payroll tax relief, and provide enhanced benefits to employees and beneficiaries. The enhanced benefits include restoration of an age 62 retirement option with 30 years of service, full succession by surviving spouses to Tier II pension benefits of retirees, and reduction of minimum vesting period from 10 years to 5 years.

---

NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND  
CULTURE PLAN FOR ACTION

Presidential Commission Act of 2001

(Public Law 107-106)

(H.R. 3442)

The law establishes the National Museum of African American History and Culture Plan for Action Presidential Commission, which will develop a plan to establish and maintain the National Museum of African American History and Culture in Washington, DC. The Commission will submit a report to Congress and the President, which will include a legislative plan of action. The report will include: a private fundraising plan for the museum's establishment and continued maintenance; identify the availability and cost of collections; assess the impact of the National museum on regional African American museums; identify possible locations for the museum on or around the National Mall and in Washington, DC; assess the feasibility and cost of renovating the Smithsonian's Arts and Industries building for use by the museum; assess whether the African American Museum should be located within the Smithsonian, and make recommendations on the governance and

organizational structure of the African American Museum. The Commission will also convene a national conference to help assist with making recommendations. The Commission is comprised of 23 members, seven voting members appointed by the President of the United States, six voting members and two nonvoting members appointed by each the Speaker of the House of Representatives and the Majority Leader of the Senate.

---

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL  
YEAR 2002

(Public Law 107–107)

(S. 1438 )

Public Law 107–107 provides for a targeted military pay raise ranging from five percent to 10 percent effective January 1, 2002. The Act also amends title 14, United States Code, to allow the Secretary of Transportation to issue one duplicate Medal of Honor to recipients for display purposes, and a provision which clarifies the Secretary's authority to replace stolen decorations.

---

SMALL BUSINESS LIABILITY RELIEF AND BROWNFIELDS  
REVITALIZATION ACT

(P.L. 107–118)

(H.R. 2869)

The Small Business Liability Relief and Brownfields Revitalization Act, amends the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) to exempt certain persons and small businesses from liability under CERCLA for the transportation and disposal of certain wastes and to promote the redevelopment of brownfields. Title I of this Act protects small businesses from Superfund liability by eliminating the liability of persons who sent only a very small amount of waste to a Superfund site, or who sent only ordinary trash to the site. Title II of this Act encourages brownfields redevelopment by exempting certain persons from liability for contamination existing at a site that they purchase after the date of enactment of this legislation, and by limiting federal enforcement at sites being addressed under State voluntary cleanup programs. Title II of this Act also provides funding for brownfields assessments and cleanups and for State voluntary cleanup programs.

---

APPALACHIAN REGIONAL DEVELOPMENT  
REAUTHORIZATION ACT OF 2001

(Public Law 107–149)

(S. 1206)

The Appalachian Regional Development Reauthorization Act of 2001 builds upon past successes of the Appalachian Regional Com-

mission by making several amendments to existing law, extends the authorization for an additional five years, and reauthorizes additional related programs. Specifically, P.L. 107–149 expands the Commission by adding four new adjacent counties, requires the Commission to direct at least half of its grant funding to activities and projects in distressed counties, establishes a program to provide enhanced access to telecommunications and technology to the region, and lowers the cost sharing amount for distressed counties. P.L. 107–149 also coordinates economic development programs in the Appalachian region through the creation of the Interagency Coordinating Council on Appalachia and reauthorizes the Appalachian Development Highway System and local access road program.

---

**EXTENDED UNEMPLOYMENT ASSISTANCE ACT**

(Public Law 107–154)

(H.R. 3986)

This law temporarily extended the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001. Under Section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.), unemployment assistance is provided to persons who become unemployed as a result of major disasters. In New York City, the September 11th attacks damaged or destroyed nearly 25 million square feet of office space, which makes up approximately 20 percent of all the office space in downtown New York. The destruction caused the direct loss of an estimated 110,000 jobs and further put at risk 270,000 jobs in the New York City area. In Northern Virginia, the attacks have caused the loss of an estimated 18,700 jobs. Disaster Unemployment Assistance is provided to individuals not eligible for unemployment assistance provided by the state in which they reside. The extension provided under this act extended the period of eligibility from 26 to 39 weeks.

---

**NOTIFICATION AND FEDERAL EMPLOYEE  
ANTIDISCRIMINATION AND RETALIATION ACT OF 2002**

(Public Law 107–174)

(H.R. 169)

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 requires Federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws.

## RON DE LUGO FEDERAL BUILDING

(Public Law 107-175)

(H.R. 495)

This law designates the federal building located in Charlotte Amalie, St. Thomas of the United States Virgin Islands as the "Ron de Lugo Federal Building." Ron de Lugo was born in Englewood, New Jersey in 1930. He attended Saints Peter and Paul School in St. Thomas, Virgin Islands and Colegio San Jose, Puerto Rico. Delegate de Lugo ably served in the United States Army as a Program Director and Announcer for the Armed Forces Radio Service from 1948 until 1950. Following his military service, Delegate de Lugo continued working radio at WSTA St. Thomas and WIVI St. Croix. In 1956, he served as Senator for the Virgin Islands, a position he held for eight years; during which time he served as minority leader and member of the Democratic National Committee. In 1968, Delegate de Lugo was named the Virgin Islands' representative to Congress. While serving as representative to the United States Congress, Ron de Lugo successfully educated his colleagues about the people of the Virgin Islands. In 1973, Delegate de Lugo was elected to serve in the 93rd Congress. He served in the next two succeeding Congress before running for governor. He later returned to Congress in January 1981 when he was officially elected Delegate to the Ninety-seventh Congress from the Virgin Islands, a position he held until the conclusion of his career in 1995, when he did not seek re-election. Delegate de Lugo served on the Committee on Public Works and Transportation and as vice chairman on the Aviation Subcommittee.

## DONALD J. PEASE FEDERAL BUILDING

(Public Law 107-176)

(H.R. 819)

This law designates the Federal building located at 143 West Liberty Street, Medina, Ohio, as the "Donald J. Pease Federal Building." Born in Toledo, Ohio in 1931, former Representative Donald Pease attended the public schools of Toledo before earning his B.S. in 1953 and M.A. in 1955 from Ohio University in Athens, Ohio. Former Representative Pease was a Fulbright scholar at Kings College, University of Durham in England. Upon his return to the United States in 1955, he served in the United States Army from 1955 to 1957. He then entered the workforce working as a newspaperman, coeditor and publisher for the Oberlin News-Tribune from 1957 to 1968, and as editor from 1969 until 1976. During this same time, in addition to reporting on the news, former Representative Pease was making the news first as a member of the Oberlin City Council, then as a member of the Ohio House of Representatives and Ohio Senate. In 1976 former Representative Pease was elected to the 95th Congress and to each of the succeeding seven Congresses before retiring at the end of the 102nd Congress.

**WILLIAM L. BEATTY FEDERAL BUILDING AND UNITED STATES COURTHOUSE**

(Public Law 107-177)

(H.R. 3093)

This law designates the Federal building and United States courthouse in Alton, Illinois as the “William L. Beatty Federal Building and United States Courthouse.” William L. Beatty was born in Mendota, Illinois in 1925. He grew up in East St. Louis and graduated from Central Catholic High School. He served in the United States Army’s 394th Field Artillery Battalion in Europe during World War II. After returning from the war he attended Washington University for undergraduate studies and graduated from St. Louis University Law School in 1950. Upon graduating from law school he passed the Illinois and Missouri bar and entered private law practice for 18 years, including serving as municipal attorney for Granite City, Illinois and as an assistant state’s attorney. Judge Beatty was elected Illinois State Circuit Judge in Madison County in 1968. He served on the State Circuit Court until 1979, when President Carter appointed him to the U.S. District Court for the Southern District of Illinois. While sitting on the bench, Judge Beatty was always known for crafting fair and creative sentences. He was eligible to retire from the Federal bench in 1992, but instead continued to maintain a busy workload as a Senior Judge. Judge Beatty had a distinguished 50-year career in law.

---

**MIKE MANSFIELD FEDERAL BUILDING AND UNITED STATES COURTHOUSE**

(Public Law 107-178)

(H.R. 3282)

This law designates the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the “Mike Mansfield Federal Building and United States Courthouse.” Michael Joseph Mansfield was born in 1903 in New York City. He moved to Montana in 1906 to live with relatives after the unexpected death of his mother. Having a strong desire to serve his country, at the age of 14, Senator Mansfield represented that he was older so that he could enlist in the U.S. Navy and serve as a seaman in the Atlantic during World War I. After the war, he continued to serve his country as a Private for one year in the U.S. Army. Finally, as a completion of his tour of the service branches, Senator Mansfield served from 1920-1922 as a Private First Class in the United States Marine Corps in the Philippines, Japan and China. After his five years of military service, the then-19 year-old returned to Montana to work as a miner, before attending both the Montana School of Mines and then Montana State University from which he received a Masters Degree in 1933. After graduation, Senator Mansfield stayed at Montana State University to serve as a professor of history and political science before being elected to

represent the State of Montana in the U.S House of Representatives in 1942. Senator Mansfield was re-elected four times to the House of Representatives, before being elected to the United States Senate in 1952, where he served with distinction for 24 years. In his first term in office, Senate Majority Leader Lyndon Johnson selected Mansfield to serve as his Majority Whip. After Johnson's election to the Vice Presidency, and after serving just one and a half terms in the Senate, Senator Mansfield was chosen by his colleagues to serve as Majority Leader in 1961. He held that position for 16 years, a record that still stands. It was as Majority Leader in the Senate that Mike Mansfield cemented his place in history by securing passage of such legislation as the Civil Rights Act, the Voting Rights Act, and legislation authorizing the Medicare program. After a distinguished career in the armed services and in both the House and Senate, Senator Mansfield served as Ambassador to Japan under Presidents Carter and Reagan, a post which he held for 11 years until 1988, again, a record length of time. Mike Mansfield died on October 5, 2001 at the age of 98 years.

---

PAUL SIMON CHICAGO JOB CORPS CENTER

(Public Law 107-182)

(S. 378)

This law designates the designates the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois as the "Paul Simon Chicago Job Corps Center." Senator Paul Simon was born in Eugene, Oregon on November 29, 1928 and attended public schools. He went on to attend the University of Oregon Dana College in Blair, Nebraska. At the age of 19 Senator Simon became the nation's youngest editor-publisher by saving the Troy Tribune in Troy, Illinois. He expanded his newspaper business to a chain of 14 weeklies in central and southern Illinois. Senator Simon used the newspaper to expose a syndicate gambling operation in Madison County, and in 1951 at the age of 22, he was called to testify before the United States Crime Investigating Committee. In 1966 he sold his newspaper business to devote full time to writing and public service. From 1951 until 1953, Senator Simon served in the United States Army. He was assigned to the Counter Intelligence Corps as a special agent along the Iron Curtain in Europe. Upon his return from Europe, at the age of 25, Senator Simon was elected to the Illinois House of Representatives. He was re-elected three times before being elected to the State Senate in 1962 for a four year-term. Voters returned him to the State Senate in 1966. Half way through his second State Senate term he was elected Lieutenant Governor and served until 1973. He was the first Lieutenant Governor to be elected to that post with the Governor of another party. Senator Simon was elected to the United States House of Representatives in 1974 and served for ten years before being elected to the United States Senate in 1984. While in Congress, Senator Simon was a leading advocate for education, disability policy and foreign affairs. He was the chief sponsor of the Missing Children Act, which established the National Center for Missing and Ex-

ploited Children. Senator Simon also played a vital role with enacting job training education programs including the National Literacy Act, the School-to-Work Opportunities Act, the Job Training Partnership Act and the direct college loan program. He was also the chief sponsor of the Balanced Budget amendment of 1986 and initiated legislation to designate the first five federally chartered high-speed rail corridors. Senator Simon holds 39 honorary degrees and has written 15 books.

---

THE JOHN F. KENNEDY CENTER FOR THE PERFORMING  
ARTS PLAZA AUTHORIZATION ACT OF 2002

(Public Law 107–224)

(H.R. 5012)

Each year the John F. Kennedy Center for the Performing Arts hosts performances ranging from improvisational comedy to Broadway musicals, as well as being the permanent home of the Washington Opera and Washington Symphony Orchestra. On average, the Kennedy Center is host to over two million patrons attending performances on one of five stages or theatres. This law amends the John F. Kennedy Center Act to authorize the Secretary of Transportation to construct a plaza adjacent to the Kennedy Center; authorizes necessary and related transportation improvements; grants authority for the transfer and receipt of certain property rights; clarifies ownership of resulting property; authorizes the construction of new buildings; and authorizes appropriations to complete the project. Completion of this project will improve the pedestrian, vehicular, and bicycle access to the John F. Kennedy Center for the Performing Arts in addition to providing necessary administrative, education, performance, and rehearsal space for Kennedy Center activities.

---

TO PROVIDE A TEMPORARY WAIVER FROM CERTAIN  
TRANSPORTATION CONFORMITY REQUIREMENTS AND  
METROPOLITAN TRANSPORTATION PLANNING REQUIRE-  
MENTS UNDER THE CLEAN AIR ACT AND UNDER OTHER  
LAWS FOR CERTAIN AREAS IN NEW YORK WHERE THE  
PLANNING OFFICES AND RESOURCES HAVE BEEN DE-  
STROYED BY ACTS OF TERRORISM, AND FOR OTHER PUR-  
POSE.

(Public Law 107–230)

(H.R. 3880)

Public Law 107–230 provides provides the State of New York a temporary waiver from certain Clean Air Act (CAA) transportation conformity requirements and related metropolitan planning requirements of the Transportation Equity Act for the 21st Century (TEA 21) until September 30, 2005, so that New York can implement adjustments necessary after the September 11, 2001, terrorist attack on the World Trade Center. The legislation allows the State

to receive full transportation funding. In addition, the bill requires that New York file an Interim Progress Report no later than January 1, 2004, detailing the manner in which the State will achieve compliance with the transportation conformity requirements no later than the expiration of the temporary waiver.

H.R. 3880 was passed by the House on September 10, 2002. On September 12, 2002 H.R. 3880 passed the Senate by Unanimous Consent. On October 1, 2002 the President signed H.R. 3880.

---

### TRANSIT OPERATING FLEXIBILITY ACT

(Public Law 107-232)

(H.R. 5157)

Public Law 107-232 allows the transit systems in 52 communities that, for the first time, exceeded 200,000 in population according to the 2000 Census, to retain flexibility in the use of federal transit formula grants in fiscal year 2003.

The 2000 census made significant changes in urbanized area designations. These designations drive transit formula apportionments for communities of 50,000 and more in population. Under Federal Transit Law, areas of more than 200,000 cannot use Federal formula grant funds to pay for transit operating expenses. This legislation allows the 52 communities that “crossed 200,000” in population according to the new Census data to retain the flexibility to use funds for operating expenses to the extent that they used these funds for operations in fiscal year 2002. The law does not change the amount of transit formula funding that these communities, or any other community, will receive under TEA 21 in fiscal year 2003.

H.R. 5157 passed the House Committee on Transportation and Infrastructure by voice vote on July 24, 2002. The bill was ordered reported by the Full committee on July 24, 2002. On September 13, 2002 H.R. 5157 passed the Senate without amendment by Unanimous Consent. On October 1, 2002 the President signed H.R. 5157.

---

### WAYNE LYMAN MORSE UNITED STATES COURTHOUSE

(Public Law 107-257)

(S. 1270)

This law designates the United States Courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the “Wayne Lyman Morse United States Courthouse.” Born in 1900 in Dane County, Wisconsin, Senator Morse graduated from the University of Wisconsin in 1924, from the law department at the University of Minnesota in 1928, and from Columbia University Law School in 1932. Senator Morse was a professor of law and later dean at the University of Oregon Law School until his election to the United States Senate in 1944. Early in his career, Senator Morse witnessed America’s rapid urban and industrial development, specifically its effects on the rural lives of the farmers in his

home State of Wisconsin. Influenced by such progressive change, Senator Morse worked to maintain a balanced connection between political democracy and the citizens of that democracy, upholding the belief that this country's true wealth, its people, would flourish in such an environment. Throughout his career Senator Morse held the conviction of "principle over politics," made evident by his serving as a Republican, an Independent and as a Democrat prior to his defeat in the election of 1968. Senator Morse died while campaigning for a return to the Senate in 1974.

MARITIME TRANSPORTATION SECURITY ACT OF 2002 (Public Law 107-295)

(S. 1214)

Section 1 states that the Act may be cited as the "Maritime Transportation Security Act of 2002."

Section 101 states a number of Congressional findings in regard to the Maritime Transportation Security Act of 2002.

Section 102 of the Conference Report creates a new subtitle VI of title 46, United States Code, to establish a comprehensive national system of transportation security enhancements. Chapter 701 of this subtitle contains provisions related to port security.

*Definitions.*

New section 70101 provides definitions for six terms to be used in new chapter 701. The term "Secretary" is defined as the Secretary of the department in which the Coast Guard is operating. The term "transportation security incident" is defined as a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption.

*United States facility and vessel vulnerability assessments*

Section 70102 requires the Secretary to conduct initial assessments of vessel types and facilities, located on or adjacent to the waters subject to the jurisdiction of the U.S., and to identify which of these vessels or facilities pose a high risk of being involved in a transportation security incident. Based on the information gathered in the initial assessments, the Secretary is required to conduct a detailed vulnerability assessment for facilities and vessels that may be involved in a transportation security incident. The Secretary may also accept an alternative assessment prepared by or on behalf of a vessel or facility owner or operator if that assessment satisfies certain criteria.

*Maritime transportation security plans*

Section 70103 of new chapter 701 requires the Secretary to establish the National Maritime Transportation Security Plan for deterring and responding to a transportation security incident. Each Federal Maritime Security Coordinator, after soliciting advice from the Area Security Advisory Committee, is required to submit to the Secretary an Area Maritime Transportation Security Plan for each individual area established under the National Maritime Transportation Security Plan. Finally, section 70103 requires owners and

operators of vessels and facilities, which the Secretary believes may be involved in a transportation security incident, to develop vessel and facility security plans.

*Transportation security incident response*

Section 70104 requires the Secretary to establish a system of security incident response plans developed for vessels and facilities that may be involved in a transportation security incident.

*Transportation security cards*

Section 70105 establishes a national standard for issuance of transportation security cards whose purpose is to control access to ensure terminal areas to only authorized personnel.

*Maritime safety and security teams*

Section 70106 establishes Coast Guard maritime safety and security teams to protect vessels, ports, facilities, and cargo on United States' waters.

*Grants*

Section 70107 provides financial assistance for enhanced security to implement a facility or area maritime security plans approved by the Coast Guard or an interim security measure required by the Coast Guard.

This section authorizes matching grants for various types of security upgrades at U.S. ports and U.S. maritime areas including reimbursements for security enhancements that have corrected security vulnerabilities since September 11, 2001, that are consistent with their Area Maritime Transportation Security Plans and facility security plans.

This section also provides \$15 million for each of fiscal years 2003 through 2008 for research and development grants for port security.

*Foreign port assessment*

New section 70108 of title 46 requires the Secretary to assess the effectiveness of the antiterrorism measures maintained at a foreign port from which vessels depart on a voyage to the United States or which poses a high risk of introducing terrorism to international maritime commerce.

*Notifying foreign authorities*

Section 70109 requires the Secretary, after conducting a foreign port assessment, to contact the foreign government if he finds that a port in that foreign country does not maintain effective antiterrorism measures. Section 70109(b) requires the Secretary to make available a port security training program for ports in foreign countries that are found under section 70108 to lack adequate security measures.

*Actions when foreign ports not maintaining effective antiterrorism measures*

If the Secretary finds that a foreign port does not maintain effective antiterrorism measures, section 70110 allows him to prescribe

conditions of entry into the United States for any vessel arriving from that port. The Secretary may also deny entry into the United States to any vessel that does not meet these conditions.

*Enhanced crewmember identification*

Section 70111 requires crew members on vessels calling at U.S. ports to carry and present on demand any identification that the Secretary decides is necessary.

*Maritime security advisory committees*

Section 70112 requires the Secretary to establish a National Maritime Security Advisory Committee and Area Maritime Security Advisory Committees for any port area of the United States. The Committees may advise, consult, and make recommendations to the Secretary on ways to enhance security and safety at U.S. seaports.

*Maritime intelligence*

Section 70113 requires the Secretary to implement a system to collect, integrate, and analyze information concerning vessels operating in waters subject to the jurisdiction of the U.S. The Secretary may collect information from public and private entities to the extent that the information is not provided by other Federal departments and agencies.

*Automatic identification systems*

Section 70114 requires that certain vessels be equipped with and operate an automatic identification system (AIS) under regulations prescribed by the Secretary. The AIS includes a position indicating transponder and an electronic charting or situation display for accessing the information made available by the transponder system. This will allow a vessel operator to more easily identify the position and heading of their vessel and other vessels navigating in the area. It will also allow shore-based Coast Guard facilities to more easily monitor the location and heading of vessels in their area.

*Long-range vessel tracking system*

Section 70115 authorizes the Secretary to develop and implement a long-range automated secure vessel tracking system for all vessels on voyages in U.S. waters that are equipped with the Global Maritime Distress and Safety System or equivalent satellite technology. The Secretary may use existing maritime organizations to collect and monitor tracking information under the system.

*Secure systems of transportation*

Section 70116 requires the Secretary, in consultation with the Transportation Security Oversight Board, to establish a program to evaluate and certify secure systems of international intermodal transportation.

*Civil penalty*

Section 70117 establishes a civil penalty of not more than \$25,000 for each violation of this new chapter.

Section 103 of the Act encourages the Secretary of the department in which the Coast Guard is operating to undertake negotiations on an international agreement that provides for an international system for identifying seafarers. If the Secretary is unable to negotiate this agreement within 24 months, he is required to submit to Congress a draft of legislation which would establish a system for identifying seafarers.

Section 104 extends the territorial jurisdiction of the United States from 3 miles off the shore, to 12 miles. This extension of jurisdiction is consistent with Presidential Proclamation 5928 of December 27, 1988, and is also consistent with the Law of the Sea.

Section 105 suspends the effectiveness of any end-strength and grade distribution for the Coast Guard for any fiscal year that there is in effect a declaration of war or national emergency, for a period not to exceed six months after the end of the war or national emergency.

Section 106 allows natural gas to be included in the Deepwater Port Act, which establishes a system for permitting and licensing deepwater terminals. Currently, only oil facilities are included in this Federal law. This section ensures the proper application and administration of the Deepwater Port Act to offshore natural gas facilities and enables the timely development of offshore natural gas facilities.

Section 107 amends the Ports and Waterways Safety Act to allow for the dispatch of properly trained and qualified armed Coast Guard personnel on facilities and vessels to deter or respond to acts of terrorism or transportation security incidents. The substitute also requires that the Secretary of the department in which the Coast Guard is operating to report to Congress on the use of non-Coast Guard personnel as sea marshals.

Section 108 of the Act contains amendments to section 431A of the Tariff Act of 1930, as added by section 343(b) of the Trade Act of 2002, Public Law 107-210, including a requirement that the Secretary of the Treasury provide the appropriate Federal departments and agencies with cargo information obtained pursuant to this section. The Conference substitute also amends section 343(a) of Public Law 107-210.

Section 109 requires the Secretary of Transportation to develop standards and a curriculum to allow for the training and certification of maritime security professionals. The section further authorizes the Secretary to make training opportunities available to any law enforcement or maritime security personnel in the United States. The section also authorizes \$5.5 million for each of fiscal years 2003 through 2008 for maritime training.

Section 110 requires the Secretary of Transportation to report to Congress on the life cycle costs and benefits of creating a Center for Coastal and Maritime Security. The Secretary is also required to report to Congress on the secure system of transportation program established under this Act.

By not later than January 1, 2004, section 111 of this legislation requires the Secretary of the department in which the Coast Guard is operating, in consultation with the Transportation Security Oversight Board, to develop and maintain an antiterrorism cargo identification, tracking, and screening system for containerized

cargo shipped to and from the United States. This section also requires the Secretary to develop performance standards to enhance the physical security of shipping containers, including standards for seals and locks as well as systems to detect any tampering or breaking of the seal or container integrity.

Section 112 requires the Secretary of the department in which the Coast Guard is operating to report to Congress a list of all nations whose flag vessels have entered the United States ports in the previous year. The report must also contain a breakdown of countries whose vessel registration or classification procedures have been found by the Secretary to be noncompliant with international classifications and whose laws or regulations are not sufficient to allow tracking of ownership registration histories of registered flag vessels.

Section 113 directs the Secretary of Transportation to publish a revised version of the document "Port Security: A National Planning Guide," within three years after the enactment of the Senate passed bill and to make the document available on the Internet.

Section 202 of the Conference Report amends section 1120(g) of the Coast Guard Authorization Act of 1996 (Public Law 104-324) to deem the vessel COASTAL VENTURE to have been constructed in the United States.

Section 203 authorizes the Secretary of Transportation to make a grant to the American Merchant Marine Veterans Memorial Committee to construct an addition to the American Merchant Marine Memorial Wall of Honor in San Pedro, California.

Section 204 requires the discharge from a vessel of any agricultural cargo residue material in the form of hold washings to be governed exclusively under the provisions of MARPOL Annex V (MARPOL V).

Section 205 extends the provisions of current law for preferred mortgages to a valid lien against a vessel not covered by a preferred mortgage.

Section 206 deems the research vessel DAVIDSON to be less than 100 gross tons, for purposes of applying the optional regulatory measurement under section 14305 of title 46, United States Code.

Section 207 waives certain coastwise trade laws for individually listed vessels.

Section 208 of the House amendment adds the vessels SS RED OAK VICTORY, SS AMERICAN VICTORY, and LST-325 to a list of three vessels subject to section 3302(l) of title 46, United States Code.

Section 209 waives the coastwise trade laws of the United States for three barges as long as these barges are only used in firework displays.

Section 210 of the Act waives certain U.S. coastwise trade laws for the vessel EAGLE under certain specific circumstances.

Section 211 allows ten sailboats participating in the New World Challenge Race to transport non-paying guests, before and during stops of that race.

Section 212 allows the owner of the ASPHALT COMMANDER to place this U.S.-flag vessel under a foreign registry.

Section 213 allows certain foreign-built launch barges to transport topside modules in the coastwise trade of the United States.

Section 214 temporarily authorizes the Secretary to waive the coastwise laws of the United States for not more than three foreign built self-propelled tank vessels under certain circumstances related to the late delivery from a United States shipyard of a coastwise eligible self-propelled tank vessel.

Section 215 eliminates the position of Associate Deputy Secretary, Department of Transportation, and creates the position of Under Secretary of Transportation for Policy.

Section 311 amends section 336(d) of title 14, United States Code, to authorize the Coast Guard to promote the Coast Guard Band Director from the rank of Commander to the rank of Captain.

Section 312 amends section 511 of title 14, United States Code, to allow the Secretary of Transportation to grant compensatory absence from duty for Coast Guard military personnel serving at isolated duty stations of the Coast Guard.

Section 313 amends sections 259, 260(a), and 271(a) of title 14, United States Code, to authorize the Coast Guard to advance officers ahead of their peers within a given promotion zone, without disadvantaging other high performing officers.

Section 321 amends section 1203(b) of title 33, United States Code, to require foreign-flag vessels to monitor inter-ship radio-telephone frequencies when operating within the U.S. territorial sea between three and twelve miles offshore.

Section 322 maintains six reports which were eliminated after the enactment of the Federal Reports Elimination and Sunset Act of 1995. The section also terminates an annual report to Congress regarding the Oil Spill Liability Trust Fund.

Section 323 amends the Oil Pollution Act of 1990 to authorize the Coast Guard to borrow up to \$100 million for additional emergency oil spill cleanup removal from the Oil Spill Liability Trust Fund.

Section 324 amends section 7302 of title 46, United States Code, to authorize the Secretary of Transportation to issue an interim merchant mariner's document valid for a period not to exceed 120 days.

Section 325 raises the maximum civil penalty to \$5,000 for the negligent operation of a recreational vessel, or for interfering with the safe operation of a recreational vessel. The penalty for the negligent operation of any other vessel, or for interfering with the safe operation of a commercial vessel, under this amendment will be \$25,000.

Section 331 amends section 4508 of title 46, United States Code, to authorize the Coast Guard to extend the Commercial Fishing Industry Vessel Advisory Committee from 2000 to 2005 and make technical changes.

Section 332 amends section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102-241), to authorize the Coast Guard to extend the Houston-Galveston Navigation Safety Advisory Committee from 2000 to 2005 and make technical changes.

Section 333 of the Act amends section 19 of the Coast Guard Authorization Act of 1991 (Public Law 102-241), to authorize the

Coast Guard to extend the Lower Mississippi River Waterway Advisory Committee from 2000 to 2005 and make technical changes.

Section 334 amends section 2073 of title 33, United States Code, to authorize the Coast Guard to extend the Navigation Safety Advisory Council from 2000 to 2005 and make technical changes.

Section 335 amends section 13110 of title 46, United States Code, to authorize the Coast Guard to extend the National Boating Safety Advisory Council from 2000 to 2005 and make technical changes.

Section 336 amends section 1231(a) of title 33, United States Code, to authorize the Coast Guard to extend the Towing Safety Advisory Committee from 2000 to 2005 and make technical changes.

Section 341 of the Conference Report authorizes the Coast Guard to accept up to seven excess PC-170 patrol ships from the U.S. Navy.

During fiscal year 2003, section 342 amends the Sportfishing and Boating Safety Act of 1998 to increase the State Recreational Boating Safety Grant Program by one million dollars and to change the definition of state matching amounts for purposes of the State Boating Safety Grant Program.

Section 343 authorizes the Coast Guard to operate and maintain a Caribbean Support Tender to provide technical assistance and law enforcement training for foreign coast guards, navies, and other maritime services.

Section 344 extends the expiration date for the prohibition of any new maritime user fees from September 30, 2001, to September 30, 2006.

Section 345 requires the Coast Guard to continue to offer advice and technical assistance to organizations in the Great Lakes region that are dedicated to lighthouse stewardship.

Section 346 requires the Coast Guard to report to Congress, within 60 days after enactment, the agency's implementation of National Transportation Safety Board recommendations following the MORNING DEW accident.

Section 347 authorizes the transfer of 4.13 acres of land, known as the Naval Reserve Pier property, located in Portland, Maine, to the Gulf of Maine Aquarium Development Corporation.

Section 348 requires the Secretary in the department in which the Coast Guard is operating to submit a report to Congress that compares Coast Guard expenditures by mission area on an annualized basis before and after the terrorist attacks of September 11, 2001. The report must also estimate the annual funding amounts and personnel levels that would restore all Coast Guard mission areas to the readiness levels that existed before September 11, 2001. This section also requires a report identifying mission targets for fiscal years 2003, 2004, and 2005, and the specific steps necessary to achieve those targets.

Section 349 transfers the Coast Guard Slip Point Light Station in Clallam County, Washington, to Clallam County and the Point Pinos Light, located in Monterey County, California, to the City of Pacific Grove, California.

Section 402 of the Act would extend the present Coast Guard housing authorities from October 1, 2001, to October 1, 2007. The Coast Guard Authorization Act of 1996 provides the Coast Guard

with the legal authorities to encourage private sector participation in the acquisition or construction of Coast Guard housing on or near Coast Guard installations. The Coast Guard is currently in the process of developing proposals for several potential housing projects using these new authorities.

This section further authorizes the Coast Guard to implement a demonstration project for the acquisition or construction of military family housing and military unaccompanied housing at the Coast Guard installation in Kodiak, Alaska.

Section 403 requires the Secretary of Transportation to maintain and publish an inventory of U.S.-flag vessels capable of laying, maintaining, or repairing a submarine cable.

Section 404 requires that a vessel engaged in towing assistance or towing escort be a vessel of the United States, and establishes a civil penalty for a person who violates this section.

Section 405 requires the Coast Guard to establish standards for the safe operation of Coast Guard search and rescue stations, and expresses a sense of Congress that the Coast Guard should establish, implement and maintain minimum standards necessary to ensure that an individual on duty or watch in a Coast Guard search and rescue command center facility not work more than 12 hours in a 24-hour period.

Section 406 authorizes the Coast Guard to allow private VHF Communications companies to place equipment and VHF towers on Coast Guard property. In exchange, the Coast Guard may receive discounted VHF communications services. This section also states that commercial VHF communication equipment placed on real property under the administrative control of the Coast Guard shall not interfere in any manner with any current or future Coast Guard communications equipment.

Section 407 authorizes \$987,400 for the fire, oil, and toxic spill response communications, training, equipment, and program administration activities conducted by nonprofit organizations in cooperation with the Coast Guard.

Section 408 conforms certain permanent laws of the United States relating to the Coast Guard and maritime transportation by correcting references to the former Merchant Marine and Fisheries Committee of the House of Representatives.

Section 409 prohibits a vessel, which has been forfeited to the United States government for a breach of the laws of the United States, from obtaining a certificate of documentation with a fisheries endorsement. This section does not grant the Coast Guard new authority to seize or forfeit vessels.

Section 410 requires the Commandant of the Coast Guard to ensure that all Coast Guard personnel are equipped with adequate safety equipment, including hypothermia protective clothing where appropriate, while performing search and rescue missions.

Section 411 makes technical amendments regarding the promotion of Coast Guard Reserve Officers to implement the changes to the Reserve promotion system included in the Fiscal Year 2001 Department of Defense Authorization Act.

Section 412 authorizes the Coast Guard to continue commanders and lieutenant commanders scheduled to retire due to failure of selection for promotion.

Section 413 authorizes the Coast Guard to pay an individual's undergraduate or graduate educational tuition when that individual enlists in the Coast Guard Reserve and promises to accept a commission in the Coast Guard Reserve upon completion of the degree.

Section 414 permits the Coast Guard to offer to captains, who would otherwise be forced to retire after thirty years of duty, the opportunity to continue on active duty. This proposal would allow the Coast Guard to retain these highly experienced individuals at very little additional cost.

Section 415 allows the Coast Guard to pay death gratuities to personal representatives of Coast Guard Auxiliarists who die in the line of duty, to the same extent that death gratuities are paid on behalf of Federal employees.

Section 416 revises the Coast Guard's severance pay provisions to incorporate the Department of Defense separation pay computations.

Section 417 authorizes the Coast Guard to lease lighthouse properties for terms not to exceed thirty years.

Section 418 amends the Maritime Drug Law Enforcement Act to increase the Coast Guard's drug interdiction jurisdiction from 12 to 24 miles from U.S. shores.

Section 419 grants the Coast Guard statutory authority to regulate wing-in-ground craft and makes them subject to inspection as small passenger vessels.

Section 420 removes the requirement for filing an original commercial instrument (for example, a ship mortgage) within ten days of the electronic filing of the instrument.

Section 421 eliminates the requirement for a thumbprint to be placed on a merchant mariners' document.

Section 422 authorizes the Secretary of Transportation to issue temporary certificates of documentation, and to delegate to private third parties the authority to issue the certificates for recreational vessels.

Section 423 authorizes the Coast Guard to conduct marine casualty investigations involving foreign vessels in areas outside U.S. territorial waters consistent with the practices and procedures of international law.

Section 424 requires that the Coast Guard convey the property adjacent to Coast Guard Station Saginaw River, located in Hampton Township, Michigan, to BaySail, Inc., a nonprofit corporation.

Section 425 changes the recipient's name of a previous Coast Guard property transfer in Traverse City, Michigan.

Section 426 requires the Secretary of the department in which the Coast Guard is operating to submit an annual report to Congress setting forth the capabilities and readiness of the Coast Guard to fulfill its national defense responsibilities.

Section 427 extends the Oil Spill Recovery Institute until September 30, 2012.

Section 428 amends section 2114 of title 46, United States Code, to expand the protection of seamen against discrimination. This section does not allow for anyone to discharge or discriminate against any seaman who reports a violation of a maritime law to

the Coast Guard or refuses to perform duties which he believes would result in his or another individual's injury.

Section 429 does not allow the Commandant of the Coast Guard to decommission any WYTL-class harbor tugs unless he certifies that sufficient replacement capability has been procured by the Coast Guard to remediate any degradation in current icebreaking services.

Section 430 allows the Commandant of the Coast Guard to provide support to an entity which engages in fishing vessel safety training.

Section 431 limits the liability of pilots working in a Coast Guard Vessel Traffic Service while acting within the scope of their duties and under the supervision of a Coast Guard officer.

Section 432 allows the Coast Guard to transfer funds to the City of Chicago to pay the Federal share to demolish the old Coast Guard station on Chicago Harbor and construct a new facility at this site for use as a marine safety station. The Federal share of this project may not exceed one third of the total cost of the project or two million dollars, whichever is less.

Section 433 extends the time for a recreational vessel and associated equipment recall from five to ten years.

Section 434 allows the Secretary of Transportation to transfer up to \$300,000 to the City of Escanaba, Michigan, for the repair of the north wall of the municipal dock in Escanaba.

Section 435 of the Act directs the Secretary of the department in which the Coast Guard is operating to amend the vessel GLOBAL EXPLORER's certificate of documentation to show the vessel's year of construction as 2002.

Section 436 amends chapter 51 of title 46, United States Code, regarding vessel load lines.

Section 437 allows the Administrator of the General Services Administration to transfer to the Secretary of the Interior administrative jurisdiction over certain public lands in the State of Michigan.

Section 438 authorizes funding for LORAN-C navigation infrastructure.

Section 439 reimburses the State of Hawaii for damages caused by the Coast Guard to the ferry pier at Barber's Point Harbor, Hawaii.

Section 440 requires the Secretary of the department in which the Coast Guard is operating, jointly with the Secretaries of Commerce and Interior, to report to Congress on the immunity of a private responder (other than a person responsible for the vessel or facility from which oil is discharged) from liability for criminal and civil penalties for the incidental take of a protected species while carrying out oil spill response actions.

Section 441 amends section 10601(a) of title 46, United States Code, by requiring that the owner, charterer, managing operator or a representative thereof, including, but not limited to, the master or individual in charge of a fishing industry vessel, shall make a fishing agreement in writing with each seaman employed on board the vessel.

Section 442 requires the Coast Guard to begin publishing all major marine casualty reports upon enactment of this Act. Additionally, the Conferees direct the Coast Guard to begin electroni-

cally publishing the remaining marine casualty reports by the end of the fiscal year 2005.

Section 443 amends the Ports and Waterways Safety Act to add the safety and security of United States ports and waterways to this law's traditional focus on marine safety and environmental protection.

Section 444 allows the Coast Guard to suspend the payment of the retired pay of a member or former member during periods in which the member willfully remains outside the United States to avoid criminal prosecution or civil liability.

Section 445 prohibits any non-Federal interest from assessing or collecting any fee on vessels or water craft operating on navigable waters subject to the authority of the United States, or under the freedom of navigation on those waters. This section does not prohibit those instances in which Federal law has permitted the imposition of fees and recognizes those circumstances under which non-Federal interests may charge reasonable port and harbor fees for services rendered.

Section 501 of the Conference Report states that this title may be cited as the "Coast Guard Authorization for Fiscal Year 2003."

Section 502 authorizes approximately \$6 billion for Coast Guard programs and operations during fiscal year 2003. Section 502(1) authorizes approximately \$4.3 billion for Coast Guard operating expenses for fiscal year 2003.

Section 502(2) authorizes \$725 million in fiscal year 2003 for the Coast Guard's acquisition, construction, and improvement (AC&I) account.

Section 503 authorizes 45,500 Coast Guard active duty military personnel as of September 30, 2003. the end of the 107th Congress.

---

## REAL INTERSTATE DRIVER EQUITY ACT OF 2001

(Public Law 107-298)

(H.R. 2546)

Public Law 107-298 amends federal transportation law to prohibit a State, political subdivision, or interstate agency from enacting or enforcing any law, rule, or regulations requiring a license or fee on account of the fact that a motor vehicle providing pre-arranged ground transportation service crosses state borders. The motor carrier providing such interstate service must meet all applicable registration and vehicle licensing requirements in its home state, but is not required to obtain multiple state licenses. This Act does not allow a carrier to operate in another jurisdiction with spontaneous new clients; all interstate passenger travel must be pre-arranged. The law also protects the rights of transportation terminal operators to provide preferential access and of States to require pre-licensing drug testing and criminal background checks as a condition of providing such interstate service.

## GREAT LAKES AND LAKE CHAMPLAIN ACT OF 2002

(Public Law 107–303)

(H.R. 1070)

The Great Lakes and Lake Champlain Act of 2002, amends the Federal Water Pollution Control Act to improve the water quality of these lakes by providing assistance for local restoration efforts. Title I of this Act authorizes \$250 million over five years for EPA to carry out restoration projects at Great Lakes Areas of Concern, with cost-sharing local sponsors. This title also authorizes \$15 million for research and \$5 million for public information relating to cleanup of the Great Lakes, also over a five year period. Title II of this Act authorizes \$55 million over five years to assist the implementation of a restoration plan for Lake Champlain. Title III of this Act includes miscellaneous items, including the restoration of requirements for EPA to submit to Congress various Clean Water Act reports.

## THE DAM SAFETY AND SECURITY ACT OF 2002

(Public Law 107–310)

(H.R. 4727)

This law reauthorizes the National Dam Safety Program for four years and increases the total authorized funding level to \$8.6 million for each of the Fiscal Years 2003 through 2006. Passed and signed into law in 1996 as Section 215 of Public Law 104–303 (the Water Resources Development Act of 1996), the National Dam Safety Program was originally authorized for six years. The National Dam Safety Program has as its mission to “\* \* \* reduce the risks to life and property from dam failure in the United States through the establishment and maintenance of an effective national dam safety program to bring together the expertise and resources of the federal and non-federal communities in achieving national dam safety hazard reduction.” Since its creation, the National Dam Safety Program has helped to mitigate the risk of dam failure by providing technical and financial assistance to State dam safety officials. There are more than 80,000 dams in the United States, of these, approximately 10,000 dams are considered to have “high-hazard” potential, meaning their failure could result in loss of life or severe property damage. Private individuals, corporations, and State and local governments own more than 95 percent of the dams in America, making State dam safety officials the first line of defense in preventing dam failures and mitigating the effects through the development of Emergency Action Plans. A primary function of the National Dam Safety Program is to increase the level of knowledge and preparedness to prevent and mitigate the effects of dam failures.

BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR  
FISCAL YEAR 2003

(Public Law 107-314)

(H.R. 4546)

Public Law 107-314 would increase military basic pay by at least 4.1 percent.

AN ACT TO DIRECT THE SECRETARY OF THE ARMY TO  
CONVEY A PARCEL OF LAND TO CHATHAM COUNTY,  
GEORGIA

(Public Law 107-320)

(H.R. 2595)

This Act directs the Secretary of the Army to convey to the Commissioners of Chatham County, Georgia, a specified parcel of land, and that the parcel, or another parcel of equal appraised value that the land may be exchanged for, be managed for recreational purposes.

TO ENHANCE THE SECURITY AND SAFETY OF PIPELINES

(Public Law 107-355)

(H.R. 3609)

This important bill reauthorized the Office of Pipeline Safety at the Department of Transportation. The legislation improves the states' "one-call notification systems" to avoid damage to pipelines by a third party. The bill expands "whistle blower" protections for pipeline workers. The bill improves the authority under which the Secretary of the Department of Transportation (DOT) can order an operator to fix a pipeline that has a potentially unsafe condition. At the request of the DOT, the Attorney General may bring a civil suit to enforce certain safety regulations. The bill allows the Secretary of Transportation to award technical assistance grants to groups for engineering and scientific analysis of pipeline safety issues and to promote the participation in official DOT processes. The bill authorizes \$100 million for research and development. The bill establishes an integrity management program in all "high consequence" areas (population centers) requiring the inspection of all facilities within 10 years to establish a base line. These facilities will be re-inspected within seven years, unless the Secretary waives the requirement. The bill establishes a permit streamlining program and establishes an interagency committee comprised of the federal resource agencies that issue permits. The bill provides for grants to emergency responders.

H.R. 3609 was passed as amended by a Roll Call Vote in the House on July 23, 2002.

H.R. 3609 passed the Senate with an amendment by Unanimous Consent on November 13, 2002. On November 15, 2002 the House agreed to the Senate amendment without objection. On December

9, 2002 H.R. 3609 was presented to the President. H.R. 3609 became Public Law 107-355.

## COMMITTEE VIEWS AND ESTIMATES REPORTS

Pursuant to section 310(d) of the Congressional Budget Act, the Committee submitted its Views and Estimates Reports to the Committee on the Budget for fiscal years 2002 and 2003 on March 7, 2001 and February 27, 2002 respectively.

These reports, intended to provide the Budget Committee with an early and comprehensive indication of Committee legislation plans for the next fiscal year, contained the views and estimates of new budget authority and outlays to be authorized in legislation under the Committee's jurisdiction which would become effective during the next fiscal year.



SUMMARY OF THE ACTIVITIES OF THE FULL COMMITTEE  
ON TRANSPORTATION AND INFRASTRUCTURE

CONSIDERATION OF H.R. 5005, TO ESTABLISH THE DEPARTMENT OF  
HOMELAND SECURITY.

(Substantially the same as H.R. 5710, which also passed the  
House.)

On June 6, 2002, President George W. Bush announced an initiative to create a Department of Homeland Security (DHS) to consolidate the various agencies with homeland security responsibilities into one department to protect the homeland.

H.R. 5005 was introduced by Rep. Richard K. Armey on June 24, 2002 and pursuant to House Resolution 449 was referred to the Select Committee on Homeland Security and in addition to a number of committees, including the Committee on Transportation and Infrastructure.

On July 11, 2002 the Committee on Transportation and Infrastructure met to consider those provisions of H.R. 5005 which came within the Rule X jurisdiction of the committee and ordered the bill to be reported to the Select Committee with recommendations by a vote of 34-3.

The Committee made numerous recommendations, the most significant of which are:

(1) The Transportation Security Administration (TSA) functions transferred by H.R. 5005, remain a distinct unit under the Under Secretary for Border and Transportation Security headed by an Assistant Secretary for Transportation Security. In addition, the transfer would not occur until the secretary and assistant secretaries are in place. Also, the transfer would not occur until the Secretary of Transportation certifies that deadlines for deployment of explosive detection systems and screeners have been met.

(2) A liaison office with the Department of Homeland Security be established to work with the Federal Aviation Administration on any action that might affect aviation safety.

(3) The new Department would not be able to spend funds from the Airport Improvement Program.

(4) A report be submitted to Congress within 60 days on meeting the deadlines for screening checked bags.

(5) The General Services (GSA) Administrator be given authority and flexibility to meet the security needs of federal agencies and to collect fees for protection services.

(6) Executive Order 12977 be codified establishing an Inter-agency Security Committee.

(7) The transfer of FEMA should be struck from the introduced bill, thereby retaining the independent agency status of FEMA and retaining its lead agency role under the Federal Response Plan.

(8) Provisions that gave the Secretary broad authority to undertake real property arrangements not consistent with current law be struck from the bill and replaced with a provision to allow the Administrator of GSA to construct a new headquarters facility for the Department of Homeland Security consistent with the Public Buildings Act of 1959.

(9) Before any agency can be transferred, the Secretary of DHS would have to send to Congress an organizational plan for oversight review.

(10) Prohibit funds derived from the transportation trust funds being transferred or appropriated to the DHS, except certain security related funds made available to the FAA in 2003.

(11) Adding the Secretary of DHS to the Transportation Security Oversight Board as the Chairman and transferring the Board to DHS.

(12) Retains the transfer of the Federal Protective Services to DHS and enhances the authority, responsibility, pay, and benefits of the FPS officers, and

(13) Striking all references in the bill to the transfer of the Coast Guard, therefore, leaving the Coast Guard in the Department of Transportation and ensuring that the Coast Guard's core missions are performed at adequate levels. The amendment also established a new Under Secretary of Transportation for the Coast Guard to better coordinate security responsibilities with the new DHS.

The Chairman of the Committee, the Honorable Don Young, and the Ranking Minority Member, the Honorable James L. Oberstar, testified before the Select Committee on July 17, 2002 regarding the recommendations of the Committee on Transportation and Infrastructure.

The Select Committee met on July 19, 2002 to consider the bill and the recommendations of the standing committees to which the bill was referred and ordered the bill reported with amendments by a vote of 5-4. The report of the Select Committee was filed on July 24, 2002.

The bill was considered by the Committee of the Whole on July 25 and 26, 2002 and agreed to with amendments by the House by a vote of 295-132.

The bill was passed by the Senate on November 19, 2002 and returned to the House with an amendment. The amendment was agreed to on November 22, 2002 and signed by the President on November 25, 2002 becoming Public Law 107-296.

The bill as finally passed, reflected many of the recommendations of the Committee in the following particulars:

(1) TSA was retained as a distinct entity but that legal requirement expires in 2 years.

(2) The requirement of a liaison office was retained and the DHS and the FAA are required to consult with each other regarding any action that might affect aviation safety, air carrier operations, aircraft worthiness, or the use of airspace.

(3) The Secretary of Transportation is required to consult with the Secretary of DHS on AIP grants for security or screening equipment.

(4) Retains requirement for a report to be submitted to Congress on the plan for meeting the requirement that all check bags be screened.

(5) The GSA recommendation was agreed to but revised to retain all existing authority for federal real property acquisition in the GSA and to allow GSA to continue to collect rents and fees, including those for protective services.

(6) This recommendation regarding the Interagency Security Committee was not adopted.

(7) FEMA was split into two. FEMA's Office of National Preparedness was transferred to the Directorate of Border and Transportation Security. The remaining portion of FEMA was transferred to the Directorate of Emergency Preparedness and Response. FEMA retains its core missions and responsibility as the lead agency for the Federal Response Plan.

(8) The Committee's concerns were addressed with respect to the role of the GSA in real property acquisition and insuring adequate accountability.

(9) Retains the requirement that an organizational plan be presented to Congress and gives 90 days for review and oversight.

(10) This recommendation to protect the transportation trust funds was agreed to.

(11) This recommendation to transfer the Transportation Security Oversight Board was agreed to.

(12) This recommendation to transfer the Federal Protective Services was agreed to.

(13) The Coast Guard was transferred to the DHS, but was kept as a distinct and separate entity. The Commandant reports directly to the Secretary of DHS and is required to carry out those statutory missions which constitute the core missions of the Coast Guard. This addresses one of the major concerns of the Committee that the Coast Guard continue to serve the public in those missions related to Search and Rescue, Fisheries Enforcement, Environmental Protection, Law Enforcement and the other important missions conferred upon the Coast Guard by the Congress.



SUMMARY OF ACTIVITY FOR THE SUBCOMMITTEE ON  
AVIATION

---

ENACTED BILLS

AIR TRANSPORTATION SAFETY AND SYSTEM  
STABILIZATION ACT

H.R. 2926

Became Public Law 107-42

Sponsored by Rep. Don Young (R-Alaska)

This legislation was passed in the week immediately following the terrorist attacks of September 11, 2001 to stabilize the United States commercial air transportation system. It provided \$5 billion in grants to commercial air carriers for direct and incremental losses suffered as a result of the attacks. The legislation also authorized the Federal government to issue up to \$10 billion in loan guarantees to the airlines to ensure their continued viability.

---

AVIATION AND TRANSPORTATION SECURITY ACT OF 2001

(S.1447/H.R. 3150)

Became Public Law 107-71

Sponsored by Reps. Don Young (R-Alaska) and John Mica (R-Florida)

This legislation is a landmark aviation security package that will create a federalized airport screening system and insure 100 percent baggage screening at our Nation's airports. The law is the result of a House-Senate Conference Committee and includes numerous provisions from the House-passed legislation. The legislation was drafted as the result of the September 11th terrorist attacks and includes provisions recommended from both U.S. and international aviation and security experts to create a uniform, consistent security system at our Nation's airports and provide for Federal marshals on commercial flights and increased security in all areas of our airports and jets.

EXPRESSING THE SENSE OF THE CONGRESS IN HONORING  
THE CREW AND PASSENGERS OF UNITED AIRLINES  
FLIGHT 93

H. Con. Res. 232

Passed the House

Sponsored by Rep. Ernest Fletcher (R–Kentucky)

This resolution expressed the sense of the Congress in honoring the crew and passengers of United Airlines Flight 93 for possibly averting the use of that aircraft in a further terrorist attack on the United States by attempting to overpower the hijackers.

---

EXPRESSING THE SENSE OF CONGRESS REGARDING THE  
CRASH OF AMERICAN AIRLINES FLIGHT 587

H. Con. Res. 272

Passed the House and Senate

Sponsored by Rep. Anthony Wiener (D–New York)

This resolution expresses the sense of Congress and offering condolences to the families, friends, and loved ones of the victims of the crash of American Airlines Flight 587 on the Rockaway Peninsula in Queens County, New York, on November 12, 2001.

---

EXPRESSING THE SENSE OF CONGRESS RECOGNIZING THE  
HEROISM AND COURAGE DISPLAYED BY AIRLINE FLIGHT  
ATTENDANTS EACH DAY

H. CON. RES. 401 and S. CON. RES. 110

Passed the House and the Senate

Sponsored by Rep. Don Young (R–Alaska), Rep. John Mica (R–Florida), Rep. James Oberstar (D–Minnesota), Rep. William Lipinski (D–Illinois), and Rep. Vernon Ehlers (R–Michigan)

This resolution expresses profound gratitude to airline flight attendants for their daily service to make air travel safe, honors the courage and dedication of flight attendants, and expresses support for the flight attendants who displayed heroism on September 11, 2001, and to all flight attendants who continue to display heroism each day.

SMALL AIRPORT SAFETY, SECURITY, AND AIR SERVICE  
IMPROVEMENT ACT OF 2002

H.R. 1979, House Report 107-496

Passed the House

Sponsored by Rep. Roger Wicker (R-Mississippi)

This legislation allows small airports to use Airport Improvement Program grants to build air traffic control towers to provide important safety benefits.

---

THE DESIGNATION OF BUILDINGS 315, 318, AND 319 LOCATED AT THE FEDERAL AVIATION ADMINISTRATION'S WILLIAM J. HUGHES TECHNICAL CENTER IN ATLANTIC CITY, NEW JERSEY, AS THE "FRANK R. LAUTENBERG AVIATION SECURITY COMPLEX"

H.R. 2776, House Report 107-279

Passed the House

Sponsored by Rep. Frank LoBiondo (R-New Jersey), Rep. Robert Menendez (D-New Jersey), Rep. Jim Saxton (R-New Jersey), Rep. Frank Pallone (D-New Jersey), Rep. Bill Pascrell (D-New Jersey), Rep. Steven Rothman (D-New Jersey), Rep. Donald Payne (D-New Jersey), and Rep. Rush Holt (D-New Jersey)

This legislation designates buildings 315, 318, and 319 located at the Federal Aviation Administration's William J. Hughes Technical Center in Atlantic City, New Jersey, as the "Frank R. Lautenberg Aviation Security Complex".

---

NATIONAL AVIATION CAPACITY EXPANSION ACT

H.R. 3479, House Report 107-568

Passed the House

Sponsored by Rep. William Lipinski (D-Illinois)

This bill codifies an agreement reached between the Governor of Illinois and the Mayor of Chicago to address aviation needs in the Chicago region by allowing for the expansion of Chicago O'Hare International Airport

NATIONAL TRANSPORTATION SAFETY BOARD  
REAUTHORIZATION ACT OF 2002

H.R. 4466, House Report 107-470

Passed the House

Sponsored by Rep. Don Young (R-Alaska), Rep. John Mica (R-Florida), Rep. Jim Oberstar (D-Minnesota), Rep. Jack Quinn (R-New York), Rep. William Lipinski (D-Illinois) and Rep. Robert Clement (D-Tennessee)

This legislation amends title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003, 2004, and 2005.

---

AIRPORT STREAMLINING APPROVAL PROCESS ACT OF 2002

H.R. 4481, House Report 107-531

Passed the House

Sponsored by Rep. Don Young (R-Alaska), Rep. John Mica (R-Florida) and Rep. John Duncan (R-Tennessee)

This legislation streamlines the Federal approval process for airport capacity projects at the Nation's most congested airports. This bill directs the Secretary of Transportation to develop a coordinated review process to ensure that all environmental reviews by government agencies will be conducted at the same time, whenever possible, and completed within the deadlines established by DOT. It also limits all Federal or state agencies taking part in a review to the project "purpose and need" determined by DOT, and limits reviews to the project alternatives that the Secretary determines are reasonable. The bill also ensures that Federal action will be subject to judicial review only by the U.S. Court of Appeals.

---

THE ARMING PILOTS AGAINST TERRORISM ACT

H.R. 4635, House Report 107-555

Passed the House

Sponsored by Rep. Don Young (R-Alaska) and Rep. John Mica (R-Florida)

This legislation establishes a program to allow commercial airline pilots to carry a firearm to defend the cockpits in their aircraft. It also establishes a program to train flight attendants in situational awareness and self-defense to protect against a terrorist hijacking.

A provision similar to H.R. 4635 was included in the Senate substitute amendment to H.R. 5005, the bill to create a Department of Homeland Security. H.R. 5005 was passed by both the House and the Senate and signed into law.

## AIRLINE DELAY REDUCTION ACT

H.R. 1407, House Report 107-77

Reported to the House

Sponsored by Rep. Don Young (R-Alaska), Rep. Jim Oberstar (D-Minnesota), Rep. John Mica (R-Florida), Rep. William Lipinski (D-Illinois), Rep. Asa Hutchinson (R-Arkansas), Rep. Peter DeFazio (D-Oregon), Rep. Stephen Horn (R-California), Rep. Juanita Millender-McDonald (D-California), Rep. Jack Quinn (R-New York), Rep. Eleanor Holmes Norton (D-District of Columbia), Rep. Vernon Ehlers (R-Michigan), Rep. Spencer Bachus (R-Alabama), Rep. Richard Baker (R-Louisiana), Rep. John Cooksey (R-Louisiana), Rep. Frank LoBiondo (R-New Jersey), Rep. Robin Hayes (R-North Carolina), Rep. John Isakson (R-Georgia), Rep. Timothy Johnson (R-Illinois), Rep. Mark Kennedy (R-Minnesota), and Rep. Mark Kirk (R-Illinois).

This bill amends title 49, United States Code, to permit air carriers to meet and discuss their schedules in order to reduce flight delays.

## GENERAL AVIATION INDUSTRY REPARATIONS ACT

H.R. 3347, House Reports 107-406

Reported to the House

Sponsored by Rep. John Mica (R-Florida), Rep. Don Young (R-Alaska) and Rep. Bill Shuster (R-Pennsylvania)

This bill provides economic relief to general aviation entities that have suffered substantial economic injury as a result of the terrorist attacks perpetrated against the United States on September 11, 2001. It makes \$2.5 billion in grants available to general aviation entities for reimbursement of direct and indirect losses. It also makes \$3 billion of the \$10 billion in loan guarantees previously made available to the airline industry available to general aviation entities.

## HOMELAND SECURITY ACT OF 2002

H.R. 5005

Became Public Law 107-296

This bill creates the Department of Homeland Security (DHS) and transfers all Federal security-related activities to the new department, including activities under the recently created Transportation Security Administration. This bill also extends the deadline for the deployment of explosives detection machines for the screening of checked baggage for one year, expands and extends various aspects of the War Risk Insurance program, and creates a program to allow commercial airline pilots to carry firearms while on duty.

## HEARINGS

On March 14, 2001 the Subcommittee held a hearing on the Federal Aviation Administration's efforts to modernize the Air Traffic Control System. (With a focus on the Standard Terminal Automation Replacement System (STARS)).

On April 25, 2001 the Subcommittee held hearing on the Federal Aviation Administration's Capacity Benchmarks.

On April 26, 2001 the Subcommittee held a hearing on H.R. 1407, The Airline Delay Reduction Act.

On May 24, 2001 the Subcommittee held a Hearing on Airport Runway Construction Challenges.

June 13, 2001 the Subcommittee held a hearing on Standard Terminal Automation Replacement System (STARS) Deployment Update.

On June 20, 2001 the Subcommittee held a hearing on Airline Customer Service Commitments: Status Report

On June 26, 2001 the Subcommittee held a hearing on Runway Incursions, Focusing on the Technology to Prevent Collisions.

On July 11, 2001 the Subcommittee held a hearing on the Government Accounting Office's Report on the Federal Aviation Administration's Rulemaking Process.

On July 16, 2001 the Subcommittee held a Field Hearing on Air Traffic Congestion in the New York City Area in New York City, New York.

On July 26, 2001 the Subcommittee held a hearing on The Competitiveness of the United States Manufacturing Aircraft Manufacturing Industry.

On August 1, 2001 the Subcommittee held a hearing on H.R. 2107, a bill to preempt State law requiring approval of certain airport projects.

On September 13, 2001 the Subcommittee held a hearing to Update the Status of the Standard Terminal Automation System (STARS) Program.

On September 21, 2001 the Subcommittee held a hearing on Aviation Security and the Future of the Aviation Industry. (H.R. 3150/S. 1447)

On September 25, 2001 the Subcommittee held a hearing on Aviation Security and the Future of the Aviation Industry. (H.R. 3150/S. 1447)

On October 11, 2001 the Subcommittee held a hearing on the Deployment and Use of Security Technology. (H.R. 3150/S. 1447)

On October 17, 2001 the Subcommittee held a hearing on General Aviation Restrictions in Class B Airspace.

On December 7, 2001 the Subcommittee held a hearing on Checked Baggage Screening Systems. (H.R. 3150/S. 1447)

On January 23, 2002 the Subcommittee held a hearing on the Implementation of the Aviation and Transportation Security Act with a Focus on the 60-day Deadline for Screening and Checked Baggage. (H.R. 3150/S. 1447)

On February 27, 2002 the Subcommittee held a hearing on Aviation Security with a focus on Passenger Profiling. (H.R. 3150/S. 1447)

On March 6, 2002 the Subcommittee held a hearing on H.R. 3479, to Expand Aviation Capacity in the Chicago Area.

On March 14, 2002 the Subcommittee held a joint hearing with the Subcommittee on Railroads on the Reauthorization of the National Transportation Safety Board. (H.R. 4466)

On April 11, 2002 the Subcommittee held a hearing on the Adequacy of the Federal Aviation Administration's Oversight of Passenger Aircraft Maintenance.

On May 2, 2002 the Subcommittee held a hearing on Arming Flight Crews Against Terrorist Attacks. (H.R. 4635)

On July 16, 2002 the Subcommittee held a hearing on Ways to Improve Federal Aviation Administration's Organizational Structure (Focusing on the Role of the Chief Operating Officer and Air Traffic Services).

On July 23, 2002 the Subcommittee held a hearing on Aviation Security. (H.R. 3150/S. 1447)

On September 17, 2002 the Subcommittee held a Field Hearing on Aviation Security in Orlando, Florida. (H.R. 3150/S. 1447)

On September 24, 2002 the Subcommittee held a hearing on the Financial condition of the Airline Industry.



## SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

During the 107th Congress, the Subcommittee on Coast Guard and Maritime Transportation, Chaired by Congressman Frank A. LoBiondo, with Congresswoman Corrine Brown serving as Ranking Minority Member, developed major legislation dealing with the U.S. Coast Guard and maritime security. One of the legislative proposals originally would have authorized the Coast Guard during fiscal year 2002. Due to the ending of fiscal year 2002, the final bill authorizes the Coast Guard during fiscal year 2003. This legislation also involves the Coast Guard's responsibilities to ensure the safety and security of vessels, ports, waterways, and related facilities; to ensure safety of life and property at sea; to enforce all Federal laws on the high seas and U.S. waters; to maintain aids to navigation; and to protect the marine environment. The Subcommittee also developed a bill establishing a comprehensive national maritime transportation security system, supported by port vulnerability assessments conducted by the Coast Guard. This legislation also establishes a requirement for the Coast Guard to assess the effectiveness of security systems in certain foreign ports, and to deny entry to vessels from ports that do not maintain effective security. The Maritime Transportation Security Act of 2002, S. 1214, was enacted into law at the end of the 107th Congress. This legislation includes a compromise version of the Subcommittee's port security and Coast Guard authorization bills. The Subcommittee also held a hearing on H.R. 2228, the Maritime Disaster Family Assistance Act of 2001.

The Subcommittee held oversight hearings on the Coast Guard's fiscal year 2001 supplemental funding needs, the state of recreational boating safety in the United States, as well as port and maritime congestion. During the 107th Congress, the Subcommittee also held oversight hearings of the Coast Guard's drug interdiction strategy and the implementation of the National Invasive Species Act of 1996.

---

### ENACTED LEGISLATION

#### MARITIME TRANSPORTATION SECURITY ACT OF 2002

(Public Law 107-295)

Section 1 states that the Act may be cited as the "Maritime Transportation Security Act of 2002."

Section 101 states a number of Congressional findings in regard to the Maritime Transportation Security Act of 2002.

Section 102 of the Conference Report creates a new subtitle VI of title 46, United States Code, to establish a comprehensive na-

tional system of transportation security enhancements. Chapter 701 of this subtitle contains provisions related to port security.

#### *Definitions*

New section 70101 provides definitions for six terms to be used in new chapter 701. The term “Secretary” is defined as the Secretary of the department in which the Coast Guard is operating. The term “transportation security incident” is defined as a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption.

#### *United States facility and vessel vulnerability assessments*

Section 70102 requires the Secretary to conduct initial assessments of vessel types and facilities, located on or adjacent to the waters subject to the jurisdiction of the U.S., and to identify which of these vessels or facilities pose a high risk of being involved in a transportation security incident. Based on the information gathered in the initial assessments, the Secretary is required to conduct a detailed vulnerability assessment for facilities and vessels that may be involved in a transportation security incident. The Secretary may also accept an alternative assessment prepared by or on behalf of a vessel or facility owner or operator if that assessment satisfies certain criteria.

#### *Maritime transportation security plans*

Section 70103 of new chapter 701 requires the Secretary to establish the National Maritime Transportation Security Plan for deterring and responding to a transportation security incident. Each Federal Maritime Security Coordinator, after soliciting advice from the Area Security Advisory Committee, is required to submit to the Secretary an Area Maritime Transportation Security Plan for each individual area established under the National Maritime Transportation Security Plan. Finally, section 70103 requires owners and operators of vessels and facilities, which the Secretary believes may be involved in a transportation security incident, to develop vessel and facility security plans.

#### *Transportation security incident response*

Section 70104 requires the Secretary to establish a system of security incident response plans developed for vessels and facilities that may be involved in a transportation security incident.

#### *Transportation security cards*

Section 70105 establishes a national standard for issuance of transportation security cards whose purpose is to control access to ensure terminal areas to only authorized personnel.

#### *Maritime safety and security teams*

Section 70106 establishes Coast Guard maritime safety and security teams to protect vessels, ports, facilities, and cargo on United States’ waters.

*Grants*

Section 70107 provides financial assistance for enhanced security to implement a facility or area maritime security plans approved by the Coast Guard or an interim security measure required by the Coast Guard.

This section authorizes matching grants for various types of security upgrades at U.S. ports and U.S. maritime areas including reimbursements for security enhancements that have corrected security vulnerabilities since September 11, 2001, that are consistent with their Area Maritime Transportation Security Plans and facility security plans.

This section also provides \$15 million for each of fiscal years 2003 through 2008 for research and development grants for port security.

*Foreign port assessment*

New section 70108 of title 46 requires the Secretary to assess the effectiveness of the antiterrorism measures maintained at a foreign port from which vessels depart on a voyage to the United States or which poses a high risk of introducing terrorism to international maritime commerce.

*Notifying foreign authorities*

Section 70109 requires the Secretary, after conducting a foreign port assessment, to contact the foreign government if he finds that a port in that foreign country does not maintain effective antiterrorism measures. Section 70109(b) requires the Secretary to make available a port security training program for ports in foreign countries that are found under section 70108 to lack adequate security measures.

*Actions when foreign ports not maintaining effective antiterrorism measures*

If the Secretary finds that a foreign port does not maintain effective antiterrorism measures, section 70110 allows him to prescribe conditions of entry into the United States for any vessel arriving from that port. The Secretary may also deny entry into the United States to any vessel that does not meet these conditions.

*Enhanced crewmember identification*

Section 70111 requires crew members on vessels calling at U.S. ports to carry and present on demand any identification that the Secretary decides is necessary.

*Maritime security advisory committees*

Section 70112 requires the Secretary to establish a National Maritime Security Advisory Committee and Area Maritime Security Advisory Committees for any port area of the United States. The Committees may advise, consult, and make recommendations to the Secretary on ways to enhance security and safety at U.S. seaports.

*Maritime intelligence*

Section 70113 requires the Secretary to implement a system to collect, integrate, and analyze information concerning vessels operating in waters subject to the jurisdiction of the U.S. The Secretary may collect information from public and private entities to the extent that the information is not provided by other Federal departments and agencies.

*Automatic identification systems*

Section 70114 requires that certain vessels be equipped with and operate an automatic identification system (AIS) under regulations prescribed by the Secretary. The AIS includes a position indicating transponder and an electronic charting or situation display for accessing the information made available by the transponder system. This will allow a vessel operator to more easily identify the position and heading of their vessel and other vessels navigating in the area. It will also allow shore-based Coast Guard facilities to more easily monitor the location and heading of vessels in their area.

*Long-range vessel tracking system*

Section 70115 authorizes the Secretary to develop and implement a long-range automated secure vessel tracking system for all vessels on voyages in U.S. waters that are equipped with the Global Maritime Distress and Safety System or equivalent satellite technology. The Secretary may use existing maritime organizations to collect and monitor tracking information under the system.

*Secure systems of transportation*

Section 70116 requires the Secretary, in consultation with the Transportation Security Oversight Board, to establish a program to evaluate and certify secure systems of international intermodal transportation.

*Civil penalty*

Section 70117 establishes a civil penalty of not more than \$25,000 for each violation of this new chapter.

Section 103 of the Act encourages the Secretary of the department in which the Coast Guard is operating to undertake negotiations on an international agreement that provides for an international system for identifying seafarers. If the Secretary is unable to negotiate this agreement within 24 months, he is required to submit to Congress a draft of legislation which would establish a system for identifying seafarers.

Section 104 extends the territorial jurisdiction of the United States from 3 miles off the shore, to 12 miles. This extension of jurisdiction is consistent with Presidential Proclamation 5928 of December 27, 1988, and is also consistent with the Law of the Sea.

Section 105 suspends the effectiveness of any end-strength and grade distribution for the Coast Guard for any fiscal year that there is in effect a declaration of war or national emergency, for a period not to exceed six months after the end of the war or national emergency.

Section 106 allows natural gas to be included in the Deepwater Port Act, which establishes a system for permitting and licensing

deepwater terminals. Currently, only oil facilities are included in this Federal law. This section ensures the proper application and administration of the Deepwater Port Act to offshore natural gas facilities and enables the timely development of offshore natural gas facilities.

Section 107 amends the Ports and Waterways Safety Act to allow for the dispatch of properly trained and qualified armed Coast Guard personnel on facilities and vessels to deter or respond to acts of terrorism or transportation security incidents. The substitute also requires that the Secretary of the department in which the Coast Guard is operating to report to Congress on the use of non-Coast Guard personnel as sea marshals.

Section 108 of the Act contains amendments to section 431A of the Tariff Act of 1930, as added by section 343(b) of the Trade Act of 2002, Public Law 107-210, including a requirement that the Secretary of the Treasury provide the appropriate Federal departments and agencies with cargo information obtained pursuant to this section. The Conference substitute also amends section 343(a) of Public Law 107-210.

Section 109 requires the Secretary of Transportation to develop standards and a curriculum to allow for the training and certification of maritime security professionals. The section further authorizes the Secretary to make training opportunities available to any law enforcement or maritime security personnel in the United States. The section also authorizes \$5.5 million for each of fiscal years 2003 through 2008 for maritime training.

Section 110 requires the Secretary of Transportation to report to Congress on the life cycle costs and benefits of creating a Center for Coastal and Maritime Security. The Secretary is also required to report to Congress on the secure system of transportation program established under this Act.

By not later than January 1, 2004, section 111 of this legislation requires the Secretary of the department in which the Coast Guard is operating, in consultation with the Transportation Security Oversight Board, to develop and maintain an antiterrorism cargo identification, tracking, and screening system for containerized cargo shipped to and from the United States. This section also requires the Secretary to develop performance standards to enhance the physical security of shipping containers, including standards for seals and locks as well as systems to detect any tampering or breaking of the seal or container integrity.

Section 112 requires the Secretary of the department in which the Coast Guard is operating to report to Congress a list of all nations whose flag vessels have entered the United States ports in the previous year. The report must also contain a breakdown of countries whose vessel registration or classification procedures have been found by the Secretary to be noncompliant with international classifications and whose laws or regulations are not sufficient to allow tracking of ownership registration histories of registered flag vessels.

Section 113 directs the Secretary of Transportation to publish a revised version of the document "Port Security: A National Planning Guide," within three years after the enactment of the Senate passed bill and to make the document available on the Internet.

Section 202 of the Conference Report amends section 1120(g) of the Coast Guard Authorization Act of 1996 (Public Law 104-324) to deem the vessel COASTAL VENTURE to have been constructed in the United States.

Section 203 authorizes the Secretary of Transportation to make a grant to the American Merchant Marine Veterans Memorial Committee to construct an addition to the American Merchant Marine Memorial Wall of Honor in San Pedro, California.

Section 204 requires the discharge from a vessel of any agricultural cargo residue material in the form of hold washings to be governed exclusively under the provisions of MARPOL Annex V (MARPOL V).

Section 205 extends the provisions of current law for preferred mortgages to a valid lien against a vessel not covered by a preferred mortgage.

Section 206 deems the research vessel DAVIDSON to be less than 100 gross tons, for purposes of applying the optional regulatory measurement under section 14305 of title 46, United States Code.

Section 207 waives certain coastwise trade laws for individually listed vessels.

Section 208 of the House amendment adds the vessels SS RED OAK VICTORY, SS AMERICAN VICTORY, and LST-325 to a list of three vessels subject to section 3302(l) of title 46, United States Code.

Section 209 waives the coastwise trade laws of the United States for three barges as long as these barges are only used in firework displays.

Section 210 of the Act waives certain U.S. coastwise trade laws for the vessel EAGLE under certain specific circumstances.

Section 211 allows ten sailboats participating in the New World Challenge Race to transport non-paying guests, before and during stops of that race.

Section 212 allows the owner of the ASPHALT COMMANDER to place this U.S.-flag vessel under a foreign registry.

Section 213 allows certain foreign-built launch barges to transport topside modules in the coastwise trade of the United States.

Section 214 temporarily authorizes the Secretary to waive the coastwise laws of the United States for not more than three foreign built self-propelled tank vessels under certain circumstances related to the late delivery from a United States shipyard of a coastwise eligible self-propelled tank vessel.

Section 215 eliminates the position of Associate Deputy Secretary, Department of Transportation, and creates the position of Under Secretary of Transportation for Policy.

Section 311 amends section 336(d) of title 14, United States Code, to authorize the Coast Guard to promote the Coast Guard Band Director from the rank of Commander to the rank of Captain.

Section 312 amends section 511 of title 14, United States Code, to allow the Secretary of Transportation to grant compensatory absence from duty for Coast Guard military personnel serving at isolated duty stations of the Coast Guard.

Section 313 amends sections 259, 260(a), and 271(a) of title 14, United States Code, to authorize the Coast Guard to advance offi-

cers ahead of their peers within a given promotion zone, without disadvantaging other high performing officers.

Section 321 amends section 1203(b) of title 33, United States Code, to require foreign-flag vessels to monitor inter-ship radio-telephone frequencies when operating within the U.S. territorial sea between three and twelve miles offshore.

Section 322 maintains six reports which were eliminated after the enactment of the Federal Reports Elimination and Sunset Act of 1995. The section also terminates an annual report to Congress regarding the Oil Spill Liability Trust Fund.

Section 323 amends the Oil Pollution Act of 1990 to authorize the Coast Guard to borrow up to \$100 million for additional emergency oil spill cleanup removal from the Oil Spill Liability Trust Fund.

Section 324 amends section 7302 of title 46, United States Code, to authorize the Secretary of Transportation to issue an interim merchant mariner's document valid for a period not to exceed 120 days.

Section 325 raises the maximum civil penalty to \$5,000 for the negligent operation of a recreational vessel, or for interfering with the safe operation of a recreational vessel. The penalty for the negligent operation of any other vessel, or for interfering with the safe operation of a commercial vessel, under this amendment will be \$25,000.

Section 331 amends section 4508 of title 46, United States Code, to authorize the Coast Guard to extend the Commercial Fishing Industry Vessel Advisory Committee from 2000 to 2005 and make technical changes.

Section 332 amends section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102-241), to authorize the Coast Guard to extend the Houston-Galveston Navigation Safety Advisory Committee from 2000 to 2005 and make technical changes.

Section 333 of the Act amends section 19 of the Coast Guard Authorization Act of 1991 (Public Law 102-241), to authorize the Coast Guard to extend the Lower Mississippi River Waterway Advisory Committee from 2000 to 2005 and make technical changes.

Section 334 amends section 2073 of title 33, United States Code, to authorize the Coast Guard to extend the Navigation Safety Advisory Council from 2000 to 2005 and make technical changes.

Section 335 amends section 13110 of title 46, United States Code, to authorize the Coast Guard to extend the National Boating Safety Advisory Council from 2000 to 2005 and make technical changes.

Section 336 amends section 1231(a) of title 33, United States Code, to authorize the Coast Guard to extend the Towing Safety Advisory Committee from 2000 to 2005 and make technical changes.

Section 341 of the Conference Report authorizes the Coast Guard to accept up to seven excess PC-170 patrol ships from the U.S. Navy.

During fiscal year 2003, section 342 amends the Sportfishing and Boating Safety Act of 1998 to increase the State Recreational Boating Safety Grant Program by one million dollars and to change the definition of state matching amounts for purposes of the State Boating Safety Grant Program.

Section 343 authorizes the Coast Guard to operate and maintain a Caribbean Support Tender to provide technical assistance and law enforcement training for foreign coast guards, navies, and other maritime services.

Section 344 extends the expiration date for the prohibition of any new maritime user fees from September 30, 2001, to September 30, 2006.

Section 345 requires the Coast Guard to continue to offer advice and technical assistance to organizations in the Great Lakes region that are dedicated to lighthouse stewardship.

Section 346 requires the Coast Guard to report to Congress, within 60 days after enactment, the agency's implementation of National Transportation Safety Board recommendations following the MORNING DEW accident.

Section 347 authorizes the transfer of 4.13 acres of land, known as the Naval Reserve Pier property, located in Portland, Maine, to the Gulf of Maine Aquarium Development Corporation.

Section 348 requires the Secretary in the department in which the Coast Guard is operating to submit a report to Congress that compares Coast Guard expenditures by mission area on an annualized basis before and after the terrorist attacks of September 11, 2001. The report must also estimate the annual funding amounts and personnel levels that would restore all Coast Guard mission areas to the readiness levels that existed before September 11, 2001. This section also requires a report identifying mission targets for fiscal years 2003, 2004, and 2005, and the specific steps necessary to achieve those targets.

Section 349 transfers the Coast Guard Slip Point Light Station in Clallam County, Washington, to Clallam County and the Point Pinos Light, located in Monterey County, California, to the City of Pacific Grove, California.

Section 402 of the Act would extend the present Coast Guard housing authorities from October 1, 2001, to October 1, 2007. The Coast Guard Authorization Act of 1996 provides the Coast Guard with the legal authorities to encourage private sector participation in the acquisition or construction of Coast Guard housing on or near Coast Guard installations. The Coast Guard is currently in the process of developing proposals for several potential housing projects using these new authorities.

This section further authorizes the Coast Guard to implement a demonstration project for the acquisition or construction of military family housing and military unaccompanied housing at the Coast Guard installation in Kodiak, Alaska.

Section 403 requires the Secretary of Transportation to maintain and publish an inventory of U.S.-flag vessels capable of laying, maintaining, or repairing a submarine cable.

Section 404 requires that a vessel engaged in towing assistance or towing escort be a vessel of the United States, and establishes a civil penalty for a person who violates this section.

Section 405 requires the Coast Guard to establish standards for the safe operation of Coast Guard search and rescue stations, and expresses a sense of Congress that the Coast Guard should establish, implement and maintain minimum standards necessary to ensure that an individual on duty or watch in a Coast Guard search

and rescue command center facility not work more than 12 hours in a 24-hour period.

Section 406 authorizes the Coast Guard to allow private VHF Communications companies to place equipment and VHF towers on Coast Guard property. In exchange, the Coast Guard may receive discounted VHF communications services. This section also states that commercial VHF communication equipment placed on real property under the administrative control of the Coast Guard shall not interfere in any manner with any current or future Coast Guard communications equipment.

Section 407 authorizes \$987,400 for the fire, oil, and toxic spill response communications, training, equipment, and program administration activities conducted by nonprofit organizations in cooperation with the Coast Guard.

Section 408 conforms certain permanent laws of the United States relating to the Coast Guard and maritime transportation by correcting references to the former Merchant Marine and Fisheries Committee of the House of Representatives.

Section 409 prohibits a vessel, which has been forfeited to the United States government for a breach of the laws of the United States, from obtaining a certificate of documentation with a fisheries endorsement. This section does not grant the Coast Guard new authority to seize or forfeit vessels.

Section 410 requires the Commandant of the Coast Guard to ensure that all Coast Guard personnel are equipped with adequate safety equipment, including hypothermia protective clothing where appropriate, while performing search and rescue missions.

Section 411 makes technical amendments regarding the promotion of Coast Guard Reserve Officers to implement the changes to the Reserve promotion system included in the Fiscal Year 2001 Department of Defense Authorization Act.

Section 412 authorizes the Coast Guard to continue commanders and lieutenant commanders scheduled to retire due to failure of selection for promotion.

Section 413 authorizes the Coast Guard to pay an individual's undergraduate or graduate educational tuition when that individual enlists in the Coast Guard Reserve and promises to accept a commission in the Coast Guard Reserve upon completion of the degree.

Section 414 permits the Coast Guard to offer to captains, who would otherwise be forced to retire after thirty years of duty, the opportunity to continue on active duty. This proposal would allow the Coast Guard to retain these highly experienced individuals at very little additional cost.

Section 415 allows the Coast Guard to pay death gratuities to personal representatives of Coast Guard Auxiliarists who die in the line of duty, to the same extent that death gratuities are paid on behalf of Federal employees.

Section 416 revises the Coast Guard's severance pay provisions to incorporate the Department of Defense separation pay computations.

Section 417 authorizes the Coast Guard to lease lighthouse properties for terms not to exceed thirty years.

Section 418 amends the Maritime Drug Law Enforcement Act to increase the Coast Guard's drug interdiction jurisdiction from 12 to 24 miles from U.S. shores.

Section 419 grants the Coast Guard statutory authority to regulate wing-in-ground craft and makes them subject to inspection as small passenger vessels.

Section 420 removes the requirement for filing an original commercial instrument (for example, a ship mortgage) within ten days of the electronic filing of the instrument.

Section 421 eliminates the requirement for a thumbprint to be placed on a merchant mariners' document.

Section 422 authorizes the Secretary of Transportation to issue temporary certificates of documentation, and to delegate to private third parties the authority to issue the certificates for recreational vessels.

Section 423 authorizes the Coast Guard to conduct marine casualty investigations involving foreign vessels in areas outside U.S. territorial waters consistent with the practices and procedures of international law.

Section 424 requires that the Coast Guard convey the property adjacent to Coast Guard Station Saginaw River, located in Hampton Township, Michigan, to BaySail, Inc., a nonprofit corporation.

Section 425 changes the recipient's name of a previous Coast Guard property transfer in Traverse City, Michigan.

Section 426 requires the Secretary of the department in which the Coast Guard is operating to submit an annual report to Congress setting forth the capabilities and readiness of the Coast Guard to fulfill its national defense responsibilities.

Section 427 extends the Oil Spill Recovery Institute until September 30, 2012.

Section 428 amends section 2114 of title 46, United States Code, to expand the protection of seamen against discrimination. This section does not allow for anyone to discharge or discriminate against any seaman who reports a violation of a maritime law to the Coast Guard or refuses to perform duties which he believes would result in his or another individual's injury.

Section 429 does not allow the Commandant of the Coast Guard to decommission any WYTL-class harbor tugs unless he certifies that sufficient replacement capability has been procured by the Coast Guard to remediate any degradation in current icebreaking services.

Section 430 allows the Commandant of the Coast Guard to provide support to an entity which engages in fishing vessel safety training.

Section 431 limits the liability of pilots working in a Coast Guard Vessel Traffic Service while acting within the scope of their duties and under the supervision of a Coast Guard officer.

Section 432 allows the Coast Guard to transfer funds to the City of Chicago to pay the Federal share to demolish the old Coast Guard station on Chicago Harbor and construct a new facility at this site for use as a marine safety station. The Federal share of this project may not exceed one third of the total cost of the project or two million dollars, whichever is less.

Section 433 extends the time for a recreational vessel and associated equipment recall from five to ten years.

Section 434 allows the Secretary of Transportation to transfer up to \$300,000 to the City of Escanaba, Michigan, for the repair of the north wall of the municipal dock in Escanaba.

Section 435 of the Act directs the Secretary of the department in which the Coast Guard is operating to amend the vessel GLOBAL EXPLORER's certificate of documentation to show the vessel's year of construction as 2002.

Section 436 amends chapter 51 of title 46, United States Code, regarding vessel load lines.

Section 437 allows the Administrator of the General Services Administration to transfer to the Secretary of the Interior administrative jurisdiction over certain public lands in the State of Michigan.

Section 438 authorizes funding for LORAN-C navigation infrastructure.

Section 439 reimburses the State of Hawaii for damages caused by the Coast Guard to the ferry pier at Barber's Point Harbor, Hawaii.

Section 440 requires the Secretary of the department in which the Coast Guard is operating, jointly with the Secretaries of Commerce and Interior, to report to Congress on the immunity of a private responder (other than a person responsible for the vessel or facility from which oil is discharged) from liability for criminal and civil penalties for the incidental take of a protected species while carrying out oil spill response actions.

Section 441 amends section 10601(a) of title 46, United States Code, by requiring that the owner, charterer, managing operator or a representative thereof, including, but not limited to, the master or individual in charge of a fishing industry vessel, shall make a fishing agreement in writing with each seaman employed on board the vessel.

Section 442 requires the Coast Guard to begin publishing all major marine casualty reports upon enactment of this Act. Additionally, the Conferees direct the Coast Guard to begin electronically publishing the remaining marine casualty reports by the end of the fiscal year 2005.

Section 443 amends the Ports and Waterways Safety Act to add the safety and security of United States ports and waterways to this law's traditional focus on marine safety and environmental protection.

Section 444 allows the Coast Guard to suspend the payment of the retired pay of a member or former member during periods in which the member willfully remains outside the United States to avoid criminal prosecution or civil liability.

Section 445 prohibits any non-Federal interest from assessing or collecting any fee on vessels or water craft operating on navigable waters subject to the authority of the United States, or under the freedom of navigation on those waters. This section does not prohibit those instances in which Federal law has permitted the imposition of fees and recognizes those circumstances under which non-Federal interests may charge reasonable port and harbor fees for services rendered.

Section 501 of the Conference Report states that this title may be cited as the “Coast Guard Authorization for Fiscal Year 2003.”

Section 502 authorizes approximately \$6 billion for Coast Guard programs and operations during fiscal year 2003. Section 502(1) authorizes approximately \$4.3 billion for Coast Guard operating expenses for fiscal year 2003.

Section 502(2) authorizes \$725 million in fiscal year 2003 for the Coast Guard’s acquisition, construction, and improvement (AC&I) account.

Section 503 authorizes 45,500 Coast Guard active duty military personnel as of September 30, 2003.

---

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

(Public Law 107–107)

Public Law 107–107 provides for a targeted military pay raise ranging from five percent to 10 percent effective January 1, 2002. The Act also amends title 14, United States Code, to allow the Secretary of Transportation to issue one duplicate Medal of Honor to recipients for display purposes, and a provision which clarifies the Secretary’s authority to replace stolen decorations.

#### BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

(Public Law 107–314)

Public Law 107–314 would increase military basic pay by at least 4.1 percent.

---

#### OTHER LEGISLATION

##### THE MARITIME POLICY IMPROVEMENT ACT OF 2001

On March 21, 2001, during the First Session of the 107th Congress, the House of Representatives passed H.R. 1098, the Maritime Policy Improvement Act of 2001. H.R. 1098 contains many important provisions, including amendments to expand the American Merchant Marine Memorial Wall of Honor, establish a new method for recording and discharging certain maritime liens, and provide limited relief to certain vessel owners. Most of the provisions of H.R. 1098 were later included in H.R. 3507 and S. 1214.

Section 3 of the bill amends section 1120(g) of the Coast Guard Authorization Act of 1996 (Public Law 104–324) to add the vessel COASTAL VENTURE to a list of vessels, deemed to have been constructed in the United States.

Section 4 adopts the American Merchant Marine Memorial Wall of Honor Expansion Act which authorizes the Secretary of Transportation to make grants to the American Merchant Marine Veterans Memorial Committee to construct an addition to the American Merchant Marine Memorial Wall of Honor in San Pedro, California.

Section 5 requires the discharge from a vessel of any agricultural cargo residue material in the form of hold washings to be governed exclusively under the provisions of MARPOL Annex V (MARPOL V) as implemented by the Act to Prevent Pollution from Ships (APPS).

Section 6 would extend the provisions of current law for preferred mortgages to a valid lien against a vessel not covered by a preferred mortgage.

Section 7 of the bill deems the research vessel DAVIDSON to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code, for purposes of applying the optional regulatory measurement under section 14305 of title 46.

Section 8 waives certain coastwise trade laws for 20 individually listed vessels.

Section 9 adds the vessels SS RED OAK VICTORY and SS AMERICAN VICTORY to a list of three vessels subject to section 3302(l) of title 46, United States Code.

Section 10 waives the coastwise trade laws of the United States for three barges as long as these barges are only used in firework displays.

Section 11 waives certain U.S. coastwise trade laws for the vessel EAGLE under certain specific circumstances.

Section 12 allows ten sailboats participating in the New World Challenge Race to transport non-paying guests, from and around the ports of San Francisco and San Diego, California, before and during stops of that race.

Section 13 of the bill allows the owner of the vessel ASPHALT COMMANDER to place this U.S.-flag vessel under a foreign registry.

The Senate Committee on Commerce, Science, and Transportation reported H.R. 1098, without amendment, to the full Senate on July 27, 2001. The Senate failed to act on H.R. 1098 before the end of the 107th Congress.

#### COAST GUARD PERSONNEL AND MARITIME SAFETY ACT OF 2001

On March 21, 2001, during the First Session of the 107th Congress, the House of Representatives passed H.R. 1099, the Coast Guard Personnel and Maritime Safety Act of 2001. This bill contains many provisions related to Coast Guard personnel management, commercial and recreational vessel safety, and environmental protection. Most of the provisions of H.R. 1099 were later included in H.R. 3507 and S. 1214.

Section 101 of the bill amends section 336(d) of title 14, United States Code, to authorize the Coast Guard to promote the Coast Guard Band Director from the rank of Commander to the rank of Captain.

Section 102 amends section 511 of title 14, United States Code, to allow the Secretary of Transportation to grant compensatory absence from duty for Coast Guard military personnel serving at isolated duty stations of the Coast Guard.

Section 103 amends sections 259, 260(a), and 271(a) of title 14, United States Code, to authorize the Coast Guard to advance offi-

cers ahead of their peers within a given promotion zone, without disadvantaging other high performing officers.

Section 201 amends section 1203(b) of title 33, United States Code, to require foreign-flag vessels to monitor inter-ship radio-telephone frequencies when operating within U.S. territorial waters between three and twelve miles offshore.

Section 202 maintains six reports which were eliminated after the enactment of the Federal Reports Elimination and Sunset Act of 1995.

Section 203 of the bill amends the Oil Pollution Act of 1990 to authorize the Coast Guard to borrow up to \$100 million for additional emergency oil spill cleanup removal from the Oil Spill Liability Trust Fund. Currently, a permanent annual appropriation of \$50 million is made available to carry out emergency oil spill response needs.

Section 204 amends section 7302 of title 46, United States Code, to authorize the Secretary of Transportation to issue an interim merchant mariner's document valid for a period not to exceed 120 days. This section also amends section 8701(a) of title 46, United States Code, to exempt certain personnel employed aboard passenger vessels not engaged in foreign voyages from obtaining a merchant mariner's document. The section also adds certain temporarily employed catering personnel, florists, event planners, and similarly situated personnel to the category of vessel crew who are exempt from holding a merchant mariner document.

Section 205 establishes a maximum civil penalty of \$5,000 for the negligent operation of a recreational vessel, or for interfering with the safe operation of a recreational vessel. The penalty for the negligent operation of any other vessel, or for interfering with the safe operation of a commercial vessel, will be \$25,000. The maximum civil penalty had been \$1,000 for all violations.

Section 301 amends section 4508 of title 46, United States Code, to authorize the Coast Guard to extend the Commercial Fishing Vessel Advisory Committee from 2000 to 2005.

Section 302 amends section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102-241), to authorize the Coast Guard to extend the Houston-Galveston Navigation Safety Advisory Committee from 2000 to 2005.

Section 303 amends section 19 of the Coast Guard Authorization Act of 1991 (Public Law 102-241), to authorize the Coast Guard to extend the Lower Mississippi River Waterway Advisory Committee from 2000 to 2005.

Section 304 amends section 2073 of title 33, United States Code, to authorize the Coast Guard to extend the Navigation Safety Advisory Council from 2000 to 2005.

Section 305 of the bill amends section 13110 of title 46, United States Code, to authorize the Coast Guard to extend the National Boating Safety Advisory Council from 2000 to 2005.

Section 306 amends section 1231(a) of title 33, United States Code, to authorize the Coast Guard to extend the Towing Safety Advisory Committee from 2000 to 2005.

Section 401 authorizes the Coast Guard to receive and operate up to seven excess PC-170 patrol ships from the U.S. Navy.

Section 402 amends the Port and Waterways Safety Act to require all vessels entering the 12 mile territorial sea of the United States to provide notice to the Coast Guard 24 hours before entering those waters.

Section 403 of the bill authorizes the Coast Guard to operate and maintain a Caribbean Support Tender to provide technical assistance and law enforcement training for foreign coast guards, navies, and other maritime services.

Section 404 extends the expiration date, September 30, 2001, to section 2110(k) of title 46, United States Code, to September 30, 2006. Section 2110(k) prohibits the Secretary of Transportation from planning, implementing, or finalizing any regulation that would promulgate any new maritime user fee which was not implemented and collected prior to January 1, 1998, including a fee or charge for any domestic icebreaking service or any other navigational assistance service.

Section 405 requires the Coast Guard to continue to offer advice and technical assistance to organizations in the Great Lakes region that are dedicated to lighthouse stewardship. This section also calls on the Coast Guard to promptly release information regarding the timing of designations of Coast Guard lighthouses on the Great Lakes as surplus government property.

Section 406 requires the Coast Guard to report to Congress within 90 days to describe the agency's implementation of National Transportation Safety Board recommendations following the MORNING DEW accident, a recreational sailboat accident that resulted in the loss of four lives on December 29, 1997, outside of Charlestown, South Carolina. The Coast Guard must also report on efforts to fill communication gaps identified in the MORNING DEW investigation, such as the need for directional-finding equipment which could help the Coast Guard prevent deaths in future search and rescue cases.

Section 407 authorizes the transfer of 4.13 acres of land, known as the Naval Reserve Pier property, located in Portland, Maine, to the Gulf of Maine Aquarium Development Corporation.

Section 408 of the bill requires the Coast Guard to study existing waterway safety committees to test the feasibility of expanding the concept to small and medium-sized ports.

Section 409 transfers two Coast Guard lighthouses. The first provision transfers the Coast Guard Slip Point Light Station in Clallam County, Washington, to Clallam County. The other provision transfers the Point Pinos Light, located in Monterey County, California, to City of Pacific Grove, California.

Section 410 allows the Commandant of the Coast Guard to enter into agreements with public and private, foreign and domestic entities to establish partnerships for the performance of work at the Coast Guard Yard. The section also requires the Coast Guard to develop a five-year business plan for the most efficient utilization of the Coast Guard Yard.

Finally, section 411 of the bill amends the Sportfishing and Boating Safety Act of 1998 to increase the State Recreational Boating Safety Grant Program by one million dollars. The section also amends section 13102(a)(3) of title 46, United States Code, to

change the definition of state matching amounts for purposes of the State Boating Safety Grant Program.

The Senate failed to take action on this bill before the end of the 107th Congress.

---

#### THE COAST GUARD AUTHORIZATION ACT OF 2001

On June 7, 2001, during the First Session of the 107th Congress, the House of Representatives passed H.R. 1699, the Coast Guard Authorization Act of 2001. H.R. 1699 authorizes funding for Coast Guard activities and programs that are subject to appropriation during fiscal year 2002. An amended version of this bill was included in H.R. 3507 and S. 1214.

H.R. 1699 authorizes \$5.4 billion for Coast Guard programs and operations at the level requested by the Administration for fiscal year 2002, with an additional \$300 million in Coast Guard operating expenses. This is an increase of \$845 million over the amount appropriated for the Coast Guard in fiscal year 2001.

Section 2(1) of the bill authorizes approximately \$3.7 billion for Coast Guard operating expenses for fiscal year 2002. This section also requires that \$5.5 million be available for the Coast Guard's program of voluntary safety examinations of commercial fishing vessels.

Section 2(2) authorizes \$659.3 million in fiscal year 2002 for the Coast Guard's acquisition, construction, and improvement (AC&I) account. Of this amount, \$338 million is available only to implement the Coast Guard's Integrated Deepwater system.

Section 3 of H.R. 1699 authorizes 44,000 Coast Guard active duty military personnel.

Finally, section 4 of the bill requires that any new vessel constructed for the Coast Guard with amounts made available under H.R. 1699 shall be constructed in the United States, constructed in compliance with the Buy American Act, and shall not be constructed of steel or iron produced outside the U.S. The section further provides that this section would not apply when the Secretary of Transportation finds that the application of this provision would be inconsistent with the public interest and that the iron or steel produced outside the U.S. is not produced in the U.S. in sufficient and reasonably available quantities and of a satisfactory quality.

The Senate failed to act on H.R. 1699 before the end of the 107th Congress.

---

#### THE OMNIBUS MARITIME IMPROVEMENT ACT OF 2001

On October 16, 2001, during the First Session of the 107th Congress, the House Committee on Transportation and Infrastructure reported H.R. 2481, the Omnibus Maritime Improvements Act of 2001, to the full House of Representatives. This bill makes various changes to U.S. maritime laws and U.S. Coast Guard authorities. Most of this legislation was later included in H.R. 3507 and S. 1214.

Section 2 would extend the present Coast Guard housing authorities from October 1, 2001, to October 1, 2006. The Coast Guard is currently in the process of developing proposals for several poten-

tial housing projects using these new authorities. This section further authorizes the Coast Guard to implement a demonstration project for the acquisition or construction of military family housing and military unaccompanied housing at the Coast Guard installation in Kodiak, Alaska.

Section 3 of H.R. 2481 requires that vessels engaged in laying a submarine cable between two landings in the United States, a cable making a shore landing in the United States, and a cable laid on or beneath the navigable waters of the United States, to be a U.S.-flag vessel if the cable is owned or operated by or for the United States Government. These vessels must either be U.S.-flag vessels involved in cable services before July 1, 2001, or have a certificate of documentation with a registry endorsement.

Section 4 requires that vessels engaged in towing assistance or towing escort be a vessel of the United States. Subsection (c) of section 4 establishes a civil penalty for a person who violates this section.

Section 5 of the bill requires the Secretary of Transportation, by July 1, 2002, to prescribe and implement the minimum standards necessary for the safe operation of all Coast Guard search and rescue facilities including communications centers, groups, and stations that are engaged in search and rescue activities.

Section 6 of H.R. 2481 authorizes the Coast Guard to allow private VHF Communications companies to place equipment and VHF towers on Coast Guard property. In exchange, the Coast Guard may receive discounted VHF communications services from these companies, including Digital Selective Calling services and radio direction finding services.

Section 7 authorizes \$987,400 for the activities of the Lower Columbia River Maritime Fire and Safety Association.

Section 8 of the bill conforms certain permanent laws of the United States relating to the Coast Guard and maritime transportation by correcting references to the former Merchant Marine and Fisheries Committee of the House of Representatives.

Section 9 prohibits a vessel, which has been forfeited to the United States government for a breach of the laws of the United States, from obtaining a certificate of documentation with a fisheries endorsement. This section does not grant the Coast Guard new authority to seize or forfeit vessels.

Section 10 of H.R. 2481 requires the Commandant of the Coast Guard to ensure that all Coast Guard personnel are equipped with adequate safety equipment, including hypothermia protective clothing where appropriate, while performing search and rescue missions.

Section 11 makes technical amendments regarding the promotion of Coast Guard Reserve Officers to implement the changes to the Reserve promotion system included in the fiscal year 2001 Department of Defense Authorization Act, Public Law 106-398. Section 11 prescribes a method for determining the date that a promotion becomes effective and establishes the date of rank in the event the Coast Guard promotes a Reserve officer under a system other than the running mate system.

Section 12 of the bill authorizes the Coast Guard to continue commanders and lieutenant commanders scheduled to retire due to

failure of selection for promotion. This authority is similar to that available to the Department of Defense.

Section 13 of H.R. 2481 authorizes the Coast Guard to pay an individual's undergraduate or graduate educational tuition when that individual enlists in the Coast Guard Reserve and promises to accept a commission in the Coast Guard Reserve upon completion of the degree.

Section 14 permits the Coast Guard to offer to captains, who would otherwise be forced to retire after thirty years of duty, the opportunity to continue on active duty. This proposal would allow the Coast Guard to retain these highly experienced individuals at very little additional cost.

Section 15 allows the Coast Guard to pay death gratuities to personal representatives of Coast Guard Auxiliarists who die in the line of duty, to the same extent that death gratuities are paid on behalf of Federal employees.

Section 16 of H.R. 2481 revises the Coast Guard's severance pay provisions to incorporate the Department of Defense separation pay computations.

Section 17 authorizes the Coast Guard to lease lighthouse properties for terms not to exceed thirty years.

Section 18 of this legislation amends the Maritime Drug Law Enforcement Act (MDLEA) to increase the Coast Guard's drug interdiction jurisdiction from 12 to 24 miles from U.S. shores. This section also clarifies the circumstances under which the government can seize a vessel which participates in illicit drug smuggling.

Section 19 grants the Coast Guard statutory authority to regulate wing-in-ground craft and makes them subject to inspection as small passenger vessels.

Section 20 of the bill removes the requirement for filing an original commercial instrument (for example, a ship mortgage) within ten days of the electronic filing of the instrument.

Section 21 eliminates the requirement for a thumbprint to be placed on a merchant mariner's document. The thumbprint is no longer needed on the document since it now includes a photograph and must be issued every five years.

Section 22 authorizes the Secretary of Transportation to issue temporary certificates of documentation, and to delegate to private third parties the authority to issue the certificates for recreational vessels.

Section 23 of H.R. 2481 authorizes the Coast Guard to conduct marine casualty investigations involving foreign vessels in areas outside U.S. territorial waters consistent with the practices and procedures of international law.

Section 23 would amend section 6106 of title 46, United States Code, to authorize the Coast Guard to conduct marine casualty investigations involving foreign vessels, consistent with generally recognized practices and procedures of international law, and the provisions of the IMO Code for the Investigation of Marine Casualties and Incidents.

Section 24 of the bill requires that the Secretary of Transportation convey the property adjacent to Coast Guard Station Saginaw River, located in Hampton Township, Michigan, to BaySail, Inc., a nonprofit corporation.

THE COAST GUARD AUTHORIZATION ACT FOR FISCAL YEAR  
2002

On December 20, 2001, during the First Session of the 107th Congress, the House of Representatives passed H.R. 3507, the Coast Guard Authorization Act for Fiscal Year 2002. The primary purpose of H.R. 3507 is to authorize expenditures for the U.S. Coast Guard for fiscal year 2002. This legislation also includes the provisions in House bills H.R. 1098, H.R. 1099, H.R. 1699, and H.R. 2481. Most of the provisions in H.R. 3507 were later included in S. 1214.

The Coast Guard Authorization Act for Fiscal Year 2002 authorizes \$5.9 billion for Coast Guard programs and operations during fiscal year 2002.

Section 102(1) of the bill authorizes approximately \$4.2 billion for Coast Guard operating expenses for fiscal year 2002, including \$623 million for domestic maritime homeland security requirements.

Section 102(2) of this bill authorizes \$717.8 million in fiscal year 2002 for the Coast Guard's acquisition, construction, and improvement (AC&I) account, including \$58.5 million for homeland security.

Section 103 authorizes 44,000 Coast Guard active duty military personnel.

Section 203 authorizes the Secretary of Transportation to make a grant to the American Merchant Marine Veterans Memorial Committee to construct an addition to the American Merchant Marine Memorial Wall of Honor in San Pedro, California.

Section 205 extends the provisions of current law for preferred mortgages to a valid lien against a vessel not covered by a preferred mortgage.

Section 323 of the bill amends the Oil Pollution Act of 1990 to authorize the Coast Guard to advance up to \$100 million for additional emergency oil spill cleanup removal from the Oil Spill Liability Trust Fund.

Subtitle C of the bill extends six Coast Guard advisory committees from 2000 to 2005.

Section 342 amends the Port and Waterways Safety Act to require certain vessels entering the 12 mile territorial sea of the United States to provide notice to the Coast Guard 96 hours before entering those waters.

Section 346 requires the Coast Guard to send a status report to Congress on the modernization of the National Distress and Response System.

Title III also includes provisions requested by the Administration to improve Coast Guard personnel management and maritime safety.

Section 402 extends present Coast Guard housing authorities to October 1, 2006, and authorizes a Coast Guard Housing demonstration project in Kodiak, Alaska.

Section 403 requires the Secretary of Transportation to maintain an inventory of U.S.-flag vessels capable of laying, maintaining, or repairing a submarine cable.

Section 404 of the legislation requires that vessels engaged in towing assistance or towing escort to be a vessel of the United States, and establishes a civil penalty for violation of the provision.

Section 405 requires the Secretary to establish standards for the safe operation of Coast Guard search and rescue stations, and prohibits an individual on duty in a search and rescue facility from working more than 12 hours in a 24 hour period, except in an emergency.

Section 410 requires the Commandant of the Coast Guard to ensure that all Coast Guard personnel are equipped with adequate safety equipment, including survival suits, while performing search and rescue missions.

Section 428 waives certain coastwise trade laws for 3 individually listed vessels.

Section 432 authorizes the Secretary of Transportation to provide up to \$2 million to the City of Chicago, Illinois, to plan and construct a new marine safety station on the Chicago lakefront.

Section 433 corrects a mistake in the American Fisheries Act relating to vessel tonnage.

Section 434 extends the time for a recreational vessel and associated equipment recall from five to ten years.

Title IV also includes provisions requested by the Administration to improve the effectiveness of the Coast Guard's personnel management and law enforcement operations.

The Senate failed to act on this bill before the end of the 107th Congress.

---

#### HEARINGS

During the 107th Congress, the Subcommittee on Coast Guard and Maritime Transportation, Chaired by Congressman Frank A. LoBiondo, with Congresswoman Corrine Brown serving as Ranking Minority Member, held 13 hearings. Many of the Subcommittee hearings related to legislation developed by the Subcommittee. Other hearings, described below, covered a wide variety of issues involving the U.S. Coast Guard, its missions, the state of recreational boating safety in the United States, port and maritime congestion, the implementation of the National Invasive Species Act of 1996, and a legislative proposal on maritime family disaster assistance.

#### UNITED STATES COAST GUARD FISCAL YEAR 2001 SUPPLEMENTAL FUNDING NEEDS

On March 8, 2001, the Subcommittee conducted an oversight hearing on the Coast Guard's fiscal year 2001 shortfall of approximately \$91 million. This shortfall resulted in a 10 percent reduction in Coast Guard operations in early 2001. Emergency supplemental funding was necessary to cover the Coast Guard funding shortfalls. The Subcommittee received testimony from the U.S. Coast Guard Commandant, Admiral James M. Loy.

Before 2001, the Coast Guard deferred maintenance on vessels and shore facilities, cannibalized aircraft, and significantly increased the number of hours that personnel worked to overcome budget shortfalls. However, the Coast Guard had deferred maintenance

nance on its aircraft, vessels and shore facilities to the point that it could no longer sustain its typical level of operations.

During fiscal year 2001, the Coast Guard diverted funds from its law enforcement operations to pay for unbudgeted cost increases related to new and expanded personnel entitlement programs enacted under the National Defense Authorization Act for Fiscal Year 2001, unanticipated fuel cost increases, and shortages of critical aviation spare parts. In February 2001, the Commandant authorized his Operational Commanders to reduce operations by 10 percent and projected a 30 percent nation-wide reduction in operations starting in the spring of 2001 without increased operational resources.

Admiral Loy testified that two issues put pressure on the Coast Guard operations budget. The first involved new entitlements provided for all members of the Armed Services under the Fiscal Year 2001 National Defense Authorization Act. The second was the rising energy costs of this period. The Armed Services provisions expanded military entitlements in the areas of health care coverage, housing, and pay. While Coast Guard personnel greatly appreciated these benefits, the costs were not included in the President's fiscal year 2001 budget request. Admiral Loy ended his testimony by saying that the Coast Guard had to adjust its operations tempo in certain missions as well as its operational support and depot maintenance plans.

In July of 2001, Congress approved the Conference Report for supplemental fiscal year 2001 funding. This legislation became Public Law 107-20 and included \$92 million to address additional Coast Guard operational costs as well as \$6 million for the Coast Guard's share of Department of Defense health care contract price adjustments. The Coast Guard also received an additional \$18 million in fiscal year 2001 supplemental funding in Public Law 107-38, the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States.

#### RECREATIONAL BOATING SAFETY

On May 11, 2001, the Subcommittee held a hearing on the state of recreational boating safety in the United States. There are approximately 78 million recreational boaters in the United States. During the last decade, approximately 800 Americans have died each year from boating accidents. Most of these deaths are the result of drowning. The number of recreational boating fatalities fell to 742 in calendar year 2000, which were the lowest number of annual recreational boating deaths that the Coast Guard had ever reported.

Under section 4310 of title 46, United States Code, the Coast Guard may require manufacturers of boats and engines to notify owners and to recall, repair, or replace products that contain defects which create a substantial risk of personal injury to the public or which fail to comply with an applicable U.S. Coast Guard safety standard. Manufacturers are required to notify all dealers and distributors of the recreational vessel or associated equipment of the defect. The duty to notify is limited to five years following the manufacture of the vessel.

In September, 2000, the National Institute for Occupational Safety and Health (NIOSH) issued a study about houseboat carbon monoxide deaths on Lake Powell in Arizona. Nine deaths on Lake Powell in the previous six years had been attributed to carbon monoxide poisoning. The NIOSH study found especially high concentrations of carbon monoxide near the stern on two models of houseboats surveyed at Lake Powell. The study demonstrated that the design of the stern swim platform on certain models of houseboats created a cavity between the hull of the vessel and the swim platform where the gasoline powered generator exhaust portal is located.

On February 23, 2001, the Coast Guard began issuing mandatory recall notices to houseboat manufacturers who may have built vessels equipped with swim platforms and electrical generator exhaust systems vented into a stern cavity. The houseboat industry has been working with the Coast Guard, the American Boat & Yacht Council, and the National Manufacturers Association to explore new technologies and methods to further reduce generator carbon monoxide hazards.

Representative Scott McInnis of Colorado testified about the design flaws associated with certain rear-ventilating houseboats, a flaw that killed two children of his constituents, Mr. and Mrs. Ken Dixey of Parker, Colorado. Representative McInnis reported that he planned to introduce legislation in Congress to increase the Coast Guard's recall authority from five to ten years after the date of manufacture.

The second panel of witnesses included Admiral Terry Cross, Coast Guard Assistant Commandant for Operations, and Commodore Viggo C. Bertelsen, U.S. Coast Guard Auxiliary. Admiral Cross discussed the Coast Guard's recreational boating safety programs. He specifically addressed the Coast Guard's efforts to encourage increased use of lifejackets. Admiral Cross ends his testimony by calling for a coordinated and cooperative effort to improve recreational boating safety among all levels of government, the boating public, and private organizations. Commodore Bertelsen discussed the role of the voluntary Coast Guard Auxiliary in supporting the National Recreational Boating Safety Program.

The third panel of witnesses represented recreational boat owners, marine manufacturers, state boating law administrators, and boating safety organizations. Michael Sciulla, Vice President of the Boat Owners Association of the United States, testified about the importance of increasing the number of Federal and state law enforcement officials on our Nation's waterways. He stated that adding additional boating safety laws will not increase boating safety at a time when we are unable to enforce the existing boating safety requirements. Mr. Sciulla also supported increasing the Coast Guard's recall authority beyond five years. Mary McConnell, representing the National Marine Manufacturers Association, testified about her organization's work to increase recreational boating safety and its opposition to increasing the time period of the five year mandatory recall statute.

The fourth panel included family members of those killed in recreational boating accidents, medical professionals, and a Federal official from the National Institute for Occupational Safety and

Health (NIOSH). Mr. and Mrs. Ken Dixey, parents of two children who died of carbon monoxide poisoning on Lake Powell, testified about the importance of the houseboat industry protecting the public against this type of poisoning. Dr. Lawrence Fine, Acting Director of NIOSH, testified about his agency's investigation into the houseboat deaths and its recommendations to the public and industry on ending this public health threat.

Section 433 of S. 1214 extends the time for a recreational vessel and associated equipment recall from five to ten years after the date of manufacture.

#### PORT AND MARITIME CONGESTION

On May 23, 2001, the Subcommittee held a joint oversight hearing with the Subcommittee on Water Resources and the Environment on port and maritime congestion. The Subcommittees received testimony from federal agencies, the transportation industry, ports, and organized labor representatives about congestion on U.S. waterways and ports.

The U.S. marine transportation system encompasses a network of navigable waterways, ports, and the network of railroads, roadways, and pipelines that connect the waterborne portions of the system to the rest of the Nation.

The marine transportation system links the United States to overseas markets and is vital to our national security interests. The U.S. is the world's largest trading nation, accounting for over one billion metric tons of commerce, or nearly 20 percent of the world's ocean borne trade. Excluding Mexico and Canada, over 95 percent of U.S. foreign trade tonnage is shipped by sea, and 14 percent of U.S. inter-city freight is transported by water. Compared to other modes of transportation, shipment by waterways is generally less expensive, safer, and less polluting.

Forecasts show that U.S. foreign ocean borne trade is expected to double by the year 2020 and inland traffic movements are expected to increase by 30%. In addition to this increase in the water transportation of cargo, commuter ferries, recreational boating and other recreational uses of the waterways are expected to increase, placing even greater demands on the marine transportation system. If the Nation is going to respond to these needs, then the capacity of the U.S. marine transportation system must greatly increase over the next twenty years.

The first panel of witnesses included the U.S. Maritime Administration, the Coast Guard, and the U.S. Army Corps of Engineers. Bruce Carlton, Acting Deputy Maritime Administrator, and Jeffrey High, Director of the Coast Guard's Waterways Management Division, testified about the state of the current U.S. marine transportation system and their agencies' efforts to reduce port and marine transportation congestion. They also discussed the Marine Transportation System National Advisory Council's efforts to identify system improvements that are intermodal in nature.

The second panel of witnesses represented U.S. port authorities, the National Waterways Conference, and commodity groups. Tay Yoshitani, representing the American Association of Port Authorities, testified that the country's economic future depends on the quality of our port infrastructure and our ability to deliver goods

on time and cost-effectively. Mr. Yoshitani spoke of the need for significant Federal and local investments to maintain the United States' position as the world's leading trading Nation. Tim Burrack, representing the National Corn Growers Association, discussed the congestion at the locks on the Upper Mississippi and Illinois Rivers, and how these inefficiencies hurt America's exports and cost American jobs.

The third panel of witnesses represented international ocean vessel operators, U.S. terminal operators, and several labor organizations. Christopher Koch, representing the World Shipping Council, stated that ocean carriers have invested billions of dollars in additional ships, equipment, and technology to improve the flow of international trade. Mr. Koch felt that the problem of congestion, resulting from increased trade, could be addressed by improving the landside transportation infrastructure in U.S. ports. Finally, George Cashman, representing the International Brotherhood of Teamsters, testified about the impact of port congestion on port truck drivers and some of the causes of port congestion.

#### COAST GUARD'S DRUG INTERDICTION STRATEGY

On October 17, 2001, the Subcommittee held a hearing to review the Coast Guard's drug interdiction strategy and to discuss the future needs of the Coast Guard's drug interdiction program.

According to the Office of the National Drug Control Policy, almost 14 million Americans use illegal drugs regularly. The United States consumes over 300 metric tons of cocaine annually, at a cost of approximately \$63 billion. Between 1990 and 1997, there were more than 100,000 drug-induced deaths in the United States. Drug-related illnesses, deaths, and crimes cost the nation approximately \$110 billion annually.

The goal of the Coast Guard Drug Interdiction Program is to eliminate maritime routes as a significant trafficking mode for the supply of drugs to the United States through seizures, disruption, and displacement. Coast Guard cutters, boats, and aircraft conduct routine law enforcement patrols and special operations throughout the maritime arena, including waters adjacent to principal source and transit countries and U. S. coastal waters. Disrupting traffickers forces them to develop new, more costly methods and routes and opens them up to additional risks of detection. The pressure of these operations reduces the flow of illicit drugs into the United States via maritime routes.

The Coast Guard's drug program emphasizes interdicting vessels and aircraft that smuggle cocaine and marijuana into the United States and tracking, monitoring, and apprehending aircraft suspected of carrying drugs from source and transit countries over the high seas. The Coast Guard maintains an intelligence capability to assist this program and provides support to international counter-drug initiatives.

Asa Hutchinson, Administrator of the Drug Enforcement Administration (DEA), discussed DEA's primary function as an investigative law enforcement agency which works to confront and dismantle the world's most sophisticated drug distribution organizations. Mr. Hutchinson also explained DEA's work with the Coast Guard to increase Federal drug interdiction efforts.

Admiral Terry Cross, Assistant Coast Guard Commandant for Operations, testified that the huge increase in Coast Guard's security operations after September 11, 2001, had reduced the agency's drug interdiction mission. Admiral Cross also reported that the Coast Guard could not meet its drug seizure rate targets without additional resources.

#### IMPLEMENTATION OF THE NATIONAL INVASIVE SPECIES ACT OF 1996

On May 15, 2002, the Subcommittee held a joint hearing with the Subcommittee on Water Resources and Environment on the status of implementation of the National Invasive Species Act of 1996.

Invasions of nonindigenous aquatic species into North American Waters have been ongoing for the last four hundred years. As international trade continues to expand, as shipping times become shorter, and as vessels become faster, more aquatic nuisance species are transported and are able to survive their oceanic journey and thrive in new waters. Aquatic nuisance species can displace native species and can cause serious damage to marine ecosystems and infrastructure. According to a 1999 study, aquatic invasive species may result in damages of over \$7.3 billion each year.

In response to these concerns, Congress enacted the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (the 1990 Act). The 1990 Act established a program for preventing, researching, monitoring and controlling infestations of nonindigenous aquatic species. The 1990 Act directed the Coast Guard to promulgate regulations applicable to the Great Lakes to require vessels equipped with ballast water tanks entering the Great Lakes to undergo ballast water exchange to help reduce the probability of new introductions of nonindigenous species. Ballast water is a leading pathway for nonindigenous aquatic species into U.S. waters.

The 1990 Act primarily addressed aquatic nuisance species introductions in the Great Lakes. In 1996, the National Invasive Species Act (NISA) amended the Nonindigenous Aquatic Nuisance Prevention and Control Act to address the potential introduction of aquatic nuisance species through ballast water in other U.S. waters. To achieve this goal, NISA required the Secretary of Transportation to issue voluntary guidelines to prevent the introduction and spread of nonindigenous species in U.S. waters by vessels equipped with ballast water tanks. The guidelines require all vessels entering U.S. waters, after operating outside of the U.S. Exclusive Economic Zone, to undertake high seas ballast water exchange or alternative measures that are environmentally sound and at least as effective as ballast water exchange in preventing and controlling infestations of aquatic nuisance species. Under NISA, the Coast Guard must turn the voluntary guidelines into enforceable regulations if the Coast Guard determines that the rate of compliance with the voluntary guidelines is not adequate, or if the reporting and record keeping is not sufficient for the Coast Guard to determine the rate of compliance.

Captain Michael Brown, Chief of the Coast Guard Office of Operating & Environmental Standards, testified about the Coast Guard's ballast water regulatory program as well as its involve-

ment in the research and development of potential ballast water treatment technologies. The Captain also reported that the Coast Guard was in the process of developing a program that will provide incentives for ship owners and operators to actively participate in projects designed to test treatment technologies. Finally, Captain Brown explained the Coast Guard's work with the International Maritime Organization on the development of international standards for the mitigation of aquatic nuisance species.

The second panel of witnesses represented ship owners and operators, port authorities, and environmental organizations interested in the problems associated with aquatic nuisance species. Mr. Jack Robinson, representing the Chamber of Shipping of America which is an organization of oceangoing vessels engaged in the domestic and international trades, stated that his members strongly support creation of a standardized aquatic nuisance species test protocol and experimental shipboard testing program. The Chamber also supports the creation of an initial performance standard based on the best available technology by which evolving technologies can be measured. Ms. Allegra Cangelosi, Senior Policy Analyst of the Northeast-Midwest Institute, stated that NISA is an important statute which needs to be reauthorized. She also stated that Congress should establish an interim standard for alternative aquatic nuisance species treatment technologies.

#### H.R. 2228, MARITIME DISASTER FAMILY ASSISTANCE ACT OF 2001

On June 12, 2002, the Subcommittee held a hearing on H.R. 2228, the Maritime Disaster Family Assistance Act of 2001, introduced on June 19, 2001, by Representative Mark Green.

Federal law authorizes the Coast Guard to render aid to distressed persons, vessels, and aircraft on and under the high seas and on and under the waters over which the United States has jurisdiction. While the Coast Guard has been required to develop, establish, maintain, and operate search and rescue facilities, Federal law does not require the Coast Guard to render aid to distressed persons and property. The Coast Guard takes into consideration numerous factors when exercising discretion in a search and rescue case including the protection of search and rescue personnel.

The conclusion of a Coast Guard search and rescue case occurs when the case is closed or when the active search is suspended. A case is closed when the search object is located, and assistance to the object is completed. An active search is suspended when further search efforts appear futile. If new information is received, the search may be reopened. The decision to suspend a search is a judgment call based on many different factors pertaining to the case. Searches are continued until all reasonable hope of rescuing survivors has passed. The authority to suspend an active search rests with the particular local Search and Rescue Mission Coordinator.

The goal of the Maritime Disaster Family Assistance Act of 2001 is to expand the Coast Guard's search and rescue mission to search and recovery as well as to establish a program of assistance to families of passengers and crewmembers involved in certain maritime accidents.

H.R. 2228 would expand the Coast Guard's search and rescue mission by requiring the agency to search for a passenger vessel or fishing vessel until it is located or until the Secretary of Transportation determines that the search is no longer appropriate. The Coast Guard must also facilitate the recovery and identification of fatally injured passengers involved in a maritime disaster. Currently, the Coast Guard is not responsible for salvaging vessels or recovering the bodies of those lost in marine accidents.

Representative Green explained that he introduced this legislation after the fishing vessel LINDA E and its two crew members disappeared off the Port of Milwaukee. The family members of the two lost crew members contacted Representative Green's office when they were unable to obtain information from the Coast Guard on the missing vessel. While the Coast Guard was unable to locate the LINDA E, the Navy found the vessel after a limited search eighteen months after the vessel disappeared.

Rear Admiral Harvey Johnson, Director of Coast Guard Operations Capability, testified that the Coast Guard would not support H.R. 2228 because it would place unnecessary requirements on the Coast Guard's search and rescue system. These unnecessary requirements would consume limited Coast Guard resources as well as possibly endanger the lives of Coast Guard search and rescue personnel.

The third panel of witnesses included two family members of one of the lost crewmen. Ms. Saunier and Ms. Rutta explained their efforts in trying to locate the LINDA E and their strong support of H.R. 2228.



SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON  
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND  
EMERGENCY MANAGEMENT

Upon commencement of the 107th Congress, the jurisdiction of the Subcommittee was changed to include the statutory provisions governing the federal government's emergency management responsibilities and excludes the statutory provisions governing transportation of hazardous materials and pipeline safety. The jurisdictional changes were reflected in the Subcommittee's new title of Subcommittee on Economic Development, Public Buildings and Emergency Management. Republican Steven C. LaTourette of Ohio chaired the Subcommittee and Jerry Costello of Illinois served as the ranking Democrat Member. The Subcommittee held a number of hearings to conduct oversight and prepare legislation. A brief list of the topics covered by the Subcommittee during the 107th Congress include: reauthorization of the Appalachian Regional Commission, reauthorization of the National Dam Safety Program, authorization of transportation improvements and creation of a plaza for the John F. Kennedy Center for the Performing Arts, authorizing the General Services Administration's Capital Investment and Leasing Program, numerous bills for building designations, hearings, resolutions, and legislation resulting from the September 11th attacks.

---

ENACTED LEGISLATION

---

JOHN JOSEPH MOAKLEY UNITED STATES COURTHOUSE

(Public Law 107-2)

This law designates the United States courthouse located at 1 Boston Way in Boston, Massachusetts as the "John Joseph Moakley United States Courthouse." Congressman Moakley was born, raised, and lived most of his adult life in South Boston. He began his long and distinguished career in public service at the age of 15, when he enlisted in the United States Navy and served in the South Pacific during World War II. Upon returning from service in World War II, Congressman Moakley attended the University of Miami, and later received his law degree from Suffolk University Law School in Boston. At the age of 25, Congressman Moakley was elected to the Massachusetts State Legislature, serving in both the State House of Representatives and State Senate for 18 years before being elected to the Boston City Council. In 1972, Congressman Moakley was elected to the United States House of Representatives. After his first term in the House, Congressman Moakley was appointed to the Rules Committee. He later became Chairman

of the Rules Committee in 1989. Congressman Moakley was known for having an affable personality and an ability to give everyone a fair hearing before the Rules Committee, even during difficult political debates. In addition to his work on the Rules Committee and being an ardent supporter for South Boston's transportation infrastructure, Congressman Moakley was dedicated to ending human rights violations around the world.

---

### JAMES C. CORMAN FEDERAL BUILDING

(Public Law 107-23)

This law designates the Federal building in Van Nuys, California as the "James C. Corman Federal Building." Former Representative Corman was born in Galena, Kansas and was a graduate of Belmont High School. He earned his undergraduate degree from UCLA, his J.D. from USC and his LL.D. from the University of San Fernando Valley School of Law. He was admitted to the California Bar in 1949. Former Representative Corman first served his country in the United States Marine Corps during World War II and later as a Colonel in the Marine Corps Reserves. In 1957, he was elected to the Los Angeles City Council. He served on the council until being elected to the 87th Congress in 1960, and was re-elected to the House of Representatives for 10 succeeding terms. He served on the Judiciary Committee where he was instrumental in fighting for passage of the 1964 Civil Rights Act, and on the Ways and Means Committee where he was a leading advocate for the poor and disadvantaged, working on tax and welfare reform. Congressman Corman was also proud to serve on President Johnson's National Advisory Commission on Civil Disorders to investigate the causes of multi-city rioting in 1967.

---

### EDWARD N. CAHN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(Public Law 107-31)

This law designates the federal building and United States courthouse located in Allentown, Pennsylvania as the "Edward N. Cahn Federal Building and United States Courthouse." Judge Cahn was born and raised in Allentown, Pennsylvania. Judge Cahn was part of the Allentown High championship basketball team in 1951. He went on to attend Lehigh University and graduated magna cum laude in 1955. Judge Cahn was the first Lehigh University basketball player to score 1000 points during his collegiate career. After graduating from Yale Law School, Judge Cahn returned to the Lehigh Valley. He was in the United States Marine Corps Reserves until 1964 and active in private law practice until 1974. In 1974, President Ford appointed Edward Cahn to Pennsylvania's Eastern District Federal Court. For the next 23 years Judge Cahn fairly and expeditiously administered the law from the federal bench in Allentown, Pennsylvania. He is the only judge in the 3rd Circuit to work out of the Allentown courthouse. In 1993, Judge Cahn was

appointed the court's Chief Judge until his retirement in December 1998.

---

THURGOOD MARSHALL UNITED STATES COURTHOUSE

(Public Law 107-33)

This law designates the United States courthouse located at 40 Centre Street in New York City, New York as the "Thurgood Marshall United States Courthouse." Thurgood Marshall was born in Baltimore, Maryland, July 2, 1908. His father, William C. Marshall, was a club steward and his mother Norma A. Marshall, was a primary school teacher. In 1930, he graduated cum laude from Lincoln University in Chester, Pennsylvania. Three years later, he graduated at the top of his class from the Howard University School of Law. Upon graduation from law school, Justice Marshall embarked on a legal career with the National Association for the Advancement of Colored People (NAACP). In 1940, he became the head of the newly formed NAACP Legal Defense and Education Fund, a post that he held for twenty years. It was during this tenure as Chief Counsel that Justice Marshall organized efforts to end segregation in voting, housing, public accommodations, and education. These efforts led to a series of cases grouped under the title of *Brown v. Board of Education*, in which Marshall argued and the Supreme Court declared segregation in public schools unconstitutional. In 1961, President John F. Kennedy appointed Marshall to the Second Circuit Court of Appeals. Four years after he received appointment to the court of appeals, President Lyndon B. Johnson chose Justice Marshall to be the nation's solicitor general. Two years later, on June 13, 1967, President Johnson chose Marshall to be a Justice of the Supreme Court where he served with distinction until his retirement in 1991. He died in 1993.

---

LEE H. HAMILTON FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(Public Law 107-49)

This law designates the Federal building and United States courthouse at 121 West Spring Street in New Albany, Indiana as the "Lee H. Hamilton Federal Building and United States Courthouse." This law had the strong bipartisan support of the entire Indiana delegation. Lee Hamilton represented the ninth Congressional district in Indiana for 34 years. Congressman Hamilton was born in Daytona Beach, Florida and moved to Evansville, Indiana in 1944 where he attended public schools. He is a graduate of DePauw University and went on to study at Goethe University in Frankfurt, Germany before graduating from Indiana School of Law in 1956. Congressman Hamilton was admitted to the state bar in 1957. He entered private law practice in Chicago, but returned shortly thereafter to Columbus, Indiana where he continued in private law practice until running for the U.S. House of Representatives in 1964. He was first elected to serve in the eighty-ninth Congress and was re-elected to sixteen succeeding Congresses. While in

the House, Congressman Hamilton was a leader with a penchant for working with both sides of the aisle. He served as Chairman of the House Intelligence Committee from 1985 until 1987, as Chairman of the Joint Economic Committee in 1989 and 1990 and as Chairman of the International Relations Committee from 1993 until 1995. In 1992, he was appointed to serve as co-Chair of the Joint Committee on the Organization of Congress. The Committee's recommendations were used as a starting point for the reorganization of Congress 1995. Congressman Hamilton retired from Congress in 1996.

---

**JAMES A. McCLURE FEDERAL BUILDING AND UNITED STATES COURTHOUSE**

(Public Law 107-80)

This law designates the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho as the "James A. McClure Federal Building and United States Courthouse." James A. McClure was born in Payette, Idaho on December 27, 1924. He attended public schools in Payette and went on to serve in the United States Navy from 1942 until 1946. Following his tour with the Navy he earned his J.D. degree from the University of Idaho College of Law in 1950 and was admitted to the Idaho bar that same year. He commenced private practice in Payette before serving as prosecuting attorney of Payette County until 1956. During that time he served as city attorney from 1953 until 1966, and in the Idaho State Senate from 1961 until 1966, as well as being a member of the Payette County Central Committee for fifteen years. Senator McClure was elected to the United States House of Representatives to serve in the 90th Congress. He served for three succeeding terms until being elected to the United States Senate in 1972. Senator McClure served succeeding terms in the Senate until his retirement in 1991. While in the Senate, Senator McClure was Chairman of the Committee on Energy and Natural Resources from 1981 until 1987 and Chairman of the Senate Republican Conference from 1981 until 1985.

---

**NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE PLAN FOR ACTION PRESIDENTIAL COMMISSION ACT OF 2001**

(Public Law 107-106)

The law establishes the National Museum of African American History and Culture Plan for Action Presidential Commission, which will develop a plan to establish and maintain the National Museum of African American History and Culture in Washington, DC. The Commission will submit a report to Congress and the President, which will include a legislative plan of action. The report will include: a private fundraising plan for the museum's establishment and continued maintenance; identify the availability and cost of collections; assess the impact of the National museum on regional African American museums; identify possible locations for

the museum on or around the National Mall and in Washington, DC; assess the feasibility and cost of renovating the Smithsonian's Arts and Industries building for use by the museum; assess whether the African American Museum should be located within the Smithsonian, and make recommendations on the governance and organizational structure of the African American Museum. The Commission will also convene a national conference to help assist with making recommendations. The Commission is comprised of 23 members, seven voting members appointed by the President of the United States, six voting members and two nonvoting members appointed by each the Speaker of the House of Representatives and the Majority Leader of the Senate.

---

APPALACHIAN REGIONAL DEVELOPMENT  
REAUTHORIZATION ACT OF 2001

(Public Law 107-149)

The Appalachian Regional Development Reauthorization Act of 2001 builds upon past successes of the Appalachian Regional Commission by making several amendments to existing law, extends the authorization for an additional five years, and reauthorizes additional related programs. Specifically, P.L. 107-149 expands the Commission by adding four new adjacent counties, requires the Commission to direct at least half of its grant funding to activities and projects in distressed counties, establishes a program to provide enhanced access to telecommunications and technology to the region, and lowers the cost sharing amount for distressed counties. P.L. 107-149 also coordinates economic development programs in the Appalachian region through the creation of the Interagency Coordinating Council on Appalachia and reauthorizes the Appalachian Development Highway System and local access road program.

EXTENDED UNEMPLOYMENT ASSISTANCE ACT

(Public Law 107-154)

This law temporarily extended the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001. Under Section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), unemployment assistance is provided to persons who become unemployed as a result of major disasters. In New York City, the September 11th attacks damaged or destroyed nearly 25 million square feet of office space, which makes up approximately 20 percent of all the office space in downtown New York. The destruction caused the direct loss of an estimated 110,000 jobs and further put at risk 270,000 jobs in the New York City area. In Northern Virginia, the attacks have caused the loss of an estimated 18,700 jobs. Disaster Unemployment Assistance is provided to individuals not eligible for unemployment assistance provided by the state in which they reside. The extension provided

under this act extended the period of eligibility from 26 to 39 weeks.

---

### RON DE LUGO FEDERAL BUILDING

(Public Law 107–175)

This law designates the federal building located in Charlotte Amalie, St. Thomas of the United States Virgin Islands as the “Ron de Lugo Federal Building.” Ron de Lugo was born in Englewood, New Jersey in 1930. He attended Saints Peter and Paul School in St. Thomas, Virgin Islands and Colegio San Jose, Puerto Rico. Delegate de Lugo ably served in the United States Army as a Program Director and Announcer for the Armed Forces Radio Service from 1948 until 1950. Following his military service, Delegate de Lugo continued working radio at WSTA St. Thomas and WIVI St. Croix. In 1956, he served as senator for the Virgin Islands, a position he held for eight years; during which time he served as minority leader and member of the Democratic National Committee. In 1968, Delegate de Lugo was named the Virgin Islands’ representative to Congress. While serving as representative to the United States Congress, Ron de Lugo successfully educated his colleagues about the people of the Virgin Islands. In 1973, Delegate de Lugo was elected to serve in the 93rd Congress. He served in the next two succeeding Congresses before running for governor. He later returned to Congress in January 1981 when he was officially elected Delegate to the Ninety-seventh Congress from the Virgin Islands, a position he held until the conclusion of his career in 1995, when he did not seek re-election. Delegate de Lugo served on the Committee on Public Works and Transportation and as vice chairman on the Aviation Subcommittee.

---

### DONALD J. PEASE FEDERAL BUILDING

(Public Law 107–176)

This law designates the Federal building located at 143 West Liberty Street, Medina, Ohio, as the “Donald J. Pease Federal Building.” Born in Toledo, Ohio in 1931, former Representative Donald Pease attended the public schools of Toledo before earning his B.S. in 1953 and M.A. in 1955 from Ohio University in Athens, Ohio. Former Representative Pease was a Fulbright scholar at Kings College, University of Durham in England. Upon his return to the United States in 1955, he served in the United States Army from 1955 to 1957. He then entered the workforce working as a newspaperman, coeditor and publisher for the Oberlin News-Tribune from 1957 to 1968, and as editor from 1969 until 1976. During this same time, in addition to reporting on the news, former Representative Pease was making the news first as a member of the Oberlin City Council, then as a member of the Ohio House of Representatives and Ohio Senate. In 1976 former Representative Pease was elected to the 95th Congress and to each of the succeeding seven Congresses before retiring at the end of the 102nd Congress.

WILLIAM L. BEATTY FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(Public Law 107–177)

This law designates the Federal building and United States courthouse in Alton, Illinois as the “William L. Beatty Federal Building and United States Courthouse.” William L. Beatty was born in Mendota, Illinois in 1925. He grew up in East St. Louis and graduated from Central Catholic High School. He served in the United States Army’s 394th Field Artillery Battalion in Europe during World War II. After returning from the war he attended Washington University for undergraduate studies and graduated from St. Louis University Law School in 1950. Upon graduating from law school he passed the Illinois and Missouri bar and entered private law practice for 18 years, including serving as municipal attorney for Granite City, Illinois and as an assistant state’s attorney. Judge Beatty was elected Illinois State Circuit Judge in Madison County in 1968. He served on the State Circuit Court until 1979, when President Carter appointed him to the U.S. District Court for the Southern District of Illinois. While sitting on the bench, Judge Beatty was always known for crafting fair and creative sentences. He was eligible to retire from the Federal bench in 1992, but instead continued to maintain a busy workload as a Senior Judge. Judge Beatty had a distinguished 50-year career in law.

---

MIKE MANSFIELD FEDERAL BUILDING AND UNITED STATES COURTHOUSE

(Public Law 107–178)

This law designates the Federal building and United States courthouse located at 400 North Main Street in Butte, Montana, as the “Mike Mansfield Federal Building and United States Courthouse.” Michael Joseph Mansfield was born in 1903 in New York City. He moved to Montana in 1906 to live with relatives after the unexpected death of his mother. Having a strong desire to serve his country, at the age of 14, Senator Mansfield represented that he was older so that he could enlist in the U.S. Navy and serve as a seaman in the Atlantic during World War I. After the war, he continued to serve his country as a Private for one year in the U.S. Army. Finally, as a completion of his tour of the service branches, Senator Mansfield served from 1920–1922 as a Private First Class in the United States Marine Corps in the Philippines, Japan and China. After his five years of military service, the then–19 year-old returned to Montana to work as a miner, before attending both the Montana School of Mines and then Montana State University from which he received a Masters Degree in 1933. After graduation, Senator Mansfield stayed at Montana State University to serve as a professor of history and political science before being elected to represent the State of Montana in the U.S. House of Representatives in 1942. Senator Mansfield was re-elected four times to the House of Representatives, before being elected to the United States Senate in 1952, where he served with distinction for 24 years. In

his first term in office, Senate Majority Leader Lyndon Johnson selected Mansfield to serve as his Majority Whip. After Johnson's election to the Vice Presidency, and after serving just one and a half terms in the Senate, Senator Mansfield was chosen by his colleagues to serve as Majority Leader in 1961. He held that position for 16 years, a record that still stands. It was as Majority Leader in the Senate that Mike Mansfield cemented his place in history by securing passage of such legislation as the Civil Rights Act, the Voting Rights Act, and legislation authorizing the Medicare program. After a distinguished career in the armed services and in both the House and Senate, Senator Mansfield served as Ambassador to Japan under Presidents Carter and Reagan, a post which he held for 11 years until 1988, again, a record length of time. Mike Mansfield died on October 5, 2001 at the age of 98 years.

---

#### PAUL SIMON CHICAGO JOB CORPS CENTER

(Public Law 107-182)

This law designates the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois as the "Paul Simon Chicago Job Corps Center." Senator Paul Simon was born in Eugene, Oregon on November 29, 1928 and attended public schools. He went on to attend the University of Oregon Dana College in Blair, Nebraska. At the age of 19 Senator Simon became the nation's youngest editor-publisher by saving the Troy Tribune in Troy, Illinois. He expanded his newspaper business to a chain of 14 weeklies in central and southern Illinois. Senator Simon used the newspaper to expose a syndicate gambling operation in Madison County, and in 1951 at the age of 22, he was called to testify before the United States Crime Investigating Committee. In 1966 he sold his newspaper business to devote full time to writing and public service. From 1951 until 1953, Senator Simon served in the United States Army. He was assigned to the Counter Intelligence Corps as a special agent along the Iron Curtain in Europe. Upon his return from Europe, at the age of 25, Senator Simon was elected to the Illinois House of Representatives. He was re-elected three times before being elected to the State Senate in 1962 for a four-year term. Voters returned him to the State Senate in 1966. Half way through his second State Senate term he was elected Lieutenant Governor and served until 1973. He was the first Lieutenant Governor to be elected to that post with the Governor of another party. Senator Simon was elected to the United States House of Representatives in 1974 and served for ten years before being elected to the United States Senate in 1984. While in Congress, Senator Simon was a leading advocate for education, disability policy and foreign affairs. He was the chief sponsor of the Missing Children Act, which established the National Center for Missing and Exploited Children. Senator Simon also played a vital role with enacting job training education programs including the National Literacy Act, the School-to-Work Opportunities Act, the Job Training Partnership Act and the direct college loan program. He was also the chief sponsor of the Balanced Budget amendment of 1986 and initiated legislation to designate the first five federally chartered high-speed

rail corridors. Senator Simon holds 39 honorary degrees and has written 15 books.

---

THE JOHN F. KENNEDY CENTER FOR THE PERFORMING  
ARTS PLAZA AUTHORIZATION ACT OF 2002

(Public Law 107–224)

Each year the John F. Kennedy Center for the Performing Arts hosts performances ranging from improvisational comedy to Broadway musicals, as well as being the permanent home of the Washington Opera and Washington Symphony Orchestra. On average, the Kennedy Center is host to over two million patrons attending performances on one of five stages or theatres. This law amends the John F. Kennedy Center Act to authorize the Secretary of Transportation to construct a plaza adjacent to the Kennedy Center; authorizes necessary and related transportation improvements; grants authority for the transfer and receipt of certain property rights; clarifies ownership of resulting property; authorizes the construction of new buildings; and authorizes appropriations to complete the project. Completion of this project will improve the pedestrian, vehicular, and bicycle access to the John F. Kennedy Center for the Performing Arts in addition to providing necessary administrative, education, performance, and rehearsal space for Kennedy Center activities.

---

WAYNE LYMAN MORSE UNITED STATES COURTHOUSE

(Public Law 107–257)

This law designates the United States Courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the “Wayne Lyman Morse United States Courthouse.” Born in 1900 in Dane County, Wisconsin, Senator Morse graduated from the University of Wisconsin in 1924, from the law department at the University of Minnesota in 1928, and from Columbia University Law School in 1932. Senator Morse was a professor of law and later dean at the University of Oregon Law School until his election to the United States Senate in 1944. Early in his career, Senator Morse witnessed America’s rapid urban and industrial development, specifically its effects on the rural lives of the farmers in his home state of Wisconsin. Influenced by such progressive change, Senator Morse worked to maintain a balanced connection between political democracy and the citizens of that democracy, upholding the belief that this country’s true wealth, its people, would flourish in such an environment. Throughout his career Senator Morse held the conviction of “principle over politics,” made evident by his serving as a Republican, an Independent and as a Democrat prior to his defeat in the election of 1968. Senator Morse died while campaigning for a return to the Senate in 1974.

## THE DAM SAFETY AND SECURITY ACT OF 2002

(Public Law 107–310)

This law reauthorizes the National Dam Safety Program for four years and increases the total authorized funding level to \$8.6 million for each of the Fiscal Years 2003 through 2006. Passed and signed into law in 1996 as Section 215 of Public Law 104–303 (the Water Resources Development Act of 1996), the National Dam Safety Program was originally authorized for six years. The National Dam Safety Program has as its mission to “\* \* \* reduce the risks to life and property from dam failure in the United States through the establishment and maintenance of an effective national dam safety program to bring together the expertise and resources of the federal and non-federal communities in achieving national dam safety hazard reduction.” Since its creation, the National Dam Safety Program has helped to mitigate the risk of dam failure by providing technical and financial assistance to State dam safety officials. There are more than 80,000 dams in the United States, of these, approximately 10,000 dams are considered to have “high-hazard” potential, meaning their failure could result in loss of life or severe property damage. Private individuals, corporations, and State and local governments own more than 95 percent of the dams in America, making State dam safety officials the first line of defense in preventing dam failures and mitigating the effects through the development of Emergency Action Plans. A primary function of the National Dam Safety Program is to increase the level of knowledge and preparedness to prevent and mitigate the effects of dam failures.

## OTHER LEGISLATION

In addition to numerous bills enacted, the Subcommittee held hearings and reported several bills that passed the House but did not pass the Senate. Additionally, the Subcommittee reported a number of concurrent resolutions authorizing the use of the Capitol Grounds. Also, the Subcommittee supported similar measures that were considered on the House floor absent Committee consideration. The Subcommittee also supported bills that were discharged from Committee consideration and approved by the House.

## CONCURRENT RESOLUTIONS

## NATIONAL PEACE OFFICERS’ MEMORIAL SERVICE

House Concurrent Resolution 74 authorized the use of the Capitol Grounds for the 20th Annual National Peace Officers’ Memorial Service, held on May 15, 2001. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the National Fraternal Order of Police and its Auxiliary, the sponsors of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The event was open to the public and free of charge; and the sponsors assumed responsibility for all expenses and liabilities related to the event. In addition, sales, advertisements, displays and solicitations were explicitly prohibited

on the Capitol Grounds for this event. The service was in honor of the federal, state and local law enforcement officers killed in the line of duty in 2000.

#### KENNEDY CENTER CAPITOL GROUNDS PERFORMANCES

House Concurrent Resolution 76 authorized the use of the Capitol Grounds for performances by the Millennium Stage of the John F. Kennedy Center for the Performing Arts. Performances took place on Tuesdays and Thursdays, from June 5th through August 31st, 2001. The performances were open to the public, free of charge, and the sponsors of the event, the Kennedy Center and the National Park Service, assumed responsibility for all liabilities associated with the event. The resolution expressly prohibited sales, displays, advertisements, and any solicitation in connection with the event. This unique event allowed the Kennedy Center to provide leadership in performing arts education policy and programs, and to conduct community outreach as provided for in its mission statement. Permitting these performances on the East Front of the Capitol Grounds, Congress assisted the Kennedy Center in fulfilling this mission.

#### GREATER WASHINGTON SOAP BOX DERBY

House Concurrent Resolution 79 authorized the use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying races held on June 23, 2001. The resolution also authorized the Architect of the Capitol, the Capitol Police Board, and the Greater Washington Soap Box Derby Association, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The event was open to the public and free of charge; and the sponsor assumed responsibility for all expenses and liabilities related to the event. In addition, sales, advertisements, and solicitations, were explicitly prohibited on the Capitol Grounds for this event. The races took place on Constitution Avenue between Delaware Avenue and Third Street, NW. The participants were residents of the Washington Metropolitan Area and range in ages from 9 to 16. This event is currently one of the largest races in the country, and the winners of the races, Stephanie Reuss from Waldorf, MD; Danna Thomas from Annapolis, MD; and Johnny Weissgerber of Aspen Hill, MD, went on to represent the Washington Metropolitan Area at the National finals, held in Akron, Ohio.

#### LIBRARY OF CONGRESS NATIONAL BOOK FESTIVAL

Senate Concurrent Resolution 41 authorized the use of the Capitol Grounds for the National Book Festival hosted by the Library of Congress in cooperation with the White House and the First Lady. The National Book Festival was a two-day event beginning on September 7th and concluding on September 8th. Friday's events included interaction with the First Lady from the Library of Congress with school children throughout the country via the world-wide-web, teleconferencing, satellites and television sets. Saturday's events included a variety of activities taking place around

the Thomas Jefferson Building, both inside and out, and on the lawn of the East Front of the United States Capitol. The event was organized not to interfere with the needs of the Congress. It was free of charge, open to the public, and was conducted in observance of all applicable rules and regulations governing the use of the Capitol grounds.

2002 WINTER OLYMPICS TORCH RELAY

Senate Concurrent Resolution 82 authorized the 2002 Winter Olympics Torch Relay to come on the Capitol Grounds as part of the ceremony of the 2002 Winter Olympic Games. The torch relay crossed the grounds on December 21, 2001. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the sponsor of the event to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The sponsor of the event assumed all expenses and liabilities in connection with the event; and all sales, advertisements, and solicitations were prohibited. The 2002 Winter Olympic Games were held in Salt Lake City, Utah beginning February 8 and concluding on February 24, 2002. Competitions were held in seven sports with 78 medal events at the games. Over 3,500 athletes and officials from 80 countries participated. In addition, 18,000 volunteers will help stage the games. The event was held without incident and was in compliance with all applicable rules and regulations.

DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

House Concurrent Resolution 87 authorized the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be conducted through the grounds of the Capitol on June 2, 2001. The resolution also authorized the Architect of the Capitol, the Capitol Police Board, and the DC., Special Olympics, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The sponsor of the event assumed all expenses and liabilities in connection with the event; and all sales, advertisements, and solicitations are prohibited. The Capitol Police hosted the opening ceremonies for the run starting on Capitol Hill. The event was free of charge and open to the public. Over 2,000 law enforcement representatives from local and federal law enforcement agencies in the Washington, DC, area carried the Special Olympics Torch in honor of over 2,500 Special Olympians who participated in this annual event to show their support of the Special Olympics.

EXPRESSING PROFOUND SORROW OF THE CONGRESS FOR THE DEATH AND INJURIES SUFFERED BY FIRST RESPONDERS WHILE RESPONDING TO THE ATTACKS ON SEPTEMBER 11, 2001

House Concurrent Resolution 233 H. Con. Res. 233 recognized the sacrifice and dedication of all of the emergency responders who risked their lives assisting in relief efforts following the terrorist attacks of September 11. Many of these initial responders became

victims of the attacks and did not survive the collapse of the World Trade Center. Three hundred forty-three firefighters, 23 police officers, and 74 members of the Port Authority were killed in the line of duty. The Resolution passed the House of Representatives by a vote of 405–0.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE RELIEF EFFORTS UNDERTAKEN BY CHARITABLE ORGANIZATIONS AND THE PEOPLE OF THE UNITED STATES TO THE ATTACKS ON SEPTEMBER 11, 2001

House Concurrent Resolution 259 expresses the sense of Congress regarding the relief efforts undertaken by charitable organizations and the people of the United States in the aftermath of the terrorist attacks against the United States that occurred on September 11, 2001. Over a billion dollars was collected to support the relief efforts. Donations poured in ranging in size from as large as several million dollars by corporations and as small as a single dollar from school children across America. In addition to money that was donated, relief supplies were donated by the truckload to assist with recovery efforts. Canned food items donated by the case from large supermarkets and prepared meals from some of New York's finest restaurants were left at local firehouses. Over 200 charities and organizations contributed to the relief effort. This resolution commends and praises this generosity.

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

House Concurrent Resolution 347 authorized the use of the Capitol Grounds for the 21st Annual National Peace Officers' Memorial Service, held on May 15, 2002. The resolution authorized the Architect of the Capitol, the Capitol Police Board, and the National Fraternal Order of Police and its Auxiliary, the sponsors of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The event was open to the public and free of charge; and the sponsors assumed responsibility for all expenses and liabilities related to the event. In addition, sales, advertisements, displays and solicitations were explicitly prohibited on the Capitol Grounds for this event. The service was in honor of the 234 federal, state and local law enforcement officers killed in the line of duty in 2001. The memorial service was part of the annual "Police Week," which is sponsored by the National Law Enforcement Officers Memorial Fund. This week of special events occurs during the calendar week in which National Peace Officers Memorial Day falls.

LIBRARY OF CONGRESS NATIONAL BOOK FESTIVAL

House Concurrent Resolution 348 authorized the use of the Capitol Grounds for the Library of Congress' National Book Festival. The festival featured a variety of events designed to promote literacy and increase readership by America's youth. The festival was promoted in cooperation with First Lady Laura Bush and was held on October 12, 2002. The event featured readings by a variety of noted authors and celebrities, including members of the House and

Senate. The event also featured live performances by well-known artists and authors chronicling American storytelling through music such as folk, rock, jazz, and blues. The event took place on the West Front of the Capitol Grounds. The events associated with the National Book Festival were free of charge and open to the public, and all costs associated with the event were borne by the Library of Congress.

#### DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

House Concurrent Resolution 348 authorized the use of the Capitol Grounds for the 17th Annual Law Enforcement Torch Run to benefit the District of Columbia Special Olympics. The event was held on June 7, 2002. The resolution also authorized the Architect of the Capitol, the Capitol Police Board, and the D.C. Special Olympics, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The sponsor of the event assumed all expenses and liabilities in connection with the event; and all sales, advertisements, and solicitations were prohibited. The event began with a short opening ceremony on the West Terrace of the Capitol Building hosted by the U.S. Capitol Police. Afterwards, over 2,000 law enforcement officials representing 60 local and federal law enforcement agencies in the Washington, DC, area participated in this year's run.

#### GREATER WASHINGTON SOAP BOX DERBY

House Concurrent Resolution 356 authorized the use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying race held on June 22, 2002. The race will take place on Constitution Avenue between Delaware Avenue Northwest and Third Street Northwest. Boys and girls participating in the Derby come from the Greater Washington area including the District, Maryland and Virginia. Participants compete in three divisions based on their experience building the cars. The stated goals of the Soap Box Derby are to teach youth the basic skills of workmanship, the spirit of competition and the perseverance to continue a project once it has begun. The winners of the Derby, Katelyn Smith of Silver Spring, MD; Chris Hagan of Ijamsville, MD; and Tara Tomasello of Waldorf, MD went on to compete in the All-American Soap Box Derby competition to be held in Akron, Ohio on July 27, 2002. Soap Box Derbies have taken place for over 65 years, and the Washington races are among the largest in the country.

#### RESOLUTIONS

##### RECOGNIZING DISASTER RELIEF ASSISTANCE PROVIDED IN HOUSTON, TEXAS IN RESPONSE TO FLOODING CAUSED BY TROPICAL STORM ALLISON

House Resolution 166 recognized the outstanding and invaluable disaster relief assistance provided by individuals, organizations, businesses, and other entities to the people of Houston, Texas, and surrounding areas during the devastating flooding caused by tropical storm Allison in June 2001. This resolution recognized the

dedication and tireless efforts of all of the individuals and organizations that assisted in relief efforts in Houston, Texas, during and in the aftermath of Tropical Storm Allison. According to the American Red Cross, more than 35,000 homes in the city and surrounding county were damaged or destroyed. Many hospitals and laboratories were flooded, resulting in a blood supply emergency in the greater Houston area. Current estimates place the cost of total damage to the area in excess of \$2 billion. Countless individuals and organizations came to the assistance of Houston area residents in response to the devastation. At its peak, the Harris County 911 emergency system logged 400 to 500 calls each hour. In response, the Houston Fire Department executed 1,200 missions to rescue flood victims stranded in their homes and vehicles by high water. The Texas National Guard assisted in the response using 5-ton trucks to rescue people from their homes. National Guard and fire department efforts were supplemented by the U.S. Coast Guard's dispatch of rescue helicopters. Two hundred people were reported rescued on June 9 and 10. At the height of the storm, 15,000 people were housed in 40 emergency shelters.

#### BILLS PASSED BY THE HOUSE ONLY

##### (Summaries of Bills)

#### NATHANIEL R. JONES AND FRANK J. BATTISTI FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 852 designates the Federal building and United States courthouse under construction in Youngstown, Ohio as the "Nathaniel R. Jones and Frank J. Battisti Federal Building and United States Courthouse." Judge Nathaniel R. Jones was born in Youngstown, Ohio in 1926. After serving in the United States Air Force during World War II he earned his undergraduate degree and law degree from Youngstown State University. Judge Jones had a distinguished legal career before being appointed to the Federal bench. He was in private practice for two years; he served as Assistant United States Attorney for the Northern District of Ohio from 1961 until 1967; as general counsel for the NAACP on Civil Disorder; and as general counsel of the NAACP for ten years. In 1979, Judge Jones was appointed to the United States Court of Appeals for the Sixth Circuit. While sitting on the Federal bench Judge Jones has been active in legal education at Case Western Reserve University School of Law, City University of New York School of Law, University of Cincinnati College of Law, Harvard Law School, North Carolina Central Law School, Indiana University School of Law, Northern Kentucky State University Salmon P. Chase College of Law, and Nova University Law Center in Florida. Judge Jones took senior status in 1995 and maintains a busy docket. This bill also recognizes Judge Frank J. Battisti. Judge Battisti was born in Youngstown, Ohio and graduated from Ohio University. He earned his law degree at Harvard University. In 1950, he was admitted to the Ohio Bar and served as Ohio Assistant Attorney General. In the early 1950's Judge Battisti was a legal advisor for the Army Corps of Engineers. He also entered private practice and started teaching at Youngstown University Law School until

he was elected a Common Pleas Judge in 1958. In 1961, President Kennedy appointed Judge Battisti to the Federal bench. At the time he was the youngest Federal appointed judge. He served as Chief Judge from 1969 until 1990, and took senior status that April. Of the many trials he presided over, Judge Battisti is remembered for presiding over the 1974 trial of eight members of the Ohio National Guard accused of violating the civil rights of four Kent State students who were shot during student demonstrations in 1970. Judge Battisti passed away on October 19, 1994. This bill passed the House on November 7, 2001.

#### ELDON B. MAHON UNITED STATES COURTHOUSE

H.R. 1801 designates the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the "Eldon B. Mahon United States Courthouse". Judge Mahon was born in 1918 and attended public schools in Loraine, Texas. He earned his bachelor degree from McMurry University and his law degree from the University of Texas at Austin. During World War II Judge Mahon served in the United States Air Force, enlisting as a private and being discharged at the rank of Captain after serving active duty in the South Pacific with the 5th Bomber Command. Before being appointed United States District Judge for the Northern District of Texas in 1972 by President Richard Nixon, Judge Mahon clerked for the Supreme Court of Texas, served as Mitchell County Attorney, Texas District Attorney, District Judge for the 32nd Judicial District of Texas, Vice President of an electrical service corporation, maintained an active private law practice and from 1968 until 1972, served as United States District Attorney for the Northern District of Texas. Judge Mahon was responsible for overseeing and monitoring desegregation of the Fort Worth Independent School District. Judge Mahon took senior status in 1989. This bill passed the House on May 21, 2001.

#### JAMES R. BROWNING UNITED STATES COURTHOUSE

H.R. 2804 designates the United States Courthouse located at 95 Seventh Street in San Francisco, California, as the "James R. Browning United States Courthouse." Judge Browning was born in Great Falls, Montana in 1918. He attended the public schools of Belt, Montana before enrolling at Montana State University where he earned both his Bachelor's Degree and his Law Degree. Judge Browning graduated at the top of his law school class in 1941 while also serving as the Editor-in-Chief of the Law Review. After law school Judge Browning worked for two years with the Department of Justice Anti-Trust division before enlisting in the Army in 1943. Judge Browning served with Military Intelligence in the Army, rising from Private to First Lieutenant, earning a Bronze Star in the process. After the war Judge Browning again worked as an attorney with the Department of Justice, serving in various positions for six years before leaving government for private practice. After five years in private practice, Judge Browning returned to government service as Clerk of the United States Supreme Court; a position he held until named to the Federal bench in 1961 by President Kennedy. Judge Browning served for nearly 40 years on the Ninth Circuit Court of Appeals. He participated in over 1,000 published ap-

pellate decisions and was the author of many per curiam opinions. For 12 years Judge Browning also served as the Chief Judge of the Ninth Circuit. During his tenure he oversaw the implementation of numerous reforms that increased the efficiency of the Circuit's operation and which eliminated a large backlog of pending cases. Many of these reforms were later adopted by other Circuit Courts. This bill passed the House on March 19, 2002.

JAMES L. WATSON UNITED STATES COURT OF INTERNATIONAL TRADE  
BUILDING

H.R. 2841 designates the building located at 1 Federal Plaza in New York as the "James L. Watson United States Court of International Trade Building." Judge Watson was born in Harlem, New York. He was the son of parents that had both been born in Jamaica, and his father served as a municipal court judge for 18 years. Judge Watson served with the Buffalo Soldiers in World War II. He was wounded in Italy and returned to the United States decorated with a Purple Heart and the Combat Infantry Badge. He graduated from New York University in 1947 and Brooklyn Law School in 1951. Judge Watson was elected to the New York State Senate in 1954. While serving in the State Senate, in 1962 President John Kennedy chose him to accompany Vice President Johnson to the Jamaican Independence celebration. In 1963, Judge Watson was elected to the New York City Civil Court. He served on the City Civil Court until President Johnson appointed him to what was known as the United States Customs Court and that is now known as the United States Court of International Trade in 1966. Because of his previous experience in the City Civil Court, in his first year on the Federal bench, Judge Watson was assigned to hear cases in California, Oregon, Washington, Atlanta, Tampa, Houston, El Paso, San Antonio and Dallas on civil and criminal matters. He was the first African American to sit on the Federal bench in the South. Judge Watson worked to help modernize his court under the Customs Court Act of 1970. As chairman of the Court's Rules and Practices Committee, he reworked the rules and facilitated the modernization of the court with the introduction of computers. He took senior status in 1991 and passed away in 2001. This bill passed the House on November 13, 2001.

HARVEY W. WILEY FEDERAL BUILDING

H.R. 2911 designates the Federal building located at 1500 Paint Branch Parkway in College Park, Maryland, as the "Harvey W. Wiley Federal Building." Harvey Washington Wiley was born in a log farmhouse in Indiana in 1844. He served as a corporal in the Civil War, and then attended Hanover College where he earned a bachelor degree in 1867. He went on to study medicine at Indiana Medical College, where he received his medical degree in 1871. He continued his education at Harvard College, where he earned a bachelor degree in chemistry. Dr. Wiley joined the faculty of Purdue University in 1874 where he developed and taught the first laboratory course in Chemistry. Taking a sabbatical in Europe, Dr. Wiley was elected to the prestigious German Chemical Society for his work studying sugar chemistry. Upon his return to the United States, Dr. Wiley continued his research in the field of sugar chem-

istry, focusing on the adulteration of the domestic sugar industry. In 1882, Dr. Wiley was named Chief Chemist at the U.S. Department of Agriculture. In this position he was known as the Father of the Pure Food and Drugs Act when it became law in 1906 and he served as the first Commissioner of what would later become the Food and Drug Administration from 1907 through 1912. In 1912, Dr. Wiley took over the laboratories of Good Housekeeping Magazine where he established the Good Housekeeping Seal of Approval and continued to work tirelessly on behalf of the consuming public. This bill passed the House on May 7, 2002.

ALFONSE M. D'AMATO UNITED STATES COURTHOUSE

H.R. 4006 designates the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the "Alfonse M. D'Amato United States Courthouse". Al D'Amato was born in Brooklyn, New York, on August 1, 1937. A graduate of Chaminade High School on Long Island, Senator D'Amato worked his way through Syracuse University, earning a bachelor's degree in business administration in 1959 and a law degree in 1962. In 1962 Senator D'Amato was admitted to the practice of law in the State of New York. Senator D'Amato dedicated his adult life to public service. He served as Administrator of Nassau County, New York, from 1965 until 1968; tax assessor for Hempstead, New York in 1969; Town Supervisor of Hempstead, New York from 1971 until 1977; and as chairman of the Nassau County Board of Supervisors from 1977 until his election to the United States Senate in 1980. During his 18-year tenure in the U.S. Senate, Al D'Amato supported middle class tax cuts, small business loans, increased trade, and free and open markets for U.S. products abroad. As chairman of the Banking and Housing Committee, Senator D'Amato was a leading advocate of legislation that would channel private sector funds into inner cities and other economically distressed areas. The Senator also supported sound transportation policy and the creation of new infrastructure. This bill passed the House on May 7, 2002.

RICHARD S. ARNOLD UNITED STATES COURTHOUSE

H.R. 4028 designates the United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the "Richard S. Arnold United States Courthouse." Judge Richard Arnold has served with distinction for 20 years on the 8th Circuit Court of Appeals and has received numerous awards and recognitions for his service. Judge Richard Arnold was born on March 26, 1936, in Texarkana, Arkansas. He graduated from the Phillips Exeter Academy in 1953 before attending Yale University where he majored in Latin and Greek. Judge Arnold graduated from Yale University in 1957 with his B.A. and went on to attend Harvard Law School. He received his LL.B. from Harvard magna cum laude in 1960. Judge Arnold's distinguished legal career began in 1960 when he served as a law clerk for Supreme Court Justice William J. Brennan, Jr. He went into private practice in 1961 in Washington while teaching part-time at the University of Virginia Law School. In 1964 he returned to Texarkana and was a partner at the law firm Arnold and Arnold. For a year he served as legislative secretary to Gov-

ernor Dale Bumpers of Arkansas, and from 1974 until 1978 he served as legislative assistant to the newly elected U.S. Senator Dale Bumpers. In October 1978, President Carter appointed Richard Arnold to the district bench for the Eastern and Western Districts of Arkansas. In 1980, Judge Arnold was elevated to the U.S. Court of Appeals for the Eighth Circuit. He served as Chief Justice for the Eighth Circuit from 1992 until 1998. In April 2001, Judge Arnold took senior status. This bill passed the House on May 7, 2002.

#### SANTIAGO E. CAMPOS UNITED STATES COURTHOUSE

H.R. 5083 designates the United States Courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago R. Campos United States Courthouse." A native of New Mexico, Judge Campos served in the United States Navy from 1944 to 1946. Upon his honorable discharge from the Navy, Judge Campos earned his undergraduate degree from the Central College in Fayette, Missouri and his law degree from the University of New Mexico in 1953, where he graduated first in his class. From 1954 to 1957, Judge Campos served as an Assistant State Attorney General and then as First Assistant State Attorney General. After a period of time in private practice, Judge Campos was elected to serve as a District Judge for the First Judicial District of the State of New Mexico until his appointment to the Federal bench. Judge Campos served on the Federal bench with distinction for over 22 years, from his appointment in 1978 by President Carter until December of 2001, just one month before his death in January of this year. Judge Campos was both the first Hispanic to serve as a Federal Judge in New Mexico and the first to serve as Chief Judge of the District Court in New Mexico. This bill has the support of the New Mexico State Legislature, which passed a joint memorial requesting the naming of this Courthouse, as well as the unanimous support of the judges making up the Tenth Circuit Court of Appeals and the District Court of New Mexico. This bill passed the House on October 7, 2002.

#### TONY HALL FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 5335 designates the Federal Building and United States Courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse." For over 40 years, Tony Hall has dedicated his life to helping others and serving this nation. When Tony graduated from Denison University in 1965 as a Little All American running back, he began his public service by joining the Peace Corps, where he spent 1966 and 1967 teaching English in Thailand. Upon his return to his native Dayton, Representative Hall was drawn to a career in public service, and at the age of 26, put himself up as a candidate for the Ohio House of Representatives. An election he won despite facing an experienced opponent. Representative Hall ably served in the Ohio House from 1968 to 1972 before being elected to and serving in the Ohio Senate from 1972 to 1978. In 1978, Representative Hall was elected for his first of 12 terms in this body. During his tenure here, Representative Hall was a tireless and outspoken advocate for combating world hunger, protecting human rights, and pro-

moting humanitarian causes—including basic education, adult literacy, immunization and other child survival programs, and sustainable agriculture in developing countries. He served as Chairman of the House Select Committee on Hunger from 1989 until it was abolished in 1993. In protest of this decision, he engaged in a hunger strike that lasted 22 days, only ending it after the creation of the Congressional Hunger Center, which he chaired from its inception until he left the Congress. Representative Hall also served with distinction on the Rules Committee, in addition to numerous other committee and caucus assignments. In 2002, Representative Hall resigned his seat to accept a Presidential appointment as United States Ambassador to the United Nations' food and agriculture agencies. This bill passed the House on October 7, 2002.

JOE SKEEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 5427 designates the Federal building in Roswell, New Mexico, as the "Joe Skeen Federal Building." Congressman Skeen was born in Roswell, New Mexico. He served in the United States Navy for a one-year enlistment and later in the United States Air Force Reserves from 1949 until 1952. Congressman Skeen graduated from Texas A&M University with his Bachelor's in Science degree in Agriculture Engineering. After graduation he worked as a soil and water engineer for the Zuni and Ramah Navajo Indians. Congressman Skeen was first elected to public office in 1960 when he served in the New Mexico State Senate until 1970. For the last six years of his time in the State Senate he served as Minority Leader. In 1980, Congressman Skeen was elected to serve New Mexico's 2nd district in the United States House of Representatives. He was first elected as a write-in candidate and served for 11 succeeding Congresses. While serving in the House, Joe was known for his commitment to property rights, balancing the federal budget and increased tax relief. He may have been most influential as Chairman of the Appropriations Subcommittee on Agriculture enhancing the agriculture viability in New Mexico and as Chairman of the Subcommittee on Interior dealing with natural resources and public land use. This bill passed the House on October 7, 2002.

HEARINGS

During the 107th Congress, the Subcommittee held a number of hearings and other meetings on topics within its jurisdiction, oversight hearings on issues of concern to the Subcommittee, and on legislation developed by the Subcommittee and proposals made by Members of Congress not on the Committee.

On April 24, 2001, the Subcommittee held a joint hearing with the Government Reform and Operations Subcommittee on National Security, Veteran's Affairs and International Relations. The hearing was titled, "Combating Terrorism: Options to Improve the Federal Response" and its purpose was to examine legislative proposals to improve the United States' preparedness for and response to terrorist attacks. The hearing focused on three pieces of legislation, H.R. 525: The Preparedness Against Domestic Terrorism Act of 2001; H.R. 1158: The National Homeland Security Strategy Act; and H.R. 1292: The Homeland Security Strategy Act of 2001. The

Subcommittees received testimony from U.S. Representatives Wayne Gilchrest (R-MD), Mac Thornberry (R-TX), and Ike Skelton (R-MO) and a number of noted experts in counter-terrorism who testified about the federal government's uncoordinated and wasteful organization to combat domestic terrorism. The Members of Congress that testified agreed that Congressional action is needed to focus the efforts of the more than 40 federal agencies and departments that operate separate terrorism preparedness programs. Witnesses representing national security and terrorism preparedness panels concurred, citing different problems that plague preparedness efforts, including a lack of overall strategy, a lack of a high ranking coordinating authority or office, a means of evaluating program effectiveness, and an overlapping of services that leads to inefficiency and waste. Witnesses also agreed none of the three bills examined at the hearing was a complete solution to the problem, but that each makes a significant contribution to a final solution. Many of the ideas and proposals that were discussed at this hearing were reflected in the legislation that created the Department of Homeland Security.

On May 9, 2001, the Subcommittee held a hearing on H.R. 525, a bill to amend the Robert T. Stafford Act to update Title VI of the Act and to provide coordination for federal efforts with regard to preparedness against terrorist attacks in the United States. The hearing also addressed a proposal offered by the Administration. H.R. 525 represents the view that (1) there is no national strategy for preparedness against terrorist attacks; (2) despite the multitude of existing federal preparedness programs, there is no defined end-state to determine at what point communities are prepared for a terrorist attack involving a weapon of mass destruction; (3) federal efforts are not coordinated resulting in fragmented and overlapping programs; (4) emergency responders insist there must be a single entity in charge of coordinating federal efforts; and (5) this entity must have authority over all federal agencies. The bill, introduced by Representative Wayne Gilchrest, amends the Stafford Act to reflect emerging threats from terrorism. The Subcommittee received testimony from Representatives Wayne Gilchrest (R-MD) and Earl Blumenauer (D-OR); Joe M. Allbaugh, Director of the Federal Emergency Management Agency; Mary-Lou Leary, Acting Assistant Attorney General for the Office of Justice Programs at the Department of Justice; Charles Cragin, Acting Assistant to the Secretary of Defense for Civil Support at the Department of Defense; Raymond Decker, General Accounting Office; Ann Simank, Chairman, Public Safety and Crime Prevention Committee of the National League of Cities; Edward Plaugher, Fire Chief, Arlington County, Virginia, representing the International Association of Fire Chiefs; and Gary McConnell, Director of the Georgia Emergency Management Agency. The Subcommittee favorably reported the bill, however, no further action at the request of the Administration.

On May 10, 2001, the Subcommittee held a hearing on a proposal to create a National Health Museum and to discuss the future use of federal office building 8 (FOB8). This hearing followed up on issues raised at a similar hearing held during the 106th Congress. At the hearing held on May 10, 2001, the Subcommittee received

testimony from Representative Connie Morella (R-MD); Paul Chistolini, Acting Commissioner, Public Buildings Service, General Services Administration; Dr. William Haseltine, Chairman of the National Health Museum; J. Mark Dunham, Acting President of the National Health Museum; Robert Peck; and Alan M. Hantman, Architect of the Capitol. The Subcommittee thoroughly examined the history of the concept of a National Health Museum, the prospects for using FOB8 for this purpose, and the legislative challenges faced by the effort. The concept received support from many members of the House and Senate, but the effort was hampered by the need for the FOB8 space for use by other Federal agencies.

On June 13, 2001 the Subcommittee held a hearing on the General Services Administration's FY 2002 Capital Investment Program. The hearing covered the alteration/modernization and construction portions of the Capital Investment Program. The Subcommittee received testimony from the Public Buildings Service of the General Services Administration (GSA) and the Administrative Office of the United States Courts. In its FY 2002 Program, GSA requested new authority totaling \$370,073,000 to modernize and repair 24 Federal buildings and to design for the future modernization of 11 other Federal buildings. This is part of the appropriations request of \$829 million for the national repair and alteration program. The total program consists of \$370 million for below prospectus projects, \$89 million for previously authorized projects, \$459 million for prospectus level projects, of which \$370 million required Committee authorization for FY 2002, and \$55 million for continuing programs. GSA also requested \$86,439,000 in new authority to acquire sites, design or to construct 13 Federal buildings, United States courthouses, and border stations nationwide. This included \$9.8 million for the construction of 3 new border stations, \$69 million for 9 courthouse construction projects nationally and \$8 million to design a new facility for the Department of Commerce, Bureau of Census. The FY 2002 budget request for new construction was \$301,883,000. The Administration requested \$69 million in new authority for 9 courthouse construction projects and is requesting a total of \$217 million in the budget for courthouse construction projects, many of which were previously authorized. Six of the projects are for site and design and six are ready to commence construction. This is in addition to \$283 million that was advance appropriated in Public Law 106-554. The Subcommittee was discharged from further consideration and the Full Committee approved resolutions reflecting these requests on June 28, 2001.

On June 20, 2001 the Subcommittee held a hearing to receive testimony on the progress of the Appalachian Regional Commission's programs in preparation for its reauthorization in 2002. The Appalachian Regional Commission (ARC or the Commission) was created by the Appalachian Regional Development Act of 1965 (P.L. 89-4) to address economic issues of the Appalachian region as a part of former President Lyndon B. Johnson's Great Society program. Historically, the Appalachian region has faced high levels of poverty and economic distress resulting from geographic isolation and inadequate infrastructure. The ARC's mission is to be an advocate for and partner with the people of Appalachia to create opportunities for self-sustaining economic development and improved

quality of life. ARC's programs affect 406 counties located in thirteen states. The region contains nearly 200,000 square miles and 22 million people. Proponents of the ARC outlined the Commission's successes and asked Congress for a long-term reauthorization so that ARC can continue its mission of bringing economic stability to the primarily rural area of Appalachia. Over the past 36 years, ARC has significantly improved economic conditions in the Appalachian region. ARC's accomplishments include: helping to reduce the region's poverty rate by half, cutting the infant mortality rate by two-thirds, doubling the percentage of adults 25 and older with a high school diploma, 2,331 miles of new highway construction, providing water and sewer services to more than 800,000 households, and the creation of hundreds of thousands of new jobs. The Subcommittee received testimony from the State Co-Chairman of the ARC, Kentucky Governor Paul Patton and Federal Co-Chairman Jesse White; former West Virginia Governor Cecil Underwood; Michael Whitt, Executive Director of the Mingo County (WV) Redevelopment Authority; and Daniel Neff, Executive Director of the Ohio Mideastern Governmental Association, National Association of Development Organizations. The Subcommittee received invaluable information that served to guide the reauthorization process and which resulted in the passage of the Appalachian Regional Development Reauthorization Act of 2001 (Public Law 107-149).

On August 1, 2001 the Subcommittee held a hearing to receive testimony on H.R. 2407, the Federal Photovoltaic Utilization Act. The hearing discussed renewable energy programs, the use of photovoltaic (PV) technology in Federal buildings, and an energy commercialization program for the procurement and installation of PV solar electric systems in new and existing Federal buildings. The Subcommittee received testimony from David Garman, Assistant Secretary of energy efficiency and renewable energy programs at the Department of Energy (DOE), Joe Moravec, Commissioner of the Public Buildings Service (PBS) and Mark Ewing, the director of the Energy Center of Expertise of the General Services Administration (GSA), Glenn Hamer, Executive Director of the Solar Energy Industries Association, Stephen Hogan, Executive VP and General Manager, Spire Corporation and Eric Emblem, Executive Director of the National Energy Management Institute. Each of the witnesses testified as to ongoing programs and the impact of enacting H.R. 2407 on existing programs. Association representatives provided testimony on the industry and the significant impact that the bill would mean for the PV industry as a whole. In addition, the Subcommittee received testimony from a PV manufacturer; from a user of PV solar energy and from a representative from the National Energy Management Institute who addressed the effect that enacting H.R. 2407 would have on the industry's workforce. While there was some disagreement about the funding measures included in the legislation, each of the witnesses expressed their general support for seeking to further implement alternative sources of energy, particularly in large office buildings. Many of the ideas put forward at the hearing and in H.R. 2407 were incorporated into the text of H.R. 4, the Securing America's Future Energy Act of 2001, which passed the House and Senate but was not enacted into law.

On September 6, 2001, the Subcommittee held a hearing to receive testimony on H.R. 307, the Federal Protective Service Reform Act. The Subcommittee received testimony from the primary sponsor of the legislation, the Commissioner of the Public Buildings Service of the General Services Administration, the Fraternal Order of Police and from the American Federation of Government Employees. Each of the witnesses noted the increased need for improved protection at federal buildings and that the legislation would accomplish these goals. This legislation would provide direct line authority for a newly created Commissioner of the Federal Protective Service; make its officers Law Enforcement Officers under Title V, U.S.C.; enhance their pay and retirement benefits; increase the number of permanent officers; as well as several other administrative changes. Many of the ideas and proposals of H.R. 307 were adopted and included as a part of H.R. 4770, the Ronald C. Sheffield Federal Property Protection Act of 2002, which was favorably reported by the Committee on May 23, 2002, but was never considered by the full House.

On April 11, 2002, the Subcommittee held a hearing to receive testimony on the Federal Emergency Management Agency's (FEMA) creation of a new Office of National Preparedness (ONP). The hearing provided background information on the need for the newly created office, the legal basis for its creation, its management structure, its function and operation in the context of other homeland security efforts, and a brief discussion of proposed programs. The Subcommittee received testimony from Bruce Baughman of the ONP, Randall Yim, Managing Director for National Preparedness issues at the General Accounting Office, and Deborah Daniels, Assistant Attorney General for the Office of Justice Programs, at the Department of Justice. The ONP was created on May 8, 2001 in an effort to increase coordination among federal agencies in responding to a terrorist attack. The ONP was also created to focus on equipping first responders, improving coordination among federal agencies in delivery of preparedness programs, and increasing accountability of the agencies involved. In addition to creating the new office, the Administration proposed consolidating the Office of Domestic Preparedness from the Department of Justice with ONP, thereby further increasing the level of cooperation between the two largest programs dealing with terrorism preparedness, a move that was supported by each of the witnesses. Public Law 107-296, the Homeland Security Act of 2002, combined the Office of National Preparedness with the Office of Domestic Preparedness within the Border and Transportation Security Directorate at the Department of Homeland Security.

On April 18, 2002, the Subcommittee held a hearing to receive testimony on H.R. 3947, the Federal Property Asset Management Reform Act of 2002. H.R. 3947 was introduced on March 12, 2002 by Rep. Pete Sessions (R-TX) and ordered reported by the Committee on Government Reform on March 14, 2002, though no report was ever filed. In addition to reforming the way in which landholding agencies manage their real property, this bill would also reform the manner in which real property information is kept and used by the federal government. The Subcommittee received testimony from Stephen Perry, the Administrator of the General Serv-

ices Administration as well as from Bernard Ungar, Director of the Physical Infrastructure Division at the General Accounting Office. The general authority for government-wide real property management is contained in the Federal Property and Administrative Services Act of 1949 (Property Act), and vested in the General Services' Administration as the government's central real property management agency. Through its various titles, the Property Act establishes the general framework for property management including procurement, use, and disposal of real and personal property. Several agencies also have limited statutory authority to manage real and personal property. Each of the witnesses discussed how the authorities contained in the bill would improve agencies' ability to manage their real property assets to maximize their use and benefit to the government. The bill would give to the landholding agencies authority to out-lease existing buildings, enter into partnerships with private entities for the refurbishment of outdated and old buildings, and allow agencies to dispose of existing buildings and retain the proceeds for future real property functions. At the same time, the bill would require agencies to appoint a senior real property officer to manage all of these functions, maintain a detailed database of their real property inventory, complete and maintain a strategic operations plan including use of real property, and require that the agencies comply with several related laws governing the disposal of real property. While supportive of the bill in general, members of the Subcommittee expressed concern over the bill's failure to address similar problems in the Public Buildings Act of 1959. While the Subcommittee took no formal action on this particular piece of legislation, the Subcommittee continues to work to improve GSA's property management reform efforts.

On June 5, 2002 the Subcommittee held a hearing on the General Services Administration's FY 2003 Capital Investment Program. The hearing covered the alteration/modernization and construction portions of the Capital Investment Program. The Subcommittee received testimony from Joseph Moravec, Commissioner of the Public Buildings Service at the General Services Administration and from Judge Jane R. Roth of the U.S. Court of Appeals, 3rd Circuit representing the Administrative Office of the United States Courts (AOC). GSA requested new authority totaling \$986 million for design, modernization, repair, and alteration of 22 Federal buildings. This included \$367 million for Basic Repairs and Alterations projects, \$87 million for Limited Scope Projects on 9 Federal Buildings, \$433 million for the modernization of 13 Federal Buildings, and an additional \$99 million for other smaller programs, including future design, energy efficiency, CFC removal, security, and the glass fragmentation program. GSA requested \$556.5 million in new authority for the construction of new facilities. This includes \$257.9 million for five Executive Agency construction projects, \$27.3 million for construction of five border stations, \$8.25 million for non-prospectus construction projects, and \$260 million for 10 Federal Judiciary projects. The Committee approved resolutions authorizing the FY 2003 Capital Investment and Leasing Program on July 22, 2002.

On June 13, 2002 the Subcommittee held a hearing on the John F. Kennedy Center for the Performing Arts Access Study and Plaza Authorization. The hearing discussed the results of the access study and any necessary authorization to create a plaza with new buildings east of the existing John F. Kennedy Center for the Performing Arts (Kennedy Center). The Subcommittee received testimony from Michael Kaiser, President of the Kennedy Center, Mary Peters, Administrator of the Federal Highways Administration of DOT, and Dan Tangherlini, Director of the District of Columbia's Department of Transportation. The Transportation Equity Act for the 21st Century (TEA-21) authorized \$500,000 from the Highway Trust Fund directed the Secretary of the Department of Transportation (DOT) to undertake a comprehensive study of ways to improve access to the Kennedy Center. In September of 2000, DOT, in conjunction with the Kennedy Center, National Park Service, and DCDPW issued their report, commonly referred to as the access study, which identifies five phases to improving access to the Kennedy Center. The proposed improvements in the access study include: construction of a pedestrian plaza over the Potomac Freeway; reestablishing the local street grid and modifying E Street; increasing traffic safety to the north and south of the Center; enhancing transit and pedestrian access; improving signage; and improving parking. Additionally, the Subcommittee discussed the proposed construction of two new buildings on the Plaza, which will house additional education, administration, rehearsal, and performance space needed by the Kennedy Center. In addition to expressing their support for the project, each of the witnesses stressed the importance of working cooperatively with the many partners that will be involved with the project. Many of the recommendations in the access study were incorporated into H.R. 5012, the Kennedy Center Plaza Authorization Act, which became Public Law 107-224 on September 18, 2002.

On September 12, 2002 the Subcommittee held a hearing entitled, "The Delta Regional Authority and Southeast Crescent Authority: Progress and Prospects For Regional Development Authorities." The purpose of this hearing was to receive testimony on the Delta Regional Authority, which was authorized on December 27, 2000 and is comprised of 240 parishes and counties in eight states in and around the Mississippi River Delta; and the Southeast Crescent Authority (SECA), which is a proposed regional authority that would encompass approximately 40.26 million people in 428 counties across 7 states. The Subcommittee received testimony from two members of North Carolina's Congressional delegation Robin Hayes and Mike McIntyre, who are both sponsors of the SECA legislation; Pete Johnson, the Federal Co-Chairman of the Delta Regional Authority (DRA); Albert Delia, Associate Vice Chancellor of Economic and Community Development at East Carolina University (NC) and primary author of a report on the proposed SECA; and John L. Bruner II, who is President of the National Association of Development Organizations. Additionally, Representative Bennie Thompson (MS-02) participated in the hearing by unanimous consent. Reps. Hayes and McIntyre both testified as to the need for a regional authority that would encompass the Southeastern United States. The proposed authority would cover all or part of Virginia,

North and South Carolina, Georgia, Alabama, Mississippi, and Florida. SECA would serve as a clearinghouse for programs and grants to promote and encourage economic development in rural areas throughout the Southeast. Mr. Delia supported these arguments with a report that he presented to the Subcommittee. This report highlighted the need for a regional development authority due to high levels of poverty, unemployment and general economic distress. Mr. Johnson was invited to participate in order to update the Subcommittee on the Delta Regional Authority's progress in getting up and running. The DRA was designed to remedy severe and chronic economic distress by stimulating economic development, but many members of the Subcommittee expressed concern that the DRA has yet to become fully functional. Mr. Johnson assured the Subcommittee that despite some early setbacks, the DRA is well on its way to full functionality. Subcommittee Chairman LaTourette and Ranking Member Costello expressed their intent to continue oversight of the DRA in the coming Congress.

#### GENERAL ACCOUNTING OFFICE REQUESTS

In addition to requests for testimony at hearings held by the Subcommittee, the Subcommittee requested the General Accounting Office to conduct a number of studies and publish reports on issues within its jurisdiction. All but one of these requests was completed during the 107th Congress. GAO was requested to identify any obstacles that existed to effective and efficient real property management, in particular, GAO was asked to look at the information the government holds about its real property inventory. GAO found that the government owns hundreds of thousands of real property assets worth hundreds of billions of dollars. Much of this inventory is under the control of the General Services Administration and that the GSA maintains a database on these assets commonly referred to as the worldwide inventory. GAO was asked to assess the reliability and usefulness of the worldwide inventory and to determine what actions, if any, may be needed to make it a more useful tool. GAO found that GSA's worldwide inventory of federal real property contained data that were unreliable and of limited usefulness. GAO concluded that given this fact, Congress and OMB do not have access to quality data on what real property assets the government owns; their value; whether the assets are being used efficiently; and what overall costs are involved in preserving, protecting, and investing in them. GAO recommended in its report and in testimony before the Subcommittee that GSA exercise strong leadership and work with Congress, OMB, Treasury, and other agencies to develop a cost-effective strategy for improving the reliability and usefulness of the worldwide inventory. As part of this strategy, GSA should work with its partners to improve its processes, establish results oriented goals to measure performance, and help other agencies to do the same. GAO also recommended that Congress should consider requiring GSA by law to maintain an accurate worldwide inventory and requiring real property-holding agencies to submit reliable data. The Subcommittee has been working with GSA to develop legislation that will address many of these concerns, and will continue to do so in the 108th Congress.

Over the past three Congresses the Subcommittee has continued close oversight of the Administrative Office of the Courts' use of space in courthouses throughout the country. During the 107th Congress the Subcommittee requested the GAO to review the extent to which senior judges, those judges who have taken senior status, and visiting judges are sharing federal courtrooms throughout the country. This report builds upon reports issued in 1997 and in 2000 that were limited because of the lack of accurate and current data on courtroom sharing. To conduct their report, GAO examined existing policies on courtroom sharing for all district courts, compiled information on district judges' courtroom sharing experiences where sharing was occurring, and reviewed courtroom needs assessment studies done by the judiciary for 33 proposed projects in the judiciary's 5 year construction plan to identify where sharing was planned. GAO issued their report in April of 2002 in which it found that while some active and senior judges were sharing courtrooms at facilities in some locations, these judges were sharing courtrooms primarily because there were not enough courtrooms to accommodate them. The report also found that in those districts where some sharing was occurring, the experience did not result in delays to cases or an excessive administrative burden. GAO concluded that courtroom sharing may offer the potential of reduced costs in the courthouse construction program if visiting, temporary, and senior judges, those with reduced or minimal caseloads, are encouraged or required to share space. The report noted however, that given the federal judiciary's current policy in regards to courtroom sharing, in addition to other factors, that the judiciary will not voluntarily engage in any courtroom sharing, even among senior judges, in the foreseeable future.

In continuing its oversight of the federal government's preparedness against and response to a terrorist attack, the Subcommittee requested GAO to review the government's efforts at unifying preparedness and response programs and to identify any roadblocks to success. In response to previous requests, GAO has noted that while combating terrorism has crossed organizational boundaries, the federal government did not sufficiently coordinate the activities of the more than 40 federal entities involved, resulting in duplication and gaps in coverage. At the Subcommittee's request, GAO attempted to determine the extent to which homeland security efforts are unified. To accomplish this, GAO reviewed documents and interviewed officials from 12 key federal agencies, associations representing selected state and local government officials, research organizations recognized for their work on terrorism or homeland security or both, and selected associations representing corporations that own key infrastructure. They also examined related cross-cutting issues to identify key elements, such as central leadership and a clearly defined strategy, that are critical to unifying efforts and that could be instructive in developing homeland security approaches. GAO found that the homeland security efforts of public and private entities do not yet represent a unified approach, although key supporting elements for such an approach are emerging. They did find that progress has been made in developing a framework to support a more unified effort. A key element—central leadership—was established by Executive Order 13228, which cre-

ated the Office of Homeland Security and the Homeland Security Council. Their report did note that several other key elements to improving a unified effort were still lacking, however, many of these concerns were addressed by the passage of H.R. 5005, the Homeland Security Act of 2002.

Finally, the Subcommittee requested GAO to review and report on legal issues and management challenges relating to ongoing efforts to reform real property management in the federal government. This request is tied to and based on the introduction of H.R. 3947, which was referred to the Government Reform and Operations Committee in addition to the Transportation and Infrastructure Committee. This request has not yet been completed, though the Subcommittee expects GAO to complete its report during the 108th Congress.

#### SITE VISITS

The Chairman of the Subcommittee made two trips to New York City. The first occasion was to visit General Services Administration U.S. courthouse projects and the current U.S. Mission to the United Nations facility, which have been authorized and will require additional authorization by the Subcommittee. The Chairman's second trip to New York City was with a delegation of Members and staff to visit the site of the World Trade Center Towers terrorist attack at ground zero.

Subcommittee staff traveled with the Smithsonian Institution to the visit the facilities of the Smithsonian Tropical Research Institute. The Smithsonian Tropical Research Institute traces its 90-year history in Panama from the construction of the Panama Canal, and the scientific interest in surveying the flora and fauna of the area for the purpose of controlling insect-borne diseases such as yellow fever and malaria. The site visit provided a more comprehensive understanding of the Smithsonian's scientific tropical research and building and facilities' needs in the region.

Additionally, Subcommittee staff visited sites in and around the Washington Metropolitan area to better understand issues within the Subcommittee's jurisdiction. Staff visited the Southeast Federal Center, St. Elizabeth's Hospital, the 911 Call Center of the Baltimore Police Department, the Emergency Operations Center of the American Red Cross, and the John F. Kennedy Center for the Performing Arts.

#### OTHER OVERSIGHT ACTIVITIES

During the 107th Congress the Subcommittee remained extremely interested in the oversight of Federal building security policies, which include the struggle between keeping Federal buildings open and accessible to the public while maintaining sufficient security for occupants and visitors, and general interest in the National Capital Region. In addition, the Subcommittee continues close oversight of the construction of the Capitol Visitor's Center.

Additionally, the Subcommittee continued its ongoing oversight of activities within the National Capital Region of the General Services Administration, including the construction of new headquarters for the Patent and Trademark Office and Department of

Transportation, development of the Southeast Federal Center, and the progression of the Capitol Visitors' Center project.

## SUMMARY OF ACTIVITY FOR THE SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

In the 107th Congress, the Subcommittee on Highways and Transit was chaired by Thomas Petri of Wisconsin. Robert A. Borski, of Pennsylvania served as the Subcommittee Ranking Democratic Member. The Subcommittee developed and reported legislation to enhance the security and safety of pipelines, H.R. 3609. H.R. 3609 was presented to the President on December 9, 2002. H.R. 3609 includes expansion of “whistle blower” protections for pipeline workers, establishment of a permit streamlining program, money for research and development, and improves authority to fix a pipeline that has a potentially unsafe condition. Also, the Subcommittee developed and reported legislation providing for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st century, H.R. 3694. Additionally, the Subcommittee developed and reported legislation allowing transit systems in urbanized areas that, for the first time, exceeded 200,000 in population according to the 2000 census to retain flexibility in the use of Federal transit formula grants in fiscal year 2003. The Transit Operating Flexibility Act, H.R. 5157, was signed by the President on October 1, 2002 (Public Law 107–232). The Subcommittee also developed and reported legislation that will allow for-hire limousines and sedans to cross state lines without any requirement to obtain multiple state licenses, as long as the interstate service they provide has been pre-arranged by the customer. In addition, the Subcommittee has held 18 hearings concerning the reauthorization of the Transportation Equity Act for the 21st century.

---

### ENACTED LEGISLATION

(For a more complete description of the enacted bills, see section on “Bills enacted into Law.”)

#### TRANSIT OPERATING FLEXIBILITY ACT

Public Law No 107–232 allows the transit systems in 52 communities that, for the first time, exceeded 200,000 in population according to the 2000 Census, to retain flexibility in the use of federal transit formula grants in fiscal year 2003.

The 2000 Census made significant changes in urbanized area designations. These designations drive transit formula apportionments for communities of 50,000 and more in population. Under Federal transit law, areas of more than 200,000 cannot use federal formula grant funds to pay for transit operating expenses. This legislation allows the 52 communities that “crossed 200,000” in population according to the new Census data to retain the flexibility to

use funds for operating expenses to the extent that they used these funds for operations in fiscal year 2002. The law does not change the amount of transit formula funding that these communities, or any other community, will receive under TEA 21 in fiscal year 2003.

H.R. 5157 passed the House Committee on Transportation and Infrastructure by voice vote on July 24, 2002. The bill was ordered reported by the Full committee on July 24, 2002. On September 13, 2002 H.R. 5157 passed the Senate without amendment by Unanimous Consent. On October 1, 2002 the President signed H.R. 5157.

---

TO PROVIDE A TEMPORARY WAIVER FROM CERTAIN TRANSPORTATION CONFORMITY REQUIREMENTS AND METROPOLITAN TRANSPORTATION PLANNING REQUIREMENTS UNDER THE CLEAN AIR ACT AND UNDER OTHER LAWS FOR CERTAIN AREAS IN NEW YORK WHERE THE PLANNING OFFICES AND RESOURCES HAVE BEEN DESTROYED BY ACTS OF TERRORISM, AND FOR OTHER PURPOSES

Public Law No 107-230 provides the State of New York a temporary waiver from certain Clean Air Act (CAA) transportation conformity requirements and related metropolitan planning requirements of the Transportation Equity Act for the 21st Century (TEA 21) until September 30, 2005, so that New York can implement adjustments necessary after the September 11, 2001, terrorist attack on the World Trade Center. The legislation allows the State to receive full transportation funding. In addition, the bill requires that New York file an Interim Progress Report no later than January 1, 2004, detailing the manner in which the State will achieve compliance with the transportation conformity requirements no later than the expiration of the temporary waiver.

H.R. 3880 was passed by the House on September 10, 2002. On September 12, 2002 H.R. 3880 passed the Senate by Unanimous Consent. On October 1, 2002 the President signed H.R. 3880.

---

TO ENHANCE THE SECURITY AND SAFETY OF PIPELINES

This important bill reauthorized the Office of Pipeline Safety at the Department of Transportation. The legislation improves the states' "one-call notification systems" to avoid damage to pipelines by a third party. The bill expands "whistle blower" protections for pipeline workers. The bill improves the authority under which the Secretary of the Department of Transportation (DOT) can order an operator to fix a pipeline that has a potentially unsafe condition. At the request of the DOT, the Attorney General may bring a civil suit to enforce certain safety regulations. The bill allows the Secretary of Transportation to award technical assistance grants to groups for engineering and scientific analysis of pipeline safety issues and to promote the participation in official DOT processes. The bill authorizes \$100 million for research and development. The bill establishes an integrity management program in all "high consequence" areas (population centers) requiring the inspection of all facilities within 10 years to establish a base line. These facilities

will be re-inspected within seven years, unless the Secretary waives the requirement. The bill establishes a permit streamlining program and establishes an interagency committee comprised of the federal resource agencies that issue permits. The bill provides for grants to emergency responders.

H.R. 3609 was passed as amended by a Roll Call Vote in the House on July 23, 2002. H.R. 3609 passed the Senate with an amendment by Unanimous Consent on November 13, 2002. On November 15, 2002 the House agreed to the Senate amendment without objection. On December 9, 2002 H.R. 3609 was presented to the President. It became Public Law 107-355.

---

### REAL INTERSTATE DRIVER EQUITY ACT OF 2001

Public Law 107-298 amends federal transportation law to prohibit a State, political subdivision, or interstate agency from enacting or enforcing any law, rule, or regulations requiring a license or fee on account of the fact that a motor vehicle providing pre-arranged ground transportation service crosses state borders. The motor carrier providing such interstate service must meet all applicable registration and vehicle licensing requirements in its home state, but is not required to obtain multiple state licenses. This Act does not allow a carrier to operate in another jurisdiction with spontaneous new clients; all interstate passenger travel must be pre-arranged. The law also protects the rights of transportation terminal operators to provide preferential access and of States to require pre-licensing drug testing and criminal background checks as a condition of providing such interstate service.

### HEARINGS

The Subcommittee on Highways and Transit held a total of 29 hearings during the 107th Congress.

On March 21, 2001 the Subcommittee held a hearing on "The Outlook for the Nation's Highway and Transit Systems." This hearing focused on the current status and future trends for highways and transit in the United States. Of particular interest was the relation of these trends to the health of our nation's economy and the personal mobility and satisfaction of our constituents with the transportation systems we help to provide.

On May 9, 2001 the Subcommittee held a hearing on "Driver Distractions: Electronic Devices in the Automobile." The subject of this hearing was oversight on the use of electronic devices in automobiles and how the use of current and emerging technologies may cause distractions that contribute to accidents. The National Highway Traffic Safety Administration's (NHTSA) discussed how the industries that provide these technologies are addressing the problem and we heard from university researchers and groups with special interest in this topic.

On May 23, 2001 the Subcommittee held a hearing on "Solutions to Highway Congestion." This hearing continued the Subcommittee's investigation of the growing congestion crisis that reduces the ability of our highway system to move people and goods efficiently. The ultimate goal of this hearing was to find out what actions need

to be taken by Congress, whether legislatively or through administration oversight, to increase mobility and reduce congestion.

On July 12, 2001 the Subcommittee held a hearing on “Oversight of the Household Goods Moving Industry.” Testimony was given on the oversight of the household goods moving industry by the Federal Motor Carrier Safety Administration (FMCSA) of the Department of Transportation (DOT). Although the climate of deregulation has proved successful for the motor carrier industry in general, there remain continuing concerns about the area of consumer protection in the household goods moving industry. Household goods movements are increasingly being undertaken by general freight movers, who are not subject to FMCSA household goods regulations due to their “haul-only” service. These situations cause the public to question whether there is adequate oversight of the carriers engaged in the movement of household goods.

On July 18, 2001 the Subcommittee held a hearing on “NAFTA: Arbitration Panel Decision and Safety Issues With Regard to Opening the U.S.-Mexican Border to Motor Carriers. The Subcommittee on Highways and Transit met to receive testimony on the North American Free Trade Agreement (NAFTA) Arbitral Panel decision and the anticipated opening of the U.S.-Mexican border to motor carrier service by Mexican domiciled carriers.

On July 24, 2001 the Subcommittee held a hearing on “Highway Work Zone Safety.” The purpose of the hearing was to investigate the recent increase in fatalities and injuries in highway work zones and to provide oversight on government and industry efforts to protect motorists and construction workers in these zones. The hearing highlighted the proactive efforts of various stakeholders to work together and act to reverse this serious safety problem. We were interested in a variety of efforts—employee training, driver education, traffic law enforcement, application of new technology, better construction planning, and other ideas—to sharply reduce motor vehicle accidents in work zones.

On July 31, 2001 the Subcommittee held a hearing on “Red Light Cameras.” The subject of this hearing was to examine the use of automated enforcement devices at intersections. Red light cameras have been the topic of much scrutiny on several fronts: safety, revenue and legal (including privacy) issues. This oversight hearing covered all of these topics while taking a comprehensive look at the application of red light cameras.

On September 26, 2001 the Subcommittee held a hearing on “Improving the Delivery of Transit Services By Easing Regulatory Burdens.” The purpose of the hearing was to identify legal and regulatory requirements to which the transit industry is subject that can have the effect of delaying the delivery of transit services to communities. This hearing explored potential solutions to widely perceived problem areas in transit grant processing and program delivery.

On November 1, 2001 the Subcommittee held a hearing on “TEA-21 Success Stories.” to receive testimony from transportation professionals on the successful development of surface transportation projects funded under the Transportation Equity Act for the 21st Century (TEA-21). In November 2001, we began the final third of the 6-year term of TEA 21. This hearing was held to re-

view the effects this groundbreaking legislation has had for our communities. Every Member of the Subcommittee will be best prepared for the hard work ahead by learning what TEA 21 means for our constituents and understanding the key features that make it such a success.

On February 7, 2002 the Subcommittee held a hearing on "Building on Success: Administration Perspectives on Current Issues Affecting Reauthorization of TEA 21." This hearing provided an opportunity for the Subcommittee on Highways and Transit to review the U.S. Department of Transportation's (DOT) priorities for reauthorization of TEA 21 in light of current events. This was the Subcommittee's kick-off hearing for the second session of the 107th Congress and also the first in a series on TEA 21.

On February 13, 2002 the Subcommittee held a hearing on "The Reauthorization of The Office of Pipeline Safety." The Subcommittee received testimony on the reauthorization of the Research and Special Programs Administration's Office of Pipeline Safety within the Department of Transportation. Major issues under consideration for reauthorization include addressing security concerns following recent terrorist attacks, operator qualification, integrity management, reduction of third party damage to pipelines, population encroachment on pipeline right of ways and environmental streamlining for repair of pipelines.

On February 28, 2002 the Subcommittee held a hearing on "Perspectives of Governors and Local Elected Officials on Reauthorization of TEA 21." This hearing provided Governors and other elected officials the opportunity to: express public support for the Highway Funding Restoration Act (H.R. 3694); reiterate the importance of the guiding principles of TEA 21; and lay down an early marker for issues they feel should be considered as the Committee begins the process of developing TEA 21 reauthorizing legislation. The hearing provided an opportunity for Governors and local elected officials to bring to Congress' attention highway, safety, and transit needs and challenges that States, counties, and municipalities seek, prior to reauthorization of TEA 21. This is the second hearing in a series on TEA 21.

On March 20, 2002 the Subcommittee held a hearing on "Ensuring the Integrity of the Highway Trust Fund." This hearing provided Members an opportunity to review the transportation and tax policies and the associated budgetary procedures used to determine the health of the highway trust fund. It is crucial that there is a stable growth of revenue into the highway trust fund coupled with sound fiscal procedures to assure a predictable flow of highway and transit funding to the States. This hearing examined both the short-term and long-term strength of the highway trust fund. This is the third hearing in a series on TEA 21.

On April 17, 2002 the Subcommittee held a hearing on "How Transit Serves and Benefits U.S. Communities." The subcommittee received testimony from transportation professionals on how TEA 21 guaranteed funding for transit has increased transit capacity and ridership, and on the economic and social benefits of transit service. The landmark TEA 21 funding firewalls have ensured that transit funding increases each year, and transit providers know with certainty what amount of federal formula funding they will re-

ceive. The amount of transit funding authorized over the life of TEA 21 is more than double that provided during the ISTEA authorization cycle. These key elements of stability, predictability, and program growth have led to an unprecedented increase in transit capacity, new service, and ridership. This is the fourth hearing in a series on TEA 21.

On April 25, 2002 the Subcommittee held a hearing on "Transportation of Spent Rods to the Proposed Yucca Mountain Storage Facility." The subject of this hearing is to examine the issues associated with the transportation of spent nuclear fuel to the proposed Yucca Mountain storage facility in Nevada.

On May 1, 2002 the subcommittee held a hearing on "Major Project Management: Solutions for Major Success." This hearing explored salient problems of cost control, on-schedule completion, and oversight among large transportation infrastructure projects under the supervision of the Federal Highway Administration (FHWA). For purposes of this hearing large projects include, but are not limited to, those addressed in 23 U.S.C. § 106 (h), which are projects with cost estimates exceeding \$1 billion. This hearing also examined potential lessons to be learned from the Federal Transit Administration's oversight of major projects. The Subcommittee additionally examined solutions and innovative methods of controlling or mitigating these problems through appropriate legislation. While projects addressed by 23 U.S.C. § 106 (h) were the direct focus of this hearing, projects under the \$1 billion threshold were also of concern. Witnesses with experience and expertise in large project management testified with these goals in mind. This is the fifth hearing in a series on TEA 21.

On May 21, 2002 the Subcommittee held a hearing on "Relieving Highway Congestion Through Capacity Enhancements and Increased Efficiency." The Subcommittee on Highways and Transit met to receive testimony on the importance of relieving highway congestion through capacity enhancements and increased efficiency. This is the sixth hearing in a series on reauthorization of TEA 21.

On June 18, 2002 the Subcommittee held a hearing on "Intermodalism: Moving America's People and Goods." The Subcommittee heard testimony on intermodalism as it relates to the seamless transportation of goods and people. The hearing also focused on options to promote intermodal freight and passenger transportation. This is the seventh hearing in a series on TEA 21.

On June 20, 2002 the Subcommittee held a hearing on "Federal Transit Capital Grants Program." The hearing discussed the Federal Transit Administration's capital investment grants programs and clean fuels grants program authorized under sections 5309 and 5308 of title 49, United States Code. The topics the hearing specifically addressed were new starts project funding, Bus Rapid Transit, Rail modernization programs, bus systems, and clean fuel options for transit buses. This is the eighth hearing in a series on TEA 21.

On June 27, 2002 the Subcommittee held a hearing on "Various Approaches to Improving Highway Safety." This hearing explored ideas to improve highway safety-related programs authorized within the Transportation Equity Act for the 21st Century (TEA 21) as

the Committee approaches the reauthorization of the Act in the 108th Congress. Title I of TEA 21 authorized certain safety programs designed to improve highway safety. The Subcommittee expects to hear several appraisals of how well Subtitle D programs have worked in improving highway safety. Title II of TEA 21 contains authorizations for highway safety programs to conduct safety research and development, to protect and improve occupant safety, to deploy counter measures to reduce alcohol-impaired drivers, to improve the collection of state highway safety data, to continue the national driver registry, to study the effectiveness of laws establishing maximum blood alcohol concentrations, and to conduct various studies. The Subcommittee heard what effect these authorizations have had on highway safety through the testimony of witnesses from the federal agencies of jurisdiction, private non-profit organizations, and associations concerned with highway use and safety. This is the ninth hearing in a series on TEA 21.

On July 9, 2002 the Subcommittee held a hearing on "Trucking Safety." The focus was on truck safety in general and witnesses were assembled to cover a broad array of issues. This is the fifth hearing in a series on TEA 21.

On July 16, 2002 the Subcommittee held a hearing on "Long-term Outlook on Highway Trust Fund: Are Fuel Taxes a Viable Measure?" This hearing provided Members an opportunity to review the future viability of the Highway Trust Fund (HTF) with regard to the current sources of Highway user tax receipts credited to the Highway Trust Fund. Additionally, the hearing examined current and future impacts that alternative fuels have on the HTF as well as how to generate revenue in the future if less petroleum based fuels are being used on the nation's road system. This is the eleventh hearing in a series on reauthorization of TEA 21.

On July 25, 2002 the Subcommittee held a hearing on "Transportation Solutions in a Community Context: The Need for Better Transportation Systems for Everyone." The primary focus of the hearing is to discuss how transportation systems affect the quality of life of all segments of the community. The witnesses represent a gamut of interests, ranging from the very broad to the very specific. The transportation needs of older Americans, people with disabilities, school children, leisure travelers, bicyclists, recreational trail users, and motorcyclists will be explored. There are a number of TEA 21 authorized programs that support these needs, often with considerable overlapping between programs and interest groups. While this hearing addressed many non-highway and enhancement programs, it is important to remember that public roads carry over 90 percent of all passenger trips, whether these trips are commuter, school transportation, travel and leisure, or everyday errands. Without adequate and safe roads, quality of life is dramatically reduced on every level. This is the twelfth hearing in a series on TEA 21.

On September 5, 2002 the Subcommittee held a hearing on "Driver's License Security Issues." Since the terrorist attacks of September 11, 2001, concern over state driver's license issuance procedures has grown. By some accounts, some of the September 11th terrorists obtained state driver's licenses, and aided by them, lived unnoticed while preparing their attack. These reports have

raised concern over the procedures used by states to grant driver's licenses. The Subcommittee heard testimony addressing the extent to which the procedures employed by states in issuing driver's licenses are secure, and sufficient to avoid criminal acquisition of a license. Testimony will also address how some states reorganized their issuance procedures to improve fraud detection in the wake of September 11th. The Subcommittee also heard testimony on the consequences of poor driver's license security, including identity theft, safety, credit fraud, credential fraud and immigration.

On September 10, 2002 the Subcommittee held a hearing on "Intelligent Transportation Systems." The hearing focused on how intelligent transportation solutions have increased mobility, safety, and security within surface transportation modes. TEA 21, as amended, specifies the current federal role in the research and deployment of ITS. As directed by TEA 21, the Department of Transportation (DOT) has used federal funds to conduct about 25 operational tests of advanced technologies, help finance the deployment of more than 275 larger-scale ITS projects, and provide technical and training assistance to numerous state and local governments investing in ITS. This hearing is the thirteenth in a series on TEA 21.

On September 19, 2002 the Subcommittee held a hearing on "Stakeholder Proposals for the Reauthorization of Surface Transportation Programs." The Subcommittee plans to expand on the successes of TEA 21 and relies on the transportation stakeholder groups to share their new ideas and proposals for improvements to the surface transportation programs. By giving these groups a public forum for their reauthorization proposals and focusing on the highest-priority initiatives of each group, the Subcommittee will gather important information for its efforts to begin drafting legislation to reauthorize the federal highway, safety and transit programs. Each witness will focus on the highest priority initiatives in his organization's proposal. The Subcommittee will hear testimony from organizations representing business, state and local governments, the construction and trades industries, public transportation providers, and other transportation stakeholders. This hearing is the fourteenth in a series on the reauthorization of TEA 21.

On September 26, 2002 the Subcommittee held a hearing on "Status of the Nation's Highway and Transit System's: Capital and Maintenance Needs." The subcommittee heard testimony from representatives from the Federal Highway Administration, the Federal Transit Administration, and the General Accounting Office on the status of the nation's highway and transit system. The representatives from the Department of Transportation will testify about findings contained in their upcoming report, *The Status of the Nation's Highways, Bridges, and Transit: Conditions and Performance*. The General Accounting Office testifies on the report they completed last May on the Interstate Highway System. *The Status of the Nation's Highways, Bridges, and Transit: Conditions and Performance*—also known as the Conditions and Performance report—has historically offered a comprehensive, factual background to support the development and evaluation of legislative, program, and budget options at all levels of government. The General Accounting Office's report, completed last May, focused solely on the Interstate Sys-

tem. This hearing is the fifteenth in a series on the reauthorization of TEA 21.

On October 8, 2002 the Subcommittee held a hearing on the bill H.R. 5455, "Expediting Project Delivery to Improve Transportation and the Environment Act." The general framework of H.R. 5455 provides clarification for agency roles and responsibilities in approving transportation projects within the existing NEPA process. The first panel is comprised of witnesses who represent those involved in the design, construction, operation and maintenance of transportation infrastructure. They spoke to the mechanics of the project planning and permitting process, and the delays associated with it. The second panel is comprised of witnesses from the environmental community and transit labor. They spoke on their concerns with any potential changes in current law. This hearing is the sixteenth in a series on the reauthorization of TEA 21.

On October 9, 2002 the Subcommittee held a hearing on "Federal Lands Highway Program." This hearing explored ideas to improve the Federal Lands Highway Program (FLHP), 23 U.S.C. §204. The FLHP has within its jurisdiction the Indian Reservation Roads Program (IRR), as well as roads located on public lands, park roads and parkways and refuge roads. The FLHP will be reauthorized as a feature of the TEA 21 reauthorization in the 108th Congress. This hearing is the seventeenth in a series on the reauthorization of TEA 21.



SUMMARY OF ACTIVITY FOR THE SUBCOMMITTEE ON  
RAILROADS

RAILROAD RETIREMENT AND SURVIVORS' IMPROVEMENT  
ACT

(H.R. 1140/H.R. 10—S. Amdt. 2170)

Became Public Law 107-90

This legislation amends the Railroad Retirement Act of 1974 to increase benefits to the Railroad Retirement Act of 1974. It improves benefits for railroad employees, retirees and their beneficiaries and revises financing of the pension part (tier II) of the railroad retirement system.

The law was a result of Senate Amendment 2170, which incorporated H.R. 1140, the Railroad Retirement and Survivors' Improvement Act, as substitute text in H.R. 10, formerly the Comprehensive Retirement Security and Pension Reform Act. H.R. 10, now the Railroad Retirement and Survivors' Improvement Act. It became Public Law 107-90 on December 21, 2001.

The new law serves to modernize the financing of the railroad retirement system, provide payroll tax relief, and provide enhanced benefits to employees and beneficiaries. The enhanced benefits include restoration of an age 62 retirement option with 30 years of service, full succession by surviving spouses to Tier II pension benefits of retirees, and reduction of minimum vesting period from 10 years to 5 years.

HEARINGS

The Subcommittee held a hearing on March 29, 2001, to examine current issues and problems relating to track safety, as part of the Subcommittee's oversight and reauthorization of the Federal Railroad Administration's safety programs. FRA is the component of the Department of Transportation in charge of administering and enforcing all federal railroad safety laws and regulations.

On April 25, 2001, the Subcommittee held a hearing on the infrastructure policies affecting the nation's railroads. The Subcommittee received testimony both on the implementation of the direct and guaranteed rail and rail-intermodal infrastructure loan program enacted in the 1998 Transportation Equity Act for the 21st Century (TEA 21) and on H.R. 1020, legislation that address the infrastructure needs of smaller railroads.

On May 22, 2001, the Subcommittee held a hearing, as part of a series of hearings being held by the Transportation and Infrastructure Committee during "Congestion Week," to examine various impediments to bringing improved rail infrastructure on-line.

On June 21, 2001, the Subcommittee received testimony on magnetic levitation transportation issues. Magnetic levitation (maglev) is an advanced technology in which magnetic forces lift, propel, and guide a vehicle over a guideway. Utilizing state-of-the-art electric power and control systems, this configuration eliminates contact between vehicle and guideway.

On July 16, 2001, the Subcommittee on Railroads held a field hearing in Altoona, Pennsylvania, to investigate the conduct of Norfolk Southern (“NS”) with respect to car repair shops in Hollidaysburg, Pennsylvania. NS had announced that it would close these shops on October 1, 2001, while a proceeding at the Surface Transportation Board (“STB”) to address that proposed closing was still pending.

On July 25, 2001, the Subcommittee held a hearing to examine Amtrak’s current financial situation and developments since the enactment of the Amtrak Reform and Accountability Act of 1997 (Public Law 105–134), as well as future prospects for Amtrak and for high-speed rail passenger service. The law required Amtrak to be free of federal operating subsidy by December 2, 2002 [P.L. 105–134, Sec. 204(a)(2)].

On October 2, 2001, the Subcommittee received testimony on H.R. 2950, the Railroad Infrastructure Development and Expansion Act for the 21st Century (“RIDE–21”) that both Chairman Don Young and Chairman Jack Quinn introduced on September 25, 2001. H.R. 2950 addresses the need for a high-speed passenger rail system in the United States by making available more than \$71 billion for the development and construction of high-speed rail infrastructure.

On February 14, 2002, the Subcommittee heard testimony on the Amtrak Reform Council’s (ARC) plan for restructuring Amtrak, submitted to Congress pursuant to the Amtrak Reform and Accountability Act of 1997 (Public Law 105–34). ARC was created to monitor and make recommendations regarding Amtrak. ARC’s plan included three components: a new business model for Amtrak, the option to introduce competition, and a proposal to achieve adequate and secure sources of funding.

In a hearing on March 6, 2002, the Subcommittee took a retrospective look at Amtrak and the Amtrak Reform and Accountability Act of 1997. The Subcommittee heard testimony from the Administration, Amtrak, labor representatives, and various state transportation officials.

On March 14, 2002, the Subcommittee held a joint hearing with the Subcommittee on Aviation to receive testimony on the National Transportation Safety Board (NTSB) reauthorization proposal. The NTSB is charged with determining the probable cause of transportation accidents and promoting transportation safety. The Board’s authorization expires on September 30, 2002.

On April 11, 2002, the Subcommittee held a hearing to take a look at the possible options for restructuring intercity passenger rail in America. The Subcommittee heard testimony from the Administration and industry officials on the future of Amtrak and intercity rail passenger service in the United States.

On April 25, 2002, the Subcommittee received testimony, at a joint hearing with the Subcommittee on Highways & Transit, on

the issues associated with the transportation of spent nuclear fuel to the proposed Yucca Mountain storage facility in Nevada. Approximately 45,000 metric tons of spent nuclear fuel is currently stored at 131 sites in 39 states. Each year, operating nuclear power plants generates approximately 2,000 metric tons of spent nuclear fuel. Given the advancements of transportation and security programs there is a need to review the regulatory plans within the next two years.

On June 6, 2002, the Subcommittee examined the current issues and problems relating to track safety, in particular the recent derailments that have occurred. Also the hearing included oversight of the Federal Railroad Administration's safety programs.

#### SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

During the 107th Congress, the Subcommittee on Water Resources and Environment, chaired by Congressman John J. Duncan, Jr. with Congressman Peter A. DeFazio serving as Ranking Democratic Member, had referred to it or took action on 4 bills that became public laws, 2 bills that were approved by the House but did not become public law, and 2 bills and 1 concurrent resolution that were approved by the Committee but did not move through the full House. The Committee also approved 50 Committee Resolutions authorizing studies by the Corps of Engineers of potential water resources projects. The Subcommittee held 25 hearings during the 107th Congress.

#### ENACTED LEGISLATION

##### SMALL BUSINESS LIABILITY RELIEF AND BROWNFIELDS REVITALIZATION ACT

H.R. 2869, the Small Business Liability Relief and Brownfields Revitalization Act, amends the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) to exempt certain persons and small businesses from liability under Superfund for the transportation and disposal of certain wastes and to promote the redevelopment of brownfields. Title I of this Act contains the text of H.R. 1831. This title protects small businesses from Superfund liability by eliminating the liability of persons who sent only a very small amount of waste to a Superfund site, or who sent only ordinary trash to the site. Title II of this Act contains the text of S. 350. This title encourages brownfields redevelopment by exempting certain persons from liability for contamination existing at a site that they purchase after the date of enactment of this legislation, and by limiting federal enforcement at sites being addressed under State voluntary cleanup programs. Title II of this Act also provides funding for brownfields assessments and cleanups and for State voluntary cleanup programs.

On May 15, 2001, Rep. Gillmor and others introduced H.R. 1831, the Small Business Liability Protection Act. The bill was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The Committee on Transportation and Infrastructure marked up the bill on May

16, 2001, and reported it on May 21, 2001 (H. Rept. 107–70, part 2). The House considered H.R. 1831 under suspension of the rules, and passed it by a vote of 419 to 0 on May 22, 2001.

On February 15, 2001, Senator Chafee and others introduced S. 350, the Brownfields Revitalization and Environmental Restoration Act of 2001. The bill passed the Senate on April 25, 2001, by a vote of 99–0, and was referred in the House to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure.

H.R. 2869, incorporating the text of H.R. 1831 and S. 350, was introduced on September 10, 2001, and was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure. The House considered the bill under suspension of the rules on December 20, 2001, and passed it by voice vote. The Senate cleared the bill for the President on December 20, 2001, by unanimous consent. The bill became Public Law 107–118.

#### NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002

H.R. 169, the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, requires Federal agencies to be accountable for violations of antidiscrimination and whistleblower protection laws.

Rep. Sensenbrenner introduced H.R. 169 on January 3, 2001. The bill was referred to the Committee on Government Reform, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and the Judiciary. The House considered H.R. 169 under suspension of the rules on October 2, 2001. The bill passed the Senate with an amendment by unanimous consent on April 23, 2002. The House considered the Senate Amendment under suspension of the rules and agreed to the Senate Amendment by a vote of 412 to 0 on April 30, 2002. The bill became Public Law 107–174.

#### GREAT LAKES AND LAKE CHAMPLAIN ACT OF 2002

H.R. 1070, the Great Lakes and Lake Champlain Act of 2002, amends the Federal Water Pollution Control Act to improve the water quality of these lakes by providing assistance for local restoration efforts.

Title I of H.R. 1070 authorizes \$250 million over five years for EPA to carry out restoration projects at Great Lakes Areas of Concern, with cost-sharing local sponsors. This title also authorizes \$15 million for research and \$5 million for public information relating to cleanup of the Great Lakes, also over five years. Title II of H.R. 1070 authorizes \$55 million over five years to assist the implementation of a restoration plan for Lake Champlain. Title III of the bill includes miscellaneous items, including the restoration of requirements for EPA to submit to Congress various Clean Water Act reports.

Rep. Ehlers and others introduced H.R. 1070 on March 15, 2001. The bill was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science. The

Water Resources and Environment Subcommittee held a hearing on H.R. 1070 on July 11, 2001. The Subcommittee met on June 25, 2002, and favorably reported H.R. 1070 to the Committee by voice vote, with an amendment. On June 26, 2002, the Transportation and Infrastructure Committee ordered the bill reported to the House, by voice vote. The Committee filed its report on July 18, 2002 (H. Rept. 107-587, part 1). The House considered H.R. 1070 under suspension of the rules and passed it by voice vote on September 4, 2002. On September 26, 2002, the Senate Environment and Public Works Committee ordered the bill reported with an amendment in the nature of a substitute, adding titles II and III to the bill. On October 17, 2002, the Senate passed H.R. 1070 by unanimous consent, as amended by Senate Amendment 4892, sponsored by Senator Smith (N.H.) and Senator Jeffords. The House considered the Senate Amendment under suspension of the rules and passed it by voice vote on November 12, 2002, clearing the bill for the President. The bill became Public Law 107-303.

AN ACT TO DIRECT THE SECRETARY OF THE ARMY TO  
CONVEY A PARCEL OF LAND TO CHATHAM COUNTY,  
GEORGIA.

This Act directs the Secretary of the Army to convey to the Commissioners of Chatham County, Georgia, a specified parcel of land, and provides that the parcel, or another parcel of equal appraised value that the land may be exchanged for, be managed for recreational purposes.

Rep. Kingston introduced H.R. 2595 on July 23, 2001. The House considered the bill under suspension of the rules and passed it by voice vote on December 11, 2001. The Senate cleared the bill for the President on November 18, 2002. The bill became Public Law 107-320.

---

OTHER LEGISLATION

WASTEWATER TREATMENT WORKS SECURITY ACT OF 2002

H.R. 5169, the Wastewater Treatment Works Security Act of 2002, would authorize the Administrator of the Environmental Protection Agency to make grants for vulnerability assessments and security enhancements at publicly owned treatment works, to provide technical assistance on security measures to small publicly owned treatment works, and to provide for the improvement of vulnerability self-assessment methodologies and tools.

Rep. Young, Rep. Oberstar, Rep. Duncan, and Rep. DeFazio introduced this legislation on July 22, 2002. The bill was referred to the Committee on Transportation and Infrastructure. The Subcommittee on Water Resources and Environment held a hearing on water resources infrastructure security on October 10, 2001. On July 24, 2002, the Transportation and Infrastructure Committee ordered H.R. 5169 reported to the House by voice vote. The Committee filed its report on September 5, 2002 (H. Rept. 107-645). The House considered H.R. 5169 under suspension of the rules and passed it by voice vote on October 7, 2002. No further action was taken on this bill.

#### WATER RESOURCES DEVELOPMENT ACT OF 2002

H.R. 5428, the, would authorize the Secretary of the Army, acting through the Chief of Engineers, to carry out projects and studies for improvements to rivers and harbors, flood damage reduction, and environmental restoration, and for other purposes.

Representatives Young, Oberstar, Duncan, and DeFazio introduced this legislation on September 23, 2002. In addition to other projects and policy initiatives, H.R. 5428 incorporated the subject matter of H.R. 535, introduced by Rep. Deal on February 8, 2001; H.R. 2372, introduced by Rep. Boswell on June 28, 2001; H.R. 3749, introduced by Rep. LoBiondo and others on February 13, 2002; H.R. 4619, introduced by Rep. Nethercutt on April 30, 2002; and H.R. 5137, introduced by Rep. Jones on July 16, 2002. H.R. 5428 was referred to the Committee on Transportation and Infrastructure. The Subcommittee on Water Resources and Environment held hearings on proposals for a Water Resources Development Act of 2002 on April 10 and 17, 2002. On September 24, 2002, the Subcommittee on Water Resources and Environment marked up the Water Resources Development Act of 2002 and reported it favorably to the Full Committee by voice vote. On September 25, 2002, the Transportation and Infrastructure Committee marked up H.R. 5428 and ordered it reported, as amended, to the House by voice vote. The Committee filed its report on October 2, 2002 (H. Rept. 107-717). No further action was taken on this bill.

#### SECURING AMERICA'S FUTURE ENERGY ACT OF 2001

H.R. 4, the Securing America's Future Energy Act of 2001, is a bill to address energy conservation, research, and development and the security and diversity of energy supply.

Rep. Tauzin and others introduced H.R. 4 on July 27, 2001. The bill was referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Ways and Means, Resources, Education and Workforce, Transportation and Infrastructure, the Budget, and Financial Services. This legislation includes several items that fall within the jurisdiction of the Subcommittee on Water Resources and Environment, including matters relating to electricity generation and distribution affecting the Tennessee Valley Authority, matters relating to hydropower facilities on federal lands, and various environmental matters relating to energy infrastructure. H.R. 4 passed the House on August 2, 2001, by a vote of 240 to 189. The Senate passed the bill with an amendment in the nature of a substitute on April 25, 2002, by a vote of 88 to 11. The Senate appointed conferees on May 1, 2002. The House appointed conferees on June 12, 2002. The Conference Committee met on June 27, July 25, and September 12, 2002. No further action was taken on this bill.

#### WATER QUALITY FINANCING ACT OF 2002

H.R. 3930, the Water Quality Financing Act of 2002, would reauthorize and amend the Clean Water Act State Revolving Loan Fund program to increase investments in wastewater infrastructure and assist communities in managing their infrastructure assets.

Rep. Duncan and Rep. DeFazio introduced H.R. 3930 on March 12, 2002. The bill was referred to the Committee on Transportation and Infrastructure. On March 13, 2002, the Subcommittee on Water Resources and Environment held a hearing on H.R. 3930. On March 20, 2002, the Committee on Transportation and Infrastructure marked up the bill, and ordered it reported to the House by voice vote, with an amendment. No further action was taken on this bill.

#### H. CON. RES. 255

H. Con. Res. 255 would express the sense of the Congress regarding the 30th anniversary of the enactment of the Clean Water Act. Rep. Boehlert and others introduced H. Con. Res. 255 on October 30, 2001. The concurrent resolution was referred to the Committee on Transportation and Infrastructure. On February 27, 2002, the Committee on Transportation and Infrastructure ordered H. Con. Res. 255 to be reported to the House by voice vote. No further action was taken on the concurrent resolution.

---

#### HEARINGS

The Subcommittee held a hearing on February 28, 2001, to allow governors, secretaries of State environmental agencies, and administrators of State water quality pollution control programs the opportunity to describe their views on significant issues relating to programs carried out under the Clean Water Act, and the policies and priorities that should be established to improve the quality of our Nation's waters.

On March 9, 2001, the Subcommittee held a hearing on brownfields redevelopment. Witnesses representing local communities focused on "hands on" experience in brownfields development projects. Brownfields are properties where real or perceived environmental contamination hampers redevelopment efforts.

The Subcommittee held a hearing on March 28, 2001, to receive testimony from the National League of Cities, the Association of Metropolitan Sewerage Agencies, the Association of Metropolitan Water Agencies, the Congressional Budget Office, the National Association of Water Companies, the National Utility Contractors Association, and Clean Water Action. The hearing focused on estimates of wastewater and drinking water infrastructure capital investment needs for the next 20 years.

The Subcommittee held a hearing on May 2, 2001, to receive testimony on agency budget requests and program priorities for FY 2002 from the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency.

On May 16, 2001, the Subcommittee held a hearing on management options for concentrated animal feeding operations. Witnesses testified on the proposed Clean Water Act regulations under consideration by the U.S. Environmental Protection Agency.

On May 23, 2001 a joint hearing was held with the Coast Guard and Maritime Transportation Subcommittee on port and maritime congestion. Witnesses from federal agencies, and transportation in-

dustry, port, academia, and organized labor representatives presented testimony on congestion on U.S. waterways and ports.

On June 28, 2001, the Subcommittee received testimony from the National Academy of Sciences' National Research Council regarding their report on Assessing the Scientific Basis of the Total Maximum Daily Load Approach to Water Quality Management.

On July 11, 2001, the Subcommittee held a hearing on H.R. 1070, the Great Lakes Legacy Act of 2001. Testimony was received from Rep. Kirk, the Lake Michigan Federation, the Sierra Club Great Lakes Program and the Council of Great Lakes Industries.

On July 19, 2001, the Subcommittee held a hearing on strategies to address contaminated sediments. Testimony was received from the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, technical experts in sediment remediation, including members of the National Research Council committee that issued a report on contaminated sediments, and representatives of local communities.

On September 20, 2001, the Subcommittee held a hearing on H.R. 1474, the American Wetlands Restoration Act, relating to the restoration and enhancement of wetlands through wetlands mitigation banking. Testimony was heard from the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and local communities.

On October 3, 2001, the Subcommittee held a hearing to receive testimony on the administration and enforcement of the wetlands permitting program under the Clean Water Act and its impact on individual citizens. Testimony was heard from individuals, wetlands permitting consultants and the U.S. Army Corps of Engineers.

The Subcommittee held a hearing on October 10, 2001, to receive testimony on the security of our Nation's water resources infrastructure. Testimony was received from the U.S. Army Corps of Engineers, the Tennessee Valley Authority, the U.S. Environmental Protection Agency, the Federal Bureau of Investigation, a representative of local government, representatives of water and wastewater utilities, a representative of the chemical industry, an emergency planning official, and a security expert.

On November 8, 2001, the Subcommittee held a hearing to examine the issue of federal regulations that require public disclosure of information about chemicals at industrial and other facilities and efforts to keep communities and infrastructure secure. The hearing examined the balance between a community's "right-to-know" (including the value of public disclosure in reducing risks and protecting lives) and the need to keep sensitive information out of the hands of potential terrorists. The U.S. Environmental Protection Agency, a community right-to-know advocate, a representative of first responders, and an expert on counter-terrorism testified.

The Subcommittee held a hearing on November 15, 2001, to receive testimony from the U.S. Environmental Protection Agency on its plans for managing the Total Maximum Daily Load program in light of the Congressional request to review the program and the report by the National Academy of Sciences' National Research Council.

On December 12, 2001, the Subcommittee held a hearing on addressing sewage treatment in the San Diego-Tijuana border region and implementation of Title VII of Public Law 106-457. Testimony was heard from the U.S. Department of State, the U.S. Section of the International Boundary and Water Commission, a representative of a local water district, a representative of local business interests and an environmental group.

The Subcommittee held a hearing on February 14, 2002, to receive testimony on agency budget requests and program priorities for FY 2003 from various agencies under the Subcommittee's jurisdiction: the U.S. Environmental Protection Agency, the Tennessee Valley Authority, the National Oceanic and Atmospheric Administration, and the Natural Resources Conservation Service.

On February 27, 2002, the Subcommittee held a hearing on the U.S. Army Corps of Engineers' Budget and Priorities for FY 2003 to provide the Subcommittee with an opportunity to review both the FY 2003 budget request, as well as Administration priorities for consideration in the Subcommittee's legislative and oversight agenda for the second session of the 107th Congress.

On March 7, 2002, the Subcommittee held a hearing to receive testimony from port operators, flood control managers, inland waterways users, coastal communities, and other interested parties regarding the impact on our Nation of a reduced budget for the U.S. Army Corps of Engineers Civil Works Program.

On March 13, 2002, the Subcommittee held a hearing to receive testimony from the U.S. Environmental Protection Agency, representatives of state and local government and other interested parties on H.R. 3930, the Water Quality Financing Act of 2002, addressing our Nation's wastewater infrastructure needs.

On April 10 and 17, 2002, the Subcommittee held hearings on proposals for a Water Resources Development Act of 2002 to provide for the conservation and development of water and related resources and to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States. Testimony was heard from Members of Congress and representatives of organizations that have an interest in civil works projects and programs of the U.S. Army Corps of Engineers.

On May 1, 2002, the Subcommittee held a hearing on H.R. 3673, the Recreational Waters Protection Act, relating to the discharge of sewage from marine vessels. Testimony was heard from Rep. Saxton, representatives of the boating community, states, the environmental community, and technical and scientific experts.

On May 15, 2002, the Subcommittee held a joint hearing with the Coast Guard and Maritime Transportation Subcommittee on the status of implementation of the National Invasive Species Act of 1996. Witnesses from the Coast Guard, National Oceanic and Atmospheric Administration, the Chamber of Shipping of America, the American Association of Port Authorities, the Northeast-Midwest Institute, the Lake Carriers' Association, and the Ocean Conservancy testified.

The Subcommittee held a hearing on June 13, 2002, to receive testimony regarding opportunities for water quality improvement through water quality trading. Testimony was heard from the U.S. Environmental Protection Agency, the U.S. Department of Agri-

culture, the State of Connecticut's Department of Environmental Protection, the Montgomery, Alabama Water Works and Sanitary Sewer Board, the North Carolina Farm Bureau Federation, a representative of the Wildlife Habitat Council and a representative of the Center for Progressive Regulation.

On October 10, 2002, the Subcommittee held a hearing on the West Nile Virus: the Clean Water Act and Mosquito Control. Testimony was heard from the Centers for Disease Control and Prevention, the U.S. Environmental Protection Agency, the American Mosquito Control Association, the National Association of Flood & Stormwater Management Agencies and the National Watershed Coalition.

---

## SUMMARY OF OVERSIGHT ACTIVITIES

### SUBCOMMITTEE ON AVIATION

Federal Aviation Administration. The plan includes evaluations of FAA operations, FAA's facilities and equipment programs, the Airport Improvement Program, and the Airport and Airways Trust Fund. A number of hearings were held on these programs, including: the Standard Terminal Automation Replacement (STARS); FAA Capacity Benchmarks; airport runway construction challenges; runway incursions; FAA rulemaking process; air traffic congestion in the New York City region; capacity issues at O'Hare International Airport; and FAA's organizational structure, focusing on the Chief Operating Officer and Air Traffic Services.

Oversight of safety activity of the FAA and the National Transportation Safety Board. The plan includes evaluations of FAA and NTSB safety oversight of civil aviation. The Subcommittee held a number of hearings dealing with safety issues, including: the reauthorization of the NTSB and FAA's Air Transportation Oversight System (ATOS).

Oversight of activities of the Secretary of Transportation. Several hearings dealt with the aviation functions of the Secretary of Transportation, including: airline customer services commitments and the financial condition of the airline industry.

### ADDITIONAL OVERSIGHT

Transportation Security Administration. Public Law No. 107-71 created the Transportation Security Administration within the Department of Transportation to oversee transportation-related security for all modes of transportation. The Subcommittee held several hearings focusing on the creation of this new agency and its aviation security-related activities, including: the deployment of security technology; restrictions on general aviation operations in class B airspace; checked baggage screening systems; passenger profiling; and arming flight crews against terrorist attacks.

The Subcommittee also held other hearings overseeing activities of the aviation community, including: the competitiveness of the U.S. aircraft manufacturing industry.

### SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

The plan included Subcommittee oversight of the Coast Guard's personnel and equipment readiness, the Deepwater Capability Replacement Project, the National Distress System Modernization Project, and the agency's drug interdiction program. The oversight plan also called for the Subcommittee to investigate the need for further action to control aquatic nuisance species.

On March 8, 2001, the Subcommittee held an oversight hearing on the Coast Guard's fiscal year 2001 budget shortfall of approximately \$91 million. This shortfall resulted in a 10 percent reduction in Coast Guard operations during early 2001. U.S. Coast Guard Commandant, Admiral James M. Loy, reported that two issues put pressure on the Coast Guard's operational budget. These were the new personnel entitlements provided for all members of the Armed Services and the rising energy costs of this period. Later in fiscal year 2001, Congress provided an additional \$116 million in Coast Guard operating funds.

The Subcommittee held a hearing on the President's fiscal year 2002 budget request for the Coast Guard on May 3, 2001, and a hearing on the President's fiscal year 2003 budget request for fiscal year 2003 on March 7, 2002. During these budget hearings, the Subcommittee took testimony on and asked questions about the Coast Guard's Deepwater Capability Replacement Project, the National Distress System Modernization Project, and its drug interdiction mission. In fact, representatives from the General Accounting Office presented testimony at one of the hearings about an ongoing investigation the agency is working on for the Subcommittee which closely examines the Deepwater Replacement Project. On October 17, 2001, the Subcommittee held a hearing to review the Coast Guard's drug interdiction strategy. During the hearing, Subcommittee members expressed their concerns about the alarming reduction in Coast Guard drug interdiction activities that had occurred since September 11th.

On May 15, 2002, the Subcommittee held a joint hearing with the Subcommittee on Water Resources and Environment on the status of implementation of the National Invasive Species Act of 1996. This law addresses the potential introduction of aquatic nuisance species through ballast water in U.S. waters.

#### ADDITIONAL OVERSIGHT

**Recreational Boating Safety:** On May 11, 2001, the Subcommittee held a hearing on the state of recreational boating safety in the United States.

**Port and Maritime Congestion:** On May 23, 2001, the Subcommittee held a joint oversight hearing with the Subcommittee on Water Resources and Environment on port and maritime congestion. Forecasts show that U.S. foreign ocean borne trade is expected to double by the year 2020 and inland traffic movements are expected to increase by 30 percent.

**H.R. 2228, The Maritime Disaster Family Assistance Act of 2001:** On June 12, 2002, the Subcommittee held a hearing on H.R. 2228, the Maritime Disaster Family Assistance Act of 2001, introduced on June 19, 2001, by Representative Mark Green. H.R. 2228 would expand the Coast Guard's search and rescue mission by requiring the agency to search for a passenger vessel or fishing vessel until it is located or until the Secretary of Transportation determines that the search is no longer appropriate.

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC  
BUILDINGS AND EMERGENCY MANAGEMENT

During the 107th Congress the Subcommittee remained extremely interested in the oversight of Federal building security policies, which include the struggle between keeping Federal buildings open and accessible to the public while maintaining sufficient security for occupants and visitors, and general interest in the National Capital Region. In addition, the Subcommittee continues close oversight of the construction of the Capitol Visitors Center.

Additionally, the Subcommittee continued its ongoing oversight of activities within the National Capital Region of the General Services Administration, including the construction of new headquarters for the Patent and Trademark Office and Department of Transportation, development of the Southeast Federal Center, and the progression of the Capital Visitors' Center project.

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

OVERSIGHT OF TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY  
(TEA-21) IMPLEMENTATION

The plan included a review of the Department of Transportation's implementation of highway, transit, motor carrier, and highway safety programs authorized in TEA 21. During the second session of the 107th Congress the Subcommittee held 17 hearings in regard to the reauthorization of TEA-21. The hearings covered topics including: Administration perspectives; perspectives of Governors and local elected officials; Highway Trust Fund; transit; major project management; highway congestion; intermodalism; highway safety; trucking safety; intelligent transportation systems; stakeholder proposals; capital and maintenance needs; infrastructure; and federal lands highway program.

MOTOR CARRIER SAFETY

The plan included a review of the new Federal Motor Carrier Safety Administration, including the implementation of the motor carrier safety grant program and the effectiveness of commercial drivers license (CDL) enforcement. On July 9, 2002 the Subcommittee held a hearing on "Trucking Safety." The hearing was held to give Members a better understanding of several key issues to be considered for the reauthorization of TEA-21.

MEGA PROJECTS

The plan included a review of large-scale highway and bridge projects around the country. On May 1, 2002 the Subcommittee held a hearing on "Major Project Management: Solutions for Major Success." This hearing explored salient problems of cost control, on-schedule completion, and oversight among large transportation infrastructure projects under the supervision of the Federal Highway Administration. Also examined was the Federal Transit Administration's oversight of major projects. This hearing provides the 108th Congress with ideas for project success in the upcoming reauthorization bill.

## CONGESTION

The plan included a review of the increasing congestion problem on our nation's highways, conducting oversight to determine the extent of the problem, the causes of congestion, and possible solutions. Hearings were held on March 21, 2001; May 23, 2001; September 26, 2001; May 21, 2002, June 20, 2002; and July 25, 2002. They covered an array of topics including personal mobility, and necessary actions to increase mobility and reduce congestion, and capital and maintenance needs of highways and transit programs to increase efficiency.

## DRIVER DISTRACTION/TECHNOLOGY

The plan included a review of the proliferation of new in-vehicle technologies including cellular telephones and on-board navigational systems and to explore their influence on driver behavior and driver distraction. On May 9, 2001 the Subcommittee held a hearing on "Driver Distractions: Electronic Devices in the Automobile." The subject of this hearing was oversight on the use of electronic devices in automobiles and how the use of current and emerging technologies may cause distractions that contribute to accidents.

## STATE OF HIGHWAY INFRASTRUCTURE

The plan included a review of the reauthorization of the Federal-Aid Highway Program in 2003 and requested that the General Accounting Office (GAO) conduct an audit of the Interstate system to determine its physical and operational functionality. In May 2002, GAO completed their report: *The Status of the Nation's Highways, Bridges, and Transit: Conditions and Performance*. Subsequently, the Subcommittee held a hearing on September 26, 2002 entitled "Status of the Nation's Highway and Transit System's: Capital and Maintenance Needs." The Subcommittee is still waiting on the official report from the Department of Transportation (DOT). While the DOT presented the executive summary at the hearing, they did not submit an official report.

## PIPELINE/HAZMAT

The plan included a review of the reauthorization of the hazardous materials transportation program administered by the Office of Hazardous Materials Safety and the pipeline safety program administered by the Office of Pipeline Safety. On February 13, 2002 the Subcommittee held a hearing on "The Reauthorization of The Office of Pipeline Safety." On May 16, 2002 the Subcommittee had a mark-up of H.R. 3609, a bill "To Enhance the Security and Safety of Pipelines." H.R. 3609 was passed as amended by a Roll Call Vote in the House on July 23, 2002. H.R. 3609 passed the Senate with an amendment by Unanimous Consent on November 13, 2002. On November 15, 2002 the House agreed to the Senate amendment without objection. On December 17, 2002 H.R. 3609 was signed by the President and became Public Law 107-355.

## DOT FISCAL YEAR 2002 AND 2003 BUDGETS

The plan included a review of the fiscal year 2002 and fiscal year 2003 budget proposals for the Federal Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, the Federal Motor Carrier Safety Administration, and the Research and Special Programs Administration in light of TEA 21's budgetary treatment of the highway and transit programs.

## SUBCOMMITTEE ON RAILROADS

## RAILROAD INFRASTRUCTURE PROGRAMS

The oversight plan contemplated examination of rail infrastructure programs, including the implementation of programs enacted or revised in TEA-21, especially the Railroad Infrastructure Finance (RRIF) direct and guaranteed loan program. The following Subcommittee hearings addressed present and possible future rail infrastructure policies: April 25, 2001 (rail infrastructure policies), May 22, 2001 (impediments to improvement of rail infrastructure), June 21, 2001 (magnetic levitation issues), October 2, 2001 (the Railroad Infrastructure Development and Expansion Act for the 21st Century). The plan also included examination of the Swift Rail Development Act. The reauthorization of that program was included in the RIDE-21 legislation discussed at the hearing of October 2, 2001.

## DOT FISCAL YEAR 2002 AND 2003 BUDGETS

The plan included examination of present and proposed funding levels for various federal railroad-related programs. The funding levels were examined and discussed in individual hearings focused on specific programs, *e.g.*, Federal Railroad Administration safety programs and Amtrak, as enumerated here.

## REAUTHORIZATION OF THE SURFACE TRANSPORTATION BOARD

The plan contemplated hearings on the reauthorization of STB regulation of economic aspects of rail freight transportation. Although no hearing was held on this specific topic, the Subcommittee did closely monitor STB activities and held a field hearing on July 16, 2001, to examine an STB proceeding involving proposed closure of a major rail facility in Pennsylvania.

## REAUTHORIZATION OF FEDERAL RAILROAD ADMINISTRATION RAIL SAFETY PROGRAMS

The plan contemplated oversight of FRA's regulation of various aspects of railroad safety. The Subcommittee held two hearings on a major aspect of rail safety—track safety—on March 29, 2001, and June 6, 2002.

The Subcommittee's joint hearing on March 14, 2002 with the Subcommittee on Aviation, on the reauthorization of the National Transportation Safety Board, also involved the field of rail safety, where NTSB recommends policy and regulatory changes as part of its analysis of railroad accidents.

The joint hearing of April 25, 2002, with the Subcommittee on Highways and Transit regarding proposed transport of spent nuclear fuel to the Yucca Mountain storage site also involved substantial issues of rail transport safety.

#### REAUTHORIZATION OF AMTRAK

The plan contemplated oversight of Amtrak's implementation of the 1997 Amtrak Reform and Accountability Act, which drastically reduced the statutory mandates and impediments affecting Amtrak. Although the rail infrastructure policies examined in hearings discussed above also affect rail passenger service and Amtrak, the Subcommittee also held hearings focused specifically on Amtrak and rail passenger service. The June 25, 2001, hearing analyzed Amtrak's current financial situation and developments since the enactment of the 1997 reform law. The hearing of February 14, 2002, addressed the restructuring plan submitted to Congress by the Amtrak Reform Council, pursuant to its finding that Amtrak would not achieve the operational self-sufficiency required under the 1997 reform law by the deadline of December 2, 2002. The hearing of March 6, 2002, involved a retrospective historical examination of Amtrak and the 1997 reform law. The Subcommittee's hearing of April 11, 2002, looked at the possible options for restructuring rail passenger service in the United States, including Amtrak as one provider of such service.

#### SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

U.S. Environmental Protection Agency (EPA)—Clean Water Act and Water Infrastructure Programs. The oversight plan included a review of wastewater treatment and water pollution control funding issues, including levels and sources of funding and management of grant and loan programs; market-based, watershed-based, and performance-based approaches to regulation with emphasis on economic incentives and innovative alternatives; recent regulatory issues involving total maximum daily loads, concentrated animal feeding operations, and permitting backlogs; and continued efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint source pollution. The plan also included a review of water infrastructure provisions and programs contained in the Safe Drinking Water Act Amendments of 1996. The Subcommittee held a hearing on February 28, 2001, regarding significant issues relating to programs carried out under the Clean Water Act, and the policies and priorities that should be established to improve the quality of our nation's waters. The Subcommittee also held a hearing on March 28, 2001, on wastewater and drinking water infrastructure capital investment needs for the next 20 years. On March 13, 2002, the Subcommittee received testimony from EPA, state and local governments, and other interested parties on a legislative proposal to address wastewater infrastructure needs, H.R. 3930, the Water Quality Financing Act of 2002. H.R. 3930 was ordered reported by the Committee on Transportation and Infrastructure on March 20, 2002. On May 16, 2001, the Subcommittee held a hearing on Management Options for Con-

centrated Animal Feeding Operations (CAFOs) and proposed Clean Water Act regulations under consideration by EPA for CAFOs. The Subcommittee received testimony on June 28, 2001, from the National Academy of Sciences' National Research Council regarding their report on Assessing the Scientific Basis of the Total Maximum Daily Load (TMDL) Approach to Water Quality Management (NRC Report). The Subcommittee also held a followup hearing on November 15, 2001, to receive testimony from EPA on the Agency's plans for managing the TMDL program in light of the NRC Report. On July 11, 2001, the Subcommittee held a hearing on water quality and contaminated sediments in the Great Lakes and on H.R. 1070, the "Great Lakes Legacy Act," which amends the Clean Water Act to authorize Federal participation in the remediation of sediment contamination in the Great Lakes. H.R. 1070 was enacted in amended form as P.L. 107-303, the "Great Lakes and Lake Champlain Act of 2002." Following the terrorist attacks of September 11, 2001, the Subcommittee on Water Resources and Environment examined potential terrorism security risks at facilities regulated by EPA in a hearing on October 10, 2001, on the security of our Nation's water resources infrastructure. The hearing led to the development of H.R. 5169, "The Wastewater Treatment Works Security Act of 2002," which was passed by the House of Representatives on October 7, 2002. Additionally, on November 8, 2001, the Subcommittee held a hearing on Federal regulations that require public disclosure of information about chemicals at utilities and industrial and other facilities and the relationship of that disclosure to efforts to keep communities and infrastructure secure. On May 1, 2002, the Subcommittee held a hearing on H.R. 3673, the "Recreational Waters Protection Act," which would change the regulation of discharges of sewage from marine vessels under section 312 of the Clean Water Act. The Subcommittee held a hearing on June 13, 2002, regarding opportunities for water quality improvement through water quality trading. On October 10, 2002, the Subcommittee held a hearing on the West Nile Virus: the Clean Water Act and Mosquito Control, examining the permitting requirements of the Clean Water Act and their potential impact on mosquito control efforts. In addition to formal hearings, the Subcommittee Chairman requested the General Accounting Office (GAO) to assess states' approaches to identifying impaired waters, how states ensure the quality of data used to identify impaired waters, and the reliability of the information in EPA's database of impaired waters. This request led to the GAO's publication of the report, "Inconsistent State Approaches Complicate Nation's Efforts to Identify Its Most Polluted Waters," in January 2002. The Subcommittee also requested the Congressional Budget Office (CBO) to assess the size and timing of future investment costs of maintaining, upgrading, and replacing the nation's drinking water and wastewater systems, and the potential impact of those costs on households and other ratepayers. In response to this request, CBO published the report, "Future Investment in Drinking Water and Wastewater Infrastructure," in November 2002.

*U.S. Army Corps of Engineers (Corps)—Water Resources Program.* The plan included a review of efforts to improve the efficiency and effectiveness of the organization and the management

and mission of the water resources program, including the selection, planning, and implementation of projects; financing of harbor and inland waterways infrastructure; and efforts to improve the efficiency, effectiveness, and fairness of the agency's regulatory program, especially regarding wetlands (including the jurisdictional scope and procedural and substantive requirements of the general and individual permitting programs) and dredging activities. On May 23, 2001, the Subcommittee held a joint hearing with the Coast Guard and Maritime Transportation Subcommittee on port and maritime congestion. The hearing considered, among other things, port and waterways infrastructure and waterways management issues and Corps of Engineers navigation improvement projects. The Subcommittee examined potential terrorism security risks associated with the Corps' infrastructure, as part of a hearing the Subcommittee held on October 10, 2001, on the security of our Nation's water resources infrastructure. On March 7, 2002, the Subcommittee held a hearing regarding the impact on our Nation of a reduced budget for the Corps of Engineers Civil Works Program. On April 10, and 17, 2002, the Subcommittee held hearings on proposals for a Water Resources Development Act of 2002 to provide for the conservation and development of water and related resources and to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States. These hearings led to the development of H.R. 5428, the "Water Resources Development Act of 2002," reported by the Committee on Transportation and Infrastructure on October 2, 2002. On September 20, 2001, the Subcommittee held a hearing on H.R. 1474, the American Wetlands Restoration Act, relating to the restoration and enhancement of wetlands through wetlands mitigation banking. On October 3, 2001, the Subcommittee held a hearing to receive testimony on the administration and enforcement of the wetlands permitting program under the Clean Water Act and its impact on individual citizens. In addition to formal hearings, the Subcommittee requested GAO to assess wetland mitigation approaches, and the extent to which "in-lieu-fee" mitigation approaches are used and their effectiveness. In response to this request, GAO published the report, "Wetlands Protection: Assessments Needed to Determine Effectiveness of In-Lieu-Fee Mitigation," in May 2001.

*Corps/EPA/National Oceanic Atmospheric Administration (NOAA)—Ocean and Coastal Programs and Policies.* The plan included a review of dredged material management and disposal under the Ocean Dumping Act, Water Resources Development Acts, and Clean Water Act, and various ocean and coastal water quality and shoreline protection issues under the Clean Water Act, Coastal Zone Management Act, Coastal Zone Act Reauthorization Amendments, and Water Resources Development Acts. Dredged material management issues were discussed in the Subcommittee's April 10, and 17, 2002, hearings on proposals for a Water Resources Development Act of 2002. In addition, on July 19, 2001, the Subcommittee held a hearing on Strategies to Address Contaminated Sediments, including dredged material.

*EPA—Superfund/CERCLA and Brownfields Programs.* The plan included a review of efforts to improve the efficiency, effectiveness,

and fairness of the contaminated site cleanup process and the process to assess natural resource damages (NRD); a review of the liability and financing mechanisms under the current Superfund program; a review of the cleanup and associated NRD provisions under the current Superfund program; and a review of the relationships among the States, EPA, and other Federal entities, in implementing the Superfund program. The plan also included a review of similar efforts regarding Federal, State, and local activities to revitalize “brownfields,” abandoned or under-utilized sites outside of the Superfund program. On March 9, 2001, the Subcommittee held a hearing on Brownfields Redevelopment: Lessons from the Field, and heard from witnesses from local communities on their experiences in brownfields development projects. This hearing led to the development of the “Small Business Liability Relief and Brownfields Revitalization Act,” P.L. 107–118. In addition, the Subcommittee reviewed the performance of the Superfund program during hearings on agency budget requests and priorities on May 2, 2001, and February 14, 2002.

*Tennessee Valley Authority (TVA).* The plan included a review of TVA programs, including its energy program and operations in a less regulated marketplace, and the impact of TVA debt on its ratepayers and the nation. The Subcommittee examined potential terrorism security risks associated with TVA’s infrastructure, as part of a hearing the Subcommittee held on October 10, 2001, on the security of our Nation’s water resources infrastructure. The Subcommittee also examined TVA program issues as part of a hearing the Subcommittee held on February 14, 2002, on agencies’ proposed program priorities and budgets for FY 2003.

*Saint Lawrence Seaway Development Corporation (SLSDC).* The plan included a review of the efficiency and effectiveness of SLSDC’s current operations and structure and its relation to the St. Lawrence Seaway Authority, its Canadian counterpart. No formal oversight was conducted on this issue.

*EPA and Coast Guard—Oil Pollution Act (OPA).* The plan included a review of the oil spill liability, planning, and response provisions under OPA and the Clean Water Act. No formal oversight was conducted on this issue.

*Coast Guard/EPA/Corps—National Invasive Species Act.* The plan included a review, in coordination with the Coast Guard and Maritime Transportation Subcommittee, of efforts by various agencies to implement the “Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990,” as amended by the “National Invasive Species Act of 1996,” and the effectiveness of those efforts. On May 15, 2002, the Subcommittee held a joint hearing with the Coast Guard and Maritime Transportation Subcommittee on this subject.

*Corps and EPA—Regional Water and Ecosystem Restoration Issues.* The plan included a review of regional and local controversies involving water quality, water supply, environmental protection and flood control. On December 12, 2001, the Subcommittee held a hearing on sewage treatment in the San Diego-Tijuana border region and implementation of Title VIII of Public Law 106–457, which is aimed at addressing partially and untreated sewage flows in that region.

*Natural Resources Conservation Service (NRCS) Small Watershed Program.* The plan included a review of the Small Watershed Program, authorized under P.L. 83–566, and conducted by the U.S. Department of Agriculture’s NRCS, including its relation to other conservation and environmental restoration efforts. The Subcommittee examined NCRS program issues as part of a hearing the Subcommittee held on February 14, 2002, on agencies’ proposed program priorities and budgets for FY 2003.

*Government Performance and Results Act and Agency Innovation.* The plan included a review of agency efforts to implement the Government Performance and Results Act, as well as a review of efforts of agencies, such as EPA and the Corps, to improve environmental results by encouraging regulatory innovation through market-based approaches and other approaches undertaken by State and local governments. Agency performance and results were reviewed at the Subcommittee’s hearings on May 2, 2001, February 14, 2002, and February 27, 2002, on agency budget requests and program priorities for FY 2002 and FY 2003. The June 13, 2002, hearing on achieving water quality improvement through water quality trading on a watershed basis addressed innovative approaches to achieving environmental results.

**PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED  
PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959**

Date referred	Date approved	Location	Project
	May 16, 2001 .....	Washington, DC .....	Resolution authorizing appropriations to acquire by purchase the current leasehold rights of the existing lease at the Old Post Office.
	May 16, 2001 .....	Columbia, SC .....	Resolution authorizing appropriations for additional construction for the United States courthouse located in Columbia, South Carolina.
	July 18, 2001 .....	Laguna Niguel, CA .....	Resolution authorizing appropriations for the alteration, including to the extent practical, alteration work should incorporate the use of photovoltaic technology on the roof of the Chet Holifield Federal Building located at 24000 Avila Road in Laguna Niguel, California.
	July 18, 2001 .....	San Diego, CA .....	Resolution authorizing appropriations for the alteration of the Edward J. Schwartz Federal Building and United States Courthouse located at 880 Front Street in San Diego, California.
	July 18, 2001 .....	Lakewood, CO .....	Resolution authorizing appropriations for the alteration of Building 67 located at the Denver Federal Center in Lakewood, Colorado.

Date referred	Date approved	Location	Project
	July 18, 2001 .....	Washington, DC .....	Resolution authorizing appropriations for the alteration of the building located at 320 First Street, Northwest, in Washington, DC.
	July 28, 2001 .....	Jacksonville, FL .....	Resolution authorizing appropriations for the alteration of the Charles E. Bennett Federal Building located at 400 Bay Street in Jacksonville, Florida.
	July 18, 2001 .....	Tallahassee, FL .....	Resolution authorizing appropriations for the alteration of the United States courthouse located at 110 East Park Street in Tallahassee, Florida.
	July 18, 2001 .....	Chicago, IL .....	Resolution authorizing appropriations for the alteration of the Federal building located at 536 South Clark Street in Chicago, Illinois.
	July 18, 2001 .....	Chicago, IL .....	Resolution authorizing appropriations for the alteration of the Harold Washington Social Security Center located at 600 West Madison in Chicago, Illinois.
	July 18, 2001 .....	Chicago, IL .....	Resolution authorizing appropriations for the alteration of the John C. Kluczynski Federal Building located at 230 South Dearborn Street in Chicago, Illinois.
	July 18, 2001 .....	Des Moines, IA .....	Resolution authorizing appropriations for the alteration of the Federal building located at 210 Walnut Street in Des Moines, Iowa.
	July 18, 2001 .....	St. Louis, MO .....	Resolution authorizing appropriations for the alteration of the Federal Center Building 104/105 located at 4300 Goodfellow in St. Louis, Missouri.
	July 18, 2001 .....	Newark, NJ .....	Resolution authorizing appropriations for the alteration of the Peter W. Rodino Federal Building located at 970 Broad Street in Newark, New Jersey.
	July 18, 2001 .....	Las Vegas, NV .....	Resolution authorizing appropriations for the alteration of the Foley Federal Building and United States Courthouse located at 300 Las Vegas Boulevard South in Las Vegas, Nevada.
	July 18, 2001 .....	Cleveland, OH .....	Resolution authorizing appropriations for the alteration of the Anthony J. Celebreeze Federal Building located at 1240 East Ninth Street in Cleveland, Ohio.

Date referred	Date approved	Location	Project
	July 18, 2001 .....	Cleveland, OH .....	Resolution authorizing appropriations for the alteration of the Howard M. Metzenbaum United States Courthouse located at 201 Superior Avenue in Cleveland, Ohio.
	July 18, 2001 .....	Muskogee, OK .....	Resolution authorizing appropriations for the alteration of the Federal building/United States courthouse located at 101 North 5th Street in Muskogee, Oklahoma.
	July 18, 2001 .....	Portland, OR .....	Resolution authorizing appropriations for the alteration of the Pioneer Courthouse located at 529 Southwest Morrison in Portland, Oregon.
	July 18, 2001 .....	Providence, RI .....	Resolution authorizing appropriations for the alteration of the Federal building and United States courthouse located at Exchange Place in Providence, Rhode Island.
	July 18, 2001 .....	Milwaukee, WI .....	Resolution authorizing appropriations for the alteration of the Federal building and United States courthouse located at 517 East Wisconsin Avenue in Milwaukee, Wisconsin.
	July 18, 2001 .....	Washington, DC .....	Resolution authorizing appropriations for the alteration of the Federal Trade Commission Building located at Constitution Avenue and 7th Streets, Northwest, in Washington, District of Columbia.
	July 18, 2001 .....	Various .....	Resolution authorizing appropriations for the design of alteration projects during fiscal year 2002.
	July 18, 2001 .....	Albany, NY, Burlington, VT	Resolution authorizing appropriations for the modernization or replacement of existing HVAC systems in two Federal buildings, including the James T. Foley United States Courthouse at 445 Broadway in Albany, New York and the Burlington Post Office and Federal Building at 11 Elmwood Avenue in Burlington, Vermont.
	July 18, 2001 .....	Reston, VA, Washington, DC.	Resolution authorizing appropriations for the removal or replacement of existing PCB Transformers in two Federal buildings, including the J.W. Powell Building at 12201 Sunrise Valley Drive in Reston, Virginia and the New Executive Office Building at 725 17th Street, Northwest, in Washington, District of Columbia.

Date referred	Date approved	Location	Project
	July 18, 2001 .....	Mobile, AL .....	Resolution authorizing appropriations for additional site and design for the construction of a 325,452 gross square foot United States courthouse, including 50 inside parking spaces, located in Mobile, Alabama.
	July 18, 2001 .....	Little Rock, AR .....	Resolution authorizing appropriations for additional site and design for the construction of a 425,518 gross square foot annex and Post Office-United States courthouse renovation, including 55 inside parking spaces, located in Little Rock, Arkansas.
	July 18, 2001 .....	Jackman, ME .....	Resolution authorizing appropriations for additional design for the construction of a 35,709 gross square foot United States Border Station, including eight inside parking spaces, located in Jackman, Maine.
	July 18, 2001 .....	Suitland, MD .....	Resolution authorizing appropriations for the construction of a 208,271 gross square foot facility and structured parking garage with 500 parking spaces, located in Suitland, Maryland.
	July 18, 2001 .....	Suitland, MD .....	Resolution authorizing appropriations for the design and construction of two new facilities totaling 1,500,000 gross square feet, and 3,100 structured parking spaces, for the Department of Commerce, Bureau of Census located in Suitland, Maryland.
	July 18, 2001 .....	Springfield, MA .....	Resolution authorizing appropriations for the construction of a 158,755 gross square foot United States courthouse, including 41 inside parking spaces, located in Springfield, Massachusetts.
	July 18, 2001 .....	Detroit, MI .....	Resolution authorizing appropriations for site and design for the construction of a 23,500 gross square foot inspection facility and 230 outside parking spaces, located in Detroit, Michigan.
	July 18, 2001 .....	Raymond, MT .....	Resolution authorizing appropriations for additional design for the construction of a 235,671 gross square foot United States Border Station, including six inside parking spaces, located in Raymond, Montana.

Date referred	Date approved	Location	Project
July 18, 2001	.....	Las Cruces, NM	Resolution authorizing appropriations for additional design for the construction of a 204,642 gross square foot United States courthouse, including 81 inside parking spaces, located in Las Cruces, New Mexico.
July 18, 2001	.....	Buffalo, NY	Resolution authorizing appropriations for additional design for the construction of a 141,940 gross square foot United States courthouse, including 40 inside parking spaces, located in Buffalo, New York.
July 18, 2001	.....	Eugene/Springfield, OR	Resolution authorizing appropriations for additional site and design for construction of a 268,046 gross square foot United States courthouse, including 80 inside parking spaces, located in Eugene or Springfield, Oregon.
July 18, 2001	.....	El Paso, TX	Resolution authorizing appropriations for additional site and design for the construction of a 221,613 square foot United States courthouse, including 60 inside parking spaces, located in El Paso, Texas.
July 18, 2001	.....	Norfolk, VA	Resolution authorizing appropriations for additional site and design for the construction of a 399,394 gross square foot United States courthouse annex complex, including 47 inside parking spaces, located in Norfolk, Virginia.
July 18, 2001	.....	Rockford, IL	Resolution authorizing appropriations for additional site and design for the construction of a 147,249 gross square foot United States courthouse, including 33 inside parking spaces, located in Rockford, Illinois.
July 18, 2001	.....	San Diego, CA	Resolution authorizing appropriations for additional site and design for the construction of a 583,746 gross square foot United States courthouse, including 46 inside parking spaces, located in San Diego, California.
July 18, 2001	.....	Cape Girardeau, MO	Resolution authorizing appropriations for the construction of a 154,410 square foot United States courthouse, including 24 inside parking spaces, located in Cape Girardeau, Missouri.

Date referred	Date approved	Location	Project
	July 18, 2001 .....	San Jose, CA .....	Resolution authorizing appropriations for additional site and design for the construction of a 420,635 gross square foot United States courthouse, including 112 inside parking spaces, located in San Jose, California.
	July 18, 2001 .....	Erie, PA .....	Resolution authorizing appropriations for the construction of a 134,794 gross square foot United States courthouse complex, including 18 inside parking spaces, located in Erie, Pennsylvania.
	July 18, 2001 .....	Nashville, TN .....	Resolution authorizing appropriations for the additional site and design for the construction of a 385,449 gross square foot United States courthouse, including 170 inside parking spaces, located in Nashville, Tennessee.
	July 18, 2001 .....	Miami, FL .....	Resolution authorizing appropriations for the construction of a 508,323 gross square foot United States courthouse, including 110 inside parking spaces, located in Miami, Florida.
	July 18, 2001 .....	Brooklyn, NY .....	Resolution authorizing appropriations for the United States courthouse currently under construction, located in Brooklyn, New York.
	Nov. 7, 2001 .....	San Francisco, CA .....	Resolution authorizing appropriations to lease up to approximately 148,305 rentable square feet of space including 23 inside parking spaces for the Department of Labor and Department of Defense currently located in leased space at 71 Stevenson Street in San Francisco, California.
	Nov. 7, 2001 .....	San Francisco, CA .....	Resolution authorizing appropriations to lease up to approximately 46,712 rentable square feet of space including 14 inside parking spaces for the Executive Office of Immigration Review and the Immigration and Naturalization Service currently located in leased space at 550 Kearny Street, San Francisco, California.

Date referred	Date approved	Location	Project
Nov. 7, 2001	.....	San Francisco, CA	Resolution authorizing appropriations to lease up to approximately 69,677 rentable square feet of space including 8 inside parking spaces for the National Labor Relations Board, Equal Employment Opportunity Commission, Federal Trade Commission, Department of Energy—Federal Energy Regulatory Commission, and Federal Labor Relations currently located in leased space at 901 Market Street, San Francisco, California.
Nov. 7, 2001	.....	Washington, DC	Resolution authorizing appropriations to lease up to approximately 218,720 rentable square feet of space including 50 inside parking spaces for the National Park Service, Federal Maritime Commission, Department of Labor and other tenants currently located in leased space at 800 North Capitol Street, Washington, District of Columbia.
Nov. 7, 2001	.....	Washington, DC	Resolution authorizing appropriations to lease up to approximately 272,408 rentable square feet of space including 10 inside parking spaces for the National Labor Relations Board currently located in leased space at Franklin Court, 1099 14th Street, Northwest, in Washington, District of Columbia.
Nov. 7, 2001	.....	Miami, FL	Resolution authorizing appropriations to lease up to approximately 226,000 rentable square feet of space including 133 parking spaces for the Immigration and Naturalization Service currently located in leased space at 7880 Biscayne Boulevard, 77 SE 5th Street and 18441 NW 2nd Avenue, Miami, Florida.
Nov. 7, 2001	.....	New York, NY	Resolution authorizing appropriations to lease up to approximately 67,316 rentable square feet of space of the United States Attorneys currently located at 100 Church Street New York, New York.

Date referred	Date approved	Location	Project
Nov. 7, 2001	Nov. 7, 2001	Philadelphia, PA	Resolution authorizing appropriations to lease up to approximately 114,000 rentable square feet of space including 25 parking spaces of the United States Army Corps of Engineers currently located in leased space at 100 Penn Square East, Philadelphia, Pennsylvania.
Nov. 7, 2001	Nov. 7, 2001	Phoenix, AZ	Resolution authorizing appropriations to lease up to approximately 105,675 rentable square feet of space including 400 surface parking spaces for the Department of Veterans Affairs currently located in leased space at 3225 North Central Avenue, Phoenix, Arizona.
Nov. 7, 2001	Nov. 7, 2001	San Francisco, CA	Resolution authorizing appropriations to lease up to approximately 45,175 rentable square feet of space including 4 inside parking spaces for the United States Bankruptcy Court currently located in leased space at 235 Pine Street, San Francisco, California.
Nov. 7, 2001	Nov. 7, 2001	Washington, DC	Resolution authorizing appropriations to lease up to approximately 392,648 rentable square feet of space including 15 inside parking spaces for the Department of State currently located in leased space at 400 C Street, Southwest, Washington, District of Columbia.
Nov. 7, 2001	Nov. 7, 2001	Washington, DC	Resolution authorizing appropriations to lease up to approximately 58,665 rentable square feet of space and 15 inside parking spaces for the Executive Office of the President, Office of National Drug Control Policy currently located in leased space at 750 17th Street, Northwest, Washington, District of Columbia.
Nov. 7, 2001	Nov. 7, 2001	Tampa, FL	Resolution authorizing appropriations to lease up to approximately 112,700 rentable square feet of space and 139 parking spaces for the Federal Bureau of Investigation currently located in the R.L. Timberlake, Jr. Federal Building, at 500 Zack Street, the Spencer Building at 603-11 East Cass Street and in leased space at Riverside Plaza, Tampa Florida.

Date referred	Date approved	Location	Project
	Nov. 7, 2001 .....	Chicago, IL .....	Resolution authorizing to lease up to approximately 113,000 rentable square feet of space for the Department of Veterans Affairs currently located in the John C. Klucynski Federal Building, at 536 South Clark Street, Chicago, Illinois.
	Nov. 7, 2001 .....	Metairie, LA .....	Resolution authorizing appropriations to lease up to approximately 203,624 rentable square feet of space and 100 outside parking spaces for the Mineral Management Service currently located in leased space at 1201 Elmwood Boulevard, Metairie, Louisiana.
	Nov. 7, 2001 .....	Northern VA .....	Resolution authorizing appropriations to lease up to approximately 257,400 rentable square feet of space and 1,100 parking spaces for the Executive Office of the President currently located in the NW Federal Credit Union, Vienna, Virginia.
	Nov. 7, 2001 .....	Pittsburgh, PA .....	Resolution authorizing appropriations for the alteration of the United States Post Office located at Seventh Avenue and Grant Street, Pittsburgh, Pennsylvania.
	Nov. 7, 2001 .....	Washington, DC .....	Resolution authorizing appropriations for the alteration of the Federal Trade Commission Building located at Constitution Avenue and 7th Streets, Northwest, Washington, District of Columbia.
	Nov. 7, 2001 .....	Austin, TX .....	Resolution authorizing appropriations for site and design for the construction of a 190,737 gross square foot United States courthouse, including 55 inside parking spaces, located in Austin, Texas.
	Nov. 7, 2001 .....	Jackson, MS .....	Resolution authorizing appropriations for site and design for the construction of a 345,963 gross square foot United States courthouse, including 68 inside parking spaces, located in Jackson, Mississippi.
	Nov. 7, 2001 .....	Fort Pierce, FL .....	Resolution authorizing appropriations for site and design for the construction of a 111,075 gross square foot United States courthouse, including 15 inside parking spaces, located in Fort Pierce, Florida.

Date referred	Date approved	Location	Project
Nov. 7, 2001 .....	Nov. 7, 2001 .....	Phoenix, AZ .....	Resolution authorizing appropriations to lease up to approximately 127,577 rentable square feet of space and 146 secured parking spaces for the Immigration and Naturalization Service currently located in leased space at 3002-3006 West Clarendon, 2035 North Central Avenue and 400 North Fifth Street in Phoenix, Arizona.
Nov. 7, 2001 .....	Nov. 7, 2001 .....	Alameda/Contra Costa County, CA.	Resolution authorizing appropriations to lease up to approximately 52,119 rentable square feet of space and 11 outside parking spaces for the Drug Enforcement Administration currently located at 390 Main Street in San Francisco, California.
Nov. 7, 2001 .....	Nov. 7, 2001 .....	Fresno, CA .....	Resolution authorizing appropriations to lease up to approximately 122,000 rentable square feet of office space and 690 structured secure parking spaces for the Internal Revenue Service currently located at 2867 South East Street, Fresno, California.
Nov. 7, 2001 .....	Nov. 7, 2001 .....	Prince George's County, MD	Resolution authorizing appropriations to lease up to approximately 130,000 rentable square feet of office space and seven parking spaces for the National Aeronautical Charting Office of the Department of Transportation currently located at the Hebert C. Hoover Building in Washington, District of Columbia and two leased locations in Prince George's County, Maryland.
Nov. 7, 2001 .....	Nov. 7, 2001 .....	Alexandria, VA .....	Resolution authorizing appropriations to lease up to approximately 565,128 rentable square feet of office space and 40 outside parking spaces for the Department of Defense currently located at the AMC Building, 5001 Eisenhower Avenue in Alexandria, Virginia.
Nov. 7, 2001 .....	Nov. 7, 2001 .....	Seattle, WA .....	Resolution authorizing appropriations to lease up to approximately 120,265 rentable square feet of office space and 22 inside parking spaces for the Department of Health and Human Services currently located at 2201 Sixth Avenue in Seattle, Washington.

Date referred	Date approved	Location	Project
	Nov. 7, 2001 .....	Jacksonville, FL .....	Resolution authorizing appropriations to lease up to approximately 167,000 rentable square feet of office space and 122 outside parking spaces for the Corps of Engineers currently located at the Charles E. Bennett Federal Building, 400 West Bay Street in leased space at Bell South Tower Building, 301 West Bay Street in Jacksonville, Florida.
	Nov. 7, 2001 .....	Fresno, CA .....	Resolution authorizing appropriations to lease up to approximately 178,000 rentable square feet of office space and 800 structured parking spaces for the Internal Revenue Service located at East Butler Avenue in Fresno, California.
	Nov. 7, 2001 .....	Chicago, IL .....	Resolution authorizing appropriations to lease up to approximately 393,674 rentable square feet of office space and 520 parking spaces for the Federal Bureau of Investigation currently located in several Federal and leased locations in Chicago, Illinois.
	Nov. 7, 2001 .....	El Paso, TX .....	Resolution authorizing appropriations for design and construction of a 115,139 gross square foot United States Border Station, including 375 outside parking spaces, located in El Paso, Texas.
	Nov. 7, 2001 .....	Champlain, NY .....	Resolution authorizing appropriations for site and design for the construction of a 72,612 gross square foot United States Border Station, including 510 outside parking spaces, located in Champlain, New York.
	Nov. 7, 2001 .....	Montgomery, AL .....	Resolution authorizing appropriations for the alteration of the Frank M. Johnson, Jr. Federal Building and United States Courthouse located at 15 Lee Street in Montgomery, Alabama.
	Nov. 7, 2001 .....	Washington, DC .....	Resolution authorizing appropriations to lease up to approximately 97,000 rentable square feet of office space for the Environmental Protection Agency currently located at 501 Third Street, Northwest, Washington, District of Columbia.

Date referred	Date approved	Location	Project
Nov. 7, 2001	.....	Arlington, VA	Resolution authorizing appropriations to lease up to approximately 322,379 rentable square feet of office space and 17 inside parking spaces for the Environmental Protection Agency currently located in leased space at Crystal Gateway One and Crystal Mall Two-Three-Four in the Crystal City area of Arlington, Virginia.
Nov. 7, 2001	.....	Orlando, FL	Resolution authorizing appropriations for additional design for the construction of a 275,050 gross square foot United States courthouse, including 35 inside parking spaces and 200 surface parking spaces, located in Orlando, Florida.
Nov. 7, 2001	.....	Salt Lake City, UT	Resolution authorizing appropriations for the construction of a 229,300 gross square foot United States courthouse annex, including 78 inside parking spaces, located in Salt Lake City, Utah.
June 26, 2002	.....	Washington, DC/Chicago, IL	Resolution to authorize appropriations for the replacement of existing elevators in the J. Edgar Hoover Building in Washington, District of Columbia at a cost of \$9,304,000; Interior Department Building in Washington, District of Columbia, at a cost of \$7,000,000; and the United States Post Office Loop Station in Chicago, Illinois at a cost of \$5,229,000, for a combined cost of \$21,533,000.
June 26, 2002	.....	Los Angeles, CA	Resolution to authorize appropriations for the alteration of 300 North Los Angeles Street Federal Building located in Los Angeles, California, at an additional design cost of \$3,069,000 (design and review cost of \$6,015,000 was previously authorized), management and inspection cost of \$6,615,000 and an estimated construction cost of \$83,482,000, for a combined estimated total project cost of \$99,181,000.

Date referred	Date approved	Location	Project
June 26, 2002 .....	June 26, 2002 .....	San Francisco, CA .....	Resolution to authorize appropriations for the alteration of the United States Appraisers Building located at 630 Sansome Street in San Francisco, California, at an additional design cost of \$2,318,000 (design Cost of \$1,547,000 was previously authorized), additional management and inspection cost of \$1,295,000 (management and inspection cost of \$1,335,000 was previously authorized), and an additional estimated construction cost of \$16,670,000 (estimated construction cost of \$28,443,000 was previously authorized), for a combined estimated total project cost of \$51,608,000.
June 26, 2002 .....	June 26, 2002 .....	Tecate, CA .....	Resolution to authorize appropriations for the alteration of the United States Border Station located in Tecate, California, design cost of \$161,000 (site acquisition and design cost of \$3,051,000 was previously appropriated), management and inspection cost of \$612,000, (management and inspection cost of \$830,000 was previously appropriated), and an estimated construction cost of \$4,936,000, (construction cost of \$9,302,000 was previously appropriated), for a combined estimated project total of \$18,892,000.
June 26, 2002 .....	June 26, 2002 .....	New Haven, CT .....	Resolution to authorize appropriations for the alteration of the Robert N. Giaimo Federal Building located in New Haven, Connecticut, at an additional design cost of \$296,000 (design cost of \$987,000 was previously authorized), management and inspection cost of \$1,982,000, and an estimated total project cost of \$19,494,000.

Date referred	Date approved	Location	Project
June 26, 2002 .....	June 26, 2002 .....	Washington, DC .....	Resolution to authorize appropriations for the alteration of Federal Office Building 10A located at 800 Independence Avenue, Southwest, Washington, District of Columbia, at a design and review cost of \$404,000, management and inspection cost of \$293,000, and an estimated design/build cost of \$4,757,000, for a combined estimated total project cost of \$5,454,000.
June 26, 2002 .....	June 26, 2002 .....	Chicago, IL .....	Resolution to authorize appropriations for the alteration of the United States Custom House located at 610 South Canal Street in Chicago, Illinois, at a design and review cost of \$664,000, management and inspection cost of \$653,000, and an estimated design build construction cost of \$7,683,000 for a combined estimated total project cost of \$9,000,000.
June 26, 2002 .....	June 26, 2002 .....	Davenport, IA .....	Resolution to authorize appropriations for the alteration of the Federal Building and United States Courthouse located at 131 East 4th Street, in Davenport, Iowa, at an additional design cost of \$428,000, (design and review cost of \$790,000 was previously authorized), management and inspection cost of \$1,282,000, and an estimated total project cost of \$13,376,000.
June 26, 2002 .....	June 26, 2002 .....	Baltimore, MD .....	Resolution to authorize appropriations for the alteration of the Metro West Building located at Mulberry and Green Streets, in Baltimore, Maryland, at a design and review cost of \$210,000, management and inspection cost of \$772,000, and an estimated construction cost of \$5,180,000, for a combined estimated project cost of \$6,162,000.

Date referred	Date approved	Location	Project
June 26, 2002 .....	June 26, 2002 .....	Woodlawn, MD .....	Resolution to authorize appropriations for the alteration of the Social Security Administration National Headquarters—Operations Building located at 6401 Security Boulevard, in Woodlawn, Maryland at an additional design cost of \$4,625,000, (design cost of \$3,721,000 was previously authorized by the Committee and \$3,857,000 was provided by the Social Security Administration for a total design cost of \$7,578,000) management and inspection cost of \$11,343,000, and an estimated construction cost of \$136,693,000 for a combined estimated project cost of \$160,239,000.
June 26, 2002 .....	June 26, 2002 .....	Boston, MA .....	Resolution to authorize appropriations for the alteration of the John F. Kennedy Federal Building located in Boston, Massachusetts, at a design and review cost of \$242,000, management and inspection cost of \$170,000, and an estimated design and build construction cost of \$2,859,000, for a combined estimated total project cost of \$3,271,000.
June 26, 2002 .....	June 26, 2002 .....	Kansas City, MO .....	Resolution to authorize appropriations for the alteration of the Bannister Federal Complex, Building 1, located at 1500 East Bannister Road, Kansas City, Missouri, at a design and review cost of \$767,000, management and inspection cost of \$1,138,000, and an estimated design and build construction cost of \$14,225,000, for a combined estimated total project cost of \$16,130,000.
June 26, 2002 .....	June 26, 2002 .....	Kansas City, MO .....	Resolution to authorize appropriations for the alteration of the Bannister Federal Complex, Building 2, located at the Bannister Complex in Kansas City, Missouri, at a design and review cost of \$243,000, management and inspection cost of \$264,000, and an estimated design and build construction cost of \$2,641,000, for a combined estimated total project cost of \$3,148,000.

Date referred	Date approved	Location	Project
June 26, 2002	.....	Manchester, NH	Resolution to authorize appropriations for the alteration of the Norris Cotton Federal Building located at 275 Chestnut Street, Manchester, New Hampshire, at an additional design cost of \$914,000, (design and review cost of \$914,000 was previously authorized), management and inspection cost of \$1,265,000, and an estimated construction cost of \$15,393,000 for a combined estimated project cost of \$18,531,000.
June 26, 2002	.....	Portsmouth, NH	Resolution to authorize appropriations for the alteration of the Thomas McIntyre Federal Building located at 80 Daniel Street, Portsmouth, New Hampshire, at an additional design cost of \$160,000, (design and review cost of \$829,000 was previously authorized), management and inspection cost of \$765,000, and an estimated construction cost of \$10,224,000 for a combined estimated project cost of \$11,978,000.
June 26, 2002	.....	New York, NY	Resolution to authorize appropriations for the alterations of the Jacob K. Javits Federal Building located at 26 Federal Plaza, New York, New York, at a design and review cost of \$678,000, management and inspection cost of \$200,000, and an estimated design and build construction cost of \$6,690,000, for a combined estimated total project cost of \$7,568,000.
June 26, 2002	.....	Cleveland, OH	Resolution to authorize appropriations for the alteration of the Howard M. Metzenbaum United States Courthouse located at 201 Superior Avenue, Cleveland, Ohio, at an additional design cost of \$1,111,000, (design and review cost of \$2,301,000 was previously authorized), management and inspection cost of \$993,000, (management and inspection cost of \$2,283,000 was previously authorized), an additional estimated construction cost of \$135,108,000 (construction cost of \$24,817,000 was previously authorized), for a combined estimated project cost of \$44,613,000.

Date referred	Date approved	Location	Project
June 26, 2002	June 26, 2002	Pittsburgh, PA	Resolution to authorize appropriations for the alteration of the William S. Moorhead Federal Building located at 1000 Liberty Avenue, Pittsburgh, Pennsylvania, at a management and inspection cost of \$5,760,000, and an estimated construction cost of \$63,033,000, for a combined estimated total project cost of \$72,257,000 (design and review cost of \$3,464,000 was previously authorized).
June 26, 2002	June 26, 2002	Dallas, TX	Resolution to authorize appropriations for the alteration of the Earle Cabell Federal Building and United States Courthouse located at 1100 Commerce Street and the Sante Fe Federal Building located at 1114 Commerce Street in Dallas, Texas, at a management and inspection cost of \$14,495,000, for a combined estimated total project cost of \$17,754,000 (design cost of \$1,360,000 was previously authorized).
June 26, 2002	June 26, 2002	Fort Worth, TX	Resolution to authorize appropriations for the alteration of the Fritz G. Lanham Federal Building located in Fort Worth, Texas, at a management and inspection cost of \$14,484,000, for a combined estimated total project cost of \$16,082,000 (design cost of \$833,000 was previously authorized).
June 26, 2002	June 26, 2002	Seattle, WA	Resolution to authorize appropriations for the alteration of the Henry M. Jackson Federal Building located at 915 Second Avenue, in Seattle, Washington, at an additional design cost of \$55,000, (design and review cost of \$1,728,000 was previously authorized), management and inspection cost of \$2,027,000, at an estimated construction cost of \$24,750,000, for a combined estimated project cost of \$28,560,000.

Date referred	Date approved	Location	Project
June 26, 2002 .....	June 26, 2002 .....	Jackman, ME .....	Resolution to authorize appropriations for the construction of a 35,709 gross square foot United States Border Station, including eight parking spaces, located in Jackman, Maine, at a management and inspection cost of \$8,441,000 for a combined estimated total project cost of \$10,062,000 (design cost of \$868,000 was previously authorized).
June 26, 2002 .....	June 26, 2002 .....	Suitland, MD .....	Resolution to authorize appropriations for the construction of the first of two buildings, the first being a 1,248,640 gross square foot building and parking structure with 1,592 parking spaces, located at the Suitland Federal Center in Suitland, Maryland, at a management and inspection cost of \$9,219,000, and an estimated construction cost of \$167,700,000 for a combined estimated total project cost of \$184,932,000, (design cost of \$16,200,000, including \$8,013,000 for the first of two buildings, was previously authorized).
June 26, 2002 .....	June 26, 2002 .....	Suitland, MD .....	Resolution to authorize appropriations for the construction of a 208,271 gross square foot facility and structured parking garage with 500 parking spaces, located in Suitland, Maryland, at an additional design cost of \$750,000 (design cost of \$3,128,00 was previously authorized), additional management and inspection cost of \$612,000 (management and inspection cost of \$2,951,000 was previously authorized), and additional estimated construction cost of \$8,099,000 (estimated construction cost of \$45,658,000 was previously authorized), for a combined estimated total project cost of \$61,198,000.

Date referred	Date approved	Location	Project
June 26, 2002	.....	Raymond, MT	Resolution to authorize appropriations for the construction of a 28,998 gross square foot United States Border Station, including 42 parking spaces, located in Raymond, Montana, at a management and inspection cost of \$578,000 and an estimated construction cost of \$7,715,000 for a combined estimated total project cost of \$8,447,000 (design cost of \$694,000 was previously authorized).
June 26, 2002	.....	Massena, NY	Resolution to authorize appropriations for the site acquisition and design of a 31,767 gross square foot United States Border Station including 80 parking spaces, located in Massena, New York, at a site acquisition cost of \$100,000 and design and review cost of \$1,546,000, for a combined estimated total project cost of \$1,646,000.
June 26, 2002	.....	Portal, ND	Resolution to authorize appropriations for the site acquisition and design of a 62,216 gross square foot United States Border Station, including 85 parking spaces, located in Portal, North Dakota, at a site acquisition cost of \$800,000 and design and review cost of \$1,401,000 for a combined cost of \$2,201,000.
June 26, 2002	.....	Oroville, WA	Resolution to authorize appropriations for the construction of a 71,624 gross square foot United States Border Station in Oroville, Washington, at an additional site acquisition cost of \$880,000 (site acquisition cost of \$620,000 was previously authorized), additional management and inspection cost of \$750,000 (management and inspection cost of \$750,000 was previously authorized), and additional estimated construction cost of \$4,230,000 (estimated construction cost of \$10,456,000 was previously authorized), for a combined estimated total project cost of \$19,230,000.

Date referred	Date approved	Location	Project
July 24, 2002	.....	Little Rock, AR	Resolution to authorize appropriations for the construction of a 155,317 gross square foot annex, including 55 inside parking spaces, located in Little Rock, Arkansas, at a management and inspection cost of \$6,312,000, Post Office—United States Courthouse renovation cost of \$28,449,000, and construction cost of \$42,393,000, for a combined cost of \$77,154,000.
July 24, 2002	.....	San Diego, CA	Resolution to authorize appropriations for additional site and design for the construction of a 583,746 gross square foot United States courthouse annex including 46 inside parking spaces, located in San Diego, California, at an additional site and design cost of \$9,564,000.
July 24, 2002	.....	Eugene, OR	Resolution to authorize appropriations for the construction of a 270,718 gross square foot United States Courthouse, including 80 inside parking spaces, located in Eugene, Oregon, at a management and inspection cost of \$4,319,000, and estimated construction cost of \$77,734,000.
July 24, 2002	.....	Salt Lake City, UT	Resolution to authorize appropriations for additional site and design for the construction of a 323,606 gross square foot United States courthouse, including 44 inside parking spaces located in Salt Lake City, Utah, at additional site and design cost of \$8,673,000 (site was previously authorized by resolution for \$6,901,000 on September 27, 1996 and design was previously authorized by resolution for \$4,918,000 on July 23, 1997) for a combined site and design cost of \$20,492,000.

Date referred	Date approved	Location	Project
July 24, 2002 .....	Fort Pierce, FL .....	Resolution to authorize appropriations for additional design for the construction of a 111,075 gross square foot United States courthouse, including 15 inside parking spaces, located in Fort Pierce, Florida, at an additional design cost of \$448,000 for a combined site and design cost of \$5,013,000. This resolution amends Committee resolution dated November 7, 2001, which authorized site and design at a cost of \$4,565,000.	
July 24, 2002 .....	Cedar Rapids, IA .....	Resolution to authorize appropriations for additional design for the construction of a 254,328 gross square foot United States courthouse, including 40 inside parking spaces, located in Cedar Rapids, Iowa, at an additional design cost of \$1,478,000, for a combined site and design cost of \$14,952,000. This resolution amends Committee resolution dated July 26, 2000, which authorized site and design at a cost of \$13,474,000.	
July 24, 2002 .....	Cape Girardeau, MO .....	Resolution to authorize appropriations for additional design, management and inspection, and estimated construction cost for the construction of a 154,410 gross square foot United States courthouse, including 24 inside parking spaces, located in Cape Girardeau, Missouri, at an additional cost of \$7,576,000. This resolution amends Committee resolution dated July 18, 2001 which authorized additional design, management and inspection and an estimated construction at a combined cost of \$41,735,000, which amended Committee resolution dated July 23, 1998 which authorized appropriations in the amount of \$496,000, for additional design, which amended Committee resolution dated May 13, 1993, which authorized \$3,900,000 for site and \$1,700,000 for design.	

Date referred	Date approved	Location	Project
July 24, 2002	.....	Orlando, FL	Resolution to authorize appropriations for the estimated construction cost for the construction of a 257,050 gross square foot United States courthouse, including 40 inside parking spaces, located in Orlando, Florida, at an additional design cost of \$200,000, and a management and inspection cost of \$5,084,000 and estimated construction cost of \$77,739,000 for a combined cost of \$83,023,000. This resolution amends Committee resolution dated May 17, 1994 which authorized site acquisition at a cost of \$7,724,000, which was amended by Committee resolution dated July 23, 1997, authorizing additional site acquisition cost of \$748,000, which was amended by Committee resolution dated October 29, 1997 which authorized design cost of \$2,972,000, and which amended Committee resolution dated November 7, 2001 which authorized additional design cost of \$4,000,000.
July 24, 2002	.....	Richmond, VA	Resolution to authorize appropriations for additional design, management and inspection, and estimated construction cost for the construction of a 315,027 gross square foot United States courthouse, including 64 inside parking spaces, located in Richmond, Virginia, at an additional design cost of \$1,514,000, a management and inspection cost of \$4,807,000, and an estimated construction cost of \$75,509,000. This resolution amends Committee resolution dated July 26, 2000 which authorized site and design at a cost of \$19,476,000.
July 24, 2002	.....	San Antonio, TX	Resolution to authorize appropriations for design cost for the construction of a 325,223 gross square foot United States courthouse, including 37 inside parking spaces, located in San Antonio, Texas, at a design cost of \$6,926,000, for which an 11(b) resolution was signed on June 4, 2002.

Date referred	Date approved	Location	Project
July 24, 2002	.....	Anniston, AL	Resolution to authorize appropriations for site and design for the construction of a 65,482 gross square foot United States courthouse, including 20 inside parking spaces, locate in Anniston Alabama, at a site cost of \$1,257,000, and a design cost of \$1,833,000, for a combined cost of \$3,090,000, for which an 11(b) resolution was signed on June 4, 2002.
July 24, 2002	.....	Harrisburg, PA	Resolution to authorize appropriations for site and design cost for the construction of a 227,136 gross square foot United States courthouse, including 35 inside parking spaces, located in Harrisburg, Pennsylvania, at a site cost of \$14,215,000, and design cost of \$4,462,000 for a combined cost of \$18,677,000, for which an 11(b) resolution was signed on June 4, 2002.
July 24, 2002	.....	Greenville, SC	Resolution to authorize appropriations for site and design cost for the construction of a 237,409 gross square foot United States courthouse, including 74 inside parking spaces, in Greenville, South Carolina, at a site cost of \$3,451,000, and design cost of \$4,856,000 for a combined cost of \$8,307,000, for which an 11(b) resolution was signed on June 4, 2002.
July 24, 2002	.....	Buffalo, NY	Resolution to authorize appropriations for site and design for the construction of a 266,020 gross square foot United States courthouse, including 54 inside parking spaces, in Buffalo, New York, at an additional site cost of \$7,374,000, and design cost of \$2,515,000 for a combined additional cost of \$9,889,000. This resolution amends Committee resolution dated July 18, 2001, which authorized additional design at a cost of \$716,000, which amended Committee resolution dated July 26, 2000, which authorized site and design cost of \$3,599,000.

Date referred	Date approved	Location	Project
July 24, 2002	.....	Toledo, OH	Resolution to authorize appropriations for site and design cost for the construction of a 206,828 gross square foot United States courthouse, including 20 inside parking spaces, in Toledo, Ohio, at a site cost of \$1,201,000, and design cost of \$4,792,000 for a combined cost of \$5,993,000.
July 24, 2002	.....	Green Bay, WI	Resolution to authorize appropriations for site and design for the construction of a 63,366 gross square foot United States Courthouse, including 20 inside parking spaces, located in Green Bay, Wisconsin, at a site cost of \$1,800,000 and design cost of \$1,881,000 for a combined cost of \$3,681,000.
July 24, 2002	.....	Charlotte, NC	Resolution to authorize appropriations for design cost for the construction of a 347,097 gross square foot, United States courthouse, including 50 inside parking spaces, in Charlotte, North Carolina, at a site cost of \$382,000 and design cost of \$7,019,000 for a combined additional cost of \$7,401,000.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 118,284 rentable square feet of space for the Department of Housing and Urban Development currently located in leased space at 1250 Maryland Avenue, Southwest, District of Columbia, at a proposed total annual cost of \$5,322,780 for a lease term of ten years.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 251,093 rentable gross square feet of space for the Department of Justice currently located in leased space at 1425 New York Avenue, in Washington, District of Columbia, at a proposed total annual cost of \$11,299,185 for a lease term of up to ten years.

Date referred	Date approved	Location	Project
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 100,541 rentable square feet of space for the Department of Justice currently located in leased space at 1331 Pennsylvania Avenue, Northwest, District of Columbia, at a proposed cost of \$4,524,345 for a lease term of ten years.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 61,650 rentable square feet of space for the Department of Treasury currently located in leased space at Metropolitan Square, 655 15th Street, Northwest, Washington, District of Columbia, at a proposed total annual cost of \$2,774,250 for a lease term of ten years.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 161,288 rentable square feet of space for the Department of Veterans Affairs currently located in leased space at 1800 G Street, Northwest, Washington, District of Columbia, at a proposed total annual cost of \$7,257,960 for a lease term of ten years.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 182,752 rentable square feet of space for the Department of Commerce, Bureau of Economic Analysis (BEA), Department of Interior, Department of Labor, and the Department of Defense currently located in leased space at 1441 L Street, Northwest, Washington, District of Columbia, at a proposed total annual cost of \$8,223,840 for a lease term of ten years.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 529,954 rentable square feet of space for the United States Coast Guard, United States Department of Transportation, currently located in leased space at 2100 2nd Street, Northwest, Washington, District of Columbia, at a proposed total annual cost of \$12,188,942 for a lease term of five years.

Date referred	Date approved	Location	Project
July 24, 2002	.....	Denver, CO	Appropriations are authorized to lease up to approximately 134,660 rentable square feet of space and 12 parking spaces for the Department of Housing and Urban Development currently located in leased space at 633 17th Street, Denver, Colorado, at a proposed total annual cost of \$4,174,460 for a lease term of ten years.
July 24, 2002	.....	Suburban MD	Appropriations are authorized to lease up to approximately 120,886 rentable square feet of space for the Consumer Product Safety Commission currently located in leased space at 4340 East Highway, Bethesda, Maryland, at a proposed total annual cost of \$3,747,466 for a lease term of ten years.
July 24, 2002	.....	Suburban MD	Appropriations are authorized to lease up to approximately 124,246 rentable square feet of space for the Department of Treasury, Internal Revenue Service, currently located in leased space at Salurbia Office Park, 6710 Oxon Hill Road, Oxon Hill, Maryland, at a proposed total annual cost of \$2,981,904 for a lease term of ten years.
July 24, 2002	.....	Boston, MA	Appropriations are authorized to lease up to approximately 113,711 rentable square feet of space for the Federal Bureau of Investigation currently located in leased space at One Center Plaza in Boston, Massachusetts, at a proposed total annual cost of \$5,230,706 for a lease term of five years.
July 24, 2002	.....	Providence, RI	Appropriations are authorized to lease up to approximately 148,777 rentable square feet of space for the continued occupancy of the United States Court, Social Security Agency, Internal Revenue Service, Veterans Affairs and other tenants currently located at 380 Westminster Mall in Providence, Rhode Island, at a proposed total annual cost of \$3,868,202 for a lease term of ten years.

Date referred	Date approved	Location	Project
July 24, 2002	.....	Northern VA	Appropriations are authorized to lease up to approximately 132,113 rentable square feet of space for the Department of Defense and the Department of Interior currently housed in the Webb Building, located at 4040 North Fairfax Drive, Arlington, Virginia, at a proposed total annual cost of \$4,491,842 for a lease term of ten years.
July 24, 2002	.....	Washington, DC	Appropriations are authorized to lease up to approximately 68,636 rentable square feet of space for the Department of State currently located at 1111 19th Street, Northwest, Washington, District of Columbia, at a proposed total annual cost of \$3,088,620 for a lease term of ten years.
July 24, 2002	.....	Suburban MD	Appropriations are authorized to lease up to approximately 118,448 rentable square feet of space for the Department of Health and Human Services and Health Resources and Service Administration currently located at 4350 East West Highway, Bethesda, Maryland, at a proposed total annual cost of \$3,671,888 for a lease term of five years with early termination rights after two years.
July 24, 2002	.....	Northern VA	Appropriations are authorized to lease up to approximately 278,700 rentable square feet of space for the General Services Administration Federal Supply Service headquarters, currently located at the Crystal City Mall 2-3-4 buildings, 1941 Jefferson Davis Highway, and Crystal Park 1, 2011 Crystal Drive, both in Arlington, Virginia, at a proposed total annual cost of \$9,475,800 for a lease term of ten years.
July 24, 2002	.....	Houston, TX	Resolution to authorize appropriations to lease up to approximately 158,485 rentable square feet of space for the Department of Justice, Federal Bureau of Investigation currently located at Park on Bayou I, Houston, Texas at a proposed total annual cost of \$3,486,670 for a lease term of up to five years.

## Public Buildings 11b Resolutions

Date referred	Date approved	Location	Project
.....	May 16, 2001 .....	Canton, OH .....	Resolution to investigate the feasibility and need to repair and modernize the Frank T. Bow Federal Building or to construct or acquire a facility to house Federal employees in Canton, Ohio.
.....	May 16, 2001 .....	Colorado Springs, CO .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house Federal employees in Colorado Springs, Colorado.
.....	May 16, 2001 .....	Atlanta, GA .....	Resolution to investigate the feasibility and need to construct or acquire a facility adjacent to the Elbert P. Tuttle Court for Appeals Building to house additional court staff functions, and Federal agencies in Atlanta, Georgia.
.....	May 16, 2001 .....	Toledo, OH .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house Federal employees in Toledo, Ohio.
.....	July 18, 2001 .....	Ft. Pierce, FL .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Ft. Pierce, Florida.
.....	July 18, 2001 .....	Jackson, MS .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Jackson, Mississippi.
.....	July 18, 2001 .....	Austin, TX .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Austin, Texas.
.....	Nov. 7, 2001 .....	Green Bay, WI .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Green Bay, Wisconsin.
.....	Nov. 7, 2001 .....	Charlotte, NC .....	Resolution to investigate the feasibility and need to construct a United States courthouse in Charlotte, North Carolina.
.....	Feb. 27, 2002 .....	Columbia, MO .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house Federal employees in Columbia, Missouri.
.....	Feb. 27, 2002 .....	Washington, DC .....	Resolution to investigate the continued stability of the Federal Trade Commission Building, 600 Pennsylvania Avenue, Northwest, Washington, District of Columbia, to meet housing requirements of the Federal Trade Commission.

Date referred	Date approved	Location	Project
.....	Feb. 27, 2002 .....	El Paso, TX .....	Resolution to investigate the feasibility and need to construct or acquire a border station to house Federal inspection agencies located at the port in El Paso, Texas.
.....	May 22, 2002 .....	Anniston, AL .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Anniston, Alabama.
.....	May 22, 2002 .....	Greenville, SC .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Greenville, South Carolina.
.....	May 22, 2002 .....	Harrisburg, PA .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in Harrisburg, Pennsylvania.
.....	May 22, 2002 .....	San Antonio, TX .....	Resolution to investigate the feasibility and need to construct or acquire a facility to house the United States District Court in San Antonio, Texas.

RESOLUTIONS ADOPTED TO AUTHORIZE THE CORPS OF ENGINEERS TO CONDUCT FEASIBILITY STUDIES

Docket Number	Project
2659 .....	San Francisquito Creek Watershed, California
2660 .....	Port Hueneme, California
2661 .....	Little Wabash River Watershed, Indiana
2662 .....	Coyote Creek Watershed, California
2663 .....	Hancock County Seawall, Mississippi
2664 .....	Keith Creek, Illinois
2665 .....	Goffle Brook & Tributaries, New Jersey
2666 .....	Neshannock Creek, Pennsylvania
2667 .....	Fourmile Run, Virginia
2668 .....	Holmes Run Watershed, Virginia
2669 .....	Lavaca/Navidad River Basin, Texas
2670 .....	Pearl River, Louisiana and Mississippi
2671 .....	Youghiogheny River, Pennsylvania
2672 .....	California Coastal Sediment Master Plan, California
2673 .....	Willamette River Basin, Oregon
2674 .....	Dismal Swamp and Dismal Swamp Canal, Chesapeake, Virginia
2675 .....	Lake Montauk Harbor, New York
2676 .....	Flagler County, Florida
2677 .....	Streets Run Watershed, Pennsylvania
2678 .....	Lake Emily Dam, Pennsylvania
2679 .....	Grand River at Lansing, Michigan
2680 .....	East River Seawall, New York
2681 .....	Little Sarasota Bay, Florida
2682 .....	City Park/University Lakes, Louisiana
2683 .....	Susquehanna and Delaware River Basins, Pennsylvania
2684 .....	Big Suamico River, Wisconsin
2685 .....	Oconto Harbor, Wisconsin
2686 .....	Miliken-Sacro-Tulocay Basin, California
2687 .....	Lower Willamette River, Oregon
2688 .....	Mississippi River Projects, Illinois and Missouri
2689 .....	Lower Monogahela, Pennsylvania

RESOLUTIONS ADOPTED TO AUTHORIZE THE CORPS OF ENGINEERS TO CONDUCT FEASIBILITY  
STUDIES—Continued

Docket Number	Project
2690 .....	Walton County, Florida
2691 .....	Lower Susquehanna River Basin, Pennsylvania
2692 .....	Stones River Watershed, Tennessee
2693 .....	Grays River, Washington
2694 .....	Lackawanna River at Dickson City, Pennsylvania
2695 .....	Reedy River, South Carolina
2696 .....	Muskingum River Lakes, Ohio
2697 .....	South San Francisco Bay Shoreline, California
2698 .....	Brush Creek & Tributaries, Kansas and Missouri
2699 .....	Alabama and Coosa Rivers, Alabama
2700 .....	Coffman Cove, Alaska
2701 .....	Seward, Alaska
2702 .....	Martin Pena Canal, San Juan, Puerto Rico
2703 .....	Arthur Kill Channel and Morses Creek to Perth Amboy, New Jersey
2704 .....	Elliott Bay Seawall, Seattle, Washington
2705 .....	Middle & Lower St. Croix River, Minnesota and Wisconsin
2706 .....	Tonawanda Creek Watershed, New York
2707 .....	Mill Creek, Pennsylvania
2708 .....	Silver & Brock Creeks, Pennsylvania



## PUBLICATIONS

107-1 Compilation of Selected Aviation Laws.

107-2 Compilation of Railroad Laws Relating to Railroad Regulation, Railroad Retirement, Unemployment and Labor, Volumes I and II.

107-3 Improving Water Quality: States' Perspectives on the Federal Water Pollution Control Act. Hearing before the Subcommittee on Water Resources and Environment, February 28, 2001.

107-4 Coast Guard Fiscal Year 2001 Supplemental Funding Needs. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, March 8, 2001.

107-5 The Federal Aviation Administration's Efforts to Modernize the Air Traffic Control System. Hearing before the Subcommittee on Aviation, March 14, 2001.

107-6 Brownfields: Lessons from the Field. Hearing before the Subcommittee on Water Resources and Environment, March 15, 2001.

107-7 Outlook for the Nation's Highways and Transit Systems. Hearing before the Subcommittee on Highways and Transit, March 21, 2001.

107-8 Water Infrastructure Needs. Hearing before the Subcommittee on Water Resources and Environment, March 28, 2001.

107-9 Railroad Track Safety. Hearing before the Subcommittee on Railroads, March 29, 2001.

107-10 Congestion in the U.S. Transportation System. April 4, 2001.

107-11 Combating Terrorism: Options to Improve Federal Response. Joint hearing with the Committee on Government Reform and the Subcommittee on Economic Development, Public Buildings and Emergency Management, April 24, 2001.

107-12 Rail Infrastructure. Hearing before the Subcommittee on Railroads, April 25, 2001.

107-13 The Federal Aviation Administration's Capacity Benchmarks. Hearing before the Subcommittee on Aviation, April 25, 2001.

107-14 H.R. 1407, the Airline Delay Reduction Act. Hearing before the Subcommittee on Aviation, April 26, 2001.

107-15 Agency Budgets and Priorities for Fiscal Year 2002. Hearing before the Subcommittee on Water Resources and Environment, May 2, 2001.

107-16 Coast Guard Fiscal Year 2002 Budget. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, May 3, 2001.

107-17 Driver Distractions: Electronic Devices in the Automobile. Hearing before the Subcommittee on Highways and Transit, May 9, 2001.

107-18 H.R. 525, The Preparedness Against Domestic Terrorism Act. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, May 9, 2001.

107-19 The National Health Museum and the Future Use of Federal Office Building 8. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, May 10, 2001.

107-20 Recreational Boating Safety. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, May 15, 2001.

107-21 Confined Animal Feeding Operations. Hearing before the Subcommittee on Water Resources and Environment, May 16, 2001.

107-22 Congestion. Hearings before the Subcommittees on Railroads, Highways and Transit, Water Resources and Environment, Coast Guard and Maritime Transportation, and Aviation, May 22, 23, 24, 2001.

107-23 General Services Administration Fiscal Year 2002 Capital Investment Program. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, June 13, 2001.

107-24 STARS Deployment Update and Review of Operational Evolution Plan. Hearing before the Subcommittee on Aviation, June 13, 2001.

107-25 Reauthorization of the Appalachian Regional Commission. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, June 20, 2001.

107-26 Airline Customer Service Commitments: Status Report. Hearing before the Subcommittee on Aviation, June 20, 2001.

107-27 Magnetic Levitation Transportation Issues. Hearing before the Subcommittee on Railroads, June 21, 2001.

107-28 Runway Incursions Focusing on the Technology to Prevent Collisions. Hearing before the Subcommittee on Aviation, June 26, 2001.

107-29 The National Academy of Sciences' National Research Council Report on Assessing the Scientific Basis of the Total Maximum Daily Load Approach to Water Quality Management. Hearing before the Subcommittee on Water Resources and Environment, June 28, 2001.

107-30 H.R. 1070, The Great Lakes Legacy Act of 2001. Hearing before the Subcommittee on Water Resources and Environment, July 11, 2001.

107-31 The General Accounting Office's Report on the Federal Aviation Administration's Rulemaking. Hearing before the Subcommittee on Aviation, July 11, 2001.

107-32 Oversight of the Household Goods Moving Industry. Hearing before the Subcommittee on Highways and Transit, July 12, 2001.

107-33 Air Traffic Congestion at LaGuardia Airport (New York, NY). Field hearing before the Subcommittee on Aviation, July 16, 2001.

107-34 Proposed Closure of the Norfolk Southern Car Shops (Holidaysburg, PA). Field hearing before the Subcommittee on Railroads, July 16, 2001.

107-35 NAFTA: Arbitration Decision and Opening of the U.S.-Mexican Border to Mexican Motor Carriers. Hearing before the Subcommittee on Highways and Transit, July 18, 2001.

107-36 Strategies to Address Contaminated Sediments. Hearing before the Subcommittee on Water Resources and Environment, July 19, 2001.

107-37 Highway Work Zone Safety. Hearing before the Subcommittee on Highways and Transit, July 24, 2001.

107-38 Amtrak and High Speed Rail. Hearing before the Subcommittee on Railroads, July 25, 2001.

107-39 Competitiveness of the U.S. Aircraft Manufacturing Industry. Hearing before the Subcommittee on Aviation, July 26, 2001.

107-40 Redlight Cameras. Hearing before the Subcommittee on Highways and Transit, July 31, 2001.

107-41 H.R. 2407, Federal Photovoltaic Utilization Act. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, August 1, 2001.

107-42 H.R. 2107, to Preempt State Law Requiring Approval of Certain Airport Projects. Hearing before the Subcommittee on Aviation, August 1, 2001.

107-43 H.R. 307, the Federal Protective Service Reform Act. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, September 6, 2001.

107-44 Update on the Status of the STARS Program. Hearing before the Subcommittee on Aviation, September 13, 2001.

107-45 H.R. 2891, to Preserve the Continued Viability of the United States Air Transportation System. September 19, 2001.

107-46 H.R. 1474, American Wetland Restoration Act. Hearing before the Subcommittee on Water Resources and Environment, September 20, 2001.

107-47 Aviation Security. Hearings before the Subcommittee on Aviation, September 21 and 25, 2002.

107-48 Improving the Delivery of Transit by Easing Regulatory Burdens. Hearing before the Subcommittee on Highways and Transit, September 26, 2001.

107-49 H.R. 2950, the Rail Infrastructure Development and Expansion Act of the 21st Century (RIDE-21). Hearing before the Subcommittee on Railroads, October 2, 2001.

107-50 The Wetlands Permitting Process: Is it Working Fairly? Hearing before the Subcommittee on Water Resources and Environment, October 3, 2001.

107-51 Terrorism: Are America's Water Resources and Environment at Risk? Hearing before the Subcommittee on Water Resources and Environment, October 10, 2001.

107-52 Deployment and Use of Security Technology. Hearing before the Subcommittee on Aviation, October 11, 2001.

107-53 Restrictions on General Aviation Flying in Class B Airspace. Hearing before the Subcommittee on Aviation, October 17, 2001.

107-54 TEA 21 Success Stories. Hearing before the Subcommittee on Highways and Transit, November 1, 2001.

107-55 Right to Know after September 11th. Hearing before the Subcommittee on Water Resources and Environment, November 8, 2001.

107-56 Future of the TMDL Program: How to Make TMDLs Effective Tools for Improving Water Quality. Hearing before the Subcommittee on Water Resources and Environment, November 15, 2001.

107-57 Port Security. Hearings before the Subcommittee on Coast Guard and Maritime Transportation, December 6, 2001, February 13, March 13 and 14, 2002.

107-58 Checked Baggage Screening Systems. Hearing before the Subcommittee on Aviation, December 7, 2001.

107-59 Sewage Treatment in San Diego-Tijuana Border Region. Hearing before the Subcommittee on Water Resources and Environment, December 12, 2001.

107-60 Aviation and Transportation Security Act 60 Day Deadline for Screening and Checked Baggage. Hearing before the Subcommittee on Aviation, January 23, 2002.

107-61 Building on Success: Administration Perspectives on Current Issues Affecting Reauthorization of TEA 21, February 7, 2002, and Governors and Local Elected Officials on Reauthorization of TEA-21, February 28, 2002. Hearings before the Subcommittee on Highways and Transit.

107-62 The Reauthorization of the Office of Pipeline Safety. Hearing before the Subcommittee on Highways and Transit, February 13, 2002.

107-63 The Amtrak Reform Council's Restructuring Plan. Hearing before the Subcommittee on Railroads, February 14, 2002.

107-64 Aviation Security with a Focus on Passenger Profiling. Hearing before the Subcommittee on Aviation, February 27, 2002.

107-65 Successes and Failures of Amtrak and the Amtrak Reform and Accountability Act of 1997. Hearing before the Subcommittee on Railroads, March 6, 2002.

107-66 H.R. 3479, to Expand Aviation Capacity in the Chicago Area. Hearing before the Subcommittee on Aviation, March 6, 2002.

107-67 Coast Guard Fiscal Year 2003 Budget. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, March 7, 2001.

107-68 Water Quality Financing Act of 2002. Hearing before the Subcommittee on Water Resources and Environment, March 13, 2002.

107-69 Reauthorization of the National Transportation Safety Board. Hearing before the Subcommittees on Aviation and Railroads, March 14, 2002.

107-70 Ensuring the Integrity of the Highway Trust Fund. Hearing before the Subcommittee on Highways and Transit, March 20, 2002.

107-71 Proposals for a Water Resources Development Act of 2002. Hearing before the Subcommittee on Water Resources and Environment, April 10 and 17, 2002.

107-72 Federal Emergency Management Agency's Office of National Preparedness. Hearing before the Subcommittee on Eco-

conomic Development, Public Buildings and Emergency Management, April 11, 2002.

107-73 Intercity Passenger Rail in America: What Should it Look Like? Hearing before the Subcommittee on Railroads, April 11, 2002.

107-74 Adequacy of the Federal Aviation Administration's Oversight of Passenger Aircraft Maintenance. Hearing before the Subcommittee on Aviation, April 11, 2002.

107-75 How Transit Serves and Benefits U.S. Communities. Hearing before the Subcommittee on Highways and Transit, April 17, 2002.

107-76 H.R. 3947, the Federal Property Asset Management Reform Act of 2002. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, April 18, 2002.

107-77 Transportation of Spent Rods to the Proposed Yucca Mountain Storage Facility. Hearing before the Subcommittees on Highways and Transit and Railroads, April 25, 2002.

107-78 H.R. 3673, the Recreational Waters Protection Act. Hearing before the Subcommittee on Water Resources and Environment, May 1, 2002.

107-79 Major Project Management. Hearing before the Subcommittee on Highways and Transit, May 1, 2002.

107-80 Arming Flight Crews Against Terrorist Attacks. Hearing before the Subcommittee on Aviation, May 2, 2002.

107-81 Implementation of the National Invasive Species Act of 1996. Hearing before the Subcommittees on Water Resources and Environment and Coast Guard and Maritime Transportation, May 15, 2002.

107-82 Relieving Highway Congestion through Capacity Enhancements and Increased Efficiency. Hearing before the Subcommittee on Highways and Transit, May 21, 2002.

107-83 The General Services Administration's Fiscal Year 2003 Capital Investment and Leasing Program. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, June 5, 2002.

107-84 Recent Derailments. Hearing before the Subcommittee on Railroads, June 6, 2002.

107-85 H.R. 2228, the Maritime Disaster Family Assistance Act. Hearing before the Subcommittee on Coast Guard and Maritime Transportation, June 12, 2002.

107-86 Intermodalism, June 18, 2002, and Federal Transit Capital Grants, June 20, 2002. Hearings before the Subcommittee on Highways and Transit.

107-87 Arming Pilots. Hearing before the Subcommittee on Aviation, June 19, 2002.

107-88 Improving Highway Safety, June 27, 2002, and Trucking Safety, July 9, 2002. Hearings before the Subcommittee on Highways and Transit.

107-89 Ways to Improve the Federal Aviation Administration's Organizational Structure. Hearing before the Subcommittee on Aviation, July 16, 2002.

107-90 Long Term Outlook on the Highway Trust Fund: Are Fuel Taxes a Viable Measure. Hearing before the Subcommittee on Highways and Transit, July 16, 2002.

107-91 Aviation Security. Hearing before the Subcommittee on Aviation, July 23, 2002.

107-92 Transportation Solutions on a Community Context: The Need for Better Transportation Systems for Everyone. Hearing before the Subcommittee on Highways and Transit, July 25, 2002.

107-93 Driver's License Security Issues. Hearing before the Subcommittee on Highways and Transit, September 5, 2002.

107-94 Intelligent Transportation Systems. Hearing before the Subcommittee on Highways and Transit, September 10, 2002.

107-95 The Delta Regional Authority and Southeast Crescent Authority: Process and Prospects for Regional Development Authorities. Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management, September 12, 2002.

107-96 Airport Security (Orlando, FL). Field hearing before the Subcommittee on Aviation, September 17, 2002.

107-97 Stakeholder Proposals for the Reauthorization of the Surface Transportation Programs. Hearing before the Subcommittee on Highways and Transit, September 19, 2002.

107-98 Financial Conditions of the Airline Industry. Hearing before the Subcommittee on Aviation, September 24, 2002.

107-99 Capital and Maintenance Needs. Hearing before the Subcommittee on Highways and Transit, September 26, 2002.

107-100 H.R. 5455, Expediting Project Delivery. Hearing before the Subcommittee on Highways and Transit, October 8, 2002.

107-101 Federal Lands Highway Program. Hearing before the Subcommittee on Highways and Transit, October 9, 2002.

107-102 West Nile Virus. Subcommittee on Water Resources and Environment, October 10, 2002.

107-103 Water Quality Trading. Subcommittee on Water Resources and Environment, June 13, 2002.

107-104 Summary of Legislative and Oversight Activities