took yesterday to strike the taxpayer persecution provision that thankfully was discovered by the other body before final passage. And while the action we took yesterday was absolutely necessary and important, it bears mentioning that there are a number of other provisions that remain in the bill that are not only controversial but harmful.

For example, a one-sentence provision inserted into this massive bill at the last minute encapsulates all that is wrong with the way this legislation came to the floor. This provision raises maximum truck weights to 99,000 pounds on two interstate highways in the State of New Hampshire. And although it was drafted in a form that appears to apply only to New Hampshire, its impact will reach all States, all taxpayers, and all motorists.

The House debated this very same issue last April, and 334 Members of this House, including the chairmen of the Committee on Transportation and Infrastructure and the Committee on Appropriations, voted against allowing a truck weight increase on New Hampshire's interstates.

Now, just 7 months later, the New Hampshire superheavy truck provision has been added to this bill in secret with no notice or opportunity for debate, even though an overwhelming majority of the House rejected it on a recorded vote.

What has changed since April that makes a bad idea then a good one now? Not a single thing. In fact, the only important development since we defeated the amendment last April has been the U.S. Department of Transportation's announcement that it too opposes State exemptions from Federal truck size and weight laws. According to the U.S. Department of Transportation, a 100,000-pound six-axle single tractor-trailer truck pays only 40 percent of its costs. Taxpayers pay the rest. Not just taxpayers in New Hampshire but taxpayers from all across the country.

Heavier trucks also pose numerous safety risks. As weights go from 65,000 to 80,000 pounds, the risk of an accident involving a fatality goes up 50 percent. In addition, these superheavy trucks will have added braking and steering problems and the risk for rollover will increase.

Mr. Speaker, this is just further evidence of the need to pass my legislation, the Safe Highways and Infrastructure Preservation Act, and to freeze truck lengths and weights in New Hampshire and all other States, before more damage is done.

Senior law enforcement officials and other safety leaders in New Hampshire have already joined in a campaign to overturn this provision when Congress resumes consideration of the TEA–21 reauthorization after the first of the year. And I will insert a letter cosigned by a dozen law enforcement leaders and other concerned citizens of New Hampshire opposing the truck weight increase into the RECORD at this point.

DECEMBER 6, 2004.

Hon. DON YOUNG, Chairman,
House Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN YOUNG: We are very disappointed to learn that a provision was inserted in the omnibus appropriations bill recently passed by the House and Senate that increases truck weights on Interstates 89 and 93 in New Hampshire. This will make our highways in the Granite State more dangerous and exacerbate our already serious problems with deteriorating infrastructure, particularly bridges.

We feel it is unconscionable that a provision with such serious implications for highway safety and road quality in our state was added to this huge bill with no notice. There were no hearings on it. There was no opportunity for us to make our views known. We understand that even the leaders of the Committee on Environment and Public Works, which has jurisdiction over these matters, were unaware of this provision until after it had been passed.

This should not be allowed to stand. A matter with such serious safety and infrastructure implications should be addressed by the authorizing committee with proper jurisdiction. Congress is planning to reauthorize the TEA–21 transportation legislation within the next several months. Proposals to change federal truck weight laws on New Hampshire's Interstate are serious matters that should be considered with greater care in the context of the reauthorization—not in a last-second ''rider'' to a massive appropriations bill.

We ask that you do whatever is necessary to have this provision removed from the omnibus appropriations bill.

Thank you.

Sincerely,

Chief Jerome Madden, Concord Police Department; Chief David Kurz, Durham Police Department; Chief David A. Currier, Seabrook Police Department; Executive Councilor Ray Burton, New Hampshire Executive Council; Chief Tim Russell, Henniker Police Department; Chief Bradley Loomis, Newington Police Department; Senator Lou D'Allesandro, New Hampshire State Senate District #20; Dr. Henry LaBranche, Salem Town Manager; Sarah Johansen, MD, New Hampshire Chapter College of Emergency Physicians; Frederick (Ted) Gray, Portsmouth Traffic and Safety Committee; David S. Szacik, Director, Legislative Department, New Hampshire State Grange; Robert Best, Executive Director, New Hampshire State Nurses Association.

Mr. Speaker, the Fiscal Year 2005 Omnibus Appropriations bill also included language intended to undermine, if not completely eliminate, the authority of States to permit liquefied natural gas, LNG, facilities all across the country. Again, without notice, public hearings, or any debate, the conferees included language in the statement of the managers that suggests that the Federal Energy Regulatory Commission, FERC, can preempt States on the siting and permitting of LNG facilities. While this particular provision does not change or override existing law, it is tantamount to an expression of Congress that may have implications on a pending lawsuit in California where the State's public utility commission is challenging FERC's assertion of this authority in the permitting of an LNG facility.

Mr. Speaker, I can tell my colleagues from personal experience that FERC already gives short-shrift to the concerns of local governments and States in the permitting of LNG facilities. In my congressional district, FERC recently issued a draft Environmental Impact Statement for the Weaver's Cove LNG plant in Fall River, Massachusetts that completely ignored the concerns of the community with respect to ongoing economic development plans and the impact on and isolation of emergency services. Were the language in this omnibus bill ever to be codified into law, FERC would run rough-shod over the cities and towns we represent. States are in the best position to know the larger safety concerns that these facilities present, and they deserve to have local authority in permitting them.

Mr. Speaker, in conclusion, it is amazing to me that the party that claims to be the champion of States' rights is always prepared to sell them out when the large corporate energy special interests are involved. That is what has happened here, and it is disgusting.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 7 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

PRAYER

The Reverend Stanley G. Peterson, Sr. Pastor, Monmouth Christian Church, Monmouth, Oregon, offered the following prayer:

Our Father who art in Heaven, give us this day wisdom to transact the business You have put before us; to humble ourselves so we can hear Your voice even in the midst of chaos and strife. For today, O Lord God, we want to make a positive difference in Your world.

Today we want to be part of what would bring peace and harmony, rather than war and strife, to serve America in a manner that would bring glory to You and honor to these United States.

We want to hear Your voice when the voice of so many are crying out to be heard, for we recognize our responsibilities, O Lord God, to serve rather than to be served, and to faithfully and honestly accomplish each task as it is presented.

On this day, O God, we remember and we give thanks for the men and women who gave their lives at Pearl Harbor, for those who died and those who worked so hard to save so many. We also give thanks and pray for those