either through the STP or indirectly through the unprogrammed share of the Minimum Guarantee program, be directed to local areas, following existing law using the fair share distribution to urbanized and non-urbanized areas. All areas within the states will have more funding certainty as a result.

Third, the Metropolitan Congestion Relief Act enhances our federal surface transportation policies by enlisting local decision-makers and their substantial transportation assets under their control more fully into the TEA–21 partnership.

In addition to directing more STP and Minimum Guarantee resources to metropolitan planning organizations and other local areas under ongoing state-directed programs, the legislation specifically directs states to work more directly with local decision-makers, particularly in the larger urban areas, in deciding on investments in the National Highway System. This is a critical asset for all of us and one where local governments either own a share of these facilities or where locally-owned facilities are substantially affected by NHS facility investments.

Let me provide some additional background on this and related points. One of the weaknesses of the current Federal policy is that it relies too heavily on overburdened State transportation agencies. Overall, States own the smallest share of the Nation's transportation facilities relative to local governments and yet are given direct control over an overwhelming share of Federal transportation dollars. On average, for each highway dollar that a State receives, only six percent is guaranteed to reach local decision-makers, those in metropolitan areas of 200,000 or more where more than one out of every two Americans live.

Let me explain further. Presently, local governments—cities, towns and counties—directly or indirectly through regional agencies own and/or operate more than three-quarters of the Nation's roads and streets, about one-half of the Nation's bridges, more than ninety percent of all transit systems and about the same share of the Nation's airports, most of the train stations, port facilities, traffic signals, public parking structures, sidewalks and trails, and so on. Let us not forget that 63 percent of urban area highways in the Federal Aid System, which includes those facilities generally eligible under Federal TEA–21 programs, are owned by local governments. Yet, existing policy directs virtually all of the resources to State highway and transportation departments.

In aviation, Congress rightly directs resources to the agencies, be it the State, region or local government who own and operate airports. In transit, Congress rightly directs resources to the level of government who delivers these services. In flood control, the State, region, or local agency responsible for the improvements receives the funding. And so on.

As this Congress seeks to address the burdens of congestion the need for smarter and more balanced transportation investments to give taxpayers more for their dollars, we must recognize that we have reached the point where it is impossible to achieve these outcomes without more fully involving our local transportation partners. This means bringing local elected officials—mayors, city council members, county executives and commissions, and others—more fully into this partnership. This legislation makes some modest adjustments and empowers these critical officials in the transportation partnership.

Finally, this legislation specifically addresses the needs of local areas with the most air quality and congestion problems. It does so by directing States to allocate Congestion Mitigation and Air Quality Improvement program (CMAQ funds to local areas that are in non-attainment or maintenance of applicable national ambient air quality standards. Specifically, it requires States to pass these funds to local areas on a fair share basis where metropolitan planning organizations are in place. Simply put, States earn CMAQ funds based on local air problems and the legislation makes sure that funds are passed through to these areas. Recently, this chamber debated the extension of the compliance deadlines in some Texas cities and other places, all the while my own State of Texas had piled up more than $270 million in unspent CMAQ funds that could have helped improve air quality in my area and others in the State. This provision will make sure that the local areas that carry these-requirements under Federal law are certain to receive their fair share of the resources that are provided.

There are also two new initiatives in the legislation that address congestion. One is a new $2 billion annual formula program aimed at the Nation's most congested metropolitan markets, as analyzed by the Texas Transportation Institute. This program will target resources to areas of the Nation with clear congestion needs. The other program will provide modest resources of $500 million annually to local governments to support incident management programs.

Let me speak to the need for these targeted programs. Every taxpayer and every community in our States benefits if we make some selected investments that improve the performance of our Nation's most productive economic centers. All of our economic data shows that our metropolitan areas are truly the economic engines of our State economies and help drive overall U.S. economic growth. They now account for the overwhelming and disproportionate share of the Nation's new jobs, personal income and total economic output. This legislation speaks directly to the pressing needs of these city and county metropolitan areas by investing immediately in congestion relief strategies and programs that will pay substantial dividends to the economic bottom lines of our State and the Federal Government. These initiatives, coupled with other provisions in this legislation, will help us extract more economic output from these areas.

This investment in our regional economic engines will also position our Nation more favorably in the global competition of world trade. For instance, consider my own district, the Dallas Metro area, not including the adjoining Fort Worth Metro area. The Dallas Metro area produced more goods and services—about $170 billion in 2001—than 29 States. This output exceeded that of many countries, such as Denmark or Hong Kong. This legislation is about recognizing the importance of the role local decision-makers play in steering these vital economic units and the value of tapping the vast range of our Nation's broadest asset base. In the end, our Federal policy needs to go beyond the Federal/State partnership of the 1950s that was built around the Interstate era. The 1991 ISTEA made some strides to update our institutional arrangements, and this legislation builds on those improvements.

Mr. Speaker, this legislation is nonpartisan. It represents an effort to establish a fair and equitable distribution of our Federal transportation dollars.

HONORING C. K. WILLIAMS

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. HOLT. Mr. Speaker, this week C. K. Williams was honored with the National Book Award in Poetry for his book ''The Singing: Poems''.

The National Book Award, established in 1950, has become one of the most significant literary prizes in the country and comes with a $10,000 cash award. A creative writing professor at Princeton University since 1995, C. K. Williams has authored 14 books of poetry over his long and distinguished career and in 2000 he received the Pulitzer Prize in poetry for his work ''Repair''.

Charles Kenneth Williams was born in Newark, New Jersey in 1936. He started writing poetry at the age of 19 and has said that ''Poetry didn't find me, in the cradle or anywhere else near it: I found it. I realized at some point—very late, it's always seemed—that I needed it, that it served a function for me—or someday would—however unclear that function may have been at first.''

Mr. Speaker we all are very lucky that C. K. Williams found poetry and its clear to me that he has served a function to those of us who have had the pleasure to read his wonderful poetry. At times his poetry delves in to the dark areas of despair and our eventual mortality. As such his poetry is thought provoking, deeply moving, and at times extremely personal.

Again, I congratulate Mr. Williams on his award, and I deeply thank him for the contributions he has made through his poetry to enrich our society. C. K. Williams continues in the long great tradition of other New Jersey poets such as Walt Whitman, William Carlos Williams, Alan Ginsburg, and Robert Pinsky, and he is certainly one of the best poets that New Jersey has to offer today. And as the National Book Selection Committee, The Pulitzer Committee, and other juries make clear, C. K. Williams is one of the best. I am so pleased to have a poet of such talent and mettle both writing and teaching in my district.

Mr. Speaker I would like to include in the RECORD a copy of the title poem of C. K. Williams's award winning book, which is entitled The Singing.

THE SINGING

I was walking home down a hill near our house on a balmy afternoon under the blossoms
Of the pear trees that go flamboyantly mad here every spring with their burgeoning forth
When a young man turned in from a corner singing no it was more of a cadenced shouting
Most of which I couldn't catch I thought because the young man was black speaking black
It didn't matter I could tell he was making his song up which pleased me he was nice-looking

Husky dressed in some style of big pants obviously full of himself hence his lyrical flowing over
We went along in the same direction then he noticed me there almost beside him and ''Big''
He shouted-sang ''Big'' and I thought how droll to have my height incorporated in his song
So I smiled but the face of the young man showed nothing he looked in fact pointedly away
And his song changed ''I'm not a nice person'' he chanted ''I'm not I'm not a nice person''
No menace was meant I gathered no particular threat but he did want to be certain I knew
That if my smile implied I conceived of anything like concord between us I should forget it
That's all nothing else happened his song became indecipherable to me again he arrived
Where he was going to a house where a girl in braids waited for him on the porch that was all
No one saw no one heard all the unasked and unanswered questions were left where they were
It occurred to me to sing back ''I'm not a nice person either'' but I couldn't come up with a tune
Besides I wouldn't have meant it nor he have believed it both of us knew just where we were
In the duet we composed the equation we made the conventions to which we were condemned
Sometimes it feels even when no one is there that someone something is watching and listening
Someone to rectify redo remake this time again though no one saw nor heard no one was there

INTRODUCTION OF BIPARTISAN RESOLUTION ON JUÁREZ

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Ms. SOLIS. Mr. Speaker, I rise today to introduce this bipartisan resolution with my colleagues Ms. SLAUGHTER, Mr. REYES, Mr. RAMSTAD, Mr. RODRIGUEZ, and Ms. CAPITO. We are deeply concerned about the murders and violence against women that has occurred in the state of Chihuahua, Mexico. Since 1993 over 300 women have disappeared from this area. Oftentimes their mutilated bodies are found in the abandoned or desert areas. This resolution expresses our sincerest condolences and deepest sympathy to the families of the victims, and encourages increased U.S. involvement in bringing an end to these heinous crimes that for the most part have gone unsolved.

SMALL BUSINESS BANKRUPTCY VENUE RELIEF ACT

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. BAKER. Mr. Speaker, the recent bankruptcy of a large chemical company in Louisiana has alerted me to the difficulties that small businesses can face in bankruptcy proceedings. In the wake of this chemical company's bankruptcy, a number of small businesses in Louisiana found themselves defendants in preferential payment lawsuits brought by the bankruptcy trustee. Many of these companies were shocked that they would be accused of receiving preferential payments when they had had a long history of consistent business dealings with the chemical company. Not only were these businesses surprised by the lawsuits, but they were dismayed that they were forced to defend these lawsuits in Delaware. The burden of hiring an attorney in Louisiana and Delaware was significant and a number of these small businesses were forced to settle these meritless lawsuits to avoid the costs associated with a legal defense.

I believe that we are placing these small businesses in an unacceptable position. Asking small businesses to pay several thousand dollars in legal fees or settlement fees is a significant burden for many of these businesses. It appears that in a number of cases, bankruptcy trustees realize the leverage they have on these small businesses and exploit this leverage. It costs little for the trustees to file suit against these small businesses and then the trustees have the luxury of adjudicating the lawsuits in the State they are working in. Authorizing penalties for frivolous lawsuits and changing the venue for preferential payments cases that fall below a meager $5,000 threshold has done little to improve the situation for small businesses. I believe that we must force bankruptcy trustees to take a harder look at the merits of these preferential payments cases and we need to allow small businesses the courtesy of defending these lawsuits in the State in which they reside.

For this reason, I have introduced the ''Small Business Bankruptcy Venue Relief Act.'' This legislation will allow small businesses of under 25 full-time employees to defend preferential payments claims in the State where they reside. In addition to lowering legal costs for these small businesses, this legislation will force bankruptcy trustees to give greater consideration to the merits of preferential payment claims against small businesses.

Mr. Speaker, I hope that members will consider the plight of small businesses and cosponsor the ''Small Business Bankruptcy Venue Relief Act.''

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber on July 8, 2003. I would like the RECORD to show that, had I been present, I would have voted ''nay'' on rollcall vote No. 334 and ''yea'' on rollcall Nos. votes 335 and 336. On July 10, 2003, I was absent from this Chamber for a journal vote No. and I would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall vote No. 346.

On July 14, 2003, I was absent from this Chamber and I would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall votes Nos. 354, 355, 358 and 359 and ''nay'' on rollcall vote No. 356. I was also absent from this Chamber on July 17, 2003, and would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall vote No. 387. Furthermore, on July 18, 2003, I was unavoidably absent from this Chamber and I would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall vote No. 396 and ''nay'' on rollcall vote No. 397.

On July 21, 2003, I was absent from this Chamber and I would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall votes Nos. 398, 399 and 400. I was unavoidably absent from this Chamber on July 24, 2003 and would like the RECORD to show that, had I been present, I would have voted ''yea'' on rollcall vote No. 441. I missed rollcall vote No. 452 on July 25, 2003, and would like the RECORD to show that, had I been present, I would have voted ''nay.''

IN RECOGNITION OF BANQUET HONORING THE HEROES OF THE MONTGOMERY, ALABAMA BUS BOYCOTT

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to join the Montgomery, Alabama Transportation Coalition in recognizing the heroes of the 1955 Montgomery Bus Boycott.

On December 4, 2003, the Coalition will hold its annual awards dinner, and the theme for this year's banquet is ''Reclaiming the Dream.'' They have chosen this occasion to honor the heroes of the Montgomery Bus Boycott. These heroes are former Pastor Robert Graetz, Mrs. Inez Jessie Baskin, Mrs. Johnnie Carr, Mrs. Daisy Childrey, Mrs. Thelma Glass, Mrs. Hazel Gregory, Mrs. Vera Harris, Mr. Bobby Jackson, Mrs. Zecozy Williams, and posthumously, Mrs. Aurelia Browder, Mrs. Virginia Durr and Mr. Eddie Posey.

Today, it may be difficult for some to recognize the importance of what these individuals did because, thankfully, times have changed. But, the change has come about because of their actions. They truly are heroes, and I salute each of them.

INTRODUCING THE AUDITOR INDEPENDENCE AND TAX SHELTERS ACT

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. EMANUEL. Mr. Speaker, today, I am proud to introduce bipartisan legislation to stop the unethical, and in certain cases, criminal conduct by some of our Nation's most respected accounting firms that market abusive tax shelters under the guise of ''non-audit services'' to the public companies whose books they audit—in effect auditing their own work. The Auditor Independence and Tax Shelters Act, cosponsored by Representatives MARK FOLEY, BART STUPAK, DAVE CAMP, and