

Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

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

This bill will repeal a prohibition on the use of Federal transit funds for tunneling in certain areas for construction of the San Fernando Valley Metro Rail project in Southern California.

Many of us can remember the tragedy over 20 years ago caused by an explosion due to the buildup of methane gas, which ignited after accumulating over a long period of time, on the Third Street Corridor in the Wilshire-Fairfax District of Los Angeles. It just rocked the entire area. The explosion damaged a building structure, injured 22 people. A preliminary investigation pointed to the ignition of underground pockets of pressurized gas.

The incident raised a great many safety concerns related to tunneling in the area to build the Metro Rail system. The Los Angeles City Council created a task force at the time to investigate the explosion to determine the cause of the accident, to make recommendations to avoid further incidents.

The results of the investigation identified two methane risk zones to assure that the safety concerns on construction of that segment of the Metro Rail were fully addressed. A provision was included in the fiscal year 1986 transportation appropriations bill to prohibit the use of Federal funds until safety concerns had been properly addressed.

The gentleman who took that cause to the committee, to the House, the gentleman from California, my colleague, we were elected in the same year, 1974, Mr. WAXMAN, has been vigilant on this issue and vigorous in his pursuit of safety for the people of Los Angeles County.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Thank you very much for yielding to me.

Mr. Speaker, this bill is noncontroversial. It relates to a situation in Los Angeles where prohibition was put in place to prevent tunneling in an area that has been designated as a high risk for methane gas explosions. The bill before us would repeal that prohibition about tunneling, because, at the request of Mayor Villaraigosa, we agreed to convene a panel of experts to assure us that it is technically feasible to handle the tunneling in a very safe manner, that the technology is there and that we need not fear the tunneling as we might have, appropriately so, in the mid-1980s.

In 2004, the L.A. City Council passed a motion urging reversal of this 1985

law, and in February of 2005, the LAMTA board renewed discussions of the subway expansion in this area.

I strongly support this legislation. There is no opposition to it. I appreciate the committee having reported out unanimously, and I would urge my colleagues in the House to agree with the proposal coming from the committee.

Mr. Speaker, H.R. 238 is noncontroversial legislation. In the last Congress, it was reported unanimously by the House Transportation Committee and passed the House by voice vote.

H.R. 238 would repeal a law enacted in 1985 that prohibits subway tunneling in a part of Los Angeles I represent. I authored the 1985 legislation after a methane gas explosion demolished a Ross Dress-for-Less store in the Third and Fairfax area of Los Angeles.

After the explosion, serious safety concerns were raised about the city's plans to extend the subway in this area due to underground pockets of methane gas. In recent years, experts have indicated that technologies have been developed that could make tunneling in the area safe.

In 2004, the Los Angeles City Council passed a motion urging a reversal of the 1985 law, and in February 2005 the Los Angeles Metropolitan Transportation Authority's board voted to renew discussions of the subway's expansion in this area.

As a result, I worked with Mayor Antonio Villaraigosa to select a panel of scientific experts to conduct an independent safety review. These experts made a unanimous determination in a November 2005 report that tunneling in the methane gas area can be done safely if proper procedures and appropriate technologies are used.

H.R. 238 simply lifts the Federal tunneling prohibition that has been in place since 1985. I urge my colleagues to support it.

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

Mr. Speaker, H.R. 238 repeals a 21-year-old prohibition on the use of Federal transit funds to tunnel in the San Fernando Valley area west of Los Angeles.

In 1985, an explosion of naturally occurring methane gas blew up a department store in the Wilshire Boulevard Corridor in Los Angeles, injuring 22 people. As the gentleman from Minnesota aptly pointed out, concerned about the safety of tunneling in the area of Los Angeles, the city council created a task force to investigate the explosion. The task force identified methane risk zones along the Wilshire Boulevard Corridor.

The fiscal year 1986 transportation appropriations bill included a legislative provision that prohibits the use of Federal transit funds associated with the Los Angeles project for tunneling in or through an identified methane risk zone. The appropriations provision was written very broadly, binding future funds provided by Congress and affecting all parts of the Metro Rail subway project, including future extensions. The prohibition prevented any transportation planners in the Los Angeles area from considering any trans-

portation improvements that might involve tunneling in the very broadly congested Wilshire Boulevard Corridor.

For me, Mr. Speaker, the need for this bill to be passed simply highlights the dangers of legislating an appropriations bill. H.R. 238 undoes something that should never have been done in the first place. In November 2005, a panel of engineering experts reported that tunneling along the Wilshire Boulevard Corridor can be done safely if proper procedures and appropriate techniques are used.

This bill, H.R. 238, will repeal the current prohibition on tunneling in that corridor. This legislation was first introduced by Congressman WAXMAN in December of 2005 as H.R. 4653 and was passed by the House in September of 2006. However, the Senate failed to act on the legislation, which is the reason we are back here on the floor today.

I do support H.R. 238, and I urge its passage.

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

Mr. OBERSTAR. I want to supplement the remarks of the gentleman from California, my colleague from Missouri, the ranking member on the subcommittee, that we now believe that the city council has resolved the issues. The mayor has put in place the process by which the tunneling can continue in all safety to both those doing the tunneling and those above ground and now advance the urgently needed transit project in Los Angeles into the San Fernando Valley area. So I urge the passage of H.R. 238.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 238.

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 365, by the yeas and nays;

H. Res. 120, by the yeas and nays;

H.R. 482, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

METHAMPHETAMINE REMEDIATION RESEARCH ACT OF 2007

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 365.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 365, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 426, nays 2, not voting 7, as follows:

[Roll No. 78]

YEAS—426

Abercrombie	Clyburn	Goode
Ackerman	Coble	Goodlatte
Aderholt	Cohen	Gordon
Akin	Cole (OK)	Granger
Alexander	Conaway	Graves
Allen	Conyers	Green, Al
Altmire	Cooper	Green, Gene
Andrews	Costa	Grijalva
Arcuri	Costello	Gutierrez
Baca	Courtney	Hall (NY)
Bachmann	Cramer	Hall (TX)
Bachus	Crenshaw	Hare
Baird	Crowley	Harman
Baker	Cubin	Hastings (FL)
Baldwin	Cuellar	Hastings (WA)
Barrett (SC)	Culberson	Hayes
Barrow	Cummings	Heller
Bartlett (MD)	Davis (AL)	Hensarling
Barton (TX)	Davis (CA)	Herger
Bean	Davis (IL)	Herseth
Becerra	Davis (KY)	Higgins
Berkley	Davis, David	Hill
Berman	Davis, Lincoln	Hinchee
Berry	Davis, Tom	Hinojosa
Biggert	Deal (GA)	Hirono
Bilbray	DeFazio	Hobson
Bilirakis	DeGette	Hodes
Bishop (GA)	DeLaunt	Hoekstra
Bishop (NY)	DeLauro	Holden
Bishop (UT)	Dent	Holt
Blumburn	Diaz-Balart, L.	Honda
Blumenauer	Diaz-Balart, M.	Hooley
Blunt	Dicks	Hoyer
Boehner	Dingell	Hulshof
Bonner	Doggett	Hunter
Bono	Donnelly	Inglis (SC)
Boozman	Doolittle	Inslee
Boren	Doyle	Israel
Boswell	Drake	Issa
Boucher	Dreier	Jackson (IL)
Boustany	Duncan	Jackson-Lee
Boyd (FL)	Edwards	(TX)
Boyd (KS)	Ehlers	Jefferson
Brady (PA)	Ellison	Jindal
Brady (TX)	Ellsworth	Johnson (GA)
Braley (IA)	Emanuel	Johnson (IL)
Brown (SC)	Emerson	Johnson, E. B.
Brown, Corrine	Engel	Johnson, Sam
Brown-Waite,	English (PA)	Jones (NC)
Ginny	Eshoo	Jones (OH)
Buchanan	Etheridge	Jordan
Burgess	Everett	Kagen
Burton (IN)	Fallin	Kanjorski
Butterfield	Farr	Kaptur
Buyer	Fattah	Keller
Calvert	Feeney	Kennedy
Camp (MI)	Ferguson	Kildee
Campbell (CA)	Filner	Kilpatrick
Cannon	Forbes	Kind
Cantor	Fortenberry	King (IA)
Capito	Fossella	King (NY)
Capps	Fox	Kingston
Capuano	Frank (MA)	Kirk
Cardoza	Franks (AZ)	Klein (FL)
Carnahan	Frelinghuysen	Kline (MN)
Carney	Gallely	Knollenberg
Carson	Garrett (NJ)	Kucinich
Carter	Gerlach	Kuhl (NY)
Castle	Giffords	LaHood
Castor	Gilchrest	Lamborn
Chabot	Gillibrand	Lampson
Chandler	Gillmor	Langevin
Clarke	Gingrey	Lantos
Clay	Gohmert	Larsen (WA)
Cleaver	Gonzalez	Larson (CT)

Latham	Nunes	Shuler
LaTourette	Oberstar	Shuster
Lee	Obey	Simpson
Levin	Olver	Sires
Lewis (CA)	Ortiz	Skelton
Lewis (GA)	Pallone	Slaughter
Lewis (KY)	Pascrell	Smith (NE)
Linder	Pastor	Smith (NJ)
Lipinski	Payne	Smith (TX)
LoBiondo	Pearce	Smith (WA)
Loebsack	Pelosi	Snyder
Lofgren, Zoe	Pence	Solis
Lowe	Perlmutter	Souder
Lucas	Peterson (MN)	Space
Lungren, Daniel	Peterson (PA)	Spratt
E.	Petri	Stark
Lynch	Pickering	Stearns
Mack	Pitts	Stupak
Mahoney (FL)	Platts	Sullivan
Maloney (NY)	Poe	Sutton
Manzullo	Pomeroy	Tancredo
Marchant	Porter	Tanner
Markey	Price (GA)	Tauscher
Marshall	Price (NC)	Taylor
Matheson	Putnam	Terry
Matsui	Radanovich	Thompson (CA)
McCarthy (CA)	Rahall	Thompson (MS)
McCarthy (NY)	Ramstad	Thornberry
McCaul (TX)	Rangel	Tiahrt
McCollum (MN)	Regula	Tiberi
McCotter	Rehberg	Tierney
McCreery	Reichert	Towns
McDermott	Renzi	Turner
McGovern	Reyes	Udall (CO)
McHenry	Reynolds	Udall (NM)
McHugh	Rodriguez	Upton
McIntyre	Rogers (AL)	Van Hollen
McKeon	Rogers (KY)	Velazquez
McMorris	Rogers (MI)	Visclosky
Rodgers	Rohrabacher	Walberg
McNerney	Ros-Lehtinen	Walden (OR)
McNulty	Roskam	Walsh (NY)
Meenan	Ross	Walz (MN)
Meek (FL)	Roybal-Allard	Wamp
Meeks (NY)	Ruppersberger	Wasserman
Melancon	Rush	Schultz
Mica	Ryan (OH)	Waters
Michaud	Ryan (WI)	Watson
Millender-	Salazar	Watt
Hirono	Sali	Waxman
McDonald	Sánchez, Linda	Weiner
Miller (FL)	T.	Welch (VT)
Miller (MI)	Sanchez, Loretta	Weldon (FL)
Miller (NC)	Sarbanes	Weller
Miller, Gary	Saxton	Westmoreland
Miller, George	Schakowsky	Wexler
Mitchell	Schiff	Whitfield
Mollohan	Schmidt	Wick
Moore (KS)	Schwartz	Wilson (NM)
Moore (WI)	Scott (GA)	Wilson (OH)
Moran (KS)	Scott (VA)	Wilson (SC)
Moran (VA)	Sensenbrenner	Wolf
Murphy (CT)	Serrano	Woolsey
Murphy, Patrick	Sessions	Wu
Murphy, Tim	Sestak	Wynn
Musgrave	Shadegg	Yarmuth
Myrick	Shays	Young (AK)
Nadler	Shea-Porter	Young (FL)
Napolitano	Sherman	
Neal (MA)	Shimkus	
Neugebauer		

NAYS—2

NOT VOTING—7

Flake	Paul	Royce
Davis, Jo Ann	Norwood	
Hastert	Pryce (OH)	
Murtha	Rothman	

□ 1423

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE AFRICAN AMERICAN SPIRITUAL AS A NATIONAL TREASURE

The SPEAKER pro tempore. The pending business is the question of sus-

pending the rules and agreeing to the resolution, H. Res. 120.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 120, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 426, nays 0, not voting 9, as follows:

[Roll No. 79]

YEAS—426

Abercrombie	Cole (OK)	Graves
Ackerman	Conaway	Green, Al
Aderholt	Conyers	Green, Gene
Akin	Cooper	Grijalva
Alexander	Costa	Gutierrez
Allen	Costello	Hall (NY)
Altmire	Courtney	Hall (TX)
Andrews	Cramer	Hare
Arcuri	Crenshaw	Harman
Baca	Crowley	Hastings (FL)
Bachmann	Cubin	Hastings (WA)
Bachus	Cuellar	Hayes
Baird	Culberson	Heller
Baker	Cummings	Hensarling
Baldwin	Davis (AL)	Herger
Barrett (SC)	Davis (CA)	Herseth
Barrow	Davis (IL)	Higgins
Bartlett (MD)	Davis (KY)	Hill
Barton (TX)	Davis, David	Hinchee
Bean	Davis, Lincoln	Hinojosa
Becerra	Davis, Tom	Hirono
Berkley	Deal (GA)	Hobson
Berman	DeFazio	Hodes
Berry	DeGette	Hoekstra
Biggert	DeLaunt	Holden
Bilbray	DeLauro	Holt
Bilirakis	Dent	Honda
Bishop (GA)	Diaz-Balart, L.	Hooley
Bishop (NY)	Diaz-Balart, M.	Hoyer
Bishop (UT)	Dicks	Hulshof
Blumburn	Dingell	Hunter
Blumenauer	Doggett	Inglis (SC)
Blunt	Doehner	Inslee
Boehner	Bonner	Israel
Bonner	Doolittle	Issa
Bono	Doyle	Jackson (IL)
Boozman	Drake	Jackson-Lee
Boren	Dreier	(TX)
Boswell	Duncan	Jefferson
Boucher	Edwards	Jindal
Boustany	Ehlers	Johnson (GA)
Boyd (FL)	Ellison	Johnson (IL)
Boyd (KS)	Ellsworth	Johnson, E. B.
Brady (PA)	Emanuel	Johnson, Sam
Brady (TX)	Emerson	Jones (NC)
Braley (IA)	Engel	Jones (OH)
Brown (SC)	English (PA)	Jordan
Brown, Corrine	Eshoo	Kagen
Brown-Waite,	Etheridge	Kanjorski
Ginny	Everett	Kaptur
Buchanan	Fallin	Keller
Burgess	Farr	Kennedy
Burton (IN)	Fattah	Kildee
Butterfield	Feeney	Kilpatrick
Buyer	Ferguson	Kind
Calvert	Filner	King (IA)
Camp (MI)	Flake	King (NY)
Campbell (CA)	Campbell (CA)	Kingston
Cannon	Cannon	Kirk
Cantor	Cantor	Klein (FL)
Capito	Capito	Kline (MN)
Capps	Capps	Knollenberg
Capuano	Capuano	Kucinich
Cardoza	Cardoza	Kuhl (NY)
Carnahan	Carnahan	LaHood
Carney	Carney	LaHood
Carson	Carson	Lamborn
Carter	Carter	Lampson
Castle	Castle	Langevin
Castor	Castor	Lantos
Chabot	Chabot	Larson (WA)
Chandler	Chandler	Larson (CT)
Clarke	Clarke	Latham
Clay	Clay	LaTourette
Cleaver	Cleaver	Lee
	Clyburn	Levin
	Coble	Lewis (CA)
	Cohen	Lewis (GA)