

Study Commission final report, detail the need for additional funding for the nation's infrastructure along with a suggestion for restructuring the Department of Transportation. H.R. 3999 is a positive step forward in addressing the nation's aging surface transportation infrastructure.

According to the U.S. Geological Survey, NSSGA is the largest mining association by product volume in the world and represents the crushed stone, sand and gravel- or aggregate-industries. Our member companies produce more than 90 percent of the crushed stone and 70 percent of the sand and gravel consumed annually in the United States. More than three billion tons of aggregates (or 2.95 billion metric tons) were produced in 2007 at a value of approximately \$21 billion, contributing nearly \$38 billion to the GDP of the United States. Without these important materials, the nation's infrastructure could not be built or maintained, and the commerce and quality of life would be severely reduced. The aggregates industry workforce is made up of about 118,000 men and women. Every \$1 million in aggregate sales creates 19.5 jobs, and every dollar of industry output returns \$1.58 to the economy. With over 11,000 operations nationwide, most Congressional Districts are home to multiple operations.

NSSGA looks forward to working with you and our coalition partners to advance the bridge initiative to improve the safety and stability of the nation's transportation infrastructure.

Sincerely,

JENNIFER JOY WILSON,
President & CEO.

TRANSPORTATION TRADES
DEPARTMENT, AFL-CIO
Washington, DC, July 16, 2008.

Re: Support the National Highway Bridge Reconstruction and Inspection Act.

DEAR REPRESENTATIVE: On behalf of the Transportation Trades Department, AFL-CIO (TTD), I urge you to vote in favor of the National Highway Bridge Reconstruction and Inspection Act (H. R. 3999) when it is considered by the House. This important measure will improve the safety of American bridges and decrease the chance of another catastrophic bridge collapse like the one we witnessed almost a year ago in Minneapolis.

H.R. 3999 will improve bridge safety and invest in the reconstruction of structurally deficient bridges. Specifically, the bill requires the federal Department of Transportation (DOT) to create a risk-based approach to safety so that states may focus attention on bridges in need of rehabilitation and replacement. In order to receive federal assistance, states will be required to create a five-year performance plan for highway bridge inspection, rehabilitation and replacement specifically for federal-aid highway bridges which are structurally deficient or functionally obsolete.

For years, our nation's infrastructure has suffered from an appalling lack of investment. The state of our nation's highway bridges is just one example of what happens when we neglect key aspects of our transportation system. According to the DOT, one out of every eight bridges in the United States is structurally deficient. While this classification does not immediately imply that a bridge will collapse, structurally deficient bridges require significant maintenance and repair to remain in service and eventual rehabilitation or replacement.

H.R. 3999 will ensure that bridges are being properly inspected and facilities in need of improvement are identified and prioritized. In addition, the bill authorizes \$1 billion to repair, reconstruct and replace structurally

deficient bridges. While this money will not fully meet the needs to fix existing bridge deficiencies, it does represent an important down payment and will provide immediate assistance to states in desperate need of bridge repair funding.

As we witnessed in Minneapolis, a bridge collapse can have horrific consequences. In addition to the 13 people killed, it is estimated that road user costs totaled \$400,000 per day in travel time delays and increased operational costs. Overall, the state's economy lost \$61 million for 2007 and 2008 as a result of the collapse. Transportation workers and American motorists depend on a safe and reliable highway network. It is clear that we must do more to support this system.

Again, I urge you to pass H. R. 3999 and to ensure that this bill becomes law as quickly as possible. If you have any questions or need additional information, please contact me or Brendan Danaher at 202/628-9262.

Sincerely,

EDWARD WYTKIND,
President.

THE ASSOCIATED GENERAL
CONTRACTORS OF AMERICA,
Arlington, VA, July 21, 2008.

Hon. JAMES OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the Associated General Contractors of America (AGC), I am writing in support of H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act of 2008. As a targeted, nationwide bridge repair and reconstruction program, your initiative would provide another \$1 billion in critically-needed federal resources for states to continue efforts to better identify and address their most at-risk bridges.

Nearly one year after the tragic collapse of a span of the I-35 bridge in Minneapolis, which brought national attention to the state of the nation's bridges, the country continues to under invest in its transportation infrastructure. In 2007, in response to this tragedy, Congress provided an additional \$1 billion for states to begin addressing their most at-risk bridges; however, estimates show that the problem is much more widespread—more than a quarter of the nation's bridges have structural problems or fail to meet current design standards. State departments of transportation have undertaken additional inspections and emergency repairs to ensure there are not imminent failures, yet the system still needs an infusion of \$65 billion to repair or replace the significant number of bridges that are 50 years or older.

In addition, states are struggling to keep pace with the rising prices of many construction inputs: asphalt prices have more than doubled since the beginning of 2008, with increases of as much as 40 percent announced in many regions since July 1; on-highway diesel fuel costs have risen 68 percent in the past 12 months; reinforcing steel (rebar) has roughly doubled since the beginning of 2008; and the price of construction plastics, such as polyvinyl chloride (PVC) pipe and plastic fencing and moisture barriers, have risen 10 to 25 percent since early 2008.

While bridges are a vital link in the nation's transportation network, they are but one component of the intermodal system that supports our \$14 trillion economy. Likewise, other system needs exist and require solutions to address a variety of mobility challenges. Unfortunately, the Minneapolis tragedy is but a symptom of a bigger, looming infrastructure crisis in this country which involves all modes of infrastructure in addition to surface transportation, including

aviation, water infrastructure, flood control, and navigation. Recognizing the committee's hard work to address these needs through other legislative efforts, your bridge initiative is an important first step towards fixing the long-term neglect of our nation's aging and deteriorating infrastructure.

Again, AGC strongly supports H.R. 3999, and looks forward to working with you to enact this worthy legislation.

Sincerely,

STEPHEN E. SANDHERR,
Chief Executive Officer.

AMERICAN COUNCIL ON
ENGINEERING COMPANIES,
Washington, DC, July 15, 2008.

Hon. JAMES OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

MR. CHAIRMAN: On behalf of the American Council of Engineering Companies (ACEC)—the voice of America's engineering industry—I wanted to express our strong support for H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act and applaud your leadership in addressing the shortcomings of our national bridge program.

ACEC member firms are involved in every aspect of bridge planning, design and inspection. As you know, ACEC members testified before your committee and others about the need for a risk-based approach to bridge inspections and repair and rehabilitation decisions. Thank you for incorporating our recommendations into the bill. Improving existing inspection procedures and techniques, as called for in H.R. 3999, will allow states and the federal government to better allocate limited resources. The bill rightly calls for priority consideration based on safety, serviceability, and the impact on regional and national freight and passenger mobility.

ACEC strongly supports the requirement in the bill that bridge program managers and critical bridge inspection team leaders be licensed professional engineers. While we recognize the value of experience in bridge inspections, there is no replacement for the rigorous education, testing and standards for professional licensing. We firmly believe that a licensed professional engineer, qualified to practice structural engineering, should be in "responsible charge" of every bridge safety inspection.

Finally, ACEC appreciates the inclusion of a \$5 million grant program to evaluate the effectiveness, accuracy and reliability of advanced condition assessment inspection processes and technologies. As noted in our testimony, inspectors are often limited in time and resources to visual or other simple inspections that provide only an immediate snapshot of bridge conditions, existing and emerging deficiencies, and any potential hazards. Significant safety improvements can be found in emerging technologies such as fiber optic, vibrating wire, acoustical emissions, and peak strain displacement for monitoring and evaluating the structural health of a highway bridge. The pilot program in the bill will help move these technologies forward.

For these reasons, ACEC supports passage of H.R. 3999. We look forward to working with you on this and other transportation infrastructure legislation in the future.

Sincerely,

DAVID A. RAYMOND,
President and CEO.

FEMA ACCOUNTABILITY ACT OF 2008

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 951, S. 2382.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2382) to require the Administrator of the Federal Emergency Management Agency to quickly and fairly address the abundance of surplus manufactured housing units stored by the Federal Government around the country at taxpayer expense.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 2382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) **SHORT TITLE.**—This Act may be cited as the “FEMA Accountability Act of 2008”.

(b) **DEFINITIONS.**—In this Act—

(1) the term “Administrator” means the Administrator of FEMA;

(2) the term “FEMA” means the Federal Emergency Management Agency; and

(3) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 2. STORAGE, SALE, TRANSFER, AND DISPOSAL OF HOUSING UNITS.

(a) **IN GENERAL.**—Not later than 3 months after the date of enactment of this Act, the Administrator shall—

(1) complete an assessment to determine the number of temporary housing units purchased by FEMA that FEMA needs to maintain in stock to respond appropriately to major disasters occurring after the date of enactment of this Act; and

(2) establish criteria for determining whether individual temporary housing units stored by FEMA are in usable condition, which shall include appropriate criteria for formaldehyde testing and exposure.

(b) **PLAN.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall establish a plan for—

(A) storing the number of temporary housing units that the Administrator has determined under subsection (a)(1) that FEMA needs to maintain in stock;

(B) selling, transferring, or otherwise disposing of the temporary housing units in the inventory of FEMA that—

(i) are in excess of the number of temporary housing units that the Administrator has determined under subsection (a)(1) that FEMA needs to maintain in stock; and

(ii) are in usable condition, based on the criteria established under subsection (a)(2); and

(C) disposing of the temporary housing units in the inventory of FEMA that the Administrator determines are not in usable condition, based on the criteria established under subsection (a)(2).

(2) **APPLICABILITY OF DISPOSAL REQUIREMENTS.**—The plan established under paragraph (1) shall be subject to the requirements of section 408(d)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(d)(2)) and other applicable provisions of law.

(c) **IMPLEMENTATION.**—Not later than 9 months after the date of enactment of this Act, the Administrator shall implement the plan described in subsection (b).

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the appropriate committees of the House of Representatives a report on the status of the distribution, sale, transfer, or other disposal of the unused temporary housing units purchased by FEMA.

curity and Governmental Affairs of the Senate and the appropriate committees of the House of Representatives a report on the status of the distribution, sale, transfer, or other disposal of the unused temporary housing units purchased by FEMA.

Mr. NELSON of Florida. I ask unanimous consent that the Pryor amendment at the desk be agreed to; the committee-reported substitute, as amended, be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table with no intervening action or debate; and that any statements related thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5657) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) **SHORT TITLE.**—This Act may be cited as the “FEMA Accountability Act of 2008”.

(b) **DEFINITIONS.**—In this Act—

(1) the term “Administrator” means the Administrator of FEMA;

(2) the terms “emergency” and “major disaster” have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(3) the term “FEMA” means the Federal Emergency Management Agency.

SEC. 2. STORAGE, SALE, TRANSFER, AND DISPOSAL OF HOUSING UNITS.

(a) **IN GENERAL.**—Not later than 3 months after the date of enactment of this Act, the Administrator shall—

(1) complete an assessment to determine the number of temporary housing units purchased by FEMA that FEMA needs to maintain in stock to respond appropriately to emergencies or major disasters occurring after the date of enactment of this Act; and

(2) establish criteria for determining whether the individual temporary housing units stored by FEMA are in usable condition, which shall include appropriate criteria for formaldehyde testing and exposure of the individual temporary housing units.

(b) **PLAN.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall establish a plan for—

(A) storing the number of temporary housing units that the Administrator has determined under subsection (a)(1) that FEMA needs to maintain in stock;

(B) selling, transferring, or otherwise disposing of the temporary housing units in the inventory of FEMA that—

(i) are in excess of the number of temporary housing units that the Administrator has determined under subsection (a)(1) that FEMA needs to maintain in stock; and

(ii) are in usable condition, based on the criteria established under subsection (a)(2); and

(C) disposing of the temporary housing units in the inventory of FEMA that the Administrator determines are not in usable condition, based on the criteria established under subsection (a)(2).

(2) **APPLICABILITY OF DISPOSAL REQUIREMENTS.**—The plan established under paragraph (1) shall be subject to the requirements of section 408(d)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(d)(2)) and other applicable provisions of law.

(c) **IMPLEMENTATION.**—Not later than 9 months after the date of enactment of this

Act, the Administrator shall implement the plan described in subsection (b).

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of the Senate and the House of Representatives a report on the status of the distribution, sale, transfer, or other disposal of the unused temporary housing units purchased by FEMA.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 2382), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

PAUL D. WELLSTONE MUSCULAR DYSTROPHY COMMUNITY ASSISTANCE, RESEARCH, AND EDUCATION AMENDMENTS OF 2008

Mr. NELSON of Florida. I ask unanimous consent that the Senate proceed to immediate consideration of H.R. 5265, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5265) to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal, muscular dystrophies.

There being no objection, the Senate proceeded to consider the bill.

Mr. NELSON of Florida. I ask unanimous consent that the substitute amendment be agreed to; the bill, as amended, be read three times and passed; the motion to reconsider be laid upon the table with no intervening action or debate; and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5658) was agreed to, as follows:

(Purpose: To provide a complete substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008”.

SEC. 2. EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NIH WITH RESPECT TO RESEARCH ON MUSCULAR DYSTROPHY.

(a) **TECHNICAL CORRECTION.**—Section 404E of the Public Health Service Act (42 U.S.C. 283g) is amended by striking subsection (f) (relating to reports to Congress) and redesignating subsection (g) as subsection (f).

(b) **AMENDMENTS.**—Section 404E of the Public Health Service Act (42 U.S.C. 283g) is amended—

(1) in subsection (a)(1), by inserting “the National Heart, Lung, and Blood Institute,” after “the Eunice Kennedy Shriver National Institute of Child Health and Human Development,”;

(2) in subsection (b)(1), by adding at the end of the following: “Such centers of excellence shall be known as the ‘Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers.’”; and