

Statement of Rep. Corrine Brown
TEA-LU Conference Opening Statement
6-9-04

I want to thank the House and Senate Chairmen and Ranking Members for their hard work in pushing for the highest amount possible for our nation's transportation system. It won't be easy, but I believe we can pass a bill that can improve our transportation system, even with the White House standing in our way.

It is important for the Members of this Conference to do what they were sent to do in Washington. We need to develop a six-year transportation funding bill that truly meets the needs of our nation's infrastructure for the citizens who utilize it everyday.

We can't let this important issue become politicized. And we can't let the political team at the White House dictate policy to the legislative branch.

Transportation projects are a valuable national economic development tool. It puts people back to work, and it saves lives. My home state of Florida is growing by leaps and bounds, and we need these infrastructure projects if we are going to keep our states' economy moving forward.

The state of Florida is already a donor state, and is experiencing an explosion in population growth. Under the current Scope, the state of Florida stands to lose millions of dollars in transportation funding that it simply can not afford to lose.

I appreciate the hard work and compromise involved in drafting this bill, but as it stands, this bill is unfair to many of the states who need transportation dollars the most.

But I understand that it takes more money to do everything we need to do. And that is why we need to fight hard for the largest amount of transportation funding that we can.

We were unable to add a rail title to the House bill, but that doesn't mean that our rail infrastructure is taken care of—there is still much to do. We have dangerously underfunded Rail security, and are now scrambling to protect our transit passengers. We have also ignored and underfunded High Speed Rail, which is one of the best ways to move citizens and improve congestion on our highways. This bill deserves a rail title, and we shouldn't agree on a bill without one.

Transportation funding is a win-win for everyone involved. States get an improved transportation infrastructure that creates economic development, puts people back to work, enhances safety, and improves local communities.

America's transportation infrastructure is in need of significant additional funding, particularly as we struggle to finance the security upgrades needed to protect our

transportation system from terrorist attack.

American citizens, American businesses, and the US Congress support the work we are doing today. We need to do the right thing for this nation's citizens by sending a bill to the President that meets the needs of the nations traveling public. Not the need for a campaign soundbite.

*Opening Statement
Congressman Spencer Bachus
Transportation Conference
H.R. 3550 and S. 1072*

Mr. Chairman –

In addition to my oral statement, I would like to submit this written statement for the record.

As we begin the Conference on the Re-authorization of the Transportation Equity Act for the 21st Century (TEA-21) let me say that this is probably the most important JOBS Bill that Congress can pass this year.

State and Federal highway programs create private sector jobs to build infrastructure that will enhance efficiency for years to come. Every \$1 billion spent on highway maintenance and construction in the United States creates 47,500 private sector jobs.

Federal Highway Administration statistics show that at the current level of spending on highways, the condition of our highways continues to deteriorate, and the congestion on our highways continues to increase. Reducing spending on highways will simply accelerate both the rate of deterioration and the rate of congestion.

Better highways create improved economic efficiency. The vast majority of commerce in the United States and the State of Alabama moves by trucks over the highway system. Eliminating congestion greatly enhances economic efficiency.

In addition, better highways reduce air pollution in urban areas by allowing cars and trucks to move efficiently through urban areas at steady speeds, avoiding the excess ozone generated from traffic congestion.

There are some that will say this legislation seeks to spend too much money and to those people I say that the American public has already paid for the bill through user fees. Unlike other federal spending that has been increased the last several years, this bill is paid for through the Highway Trust Fund. Congress must work to improve safety, reduce congestion and to be good stewards of the money that they have paid into the Highway Trust Fund.

For these reasons Mr. Chairman and other members of this distinguished Committee, I say let's give the American public what they want – increased funding for infrastructure improvements.

Statement of Representative Cass Ballenger

Regarding H.R. 3550, The Transportation Equity Act: A Legacy for Users

Thank you Mr. Chairman for including the Education and the Workforce Committee in today's Conference Committee meeting. I was appointed to the Conference for provisions related to the Committee's jurisdiction. First, the Committee continues to be concerned about other committees' attempts to legislate programs with regard to the Davis-Bacon Act. Second, I am interested in the changes to the Secretary of Labor's responsibilities as it relates to transit workers.

While the federal-aid highway program has historically had Davis-Bacon apply to certain projects, recent legislative activity from the Transportation and Infrastructure Committee has attempted to apply Davis-Bacon in a variety of circumstances in a way that the Committee does not believe is appropriate. I look forward to a healthy debate on this when we reach these titles of the House and Senate bills. Similarly, I understand there are different opinions as to whether any changes with respect to the Secretary of Labor's authority over transit workers are necessary or even wanted by the Department.

We look forward to working with all the conferees toward a reasonable outcome on these provisions.

Opening Statement Chairman Joe Barton

Chairman Inhofe, Chairman Young, thank you for getting this Conference underway. With your leadership, I hope we can complete action on Transportation Equity Act this Congress.

My Committee worked hand-in-hand with Chairman Young on drafting several provisions in the House-passed version of this bill, and I thank you for your cooperation. I believe these provisions will provide us with stronger, more responsive transportation programs, while preserving and improving the environment and public safety.

One such provision our Committees were able to work out would both strengthen and streamline the transportation planning process in the Clean Air Act. The proposed changes to the Clean Air Act's "conformity" provisions would preserve environmental quality while saving millions of dollars for local communities.

I do want to raise my objection to the inclusion of any NHTSA-related provisions in the conference. The House Energy & Commerce Committee is working its way through the reauthorization of NHTSA. We have held a committee hearing, and heard serious concerns by both the Bush Administration and industry about the provisions included in the Senate bill. They deserve to be fully debated by both chambers of Congress and moved in regular order. In addition, we should not displace the important research and regulation that NHTSA is currently moving forward on.

I look forward to working with all conferees to develop a strong bipartisan bill. I yield back.

**Statement of Senator Max Baucus
June 9, 2004**

Thank you Chairman Inhofe. I commend you and Chairman Young for starting work promptly on this important conference.

I strongly support enactment of a robust transportation bill. The right bill will strengthen our transportation infrastructure, boost our economy, and create thousands of jobs.

In Montana, our highway program isn't just about roads; it's about jobs.

TEA-21 alone accounted for more than 11,000 jobs in my state. And this bill can do even more. The Senate bill can help Montana sustain more than 21,000 jobs. And these benefits are not just in my state, but in every state in our nation. Our country and our citizens need this bill to pass, and to pass quickly.

But we must do it right.

The Department of Transportation's 2002 Conditions and Performance Report suggests that the federal government needs to invest \$375 billion over the next 6 years to begin improving America's surface transportation network. Mr. Chairman, I wish we had the resources to make that commitment. But the current fiscal situation does not allow it.

Nonetheless, this Congress must do as much as we can to ensure adequate investment in the nation's transportation network.

The Senate bill does what we can. It provides \$318 billion. We should do no less.

We need the Senate investment level to provide all states adequate funding over the next 6 years. We need a \$318 billion level to meet the minimum guarantee goals for donor states. And we need that level to satisfy the investment demands in rural states like Montana.

We must not shirk this responsibility. Traffic accidents cost us \$230 billion per year. Inadequate roadway conditions are a factor in one-third of these accidents. Over the past 30 years, vehicle miles traveled have risen 125 percent. Yet road capacity has only gone up 6 percent.

The country needs the \$318 billion investment level in the Senate bill.

We can make it happen. And we can do it responsibly. The Senate bill pays for our highway program over the next 6 years with highway excise taxes. The Senate bill increases excise tax receipts for the Highway Trust Fund and Mass Transit Account by more than \$33 billion over the next 6 years.

Much of that money is new revenue. The Senate bill will increase transportation excise tax collections by \$5 billion through improvements to the tax regime. The Senate bill also shifts the burden of certain subsidies from the Highway Trust Fund to the general fund, where it belongs.

Just to be clear, the Senate did not remove any exemptions or subsidies that groups enjoy. The heart of the matter is: Which fund should bear the financial burden of these subsidies?

Roads receive the same wear and tear from vehicles that use gasohol or gasoline. Vehicles used by state and local governments cause the same wear and tear as vehicles owned by entities that pay federal gas taxes.

The changes in the Senate bill will allow the Highway Trust Fund to receive all the receipts due to it. And the general fund will bear the burdens of subsidies that it should have been bearing all along.

The integrity of the Highway Trust Fund is absolutely maintained. Trust Fund taxes will entirely pay for the highway program.

But because of all of the transportation taxes that will now be rightfully going to the Highway Trust Fund, there is a need to provide additional general fund revenues.

Transportation taxes that were going to the general fund will now NOT be going there.

We've planned for that and have included revenue raisers that are not highway related and will shore up the general fund. It's a win-win situation.

This bill pays for highways legitimately and replenishes the general fund with new revenue.

I urge my fellow conferees to move quickly to pass this bill. The current highway bill expires on June 30. We owe it to the American people to have a fully reauthorized bill as soon as possible.

On January 6, 1983, when President Reagan signed the Surface Transportation Assistance Act of 1982, he spoke about why legislation like this is so important. He said:

"Common sense tells us that it will cost a lot less to keep the system we have in good repair than to let it disintegrate and have to start over from scratch. Clearly this program is an investment in tomorrow that we must make today."

What President Reagan said that day remains true today.

We have the opportunity to help our economy, create more jobs, and improve our roads. We can't let it pass us by.

**Statement by Congressman Jerry F. Costello
For the Conference Committee for H.R. 3550/S. 1072
House Committee on Transportation and Infrastructure
June 9, 2004**

Thank you, Mr. Chairman. I am pleased to be here as we begin this process to develop a final version of the highway bill. I would like to thank our committee leadership, including Chairman Young, Ranking Member Oberstar, Chairman Petri and Ranking Member Lipinski, for all their work to get us to where we are today.

Like most of us here, I believe that the House passed bill is insufficient to meet the transportation needs of our nation. I supported the \$375 billion bill, introduced by Chairman Young, and will support efforts to increase the funding level from the House passed bill. Adequate funding to improve our nation's roads, bridges and transit districts is vitally important to the well-being of our country and we need to

ensure that the bill that we produce addresses our country's infrastructure needs.

I had hoped that we would pass a highway bill when TEA-21 expired in September 2003. However, with the Administration's focus being on building roads and bridges in Iraq, and their position which provided a funding level that was woefully inadequate for our nation, the process has been delayed by almost a year.

It is important that we work quickly to produce a good bill. Because of funding uncertainties, many states have slowed the pace of construction projects. In addition, without quick action, it is unlikely that any work will occur during the summer construction season. As we in this room all know, each billion dollars in investment creates 47,500 new jobs and \$6.2 billion in economic activity. This will help our economy at a time when our economy needs it most—we must act now so that we can put people to work.

Mr. Chairman, I thank you for calling this first meeting today, and I look forward to working with you in the upcoming weeks.

Statement of Congressman Vernon J. Ehlers

I am pleased to be a conferee from the Transportation and Infrastructure Committee on H.R. 3550, the Transportation Equity Act: A Legacy for Users (TEA-LU). I hope that we can complete work on this very important bill as soon as possible because of the significant transportation infrastructure needs facing our communities and our nation.

Our transportation system continues to face tremendous challenges. Tens of thousands of lives are lost each year on our highways. More drivers are driving more miles, causing severe congestion. An aging infrastructure is putting a strain on state and local transportation budgets. The public rightly demands safer, less congested roads, and more transportation choices.

Fundamental improvements to the entire transportation system depend on solid research. Solid research will translate to saved lives, saved money and saved time by providing the tools and information needed to produce solutions. How many of us have used an EZ Pass to breeze past congestion at a toll booth? Or have been gently reminded to stay on the road by a rumble strip? Examples abound of benefits gained from transportation research.

As chairman of the Environment, Technology and Standards Subcommittee of the Committee on Science, I introduced H.R. 3551, the Surface Transportation Research and Development Act. This legislation, which was approved by the full Science Committee in February, increases stakeholder input, expands competition and peer review of research proposals, and ensures greater accountability so that this research actually supports the goals of our transportation system. I am pleased that several of the provisions and much of the intent in the Surface Transportation Research and Development Act were incorporated into TEA-LU. I look forward to working with the conferees on these R&D provisions.

In addition to these important policy provisions, let me add that it is critical that we provide adequate funding for transportation R&D in the final conference report. In the last reauthorization, while overall spending on transportation increased dramatically, funding for transportation research remained relatively flat. We cannot follow that same course again. If we conduct high quality research into more durable pavement materials, more efficient transit systems, and more effective operations and road design, among other R&D initiatives, we will be able to spend the rest of the funding more effectively.

With respect to overall funding levels for all programs, this conference committee must provide our surface transportation programs with adequate funding to meet the transportation needs of our communities in the coming years. Our highway system faces monumental challenges of disrepair, congestion and gridlock, and our transit systems are in dire need of improvement and expansion. Moreover, in addition to simply addressing our infrastructure needs, I firmly believe that a strong investment in transportation infrastructure will provide a stimulus for economic growth and expansion. I recognize that the donor-state issue will be a major hurdle to overcome. As a representative from Michigan, a long-time donor state, I am committed to do what I can to address this issue and find a solution that is satisfactory to all parties. Obviously, higher funding levels will be needed to solve this problem. I look forward to working on this issue with my fellow conferees.

I must make one more very important point on gas tax revenues. It is critical that this conference committee pay attention to the increasing fuel efficiency of this country's automobile and truck fleet and the effect of this trend on our Trust Fund revenues. In the age of more fuel-efficient vehicles and gas-electric hybrids, the simple fact is that drivers are traveling further on a gallon of gasoline than they used to, so gas tax revenues will not keep pace with the amount of driving and subsequent damage to our roads that is taking place. This presents a compound problem. Our revenue estimates for the life of this bill must take this fact into account as accurately as possible, so that we do not misleadingly overestimate revenues and end up shortchanging ourselves in the coming years. But, we also have to be long-sighted in investigating potential modifications and even wholesale changes to the way we collect gas taxes and pay for infrastructure improvements, given the changing efficiency of the automobile and the impending influx of new technologies such as fuel-cell vehicles. We must modify our taxation policy to account for these developments.

I look forward to working with Chairman Young, Chairman Inhofe, and my fellow members of this Conference Committee on these and other issues. Statement of Senator Fritz Hollings
Ranking Member Senate Commerce Committee

As we begin this conference committee, we must always remember our highest priority in the transportation bill: to save lives. In 2003, automobile crashes killed 43,220 people the highest number in a decade. Drunk-driving deaths increased in 2003, accounting for 40 percent of all fatal crashes. Also, more than half of car occupants killed were not wearing a seat belt. These numbers bear witness to the fact that we have a lot of work to do.

I want to thank the distinguished Chairman of the Senate Commerce Committee. Sen. McCain's stewardship of the Committee's responsibilities has produced bipartisan legislation that will advance the cause of highway safety. The Environment and Public Works Committee recognized the importance of safety in their bill by devoting funding specifically for construction projects that make roads more safe. I congratulate the EPW Committee for their devotion to safety.

In the Commerce Committee, Senator McCain and I authored several provisions for this bill to reduce drunk driving, increase seat belt use, make commercial trucking and hazardous materials transport more safe, and require new safety features on automobiles. We reauthorized all of these safety programs at higher funding levels because they will save lives and reduce serious injuries on our roadways. So as we spend hundreds of billions of dollars on highway construction, I think we all agree that we need to use a small portion of that funding to make our highways more safe for families. Therefore, it is essential that we use the higher overall funding level of the Senate bill; otherwise, we may not have the resources we need to protect American lives.

The Senate bill contains the following provisions that we think are important to include in the final conference report:

Drunk Driving. The Senate bill allocates about \$100 million a year for States to reduce drunk driving fatalities through police check points and improved prosecution of drunk driving offenders. This funding for anti-drunk driving programs is a dramatic increase from previous

levels, and we have modernized the program to save the most lives for the money spent. Reducing drunk driving is especially important in South Carolina, which unfortunately has one of the highest drunk driving fatality rates in the country. We can reduce those drunk driving deaths with this bill.

Seat Belts. The Senate bill allocates about \$120 million a year to States that enact a primary seat belt law, and to States that use other strategies to increase seat belt use. According to NHTSA, safety belts are credited with preventing 11,900 fatalities and 325,000 serious injuries each year. Seat belts can reduce the risk of fatal injury by more than half for the people who wear them. We need to do whatever we can to increase seat belt use, which will directly translate into saving lives.

Truck Safety. The Senate bill would reauthorize motor carrier safety programs at \$2.98 billion over 6 years, including the Commercial Vehicle Information Systems and Networks (CVISN), the Commercial Driver License (CDL) program, and other safety programs. Of this total amount, \$1.8 billion would be available directly to States to help them enforce the federal motor carrier safety laws.

Hazardous Materials. The Senate bill reauthorizes hazardous material transportation laws and reinstates registration fees for hazmat shippers to help fund training and emergency planning grants to States and localities. This provision is especially important as we face threats of domestic terrorism.

Amtrak. The Senate bill reauthorizes Amtrak at \$2 billion annually and creates two new rail programs that will assist states and railroads with rail infrastructure projects and the relocation of rail lines. As we seek to meet our nation's highway and transit needs through this bill, we should maintain these authorizations and provide dedicated funding for Amtrak and rail projects that can help relieve congestion and increase the mobility of passengers and freight.

Vehicle Safety. The Senate bill would require new safety features in passenger automobiles to better protect occupants in rollovers and side-impact crashes. Like the other parts of the Commerce bill, these provisions directly translate into saving lives.

Past highway funding bills have devoted significant resources to improving safety through increased seat belt use and removing drunk drivers from the road. None of us know if we, or a member of our families, might ever become the victim of a drunk driver or fatigued truck driver. But we can use just a little bit of funding from this large highway bill to make the roads and highways more safe for all of us.

Statement of Hon. Martin Frost

Thank you Mr. Chairman. First, I want to say that I appreciate this chance to serve on the conference committee for TEA-LU. As many of you know, I have been deeply concerned and involved with transportation issues since I first became a Member of this House 26 years ago. Although I never had the privilege to serve on the Transportation Committee as have many of the Members here today, as Ranking Member on the Rules Committee, I have certainly had the chance to get my hands dirty on a number of transportation issues, including this bill and its previous incarnations, TEA-21 and ISTEA.

And as most of you at this table know, I have never hesitated to get my hands dirty when it helps my constituents. I have always championed the federal highway and transit bills that have come before Congress because I knew that they would directly benefit North Texans. And the bill this conference is considering, TEALU, continues to provide important benefits to North Texas. The House-passed bill contains over \$75 million in funding to replace the I-30 and I-35 Trinity River Bridges in Dallas and \$20.5 million for improvements to the I-35 and I-63 5 highway interchange in Dallas. The bill also authorizes four new rail lines to expand DART in Dallas, including the construction of a Northwest/Southeast extension that will add 60,000 daily riders to the rail system.

The outcome of this conference will have an enormous effect on the ability of this Nation to move people and transport goods and thus make the economy grow. The highways and bridges and transit systems funded by TEA-LU will create hundreds of thousands of jobs in the short and long-term and as such, the funding level in this legislation should be robust in order to meet the many pressing needs all around the country as well as to provide new transportation corridors that will be needed in the future. To short-change these vital programs is penny wise but pound foolish.

As a conferee from the Rules Committee, my role will be limited to the consideration of § 8004 and 8005 technical provisions that give appropriators slightly more flexibility when funding programs within this authorization. I look forward to hearing from House conferees on this issue so we can ensure that both the authorizing committee and the appropriators are comfortable with the disbursements of these funds during the life of this authorization. So again, I want to express my appreciation for the chance to represent both the House of Representatives and the people of North Texas on this conference committee.

You know, more than anything else, what strikes me today is the fact that we all want to pass this bill. We've voted to temporarily extend the transportation authorization three times so far this Congress, and both Chambers, under considerable pressure to slash the measure's price tag, have made significant cuts and compromises.

And while some of us may differ on the final price tag or on a few of the bill's provisions, there is no doubt of how vitally important it is to our constituents and the nation to get it done. TEA-LU will be one of the most important bills we pass in Congress this year because, in addition to reducing traffic congestion and air pollution, TEA-LU will stimulate economic activity in our home communities and create good jobs for our constituents. We've been working on this

measure for a year now. The 3rd temporary extension expires at the end of this month. It's time to enact a new 6-year highway bill. I think the American people deserve to see this bill passed into law, and I pledge to work with Members at this table to quickly come to a final resolution for the good of our communities and our entire nation, and I hope each Member here will pledge the same.

Thank you.

GARY G. MILLER
42ND DISTRICT, CALIFORNIA

ASSISTANT WHIP AT LARGE

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**Statement of Congressman Gary Miller
House-Senate Conference
Transportation Reauthorization Bill
June 9, 2004**

I would like to welcome my colleagues from both chambers to the first meeting of this monumental conference. Our work here will help us resolve the differences in what I think is the most important piece of legislation Congress will address this year. Nothing has as great an impact on our economic development, growth patterns, and quality of life as transportation.

This week, America mourns the loss one of the greatest leaders of the United States. In an age of partisanship and political gridlock in Washington, we would do well to remember the way in which the "Great Communicator" conducted his political affairs. The genius of President Reagan was that at the end of the day he remained friends with even his most vocal political opponents. As we begin work on this historic conference, I hope we will all remember President Reagan's legacy and strive to work together in a bipartisan matter so that we can effectively solve many of the transportation problems that plague our great nation.

A reliable and efficient transportation system is critical to keeping people and goods moving and cities and communities prosperous. As it is, congestion is choking our roadways, bridges are in dire need of restructuring, and public transportation is failing to effectively meet the needs of America's commuters. With the budget deficit in my home state of California swelling to previously unimagined magnitudes and the reauthorization of TEA 21 languishing, many of my state's communities do not have enough money to fix potholes, let alone expand capacity to meet the needs of our growing population. In the interest of sustaining our nation's economic growth and ensuring our constituents are provided with the safest and most efficient transportation network possible, Congress must continue moving forward with the reauthorization of TEA 21.

The House bill has created a Congestion Relief Program that would require states to focus resources on the traffic problems affecting their roadways. Specifically, this measure would implement new state spending requirements for projects that increase motor vehicle reliability, maximize roadway capacity and efficiency, and remove bottlenecks. This is particularly important for the Southern California region where the average freeway speeds during morning peak hours on Los Angeles' freeways have declined to 37 miles per hour and are projected to fall to 19 miles per hour by 2025. The residents of Orange County are subjected to 184,000 vehicle hours of traffic congestion every day. This sort of gridlock is bad for the environment, hinders economic growth, and is a waste of our time. This will ensure a sufficient amount of spending is targeted at some of the region's most notorious traffic points; the Alameda Corridor East, the 91 freeway, and the 57/ Lambert interchange to name a few.

The House bill also provides enhancements for America's safety infrastructure. Although we have made improvements in the rates of fatalities and injuries on our highways, the total numbers remain intolerable, and they are rising. Every year Americans lose their lives on our highways and roads. Families are destroyed and promises are lost. The reauthorization will provide much needed funding for safety programs and enhancements to faltering infrastructure.

Along these lines, we have the opportunity to address highway safety issues posed by increasing rail traffic. Freight deliveries from California to the rest of the nation are expected to double by 2020. Currently in my district, more than 50 trains per day travel through Orange County's Orangethorpe rail corridor, with rail traffic expected to increase to 135 trains per day in the next 15 years. While the importance of this corridor to our nation's economy is indisputable, so too are the effects increased train traffic has on local communities' quality of life. In addition to safety challenges, traffic congestion, increased noise, air pollution and delays in emergency-response time are other negative side effects that accompany heavy rail traffic. Projected rail delays will also prolong the delivery of vital goods and services to consumers across the nation. With a staggering \$802 billion worth of goods shipped from California to the rest of the country each year we simply cannot afford to ignore this issue any longer. The House bill provides the framework necessary to implement innovative and effective solutions to the traffic safety and congestion challenges increased rail traffic poses, through its Projects of Regional and National Significance program.

Further, we must discuss concepts, such as environmental streamlining, to ensure innovative transportation solutions can become timely realities for our communities. As many of you know, many of our high priority transportation projects are unnecessarily delayed because of duplicative environmental requirements and administrative red tape. While I strongly believe that stewardship of our environment is critically important, I also believe that high-priority transportation projects must not be allowed to languish indefinitely in the federal environmental review process. It is my hope that the final conference report will contain a provision I have proposed that would allow states, such as California, to accept the responsibilities for conducting the federal environmental review process required by the National Environmental Policy Act (NEPA). Delegating to states like California, that have a wealth of experience administering their own stringent environmental laws, the responsibility for compliance with the requirements of NEPA would go a long way toward ensuring that transportation projects are approved in a timely manner. Moreover, I firmly believe that environmental protection would be maintained and even enhanced under what would be a more centralized and efficient system of implementing transportation projects.

As Conferees, we have the obligation to ensure that our transportation network continues to meet the demands of our nation's burgeoning economy and growing population. I look forward to working with my colleagues in this bipartisan spirit to provide America with the funds and resources needed to maintain and grow our vital transportation infrastructure. In this regard, I hope the issues I have mentioned here will be addressed in the final conference report.

Statement of Senator Charles Grassley

Today is our first opportunity to positively reaffirm to this Nation our commitment to a strong and dedicated highway program, the safety and soundness of its infrastructure, and the security of the Nation's transportation network.

But in the process of pursuing and completing those goals, my fellow Conference members will have to make many decisions. As Chairman of the Finance Committee, I am committed to several fundamental principals during this process.

First, the Senate bill is paid for. Why should the overall number be any less than the Senate number.

Second, highway taxes pay for highways. These are taxes that will be collected regardless of whether or not we have a highway bill. They can't be used for anything else. The tax provisions of the Highway Bill aggressively focus on collecting ALL of the taxes due and owing the Highway Trust Fund. So we increase the size of the Trust Fund. Primarily, we do it by being tough on Fraud. Some of this fraud is just plain old criminal activity - but we have reason to believe that billions of our highway tax dollars are being stolen for a more sinister purpose, that being the potential funding of terrorism. So we have the opportunity with this legislation to not only shut down these thieves but to rightfully collect ALL of our Highway taxes to fully fund this bill. Under the Senate Bill, almost \$4 billion dollars will be added to the Highway Trust Fund merely by moving jet fuel to the rack. Unfortunately, we can't keep all of the untaxed jet fuel out of the diesel market unless all 50 states move all of their fuel tax collection to the rack. But we can collect billions that are currently stolen from both Airport and Highway Trust Funds.

Next, we make sure all of the taxes paid to the Highway Trust Fund, stay in the Highway Trust Fund. Under current law there are billions of dollars that are collected by the Trust Fund and then are transferred back to the General Fund for a variety of reasons. Those reasons may be good policy, but the Highway programs should not be responsible for policy decisions that have nothing to do with Highways. The Senate Bill simply turns off the transfer back to the General fund. Finally, we make sure that every gallon of gasoline pays a full 18.4 cents in excise tax, no matter what blend is in the gasoline. As everyone here knows, I am a staunch supporter of Renewable fuels. Renewable fuels will help protect this Nation from it's ongoing dependence on Middle Eastern fossil fuels, but we cannot do that at the expense of our Highways. The Volumetric Ethanol Excise Tax Credit also known as VEETC, converts a previous exemption from excise tax and makes sure every gallon pays all excise taxes to the Trust Fund.

So, I ask you, why spend less than the trust fund can afford?

-- The Senate bill has \$318 billion in Contract Authority.

-- The Senate bill has \$299 billion in Obligation Limitation.

BUT, the Senate bill only SPENDS (outlays) about \$276 billion over the 6 years of the bill. That means the dollars spent from the Treasury will be about \$276 billion.

If the President is looking to spend \$256 billion over six years, then the Senate bill is right in the ballpark.

I am committed to only using Highway money to fund highways, while making the General Fund whole for any funds that were previously transferred from the Highway Trust Fund for general policy purposes. So, we have our jobs cut out for us - and I hope everyone works hard to quickly achieve these goals.

Opening statement by U.S. Rep. Tom Petri (R-WI), the Chairman of the Highways, Transit and Pipelines Subcommittee

Thank you, Chairman Young.

It has been a long road getting to this stage in the process of reauthorization and I am glad we are finally here.

I would like to point out that today is the 6th Anniversary of the enactment of TEA 21, so it is appropriate that we have the first meeting of the conferees today. I look forward to working with the Senators to complete the conference report this year.

Like the Senate, the House has worked very closely with our Committee Democrats. I would like to commend Chairman Young, Ranking Democrat Jim Oberstar and the Ranking Democrat on the Subcommittee, Bill Lipinski, for their dedication and hard work in passing H.R. 3550, the Transportation Equity Act: A Legacy for Users, or TEA LU.

While the increase in funding under TEA LU is not where it was when we introduced the bill last year, it does provide about a 36 percent increase over TEA 21 levels.

The most difficult issue facing the conference is the overall level of funding. Both the House and the Senate have policy objectives that are important to each of us - and the outcome is dependent on the final size of the bill.

It seems to me we are going to have to be flexible in how we resolve the funding issue in order to meet these objectives.

There are also other important policy and programs in our bill. TEA LU includes a new congestion relief program, emphasizes freight mobility, a dedicated highway safety infrastructure program, a provision to streamline the project delivery process, additional funding for rural transit and enhanced mobility for the disabled, and a new category for projects that have significant impact on national or regional parts of the country. Many other provisions to improve the movement of people and goods are included.

Finally, the House bill contains a provision to reopen the bill, which was linked to our funding level. If we are not able to accomplish our funding objectives in this conference, it would be prudent, if not essential, to include a similar provision in the conference report.

Thank you.

Opening Statement of Honorable Richard W. Pombo

I want to commend Chairman Inhofe and Chairman Young for their work on this most important piece of legislation. The provisions dealing with NEPA streamlining and Section 4(f) reform are some of the most important and challenging parts to this legislation. Chairmen Inhofe and Young deserve credit for resisting the pressure to weaken these provision for the sake of passing a bill. I am honored to be part of the process that must skillfully weigh all of the interests to produce a conference report that effectively meets the challenges of relieving congestion and creating jobs.

It is important that the conferees understand the true impact of these provisions. It is not overstating it to suggest that these provisions are nearly as important as those providing funding for a particular project. If environmental review processes can be hijacked to stop a project, it doesn't matter how much money is authorized; the project won't be realized. That is why we as conferees must reject calls from some to maintain the status quo rather than trying to work on real reform. The environmental process status quo is a "roadblock" that reduces the purchasing power of the user fees currently collected.

In addition to the environmental provisions, I would like to point out the need to include in the conference report, the important provisions that reauthorize funding of critical sportfish restoration, boating safety and outreach programs. Among the provisions I support is the language that amends the revenue title of the highway bill to recover 4.8 cents of excise tax revenue attributable to motor boat fuel taxes from the general treasury into the Aquatic Resources Trust Fund which would add roughly \$130 million to the trust fund annually. In total, more than \$450 million is at stake for America's fishing and boating communities and the Resources committee is committed projecting the integrity of these programs.

Natural Resources and transportation planning

S. 1072 has introduced the topic of integrating "natural resources" into transportation planning. Unfortunately, I feel that it is imperative that the language found in section 1501 of the Senate bill should not be included in the conference report. Section 1501 adds to current law, the requirement that the "protection of habitat, water quality and agricultural and forest land while minimizing invasive species" be integrated into state and metropolitan transportation plans. These plans are required before roads are built. There is no guidance or definitions for these new requirements which will lead to confusion and inevitably more litigation - both of which will inhibit transportation projects. For example, who's "habitat" is supposed to be protected? More importantly, the subjects of habitat, forest lands and invasives must be debated by the Committees with of primary jurisdiction outside of the context of the Highway bill. Section

The language found in section 1502 of the Senate bill should also be excluded from the conference report. Like Section 1501, this provision adds to the current minimum requirements of a long range transportation plan, "mitigation activities" that include a discussion of "types of potential habitat, hydrological, and environmental mitigation activities that may assist in compensating for loss of habitat, wetland and other environmental functions." This section also creates new consultation requirements to include "construction of areas where wildlife crossing structure may be needed to ensure connectivity between wildlife habitat linkage areas." Commonly called

"critter crossings" without proper oversight, one can only imagine what some groups would call for under this provision. Perhaps a 4 lane bridge for feral pigs?

These provisions are troubling because metropolitan and state transportation planners would be required to take a set of undefined terms and apply them to a plan that must look 20 years into the future. Unlike the in the East, where its asphalt fate was sealed years ago, those of us in the West already balance the needs of wildlife with the necessity for transportation planning. Thus, I don't support requiring planners to include these mitigation activities because, by rule, it will mean that they will have to reduce amount of transportation projects they include in the plan. This is especially harmful to the West, where populations are increasing as is the need for transportation projects.

The language found Section 1505 should be excluded from the conference report as well. This section changes existing law to add state "habitat, streams and wetlands mitigation" projects in addition to existing Federal mitigation efforts funded from National Highway System/Surface Transportation Project (NHS/STP). This new state fund can be used for "habitat, stream or wetlands mitigation" efforts that are related to 1 or more transportation projects. None of the necessary terms in quotes are defined. Priority is given to mitigation projects that "restore and preserve. . . biodiversity and habitat for Federal or state listed endangered plants/animals" or "plan or animal species warranting listing as threaten or endangered as determined" by DOI. Needless to say, projects using federal dollars, even those flowing through the NHS/STP, that are Endangered Species Act (ESA) related are best vetted through the Committees with primary jurisdiction. There is no controlling what disastrous projects done under the guise of the ESA these dollars could fund. Because of the potential impacts and because ESA has not been authorized since 1993, funds that could be used for road construction ought not to be misdirected to ESA related activities without proper oversight by the committees of jurisdiction.

Another important natural resource issue is control of invasive plants. While the issue indeed impacts transportation projects, I must insist on the exclusion of any language, like what is found in Section 1601, that deals with replacing "invasive" plants, with native one. Section 1601 changes current law to authorize NHS/STP projects to control invasive plants and replace them with natives. I also want to point out my staff has heard from over 100 organizations and individuals that oppose this provision. Among them was the American Seed Trade Association (ASTA), which wrote me to say that this provision, along with Section 1601, would restrict "the ability to provide proven species that adapt to specific needs and situations needs to be maintained." According to ASTA's analysis, this provision will require the use of native plants for use in erosion control and vegetative seeding, even if non-native plants will do a better job. Costs will escalate and erosion control will suffer. These problems demonstrates that this language cannot meet its goals needs further consideration.

Section 4(f) Reform

Next, I want to talk about reforming the section 4(f) process. My interest in section 4(f) reform stems from the fact that certain environmental and anti-development groups have found it all too easy to delay transportation projects due to the confusing and overlapping set of laws (Section 303 of title 49 and section 138 of title 23) as well as varied interpretations from the courts.

Therefore, I support the language in both bills that state compliance with section 106 of the National Historic Preservation Act will be sufficient to satisfy the 4(f) preservation requirements for transportation project. However, I seek inclusion of Senate language that would apply 4(f) to parks, recreation areas, wildlife and waterfowl refuges. By not addressing these items, the 4(f) language could actually create, rather than reduce, confusion because there would be disparate treatment for areas that are subject to transportation projects just as are historic sites. Further, I would also support inclusion in the final bill of section 1514(b) of the Senate bill, which would require rulemaking to clarify and ensure more consistent application of section 4(f)'s "prudent and feasible" test.

NEPA streamlining

Finally, I want to address with some specifics the need for streamlining the environmental review process. As I stated earlier, these are a critically important set of provisions. According to a FHWA sponsored NEPA Baseline Study, the average time to complete an EIS has risen from slightly over 2 years in 1970, to over 6 years in 2001¹. This increase has come in spite of the fact that In 1998, Congress passed TEA-2 1 with a provision that included a provision that was to address concerns regarding highway project delays.

¹See, study done in January of 2001 by the Louis Berger Group for the 1970, 1980, 1990 decades.

Further, to support their claims that streamlining is unnecessary, some environmental groups cite a Federal Highway Administration report² that suggest the top reasons for transportation project delays are lack of funding and local support and that environmental concerns are near the bottom of the list. What these groups don't say is one adds up all of the environmental related reasons projects are delayed - listed in the very same report (including NEPA, ESA, National Historic Preservation Act, and Wetlands under section 404 of the Clean Water Act) the "environmental" category ranks #2 at 17% right behind "lack of funding" at 18%. Moreover, when you add in "lawsuits" also listed in the report and which are usually environmentally related, the "environmental" category ranks as the #1 cause for transportation project delays. In this context it seems to me NEPA streamlining is not only necessary to reduce delays, it should be the starting point for further environmental reforms.

²FHWA Reasons for EIS Project Delays. September 2000. context, it seems to me NEPA streamlining is not only necessary to reduce delays, it should be the starting point for further environmental reforms.

Nevertheless, opponents of streamlining continue to utter the age-old refrain that reforming the NEPA process is nothing more than an attempt to roll back a major environmental law or that it will denigrate public involvement. To these arguments I can again say with confidence that they are shortsighted and ill-spoken. The long and short of the streamlining provisions is that they will shorten the review process and enhance transportation construction and reduce the chances for needless litigation. Nothing in the streamlining language will weaken NEPA's protections.

The provisions dealing with NEPA streamlining will not reduce the level of public involvement. In fact, the streamlining provisions seek to improve the quality of public participation by encouraging public input at the front end of the project planning and NEPA processes. Having concurrent reviews when possible, instead of waiting until one review on a project is finished to begin a separate but related one, will enhance what comes out of the public participation process.

I strongly support Section 6002(b) of H.R. 3550, that would establish a 90 day deadline for the filing lawsuits. Under current practice, there is a 6-year window for filing lawsuits and those who disagree with a project decision can use the threat of lawsuits as a tool to continue to negotiate to change or derail a project that has already been completely reviewed. This practice has to end.

I also support language in both bills that create comment deadlines on the NEPA process. In addition, I agree that an extension of deadlines for good cause is reasonable. The approach taken by the House is preferable in that it is not optional as opposed to the "opt-in" method that allows states to choose whether or not to participate in the new process.

I plan to work closely with conferees on provisions that seek to clarify the roles of transportation agencies with respect to determining the purpose and need of transportation projects and determining the alternative approaches to consider in pursuing the purpose and need. I understand the complexities of this issues including effectively providing other agencies and the public the opportunity to comment on purpose and need and alternatives, while relying on the expertise of transportation agencies to make the final decision on transportation project purpose and need and the alternatives to achieve it.

Conclusion

I look forward to working with Chairmen Inhofe and Young as well as all of the other conferees to ensure that this conference report makes the right environmental and resources public policy decisions that complement and enhance the investment we will make in this nation's transportation infrastructure.

Statement of Senator Harry Reid June 9, 2004

I want to begin by thanking my friend, conference chairman Jim Inhofe, for the bipartisan way he managed this process in the Senate. With his help and leadership, the Senate passed a reauthorization bill that received broad bi-partisan support. I now look forward to working with him to complete the process we began over two years ago.

Representing Nevada, I am keenly aware of the infrastructure needs of both rapidly growing urban centers and rural communities. I have witnessed the problems that arise when infrastructure investments fail to keep pace with population growth, and I have seen creative solutions to these problems. Incredibly, Nevada's population grew by more than 60% during the last census period. In Clark County, we welcome 5,000 new residents each month. This explosive growth presents many transportation challenges, as well as opportunities.

The problems we face in Nevada are not unique. Cities all over this country experience congestion in varying degrees. Each day, Americans waste thousands of hours and millions of dollars in lost time and productivity stuck in traffic. Safety is still a major concern. Last year, traffic accidents claimed the lives of more than 43,000 people, the highest number of traffic deaths since 1990.

Most states face difficult budget decisions and growing lists of delayed maintenance and road improvement projects. For this reason, I am confident that every conferee understands the urgency of this important legislation and the need for immediate action. We all know that our biggest conference hurdle will be a decision on the bill's overall funding level, and I hope we will act quickly to resolve this issue.

This bill is a hi-partisan legislative opportunity. It is not about Presidential election year politics. It is about our job as legislators to produce a bill that meets the growing transportation needs of this country. The annual level of investment in the Senate bill accomplishes this objective. The Senate level of investment keeps pace with our transportation system's current maintenance needs and makes a down payment on future infrastructure improvements.

I look forward to working in a bi-partisan way with my colleagues in the House and Senate to produce a bill that meets our nation's transportation needs.

CONFERENCE COMMITTEE ON TRANSPORTATION REAUTHORIZATION
STATEMENT OF SEN. RICHARD SHELBY

Chairman Inhofe, I am pleased to join you and the other members of the Committee as we begin the conference on a critically important piece of legislation to reauthorize our surface transportation program. I believe that enactment of an adequately-funded, six-year reauthorization bill is essential to ensure our Nation's continued economic vitality and to preserve the quality of life for all Americans."

TEA-21 represented a significant commitment to improving our nation's surface transportation systems. Preservation of the existing federal investment is critical as is addressing growing demand for new and better highways and public transportation service as our nation's population and economy continue to grow. The \$318 billion in the Senate bill would provide the investment needed to renew the commitment made in TEA-21.

Mr. Chairman, I am particularly proud of the public transportation portion of the Senate's reauthorization bill. The Senate bill, by providing \$56.5 billion for public transportation, will ensure that the balance in funding between highways and public transportation is continued.

I am particularly pleased that this legislation was crafted on a bipartisan basis with cooperation from the distinguished Senator from Maryland, Mr. Sarbanes, the Banking Committee's ranking member.

Title III of the Senate bill accomplishes three important policy goals. It creates funding flexibility, increases accountability, and improves the performance and efficiency of the public transportation programs.

The Senate bill creates several new formulas to better address growing and more widespread public transportation needs especially in rural and swiftly-growing areas.

The Senate bill increases the accountability within the public transportation program. It rewards public transportation agencies which deliver projects that are on time, on budget, and provide the benefits that they promised. Further, this bill allows communities to consider more cost-effective, flexible solutions to their transportation needs. By opening up eligibility within the new starts program, projects like bus rapid transit can be fostered which have been shown to produce the majority of the benefit of rail at a fraction of the cost.

Finally, the bill seeks to improve the performance and efficiency of public transportation systems. It increases the focus on safety and security needs in an effort to insulate systems against terrorist attacks. Importantly, it enhances the role of the private sector in providing public transportation in an effort to reduce costs and to improve service.

In short, I believe that Title III of the Senate bill will dramatically improve the public transportation program to help Americans with their mobility needs in urban and rural areas nationwide. Further, I believe that the House bill also makes significant improvements in the program. Many of the provisions included are identical or represent an agreement in general

philosophy. While there are some areas of significant disagreement, I believe that we can work them out.

Mr. Chairman, I look forward to working with you and all of the distinguished members of this Committee to produce a final version of this bill that we are proud of."

Statement of Senator Jim Jeffords
Ranking Member of the Senate Environment and Public Works Committee
Highway Bill Conference
June 9, 2004

Together with the Chairman, we have all worked effectively as a team to advance this process. Today marks the beginning of the final leg of our journey. We have two very good bills that we must now meld into a final product.

There are differences, of course, but both the House and the Senate have retained the essence of our very successful national transportation program.

The funding levels in our two bills differ greatly. Naturally, I support the Senate level of investment.

The Administration has threatened a veto for both of our bills. The President says that our bills are too expensive. The Administration would have us agree to a much lower investment level. The President's bill would fail to even maintain current highway and bridge conditions. Congestion would increase under the President's bill, and safety would decrease.

But according to the American Road and Transportation Builders Association, the Senate level of investment will stimulate enough economic activity, in new receipts, new jobs and economic multipliers, to return more to the treasury than the President's purported savings. That's why we call our bill an investment. It pays dividends. We cannot improve our highways, bridges and transit systems on the cheap.

Mr. Chairman, this conference needs to address the funding level question as a first order of business. The completion of this conference depends on our ability to come to an agreement on funding. I want to work with you, with our Senate colleagues and with our friends from the House to establish a funding level that meets the nation's transportation needs.

I believe that the Senate level of investment is about right. At this level of investment, we can assure that all states benefit from growth in the program.

We can address equity concerns of donor states and support member priorities throughout the country. But, none of these things can be accomplished at levels of investment lower than the Senate bill. We owe it to the American people – the traveling public – to finish this job. This is our responsibility, and ours alone.

In the interest of safety, of jobs, and of strong and healthy cities and towns, let's complete our work on a well-funded, long-term renewal of the surface transportation program.

Thank you, Mr. Chairman.

**Transportation Committee Chairman Don Young's Statement
Opening Meeting H.R. 3550 Conference Committee Washington, DC**

Thank you, Chairman Inhofe.

Through every stage of the reauthorization process in the House this year, Jim Oberstar and myself have stressed the importance of bipartisanship. For decades, transportation has been a non-partisan issue.

As we begin our work today, I am sure that Chairman Inhofe will agree with me on the importance of bipartisanship. But now we also need to stress the importance of a good working relationship between the two Houses. I have the utmost respect for the distinguished chairman from Oklahoma and I am sure he will promote a bicameral process throughout this conference.

Last November when we introduced our original House reauthorization bill - TEA LU - the funding level was \$375 billion. That funding level was based on DOT's own data showing what it would cost to begin to make improvements to our nation's highway and transit systems.

We all know that those are the funding levels that are necessary to enable us to build and maintain a transportation system that will allow us to compete on the world economic stage.

Unfortunately - because of a variety of reasons -- we were not able to get a bill with those funding levels through the House.

However, the bill that the House passed in April - while somewhat short of our original goal -- did end up providing an increase in spending for the highway, transit, and highway safety programs.

As we begin the final stage of our reauthorization process today, I hope that we can reach an agreement in the very near future on what the appropriate funding level should be for this important piece of legislation.

But this bill isn't just about money, it is also about establishing good public policy for the surface transportation programs.

Under today's rules and regulations it takes entirely too long for a State to complete a highway or transit project. Both the House and the Senate bills attempt to streamline this project delivery process and if we are successful in our efforts, this achievement may be this bill's legacy.

We must also address the congestion and freight mobility crisis that is gripping our nation. People and freight spend too much time sitting in traffic costing us billions in lost productivity and hampering our ability to compete economically with other countries.

States are struggling to deal with highway projects that have impacts beyond their state borders. many states are finding it impossible to fund multi-state highway corridor projects and projects of regional or national significance with their current highway formula dollars. we must find

additional ways to fund these types of projects.

And finally; we need to ensure that we have a robust public transportation system - particularly in the rural parts of our country. Any solution to our transportation problems must include improvements to and additional funding for public transportation.

Chairman Inhofe, I look forward to working with you and all the other conferees in our efforts to reauthorize the highway, transit and highway safety programs.

Statement of Senator Orrin G. Hatch
Before the United States Senate Transportation Conference Committee
“Conference Opening Statement”
June 9, 2004

Mr. Chairman, It has been four months since the Senate passed a transportation reauthorization bill and I am somewhat relieved to see that we are finally poised to make progress on this important legislation.

As my constituents back home, I am frustrated at the slow progress of this bill. Reauthorization of the transportation bill has passed its expiration and we need to act now.

Like many here in Washington, I am concerned about the rising cost of transportation infrastructure. As a long-time member of the Senate Finance Committee, I can tell you that the funding for this bill is a real stretch. It's a stretch because the revenues coming into and staying in the highway trust fund, without any adjustments, do not adequately fund the highway and transportation infrastructure needed by our country at this time.

It is an obligation of this Congress to meet those infrastructure needs. Not just because it will create thousands of jobs nationwide, not just because we want to promote and facilitate interstate commerce throughout the Union, not just because our local government officials are crying out for help to preserve their communities, not just because of the large national need for transit, but because every time I go back to my home state of Utah, the citizens I talk to tell me this is one of the most important things we do on Capitol Hill. They are counting on me, just like each one of your constituents are counting on you.

The Senate Finance Committee was handed a nearly impossible task with this bill. Take a \$100 billion shortfall in trust fund revenues and find acceptable transportation related alternatives to fill that hole and bring the total funding for this bill to \$318 billion. Although this task seemed impossible, I am proud to sit here today and tell my colleagues, “We have done our job, the Senate bill is paid for.”

We have not raided the general funds of the United States; we have not cut other important government programs. Instead we have cracked down on fuel tax evaders and made other similar changes to the tax law that produces the revenues we need to provide our nation's highway and transit systems the infrastructure they are so dearly lacking.

I hope my Senate and House colleagues on this conference committee can catch the spirit of what we have done in the Senate Finance Committee and find a way to solve this difficult transportation problem facing our nation.

Statement of Congressman Gary Miller
House-Senate Conference
Transportation Reauthorization Bill
June 9, 2004

I would like to welcome my colleagues from both chambers to the first meeting of this monumental conference. Our work here will help us resolve the differences in what I think is the most important piece of legislation Congress will address this year. Nothing has as great an impact on our economic development, growth patterns, and quality of life as transportation.

This week, America mourns the loss one of the greatest leaders of the United States. In an age of partisanship and political gridlock in Washington, we would do well to remember the way in which the “Great Communicator” conducted his political affairs. The genius of President Reagan was that at the end of the day he remained friends with even his most vocal political opponents. As we begin work on this historic conference, I hope we will all remember President Reagan’s legacy and strive to work together in a bipartisan matter so that we can effectively solve many of the transportation problems that plague our great nation.

A reliable and efficient transportation system is critical to keeping people and goods moving and cities and communities prosperous. As it is, congestion is choking our roadways, bridges are in dire need of restructuring, and public transportation is failing to effectively meet the needs of America’s commuters. With the budget deficit in my home state of California swelling to previously unimagined magnitudes and the reauthorization of TEA 21 languishing, many of my state’s communities do not have enough money to fix potholes, let alone expand capacity to meet the needs of our growing population. In the interest of sustaining our nation’s economic growth and ensuring our constituents are provided with the safest and most efficient transportation network possible, Congress must continue moving forward with the reauthorization of TEA 21.

The House bill has created a Congestion Relief Program that would require states to focus resources on the traffic problems affecting their roadways. Specifically, this measure would implement new state spending requirements for projects that increase motor vehicle reliability, maximize roadway capacity and efficiency, and remove bottlenecks. This is particularly important for the Southern California region where the average freeway speeds during morning peak hours on Los Angeles’ freeways have declined to 37 miles per hour and are projected to fall to 19 miles per hour by 2025. The residents of Orange County are subjected to 184,000 vehicle hours of traffic congestion every day. This sort of gridlock is bad for the environment, hinders economic growth, and is a waste of our time. This will ensure a sufficient amount of spending is targeted at some of the region’s most notorious traffic points; the Alameda Corridor East, the 91 freeway, and the 57/Lambert interchange to name a few.

The House bill also provides enhancements for America’s safety infrastructure. Although we have made improvements in the rates of fatalities and injuries on our highways, the total numbers remain intolerable, and they are rising. Every year Americans lose their lives on our highways and roads. Families are destroyed and promises are lost. The reauthorization will provide much needed funding for safety programs and enhancements to faltering infrastructure.

Along these lines, we have the opportunity to address highway safety issues posed by increasing rail traffic. Freight deliveries from California to the rest of the nation are expected to double by 2020. Currently in my district, more than 50 trains per day travel through Orange County's Orangethorpe rail corridor, with rail traffic expected to increase to 135 trains per day in the next 15 years. While the importance of this corridor to our nation's economy is indisputable, so too are the effects increased train traffic has on local communities' quality of life. In addition to safety challenges, traffic congestion, increased noise, air pollution and delays in emergency-response time are other negative side effects that accompany heavy rail traffic. Projected rail delays will also prolong the delivery of vital goods and services to consumers across the nation. With a staggering \$802 billion worth of goods shipped from California to the rest of the country each year we simply cannot afford to ignore this issue any longer. The House bill provides the framework necessary to implement innovative and effective solutions to the traffic safety and congestion challenges increased rail traffic poses, through its Projects of Regional and National Significance program.

Further, we must discuss concepts, such as environmental streamlining, to ensure innovative transportation solutions can become timely realities for our communities. As many of you know, many of our high priority transportation projects are unnecessarily delayed because of duplicative environmental requirements and administrative red tape. While I strongly believe that stewardship of our environment is critically important, I also believe that high-priority transportation projects must not be allowed to languish indefinitely in the federal environmental review process. It is my hope that the final conference report will contain a provision I have proposed that would allow states, such as California, to accept the responsibilities for conducting the federal environmental review process required by the National Environmental Policy Act (NEPA). Delegating to states like California, that have a wealth of experience administering their own stringent environmental laws, the responsibility for compliance with the requirements of NEPA would go a long way toward ensuring that transportation projects are approved in a timely manner. Moreover, I firmly believe that environmental protection would be maintained and even enhanced under what would be a more centralized and efficient system of implementing transportation projects.

As conferees, we have the obligation to ensure that our transportation network continues to meet the demands of our nation's burgeoning economy and growing population. I look forward to working with my colleagues in this bipartisan spirit to provide America with the funds and resources needed to maintain and grow our vital transportation infrastructure. In this regard, I hope the issues I have mentioned here will be addressed in the final conference report.

Statement of Hon. Bob Beauprez

I would like to thank Chairman Don Young for his commitment to producing a bipartisan, well-funded six- year highway and transit bill. I am pleased to have the opportunity to continue to work with my colleagues to serve the citizens of the 7th District of Colorado, the State of Colorado, and the Nation in producing a transportation bill that adequately addresses America's transportation infrastructure needs.

We need to work expeditiously to ensure that our States can build roads instead of having to prioritize potholes. We need to maintain and continue to develop our transportation infrastructure to ensure the movement of goods and people in our Nation. Millions of individuals and businesses will directly benefit from the passage of a 6-year bill. The highway bill is a jobs bill that we need to sign into law as soon as possible. I am optimistic that we can produce a transportation bill that the House, Senate, White House and most importantly, the citizens of the United States will be pleased with.

**STATEMENT OF MR. GILCHREST
COMMITTEE ON SCIENCE
ON THE FIRST MEETING OF THE CONFEREES ON
H.R. 3550, THE TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS**

Thank you, Mr. Chairman.

I am pleased to be a conferee for the Science Committee to H.R. 3550, the Transportation Equity Act: A Legacy for Users (TEA-LU). The Science Committee shares jurisdiction with the Transportation & Infrastructure Committee on the research and development provisions in the bill. Mr. Ehlers, chairman of the Subcommittee on Environment, Technology & Standards introduced H.R. 3551, the Surface Transportation Research and Development Act last year which provided a comprehensive plan for surface transportation R&D, and the Committee on Science passed that bill earlier this year. We are pleased that many of the provisions in H.R. 3551 were incorporated into the House bill that we are considering in this conference.

Our transportation system continues to face tremendous challenges. Our roads become more congested every day, and highway accidents claim over 40,000 fatalities annually. Fundamental improvements to the entire transportation system, to make it safer, more efficient, and more cost-effective depend on solid research. Research saves lives, saves money and saves time by providing the proper tools and information needed to drive solutions.

Let me give just one example to illustrate. R&D on pavements focuses on creating materials that are more durable and last significantly longer. Scientists and engineers manipulate substances at the molecular level to create better materials. This research saves money, because more durable pavements need less maintenance and are replaced less frequently. It also saves time and saves lives, since the construction zones necessary for maintaining and replacing roads are a major cause of congestion and are a hazard for drivers and construction workers.

I could give similar examples in operations research, advanced technologies, environmental research and policy research.

And so it is crucial that we fund transportation R&D appropriately in the final conference report. In the last reauthorization, while overall spending on transportation increased dramatically (by about 40%), funding for transportation research remained relatively flat. We should not make that same mistake again. A solid research foundation is critical to spending the rest of the money right.

Adequate funding is not enough. We also need to fund the highest quality research, and research that is relevant to meeting the goals of safety, efficiency, equity and environmental preservation. And I would like to point out just one program that I think will fill a critical research gap – the Surface Transportation Environment

Cooperative Research Program. This program was created in TEA-21, but has yet to fund any research at all. In 2002, the Transportation Research Board (TRB) published a strategy for the program. It is time to implement this strategy as envisioned by the TRB. This research will yield critical information that will help us move people and goods more efficiently while preserving our natural environment.

I look forward to participating in the conference. Thank you.

**STATEMENT OF MR. NEUGEBAUER
COMMITTEE ON SCIENCE
ON THE FIRST MEETING OF THE CONFEREES ON
H.R. 3550, THE TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS**

Thank you, Mr. Chairman.

I am pleased to be a conferee for the Science Committee to H.R. 3550, the Transportation Equity Act: A Legacy for Users (TEA-LU). I look forward to crafting the research and development (R&D) portions of the bill and ensuring that we fund surface transportation R&D appropriately.

As a land developer, small businessman and the founding chairman of the Ports-to-Plains Trade Corridor Coalition, I understand that our transportation system continues to face tremendous challenges. Our roads become more congested every day, and highway accidents claim over 40,000 fatalities annually. Fundamental improvements to the entire transportation system, to make it safer, more efficient, and more cost-effective depend on solid research. Research saves lives, saves money and saves time by providing the proper tools and information needed to drive solutions.

I am particularly pleased that the House version of TEA-LU includes a provision that I authored, the Garrett Morgan Technology and Transportation Education Program. The program would help improve the preparation of students, particularly women and minorities, in science, technology, engineering, and mathematics through curriculum development, and other activities related to transportation. By engaging students in solving real-world problems, this program will connect students to the world of transportation. And, with its specific focus on female and minority students, it can help bring greater diversity into the transportation workforce.

This is one of many critical research, development and education provisions contained in TEA-LU. I will work to ensure that these programs are preserved in the final conference report, and are funded appropriately. Thank you.