

Union Calendar No. 484

108th Congress, 2d Session - - - - - House Report 108-799

(108-89)

SUMMARY

OF

LEGISLATIVE AND OVERSIGHT ACTIVITIES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

CONVENED JANUARY 7, 2003
ADJOURNED DECEMBER 9, 2003

SECOND SESSION

CONVENED JANUARY 20, 2004
ADJOURNED DECEMBER 8, 2004

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

U.S. HOUSE OF REPRESENTATIVES



DECEMBER 27, 2004.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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LETTER OF SUBMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 20, 2004.

Hon. JEFF TRANDAHL,
Clerk, House of Representatives,
Washington, DC.

DEAR MR. TRANDAHL: In compliance with Rule XI, Clause 1(d) of the Rules of the House of Representatives, there is transmitted herewith the Summary of Activities of the Committee on Transportation and Infrastructure for the 108th Congress.

The purpose of this report is to provide the Members of the House of Representatives, and the general public, with an overview of the legislative and oversight activities conducted by the Committee pursuant to Rule X, Clause 1(q) of the Rules of the House of Representatives.

This document is intended as a general reference tool, and not as a substitute for the hearing records, reports, and other Committee files.

Sincerely,

DON YOUNG, *Chairman.*

Enclosure.

Union Calendar No. 484

108TH CONGRESS }
2d Session } HOUSE OF REPRESENTATIVES { REPORT
108-799

SUMMARY OF LEGISLATIVE AND OVERSIGHT ACTIVITIES—COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

DECEMBER 27, 2004.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

PROVISIONS OF THE RULES OF THE HOUSE OF REPRESENTATIVES APPLICABLE TO COMMITTEE ACTIVITIES; JURISDICTION OF THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

“RULE X

“ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

“The Committees and Their Jurisdiction

“1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

“(q) Committee on Transportation and Infrastructure.

“(1) Coast Guard, including lifesaving service, lighthouses, lightships, ocean derelicts, and the Coast Guard Academy.

“(2) Federal management of emergencies and natural disasters.

“(3) Flood control and improvement of rivers and harbors.

“(4) Inland waterways.

“(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

“(6) Navigation and the laws relating thereto, including pilotage.

“(7) Registering and licensing of vessels and small boats.

“(8) Rules and international arrangements to prevent collisions at sea.

“(9) Measures relating to the Capitol Building and the Senate and House office buildings.

“(10) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

“(11) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

“(12) Measures relating to merchant marine, except for national security aspects of merchant marine.

“(13) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

“(14) Oil and other pollution of navigable waters, including inland, coastal, and ocean waters.

“(15) Marine affairs (including coastal zone management) as they relate to oil and other pollution of navigable waters.

“(16) Public buildings and occupied or improved grounds of the United States generally.

“(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).

“(18) Related transportation regulatory agencies.

“(19) Roads and the safety thereof.

“(20) Transportation, including civil aviation, railroads, water transportation, transportation safety (except automobile safety), transportation infrastructure, transportation labor, and railroad retirement and unemployment (except revenue measures related thereto).

“(21) Water power.

FOREWORD

The challenge for the Committee on Transportation and Infrastructure of the 108th Congress has been to continue to improve the ability of the transportation sector to prevent or respond to terrorist attacks while also focusing on our efforts to expand and improve our nation's essential infrastructure. America's economy rests on transportation infrastructure that assures our ability to move both passengers and freight in a safe, timely and cost-effective manner.

Our nation's expansive highway system continues to crumble and congestion worsens in every region. The Committee, in response to Administration reports detailing the significant needs of our nation's transportation system, produced and reported H.R. 3550, the Transportation Equity Act—A Legacy for Users. The bill was successfully moved through the House of Representatives. While this historic legislation was not finalized during the 108th Congress, significant progress was made in conference which establishes a basis for completion of the task in the 109th Congress.

The nation faces a renewed crisis in the aviation sector with air carriers continuing to feel the impact of terrorism both at home and abroad, and struggling to meet the rising fuel prices and their other fixed costs. The Committee produced on a bi-partisan basis a landmark Federal Aviation Administration (FAA) authorization law which provided much-needed relief and authorizations for important aviation improvements, safety and anti-terrorism programs.

The Committee also passed the Coast Guard and Maritime Transportation Act of 2004. This law will allow for the modernization of the Coast Guard's aircraft and vessels, in addition to increasing funding for its newly expanded role in homeland security. The comprehensive Water Resources Development Act legislation was another important achievement for the Committee during the 108th Congress.

While continuing to address the traditional transportation missions of the Committee, a significant commitment of both Member and staff resources were committed to both legislation and oversight activities aimed at insuring a more secure transportation system. Maintaining and expanding our transportation system and developing new safety and anti-terrorism programs were the major accomplishments in the 108th Congress by the Transportation and Infrastructure Committee.

The Committee continued a strong bipartisan tradition of cooperation to achieve the many shared goals of improving transportation and infrastructure for the nation. These important achievements would not have been possible without the support and hard work of Members of both parties. The Members of the House Com-

Committee on Transportation and Infrastructure proudly submit to the House this report on their activities for the 108th Congress.

DON YOUNG,
*Chairman, Committee on Transportation
and Infrastructure.*

BILLS ENACTED INTO LAW

PUBLIC LAW NUMBER	DATE ENACTED	BILL NUMBER	TITLE
108-14	Apr. 23, 2003	H.R. 145	To designate the Federal building located at 290 Broadway in New York, New York, as the "Ted Weiss Federal Building".
108-21	Apr. 30, 2003	S. 151	An Act to prevent child abduction and the sexual exploitation of children, and for other purposes.
108-29	May 29, 2003	S.330	A bill to further the protection and recognition of veterans' memorials, and for other purposes.
108-35	June 23, 2003	S.763	A bill to designate the Federal building and United States courthouse located at 46 Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse".
108-37	June 27, 2003	S.703	A bill to designate the regional headquarters building for the National Park Service under construction in Omaha, Nebraska, as the "Carl T. Curtis National Park Service Midwest Regional Headquarters Building".
108-70	Aug. 14, 2003	H.R.1018	To designate the building located at 1 Federal Plaza in New York, New York, as the "James L. Watson United States Court of International Trade Building".
108-72	Aug. 15, 2003	H.R. 2195	To provide for additional space and resources for national collections held by the Smithsonian Institution, and for other purposes.
108-80	Sept. 17, 2003	H.R.1668	To designate the United States courthouse located at 101 North Fifth Street in Muskogee, Oklahoma, as the "Ed Edmondson United States Courthouse".
108-88	Sept. 30, 2003	H.R. 3087	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.
108-168	Dec. 6, 2003	S.579	A bill to reauthorize the National Transportation Safety Board, and for other purposes.
108-176	Dec. 12, 2003	H.R. 2115	To amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.
108-184	Dec. 17, 2003	H.R. 3491	To establish within the Smithsonian Institution the National Museum of African American History and Culture, and for other purposes.
108-202	Feb. 29, 2004	H.R. 3850	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NUMBER	DATE ENACTED	BILL NUMBER	TITLE
108-221	Apr. 30, 2004	H.R. 1274	To direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county.
108-223	Apr. 30, 2004	H.R. 3118	To designate the Orville Wright Federal Building and the Wilbur Wright Federal Building in Washington, District of Columbia.
108-224	Apr. 30, 2004	H.R. 4219	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.
108-225	May 7, 2004	S. 1904	A bill to designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse".
108-226	May 7, 2004	S. 2022	A bill to amend title 28, United States Code, to give district courts of the United States jurisdiction over competing State custody determinations, and for other purposes.
108-227	May 7, 2004	S. 2043	A bill to designate a Federal building in Harrisburg, Pennsylvania, as the "Ronald Reagan Federal Building".
108-263	June 30, 2004	H.R. 4635	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.
108-273	July 7, 2004	S. 2017	A bill to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building".
108-280	July 30, 2004	H.R. 4916	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.
108-288	Aug. 6, 2004	H.R. 1572	To designate the United States courthouse located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow United States Courthouse".
108-293	Aug. 9, 2004	H.R. 2443	A bill to authorize appropriations for fiscal years 2004 and 2005 for the United States Coast Guard, and for other purposes.
108-297	Aug. 9, 2004	H.R. 4226	To amend title 49, United States Code, to make certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, known as the "Cape Town Treaty".

BILLS ENACTED INTO LAW—Continued

PUBLIC LAW NUMBER	DATE ENACTED	BILL NUMBER	TITLE
108-310	Sept. 30, 2004	H.R. 5183	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.
108-331	Oct. 16, 2004	H.R. 5105	To authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona.
108-361	Oct. 25, 2004	H.R. 2828	To authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources.
108-399	Oct. 30, 2004	H.R. 4731	To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program.
108-410	Oct. 30, 2004	H.R. 5294	To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.
108-425	Nov. 30, 2004	H.R. 4794	To amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000, to extend the authorization of appropriations, and for other purposes.
108-426	Nov. 30, 2004	H.R. 5163	To amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology, and for other purposes.
108-456	Dec. 10, 2004	S. 3014	A bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.
108-XXX	Dec. 22, 2004	H.R. 2523	To designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse".
108-XXX	Dec. 22, 2004	H.R. 3124	To designate the facility of the United States Geological Survey and the United States Bureau of Reclamation located at 230 Collins Road, Boise, Idaho, as the "F.H. Newell Building".
108-XXX	Dec. 22, 2004	H.R. 3147	To designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building".
108-XXX	Dec. 22, 2004	H.R. 3734	To designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building".
108-XXX	Dec. 22, 2004	H.R. 3884	To designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse".

COMMITTEE BILLS AND RESOLUTIONS THAT PASSED BUT WERE NOT ACTED ON BY THE SENATE

BILL NUMBER	PASSED THE HOUSE	TITLE
H.R. 10 (see S. 2845 for further action).	Oct. 8, 2004	To provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes.
H.R. 135	Nov. 21, 2003	To establish the "Twenty-First Century Water Commission" to study and develop recommendations for a comprehensive water strategy to address future water needs.
H.R. 281	May 13, 2003	To designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse".
H.R. 517	May 13, 2003	To direct the Commandant of the Coast Guard to convey 2 Coast Guard cutters.
H.R. 866	May 7, 2003	To amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works.
H.R. 874	May 8, 2003	To establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents.
H.R. 1527	May 15, 2003	To amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2003 through 2006, and for other purposes.
H.R. 1856	July 7, 2004	To reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.
H.R. 2304	Nov. 7, 2003	To resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri, that resulted from private landowner reliance on a subsequent Federal survey, and for other purposes.
H.R. 2523	May 11, 2004	To designate the United States courthouse located at 125 Bull Street in Savannah, Georgia, as the "Tomochichi United States Courthouse".
H.R. 2535	Oct. 21, 2003	To reauthorize and improve the program authorized by the Public Works and Economic Development Act of 1965.
H.R. 2557	Sept. 24, 2003	To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.
H.R. 3147	Apr. 21, 2004	To designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the "James V. Hansen Federal Building".
H.R. 3181	Nov. 21, 2003	To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes.
H.R. 3198	Nov. 17, 2004	To amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.
H.R. 3428	Sept. 22, 2004	To designate a portion of the United States courthouse located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building".
H.R. 3734	Sept. 22, 2004	To designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building".

COMMITTEE BILLS AND RESOLUTIONS THAT PASSED BUT WERE NOT ACTED ON BY THE SENATE—
Continued

BILL NUMBER	PASSED THE HOUSE	TITLE
H.R. 3783	Feb. 11, 2004	To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.
H.R. 3884	July 21, 2004	To designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse".
H.R. 3980	July 8, 2004	To establish a National Windstorm Impact Reduction Program.
H.R. 4056	July 22, 2004	To encourage the establishment of both long-term and short-term programs to address the threat of man-portable air defense systems (MANPADS) to commercial aviation.
H.R. 4294	July 21, 2004	To designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Avenue Northwest in the District of Columbia as the "William B. Bryant Annex".
H.R. 4470	Oct. 6, 2004	To amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010.
H.R. 4503	June 15, 2004	To enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes.
H.R. 5426	Dec. 6, 2004	To make technical corrections relating to the Coast Guard and Maritime Transportation Act of 2004.
H. Con. Res. 56	June 22, 2004	Expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.
H. Con. Res. 166	May 19, 2003	Expressing the sense of Congress in support of Buckle Up America Week.
H. Con. Res. 280	Nov. 4, 2003	Recognizing the National Stone, Sand & Gravel Association for reaching its 100th Anniversary, and for the many vital contributions of its members to the Nation's economy and to improving the quality of life through the constantly expanding roles stone, sand, and gravel serve in the Nation's everyday life.

BILLS REPORTED TO THE HOUSE BUT NOT ACTED UPON

BILL NUMBER	REPORT NUMBER	DATE REPORTED	TITLE
H.R. 875	108-36	Mar. 13, 2003	To direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes.
H.R. 1644	Discharged	Apr. 9, 2003	To enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes.
H.R. 1082	108-134	June 2, 2003	To designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse".

BILLS REPORTED TO THE HOUSE BUT NOT ACTED UPON—Continued

BILL NUMBER	REPORT NUMBER	DATE REPORTED	TITLE
H.R. 1346	Discharged	June 2, 2003	To amend the Office of Federal Procurement Policy Act to provide an additional function of the Administrator for Federal Procurement Policy relating to encouraging Federal procurement policies that enhance energy efficiency.
H. Res. 288	108-220	July 21, 2003	Directing the Secretary of Transportation to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all physical and electronic records and documents in his possession related to any use of Federal agency resources in any task or action involving or relating to Members of the Texas Legislature in the period beginning May 11, 2003, and ending May 16, 2003, except information the disclosure of which would harm the national security interests of the United States.
	(Unfavorably reported)		
H.R. 2572	108-274	Sept. 17, 2003	To authorize appropriations for the benefit of Amtrak for fiscal years 2004 through 2006, and for other purposes.
H.R. 2571	108-278, Part I	Sept. 18, 2003	To provide for the financing of high-speed rail infrastructure, and for other purposes.
H.R. 1702	108-315	Oct. 15, 2003	To designate the Federal building which is to be constructed at 799 First Avenue in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building".
H.R. 587	108-353	Nov. 6, 2003	To amend title 40, United States Code, to add Ashtabula, Mahoning, and Trumbull Counties, Ohio, to the Appalachian region.
H.R. 2734	Discharged	Dec. 8, 2003	To authorize appropriations for the civil aviation research and development projects and activities of the Federal Aviation Administration, and for other purposes.
H.R. 2538	108-448	Mar. 25, 2004	To designate the United States courthouse located at 400 North Miami Avenue in Miami, Florida, as the "Wilkie D. Ferguson, Jr. United States Courthouse".
H.R. 3713	108-450	Mar. 25, 2004	To designate the Federal building located at 250 West Cherry Street in Carbondale, Illinois the "Senator Paul Simon Federal Building".
H.R. 1081	Discharged	Apr. 2, 2004	To establish marine and freshwater research, development, and demonstration programs to support efforts to prevent, control, and eradicate invasive species, as well as to educate citizens and stakeholders and restore ecosystems.
H.R. 3266	108-460, Part III	June 21, 2004	To authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes.
H.R. 3879	108-482	May 11, 2004	To authorize appropriations for the Coast Guard for fiscal year 2005, to amend various laws administered by the Coast Guard, and for other purposes.
H.R. 3742	108-556	June 21, 2004	To designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building".

BILLS REPORTED TO THE HOUSE BUT NOT ACTED UPON—Continued

BILL NUMBER	REPORT NUMBER	DATE REPORTED	TITLE
H.R. 784	108-675	Sept. 13, 2004	To amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.
H.R. 4688	108-677	Sept. 13, 2004	To amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program.
H.R. 5082	108-746	Oct. 6, 2004	To authorize the Secretary of Transportation to award grants to public transportation agencies and over-the-road bus operators to improve security, and for other purposes.

RESOLUTIONS APPROVED BY BOTH CHAMBERS

RESOLUTION NUMBER	PASSED HOUSE	PASSED SENATE	TITLE
H. Con. Res. 53	May 7, 2003	May 8, 2003	Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
H. Con. Res. 96	May 7, 2003	May 8, 2003	Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.
H. Con. Res. 128	May 13, 2003	May 16, 2003	Authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run.
H. Con. Res. 376	Apr. 28, 2004	Apr. 29, 2004	Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
H. Con. Res. 388	Apr. 28, 2004	May 12, 2004	Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.
H. Con. Res. 389	May 11, 2004	May 12, 2004	Authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run.
H. Con. Res. 420	May 17, 2004	May 20, 2004	Applauding the men and women who keep America moving and recognizing National Transportation Week.
H. Con. Res. 423	May 17, 2004	May 21, 2004	Authorizing the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial.

SENATE BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE BUT NOT ACTED ON

BILL NUMBER	PASSED SENATE	TITLE
S. Con. Res. 136	Oct. 11, 2004	A concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93.
S. 121	Jan. 21, 2003	A bill to enhance the operation of the AMBER Alert communications network in order to facilitate the recovery of abducted children, to provide for enhanced notification on highways of alerts and information on such children, and for other purposes.
S. 165	May 8, 2003	A bill to improve air cargo security.
S. 435	Nov. 24, 2003	A bill to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes.
S. 1157	June 23, 2003	A bill to establish within the Smithsonian Institution the National Museum of African American History and Culture, and for other purposes.

SENATE BILLS AND RESOLUTIONS REFERRED TO THE COMMITTEE BUT NOT ACTED ON—Continued

BILL NUMBER	PASSED SENATE	TITLE
S. 1244	Sept. 25, 2003	A bill to authorize appropriations for the Federal Maritime Commission for fiscal years 2004 through 2008.
S. 1279	Nov. 21, 2003	A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area.
S. 1400	Oct. 31, 2003	A bill to develop a system that provides for ocean and coastal observations, to implement a research and development program to enhance security at United States ports, to implement a data and information system required by all components of an integrated ocean observing system and related research, and for other purposes.
S. 1402	Nov. 25, 2003	A bill to authorize appropriations for activities under the Federal railroad safety laws for fiscal years 2004 through 2008, and for other purposes.
S. 1657	Nov. 10, 2003	A bill to amend section 44921 of title 49, United States Code, to provide for the arming of cargo pilots against terrorism.
S. 1741	Nov. 21, 2003	A bill to provide a site for the National Women's History Museum in the District of Columbia.
S. 2273	Oct. 1, 2004	A bill to provide increased rail transportation security.
S. 2279	Sept. 21, 2004	A bill to amend title 46, United States Code, with respect to maritime transportation security, and for other purposes.
S. 2385	July 19, 2004	A bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".
S. 2691	Oct. 11, 2004	A bill to establish the Long Island Sound Stewardship Initiative.

BILLS ENACTED INTO LAW

(Summaries of Public Law)

TED WEISS FEDERAL BUILDING

H.R. 145

(Public Law 108–14)

This law designates the Federal building located at 290 Broadway in New York City, New York, as the “Ted Weiss Federal Building”. Ted Weiss was born in Gava, Hungary, on September 17, 1927. The Weiss family took passage on one of the last passenger ships to leave Hamburg, Germany, prior to the outbreak of World War II. Congressman Weiss graduated from Hoffman High School in South Amboy, New Jersey in 1946, and joined the United States Army. After serving in the Army for one year, he enrolled at Syracuse University, where he earned both his bachelor and law degrees, graduating in 1952. Congressman Weiss began his career in public service in 1955, as an Assistant District Attorney for New York City. In 1959, he entered the private practice of law, but returned to the political arena, being elected to the New York City Council in 1962. In 1976, Congressman Weiss was elected to the United States House of Representatives. While in the House of Representatives, he received numerous awards and recognition for his legislative efforts, including the Consumer Federation of America’s Public Service Award and the NAACP’s National Legislative Award. Congressman Weiss passed away on September 4, 1992.

BIRCH BAYH FEDERAL BUILDING AND UNITED STATES COURTHOUSE

S. 763

(Public Law 108–35)

This law designates the Federal Building and United States Courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the “Birch Bayh Federal Building and United States Courthouse”. Born in Terra Haute, Indiana, on January 22, 1928, Senator Bayh served in the United States Army from 1946–1948. Upon his return, Senator Bayh graduated from Purdue University School of Agriculture at Lafayette, Indiana, in 1951, and attended Indiana State University at Terre Haute from 1952–1953. In 1960, he graduated from Indiana University School of Law and was admitted to the Indiana bar in 1961. In 1954, he was elected to the State

House of Representatives, serving as Minority Leader in 1957 and 1961 and as Speaker in 1959. In 1962, he was elected as a Democrat to the United States Senate, and served from January 3, 1963, to January 3, 1981. During his tenure he authored the 25th and 26th Amendments to the U.S. Constitution.

**CARL T. CURTIS NATIONAL PARK SERVICE MIDWEST
REGIONAL HEADQUARTERS BUILDING**

S. 703

(Public Law 108–37)

This law designates a building under construction in Omaha, Nebraska, as the “Carl T. Curtis National Park Service Midwest Regional Headquarters Building”. The facility to be named will be occupied under a 20-year lease, the owner having given permission for the naming. Carl T. Curtis was born near Minden, Nebraska, in 1905. Upon graduating from the public schools of Minden, Curtis attended Nebraska Wesleyan University in Lincoln, Nebraska. Upon his graduation, he taught in the Minden public schools before becoming a lawyer in 1930. Curtis was in private practice until 1939, when he was elected to the United States House of Representatives for the first of eight successive terms, and then to the United States Senate for four terms until 1979. He was Chairman of the Republican Conference from 1975–1979. After leaving the Senate, he practiced law in Lincoln until his death in 2000.

**JAMES L. WATSON UNITED STATES COURT OF
INTERNATIONAL TRADE BUILDING**

H.R. 1018

(Public Law 108–70)

This law designates the building at 1 Federal Plaza in New York City, New York, as the “James L. Watson United States Court of International Trade Building”. James L. Watson was born in Harlem, New York. He served with the Buffalo Soldiers of the 371st Infantry Regiment, 92nd Division in World War II. He was wounded in Italy and returned to the United States decorated with a Purple Heart and the Infantry Combat Badge. He graduated from New York University in 1947 and from Brooklyn Law School in 1951. Judge Watson was elected to the New York State Senate in 1954. In 1963, Judge Watson was elected to the New York City Civil Court. President Lyndon Johnson appointed Judge Watson to what was then known as the United States Customs Court and now known as the United States Court of International Trade in 1966. The nine members of the United States Customs Court could be assigned to sit in any Federal District Court in the nation. Judge Watson took senior status in 1991 and passed away in 2001.

SMITHSONIAN FACILITIES AUTHORIZATION ACT

H.R. 2195

(Public Law 108–72)

This law authorizes the Board of Regents of the Smithsonian Institution to plan, design, construct, and equip additional special use storage and laboratory space at the Museum Support Facility in Suitland, Maryland, to accommodate the care, preservation, conservation, deposit, and study of national collections held in trust by the Institution. It also authorizes the Board to plan, design, and construct improvements to the interior and exterior of the Patent Office Building using funds available to the Institution from non-appropriated sources and provides for retention of that building's historic character and the Advisory Council on Historic Preservation a reasonable opportunity to comment on them. Lastly, this law declares the sense of Congress that: the Smithsonian Institution's National Museum of American History should be commended for establishing a Jazz Appreciation Month; and musicians, schools, colleges, libraries, concert halls, museums, radio and television stations, and other organizations should develop programs to explore, perpetuate, and honor jazz as a national and world treasure.

ED EDMONDSON UNITED STATES COURTHOUSE

H.R. 1668

(Public Law 108–80)

This law designates the United States Courthouse located at 101 North Fifth Street in Muskogee, Oklahoma, as the “Ed Edmondson United States Courthouse”. Ed Edmondson was born in Muskogee, Oklahoma, on April 7, 1919. He graduated from Muskogee Junior College in 1938, the University of Oklahoma in 1940, and Georgetown University in 1947. He then served as a Special Agent with the FBI from 1940 to 1943. After serving in the U.S. Navy from 1943 until 1946, Ed Edmondson was admitted to the Washington, D.C. bar in 1947. He also served in the Naval Reserve from 1946 to 1970. He was sworn into the United States House of Representatives on January 3, 1953, where he represented Oklahoma's 2nd district until 1973.

SURFACE TRANSPORTATION EXTENSION ACT OF 2003

H.R. 3087

(Public Law 108–88)

Public Law 108–88 extended Federal highway, highway safety, motor carrier safety and transit programs for five months, and authorized appropriations through February 29, 2004.

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL
YEAR 2004**

H.R. 1588

(Public Law 108–136)

The National Defense Authorization Act for Fiscal Year 2004 includes several provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. Section 314 authorizes the Secretary of Defense to utilize mitigation banks when carrying mitigation for adverse wetlands impacts. Section 314 also directs the Secretary of the Army to issue regulations establishing performance standards and criteria for the use of on-site, off-site, in-lieu fee mitigation, and mitigation banks as compensatory mitigation in permits issued under section 404 of the Clean Water Act. Section 2862 authorizes the transfer of land on Umnak Island, Alaska, between certain Alaska native village corporations and the Department of the Interior, and addresses environmental restoration requirements associated with the transfer.

**NATIONAL TRANSPORTATION SAFETY BOARD
REAUTHORIZATION ACT OF 2003**

S. 579/H.R. 1527

(Public Law 108–168)

This Act authorizes the programs of the National Transportation Safety Board (NTSB) through fiscal year 2006. In addition, the Act addresses the problem of delays in implementing important NTSB recommendations by requiring an annual report from the Department of Transportation on the status of all significant safety recommendations it has received from the NTSB. The Act also requires the NTSB to notify aircraft owners and operators of their right to appeal a Board employee's decision classifying a particular event involving an aircraft as an accident. Finally, the Act allows the NTSB to turn over family assistance responsibilities to the Federal Bureau of Investigation if it is determined that a crash initially investigated by the NTSB was the result of a criminal act.

**FLIGHT 100—CENTURY OF AVIATION
REAUTHORIZATION**

H.R. 2115

(Public Law 108–176)

Vision 100 reauthorizes the Federal Aviation Administration and related programs through the end of FY2006. It continues the procedural guarantees enacted in the Aviation Investment and Reform Act for the 21st Century (AIR 21) that all taxes and revenues paid into the Aviation Trust Fund are fully invested and that airport improvements and air traffic control modernization are fully funded. Vision 100 includes numerous major programmatic reforms in-

cluding: FAA management reform, expansion of the Small Community Air Service Program, reform of the Essential Air Service Program, and streamlining of the environment review process for critical airport capacity projects.

**ESTABLISH WITHIN THE SMITHSONIAN INSTITUTION
THE NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE**

H.R. 3491

(Public Law 108–184)

This law establishes, within the Smithsonian Institution, the National Museum of African American History and Culture, to be operated as a center for scholarship and a location for museum training, public education, exhibits, and collection and study of items and materials relating to the life, art, history, and culture of African Americans that encompass the period of slavery, the era of reconstruction, the Harlem renaissance, the civil rights movement, and other periods of the African American diaspora. The law also proscribes how the Smithsonian is to select the site for the museum from a designated list, how the Board of the museum is to be selected, the general management of the museum, and authorizes funds necessary for its construction and operation.

**CONSOLIDATED APPROPRIATIONS ACT FOR FISCAL
YEAR 2004**

H.R. 2673

(Public Law 108–199)

RAILROAD SUBCOMMITTEE

This legislation includes a provision (Section 150) to provide for emergency directed service powers under the auspices of the Surface Transportation Board (STB) if Amtrak shut down. It would give the STB the authority to order the continued maintenance, signaling, and dispatching of the Northeast Corridor. It would give the STB the authority to use Federal funds to compensate the entity that conducts these services and to indemnify it with respect to any increased liability exposure. It would also authorize the STB to direct service and to provide interim financial assistance to commuter operations around the country affected by an Amtrak shutdown.

It also authorizes the STB to provide funding to the extent appropriated (including the payment of increased insurance premiums) to support operation of the Northeast Corridor. In the case of a failure of existing freight or commuter rail passenger transportation operations caused by cessation of service by Amtrak, the STB may not direct a rail carrier to undertake specified activities to continue operations unless: (1) the rail carrier is operationally capable of conducting the directed service in a safe and efficient

manner; and (2) funding for such directed service is provided by congressional appropriations.

SURFACE TRANSPORTATION EXTENSION ACT OF 2004

H.R. 3850

(Public Law 108–202)

Public Law 108–202 extended Federal highway, highway safety, motor carrier safety and transit programs for two months, and authorized appropriations through April 30, 2004.

TO DIRECT THE ADMINISTRATOR OF GENERAL SERVICES TO CONVEY TO FRESNO COUNTY, CALIFORNIA, THE EXISTING FEDERAL COURTHOUSE IN THAT COUNTY

H.R. 1274

(Public Law 108–221)

This law authorizes the Administrator of General Services to convey to Fresno County, California, the B.F. Sisk Federal Building and United States Courthouse located at 1130 O Street in Fresno, California. The General Services Administration is currently constructing a new courthouse in Fresno, California. The law includes provisions to clarify that the courthouse is not to be transferred until occupancy of the new courthouse, that the conveyance include a public use reversion clause, and that the Administrator may include in the conveyance such other terms as are necessary to protect the interests of the United States. It is expected that Fresno County will use the B.F. Sisk Building as a county courthouse.

ORVILLE WRIGHT FEDERAL BUILDING AND WILBUR WRIGHT FEDERAL BUILDING

H.R. 3118

(Public Law 108–223)

This law designates the building located at 600 Independence Avenue, SE, in Washington, D.C., as the “Orville Wright Federal Building” and the building located at 800 Independence Avenue, SE, in Washington, D.C., as the “Wilbur Wright Federal Building”. Orville and Wilbur Wright were born in 1871 and 1867, respectively, in Dayton, Ohio. The two brothers, bicycle repairmen by trade but aviation enthusiasts by hobby, and after numerous efforts and early failures, ushered in the age of powered flight with their successful flights at Kitty Hawk, North Carolina. The two buildings designated by this law are currently in use by the Federal Aviation Administration (FAA).

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART II**

(H.R. 4219)

(Public Law 108–224)

Public Law 108–224 extended Federal highway, highway safety, motor carrier safety and transit programs for two months, and authorized appropriations through June 30, 2004.

**WILKIE D. FERGUSON, JR. UNITED STATES
COURTHOUSE**

S. 1904

(Public Law 108–225)

This law designates the United States Courthouse located at 400 North Miami Avenue in Miami, Florida, as the “Wilkie D. Ferguson, Jr. United States Courthouse”. Wilkie Demeritte Ferguson, Jr. was born May 11, 1938, in Miami, Florida. He was raised in the Liberty Square public-housing project and attended segregated public schools. He attended Florida A&M University where he earned a Bachelor’s degree in Business Administration. He served in the United States Army as a First Lieutenant from 1960 to 1963 and as a Captain in the Army Reserve until 1965. He graduated from Howard University School of Law in 1968. He then served in several capacities, first as a staff attorney for Legal Services of Greater Miami from 1968–72, then as staff attorney for the Dade County School Board, from 1972 to 1973. In 1973, he was elected Judge of the Court of Industrial Claims where he served until 1976, when he was elevated to the Circuit Court for the 11th Judicial Circuit of Florida, a position he held until 1980. In 1980, he was elevated to the Third District Court of Appeals for Florida, where he served until his appointment to the federal bench in 1993. Judge Ferguson was appointed to the United States District Court for the Southern District of Florida in 1993. He passed away in 2003.

SENATOR PAUL SIMON FEDERAL BUILDING

S. 2022

(Public Law 108–226)

This law designates the Federal building located at 250 West Cherry Street in Carbondale, Illinois, the “Senator Paul Simon Federal Building”. Senator Simon served in the United States Army Counterintelligence Corps from 1951 until 1953, during which time he was assigned as a special agent in Europe. He was elected to the Illinois State House of Representatives and State Senate, and as Lieutenant Governor before being elected to the United States House of Representatives in 1974. Senator Simon served in the House of Representatives until being elected to the

United States Senate in 1984. He served for two terms in the United States Senate, retiring in 1996. Senator Simon passed away in 2003.

RONALD REAGAN FEDERAL BUILDING

S. 2043

(Public Law 108–227)

This law designates the Federal Building located at 228 Walnut Street in Harrisburg, Pennsylvania, as the “Ronald Reagan Federal Building”. Born February 6, 1911, in Tampico, Illinois, Ronald Reagan studied economics and sociology, played on the football team, and acted in school plays at Eureka College. As an actor, Ronald Reagan served as President of the Screen Actors Guild. He was elected Governor of California in 1966 and re-elected in 1970. In 1980 he was elected President of the United States and served two terms. During his tenure, he lowered taxes, strengthened the American economy, improved the national defense, opened a dialogue with the Soviet Union, worked closely with American allies, and reduced regulatory burdens. President Reagan passed away in 2004.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART III**

H.R. 4635

(Public Law 108–263)

Public Law 108–263 extended Federal highway, highway safety, motor carrier safety and transit programs for one month, and authorized appropriations through July 31, 2004.

**LUIS A. FERRÉ UNITED STATES COURTHOUSE AND
POST OFFICE BUILDING**

S. 2017

(Public Law 108–273)

This law designates the United States Courthouse and Post Office Building located at 93 Atocha Street in Ponce, Puerto Rico, as the “Luis A. Ferré United States Courthouse and Post Office Building”. Born on February 17, 1904, Luis Ferré grew up in the span between the ousting of Spanish troops and the granting of United States citizenship. After graduating from primary school in Puerto Rico, he attended and graduated from the Massachusetts Institute of Technology in 1924 with a degree in Engineering, and a degree in Mechanical Engineering in 1925. He went to work for his family business, Ferré Enterprises. He ran for office in 1940 as a mayoral candidate for the City of Ponce. He was elected to the Puerto Rican House of Representatives in 1952 and was elected Governor of Puerto Rico in 1968. He served in the Puerto Rican Senate from

1977 to 1980 and 1981 to 1984, as President of that Body from 1977 to 1980. Luis Ferré was also an avid patron of the arts and founded an art museum in his hometown of Ponce. He was awarded the Presidential Medal of Freedom by President George H.W. Bush in 1991. Luis Ferré passed away on October 21, 2003.

**A BILL TO RESOLVE THE BOUNDARY CONFLICTS IN
BARRY AND STONE COUNTIES IN THE STATE OF MISSOURI**

S. 1167

(Public Law 108–279)

This law resolves boundary conflicts in Barry and Stone Counties in the State of Missouri, and establishes a mechanism to resolve disputes over the boundaries of the Mark Twain National Forest arising from a property survey carried out by the Army Corps of Engineers.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART IV**

H.R. 4916

(Public Law 108–280)

Public Law 108–280 extended highway safety, motor carrier safety and transit programs for two months, and authorized appropriations through September 30, 2004. H.R. 4916 only extended the Federal highway program to September 24, 2004.

WINSTON E. ARNOW UNITED STATES COURTHOUSE

H.R. 1572

(Public Law 108–288)

This law designates the historic Federal District Court Building located at 100 North Palafox Street in Pensacola, Florida, as the “Winston E. Arnow United States Courthouse”. Winston E. Arnow was born on March 13, 1911, in Micanopy, Florida. He graduated from the University of Florida, Gainesville, with a Bachelor of Science degree in 1932 and a law degree in 1933. Winston E. Arnow was admitted to the Florida bar on January 10, 1933. He served as a Second Lieutenant in the United States Army but transferred from Infantry to the Judge Advocates General Division, where he reached the rank of Major. He was appointed United States District Judge, Northern District of Florida by President Johnson and took office January 19, 1968. Judge Arnow served as Judge, Chief Judge, and in senior status in the Northern District of Florida until his death in 1994.

**COAST GUARD AND MARITIME TRANSPORTATION ACT
OF 2004**

H.R. 2443

(Public Law 108–293)

The legislation authorizes \$8.2 billion for Coast Guard programs and operations in fiscal year 2005. The law also amends existing statutes to improve management of Coast Guard activities, navigation, and commercial shipping. The legislation made a series of amendments to the Maritime Transportation Security Act of 2002 that require reports on the security and screening of maritime cargo containers, the degree of information sharing between Federal agencies regarding activities in the maritime domain, and the design of the Department of Homeland Security’s port security grant program.

This law also included many provisions included in H.R. 3879 and H.R. 4251.

CAPE TOWN TREATY IMPLEMENTATION ACT OF 2004

H.R. 4226

(Public Law 108–297)

The Cape Town Treaty will aid both the U.S. aviation industry and international commercial aviation businesses. It will bring the uniformity of modern commercial finance laws, already in place in the United States, to international transactions involving aircraft and aircraft engines. To fully implement the Cape Town Treaty and its accompanying Protocol, the Cape Town Treaty Implementation Act designates the Federal Aviation Administration’s Civil Aviation Registry to be the U.S. “Entry Point” to the International Registry for relevant transactions. This is an important change in U.S. law because it will ensure that the Cape Town Treaty and its aircraft protocol can be fully implemented.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART V**

H.R. 5183

(Public Law 108–310)

Public Law 108–310 extends Federal highway, highway safety, motor carrier safety and transit programs for eight months, and authorized appropriations through May 31, 2005.

TO AUTHORIZE THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION TO CARRY OUT CONSTRUCTION AND RELATED ACTIVITIES IN SUPPORT OF THE COLLABORATIVE VERY ENERGETIC RADIATION IMAGING TELESCOPE ARRAY SYSTEM (VERITAS) PROJECT ON KITT PEAK NEAR TUCSON, ARIZONA.

H.R. 5105

(Public Law 108–331)

This law authorizes construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak, near Tucson, Arizona. The VERITAS project is a collaborative effort that brings together the Smithsonian Institution and ten universities from the United States, Canada, Ireland, and Great Britain to construct a new ground-based gamma-ray observatory with an array of four 12m optical reflectors for gamma-ray astronomy. The new gamma-ray observatory will allow scientists to explore new aspects of the universe by allowing them to observe interstellar energy patterns, which were previously inaccessible from ground based observatories.

THE WATER SUPPLY, RELIABILITY, AND ENVIRONMENTAL IMPROVEMENT ACT

H.R. 2828

(Public Law 108–361)

The Water Supply, Reliability, and Improvement Act provides a framework for Federal agencies, including the Environmental Protection Agency and the Army Corps of Engineers, to use existing authorities to help implement the California Bay-Delta Program Record of Decision. The law also authorizes \$90 million for the Secretary of the Army to undertake the construction and implementation of levee stability programs or projects for such purposes as flood control, ecosystem restoration, water supply, water conveyance, and water quality objectives.

ECONOMIC DEVELOPMENT ADMINISTRATION REAUTHORIZATION ACT OF 2004

S. 1134

(Public Law 108–373)

This law reauthorizes the Economic Development Administration for five years. The legislation also updates the findings and declarations; revises several definitions; and allows for the inclusion of non-profit entities in eligible economic development activities. This reauthorization act also grants the Secretary of Commerce the authority to: implement a performance-based incentive plan, issue

new regulations relating to the operation of revolving loan funds, waive planning requirements for isolated areas, convene meetings to improve coordination between federal agencies, increase the federal share of grants, allow for increased retention of funds, and issue new performance regulations.

**RONALD W. REAGAN NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2005**

H.R. 4200

(Public Law 108–375)

ECONOMIC DEVELOPMENT SUBCOMMITTEE

(Assistance to Firefighters Grant Program Reauthorization Act of 2004): This law is enacted as Title XXXVI of the Ronald W. Reagan National Defense Authorization Act for fiscal year 2005. This law reauthorizes the Assistance to Firefighters Grant Program that provides vital assistance to individual firehouses and emergency medical services departments to improve firefighter preparedness by supporting the acquisition of new equipment, improved training and fitness, and expanded reduction of risk programs. This reauthorization act also increases the level of funding for the program as well as increasing the amount available for each grant, based on the size of the area the recipient serves, as well as providing additional guidance on usage of the grant funds. Grants are annually awarded on a competitive basis based on need. The law includes a provision assisting Alaskan Native Villages by allowing all costs incurred in the assembly and delivery of equipment to be considered as equipment costs. The purpose of the FIRE grants program is clarified to prevent grant allocation decisions from being based on terrorism risk.

WATER SUBCOMMITTEE

The Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 includes several provisions that fall within the jurisdiction of the Subcommittee on Water Resources and Environment. Section 311 relates to the satisfaction of certain audit requirements of the Inspector General of the Department of Defense under section 111(k) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Section 313 amends section 591 of the Water Resources Development Act of 1999 to increase the authorization from \$12 million to \$22 million. Section 314 authorizes construction by the Army Corps of Engineers of a small boat harbor at Unalaska, Alaska, contingent upon completion of a favorable report of the Chief of Engineers. Section 2847 amends section 563 of the Water Resources Development Act of 1999 to modify authority for an Army Corps of Engineers land conveyance in Charleston, South Carolina.

**A BILL TO AMEND THE FEDERAL WATER POLLUTION
CONTROL ACT TO REAUTHORIZE THE NATIONAL ES-
TUARY PROGRAM**

H.R. 4731

(Public Law 108–399)

This law reauthorizes the National Estuary Program at \$35 million a year through fiscal year 2010. The purpose of the National Estuary Program is to promote long-term protection of estuaries through collaborative voluntary efforts of Federal, State, local, non-profit, and private interests.

**JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF
2004**

H.R. 5294

(Public Law 108–410)

This law reauthorizes the capital program of the John F. Kennedy Center for the Performing Arts for four years and authorizes money for maintenance, repair, and alteration as well as capital projects. In addition, the Government Accountability Office (GAO) is required to regularly review the capital program of the Kennedy Center to ensure effective project management. Moreover, this law requires improved project management of the Plaza Project through creation of a Project Team. This Project Team will be responsible for overseeing decisions relating to the Plaza Project that will affect the scope, cost, schedule, or engineering feasibility of the overall project.

**A BILL TO AMEND THE TIJUANA RIVER VALLEY ESTU-
ARY AND BEACH SEWAGE CLEANUP ACT OF 2000 TO
EXTEND THE AUTHORIZATION OF APPROPRIATIONS
AND FOR OTHER PURPOSES**

H.R. 4794

(Public Law 108–425)

This law amends the authority of the United States to enter into a fee-for-services contract with the owner of a privately financed secondary wastewater treatment facility located in Mexico to provide improved wastewater treatment along the U.S.-Mexico border so that untreated or partially treated sewage from Tijuana, Mexico, no longer flows north into the San Diego, California area.

**THE NORMAN Y. MINETA RESEARCH AND SPECIAL
PROGRAMS IMPROVEMENT ACT**

H.R. 5163

(Public Law 108–426)

This law reorganizes the current Research and Special Programs Administration (RSPA) into two new administrations: The Research and Innovative Technology Administration (RITA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA).

In RITA, the Administrator will be in charge of the: (1) Department's research and development programs and activities; (2) advancement of innovative technologies, including intelligent transportation systems projects and products; (3) comprehensive transportation statistics research, analysis, and reporting; (4) education and training in transportation and transportation-related fields; and (5) other duties and powers prescribed by the Secretary.

In PHMSA, the Administrator will have authority over the aspects of pipeline and hazardous materials transportation and safety vested in the Secretary.

**THE CONSOLIDATED APPROPRIATIONS ACT FOR
FISCAL YEAR 2005**

H.R. 4818

(Public Law 108–447)

AVIATION SUBCOMMITTEE

War Risk Insurance for Airlines: The House Appropriations Committee, at the request of the Committee on Transportation and Infrastructure, included language providing a one-year extension, through December 31, 2005, of domestic aviation war risk insurance. This program was expanded shortly after the terrorist attacks of September 11, 2001, to provide terrorism insurance and a liability limitation for air carriers.

WATER SUBCOMMITTEE

The law includes several provisions under the jurisdiction of the Subcommittee on Water Resources and Environment. In Division C, making appropriations for Energy and Water Development, title VI incorporates the text of S. 1351 and H.R. 3044, amending the Tennessee Valley Authority Act of 1933 to change the current three-member governing board of directors to a nine member advisory board and to direct the board to appoint a chief executive officer to carry out the day-to-day management of the Tennessee Valley Authority. Division C also includes several Army Corps of Engineers authorizations. Division H, making appropriations for the Departments of Transportation, Treasury and Independent Agencies, includes a provision (Section 520) that requires the Tennessee Valley Authority (TVA) to file information with the Securities Exchange Commission (SEC) that would be required if TVA were reg-

ulated by the SEC, but does not require TVA to register any securities.

**HARMFUL ALGAL BLOOM AND HYPOXIA AMENDMENTS
ACT OF 2004**

S. 3014

(Public Law 108–456)

The Harmful Algal Bloom and Hypoxia Amendments Act of 2004 reauthorizes the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and includes amended reporting requirements, and local and regional scientific assessment requirements.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

H.R. 10/S. 2845

(Public Law 108–458)

This legislation implements a number of recommendations set forth in the National Commission on Terrorist Attacks Upon the United States (9/11 Commission) Report and incorporates transportation and Infrastructure Committee aviation security improvement provisions including, the use of biometrics or other technology for airport access control; transportation security strategic planning; Next Generation Airline Passenger Pre-Screening Program; the expedited deployment and use of explosive detection equipment at airport screening checkpoints and in-line baggage systems; the use of blast-resistant cargo and baggage containers; Federal Law Enforcement In-Flight Counterterrorism training; wireless communication for flight crews; secondary flight deck barriers; Federal Air Marshal Training; and addressing the threat of Man-Portable Air Defense Systems (MANPADS) to commercial aviation.

TOMOCHICHI UNITED STATES COURTHOUSE

H.R. 2523

(Public Law 108–xxx)

This law designates the United States Courthouse located at 125 Bull Street in Savannah, Georgia, as the “Tomochichi United States Courthouse”. Tomochichi was born around the year 1650 into the Creek Indian tribe town of Coweta. In 1728, he established the town of Yamacraw located on the Savannah River. In 1733, General James Edward Oglethorpe arrived at what was to become the new colony of Georgia. Tomochichi befriended Oglethorpe and assisted him in the creation of a new English colony to be named Savannah. In 1734, Tomochichi accompanied Oglethorpe to England to approve a treaty between the Creek Nation and the English. The friendship between Tomochichi and Oglethorpe aided in the peaceful coexistence between the Creek and the English during the period prior to the founding of the United States.

Tomochichi died in 1739, and was buried in what is now known as Wright Square in Savannah, Georgia.

JAMES V. HANSEN FEDERAL BUILDING

H.R. 3147

(Public Law 108—xxx)

This law designates the Federal Building located at 324 Twenty-Fifth Street in Ogden, Utah, as the “James V. Hansen Federal Building”. James Vear Hansen was born in Salt Lake City, Utah, on August 14, 1932. He graduated from East High School and the University of Utah. He served in the United States Navy from 1951 to 1955. He worked as a real estate agent and insurance agent. Congressman Hansen served on the Farmington (Utah) City Council from 1960 until 1972. He was elected to the Utah State House of Representatives in 1973 and served until 1980, and as speaker from 1979 to 1980. Representative Hansen was elected to the U.S. House of Representatives in 1980 where he served until his retirement at the end of the 107th Congress.

JOE SKEEN FEDERAL BUILDING

H.R. 3734

(Public Law 108—xxx)

This law designates the Federal Building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the “Joe Skeen Federal Building”. Congressman Skeen was born in Roswell, New Mexico. He served in the United States Navy for a one-year enlistment and later in the United States Air Force Reserves from 1949 until 1952. Congressman Skeen graduated from Texas A&M University with his Bachelor of Science degree in Agriculture Engineering. After graduation he worked as a soil and water engineer for the Zuni and Ramah Navajo Indians. He later purchased the family sheep ranch. He was first elected to public office in 1960 when he served in the New Mexico State Senate until 1970. For the last six years of his service in the State Senate, he served as Minority Leader. In 1980, Congressman Skeen was elected to serve New Mexico’s 2nd district in the United States House of Representatives. He was first elected as a write-in candidate and served until his retirement during the 107th Congress. While serving in the House, Congressman Skeen was known for his commitment to property rights, balancing the federal budget, and increased tax relief.

HIPOLITO F. GARCIA FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 3884

(Public Law 108—xxx)

This law designates the Federal Building and United States Courthouse located at 615 East Houston Street, in San Antonio, Texas, as the “Hipolito F. Garcia Federal Building and United States Courthouse”. Judge Garcia was born December 4, 1925, in San Antonio, Texas. After serving in the United States Army from 1943 to 1945, Judge Garcia attended St. Mary’s University School of Law graduating in 1951. In 1952, he became the assistant criminal attorney for Bexar County, Texas. Judge Garcia was appointed as a Judge to the County court in 1964 and State District Court in 1975. In 1981, President Carter named Judge Garcia to the United States District Court for the Western District of Texas. Hipolito Garcia passed away January 12, 2002, in Austin, Texas.

F.H. NEWELL BUILDING

H.R. 3124

(Public Law 108—xxx)

This law designates the facility of the U.S. Geological Survey and the U.S. Bureau of Reclamation located at 230 Collins Rd. in Boise, Idaho, as the “F.H. Newell Building”. Born on March 5, 1862, in Bradford, Pennsylvania, F.H. Newell attended prep school in Newton, Massachusetts, then the Massachusetts Institute of Technology, where he graduated in 1885 with a degree in mining engineering. Upon his graduation, he was appointed to head an irrigation survey group in the American West by the Director of the United States Geological Survey (USGS). During his term, he developed techniques of stream gauging still in use today. Promoted to Chief of the Hydraulic Branch of the USGS. Newell was the primary architect of the Reclamation Act of 1902, and upon its passage, was appointed by President Roosevelt as the first Chief Engineer of Reclamation and later, its second Director. He was a founding member of the National Geographic Society and the American Forestry Association and the author of seven books and a number of scholarly articles. After leaving the Bureau of Reclamation, was named head of the Department of Civil Engineering at the University of Illinois. He passed away in 1932.

COMMITTEE VIEWS AND ESTIMATES REPORTS

Pursuant to section 310(d) of the Congressional Budget Act, the Committee submitted its Views and Estimates Reports to the Committee on the Budget for fiscal years 2004 and 2005 on February 26, 2003, and February 25, 2004, respectively.

These reports, intended to provide the Budget Committee with an early and comprehensive indication of Committee legislation plans for the next fiscal year, contained the views and estimates of new budget authority and outlays to be authorized in legislation under the Committee's jurisdiction which would become effective during the next fiscal year.

SUMMARY OF ACTIVITIES FOR THE SUBCOMMITTEE ON AVIATION

In the 108th Congress, the Subcommittee on Aviation was chaired by John L. Mica of Florida. Peter A. DeFazio of Oregon served as the Subcommittee Ranking Democratic Member. Throughout this Congress, the Subcommittee concentrated on strengthening aviation security and reducing terrorist threats in a post 9/11 era. The Subcommittee also focused on ensuring the continued commercial health of the civil aviation system and the safe and efficient use of the navigable airspace. Signed into Public Law were H.R. 4226, H.R. 2115, and H.R. 1527. H.R. 4226, the Cape Town Treaty Implementation Act of 2004, makes certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment. H.R. 2115, Vision 100—Century of Aviation Reauthorization Act, which amends title 49, United States Code, reauthorizes programs for the Federal Aviation Administration (FAA). H.R. 1527, the National Transportation Safety Board Reauthorization Act of 2003, which amends title 49, United States Code, to authorize appropriations for the National Transportation Safety Board. The Subcommittee also played a key role in passing H.R. 10, the 9/11 Recommendations Implementation Act. This necessary legislation provides for reform of the intelligence community, terrorism prevention and prosecution, border security, transportation security, international cooperation and coordination, and other purposes.

ENACTED LEGISLATION

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

H.R. 10/S. 2845

(Public Law 108–458)

This legislation implements a number of recommendations set forth in the National Commission on Terrorist Attacks Upon the United States (9/11 Commission) Report and incorporates Transportation and Infrastructure Committee aviation security improvement provisions including, the use of biometrics or other technology for airport access control; transportation security strategic planning; Next Generation Airline Passenger Pre-Screening Program; the expedited deployment and use of explosive detection equipment at airport screening checkpoints and in-line baggage systems; the use of blast-resistant cargo and baggage containers; Federal Law

Enforcement In-Flight Counterterrorism Training; wireless communication for flight crews; secondary flight deck barriers; Federal Air Marshal training; and addressing the threat of Man-Portable Air Defense Systems (MANPADS) to commercial aviation.

CAPE TOWN TREATY IMPLEMENTATION ACT OF 2004

H.R. 4226

(Public Law 108–297)

The Cape Town Treaty will aid both the U.S. aviation industry and international commercial aviation businesses. It will bring the uniformity of modern commercial finance laws, already in place in the United States, to international transactions involving aircraft and aircraft engines. To fully implement the Cape Town Treaty and its accompanying Protocol, the Cape Town Treaty Implementation Act designates the Federal Aviation Administration’s Civil Aviation Registry to be the U.S. “Entry Point” to the International Registry for relevant transactions. This is an important change in U.S. law because it will ensure that the Cape Town Treaty and its aircraft protocol can be fully implemented.

**FLIGHT 100—CENTURY OF AVIATION
REAUTHORIZATION**

H.R. 2115

(Public Law 108–176)

Vision 100 reauthorizes the Federal Aviation Administration and related programs through fiscal year 2006. It continues the procedural guarantees enacted in the Aviation Investment and Reform Act for the 21st Century (AIR 21) that all taxes and revenues paid into the Aviation Trust Fund are fully invested and that airport improvements and air traffic control modernization are fully funded. Vision 100 includes numerous major programmatic reforms including: FAA management reform, expansion of the Small Community Air Service Program, reform of the Essential Air Service Program, and streamlining of the environment review process for critical airport capacity projects.

**NATIONAL TRANSPORTATION SAFETY BOARD
REAUTHORIZATION ACT OF 2003**

S. 579/H.R. 1527

(Public Law 108–168)

This Act authorizes the programs of the National Transportation Safety Board (NTSB) through fiscal year 2006. In addition, the Act addresses the problem of delays in implementing important NTSB recommendations by requiring an annual report from the Department of Transportation on the status of all significant safety recommendations it has received from the NTSB. The Act also re-

quires the NTSB to notify aircraft owners and operators of their right to appeal a Board employee's decision classifying a particular event involving an aircraft as an accident. Finally, the Act allows the NTSB to turn over family assistance responsibilities to the Federal Bureau of Investigation if it is determined that a crash initially investigated by the NTSB was the result of a criminal act.

**COMMERCIAL AVIATION MANPADS DEFENSE ACT OF
2004**

H.R. 4056

Passed the House on July 22, 2004

H.R. 4056, or the "Commercial Aviation MANPADS Defense Act of 2004" (CAMDA), clarifies that while the Department of Homeland Security (DHS) is conducting research and development of missile defense equipment for commercial aircraft, other efforts to address the threat posed by MANPADS should be taken. CAMDA takes a very comprehensive approach to addressing the threat of MANPADS. It encourages the President to pursue strong international diplomatic and cooperative efforts, including multilateral and bilateral treaties, to limit the availability, transfer, and proliferation of MANPADS and to seek the destruction of excess, obsolete, and illicit MANPADS. It also encourages the President to continue programs to reduce the number of MANPADS worldwide. H.R. 4056 requires the FAA to, when appropriate, expedite its airworthiness certification and to avoid duplicating the efforts taken by DHS during the missile defense system research and development efforts. Finally, the bill requires DHS to report to Congress, within one year, on the vulnerability assessment reports it is conducting at U.S. airports and any ground-based defense policies or procedures recommended through that process.

OMNIBUS APPROPRIATIONS ACT FOR FISCAL YEAR 2005

H.R. 4818

(Public Law 108-447)

War Risk Insurance for Airlines: The House Appropriations Committee, at the request of the Committee on Transportation and Infrastructure, included language providing a one-year extension, through December 31, 2005, of domestic aviation war risk insurance. This program was expanded shortly after the terrorist attacks of September 11, 2001, to provide terrorism insurance and a liability limitation for air carriers.

HEARINGS

The Subcommittee on Aviation held a total of 26 hearings during the 108th Congress. The Subcommittee held 10 hearings on aviation security-related issues and 16 hearings on aviation safety and civil aviation commercial and industry issues.

On February 12, 2003, the Subcommittee held an introductory hearing on the Reauthorization of the Federal Aviation Administration and the aviation programs. The purpose of this hearing was to take testimony on issues related to the FAA and the programs it administers, especially the Airport Improvement Program (AIP), with a view toward reauthorizing them before they expire on September 30, 2003.

On February 26, 2003, the Subcommittee on Aviation and the Subcommittee on Railroads held a Joint Hearing on Planes, Trains, and Intermodalism: Improving the Link Between Air and Rail. Since airline deregulation in 1978, air travel has become an essential form of travel for much of the nation. The hearing focused on the integration of these two modes of transportation.

On March 6, 2003, the Subcommittee held a hearing on the Reauthorization of the Federal Aviation Administration and the Aviation Programs: Airports. The purpose of this hearing was to take testimony from representatives of our nation's airports on issues related to the FAA and the programs it administers, especially the AIP program, with a view toward reauthorizing them before they expire on September 30, 2003.

On March 12, 2003, the Subcommittee held a hearing on Reauthorization of the Federal Aviation Administration and the Aviation Programs: Commercial Aviation. The purpose of this hearing was to take testimony from representatives of our nation's commercial aviation industry on issues related to the FAA and the programs it administers, especially the AIP program, with a view toward reauthorizing them before they expire on September 30, 2003. This particular hearing addressed issues related to commercial aviation and its needs.

On March 17, 2003, the Subcommittee held a hearing on Small Community Air Service. The purpose of this hearing was to discuss the state of commercial air service to small communities.

On March 27, 2003, the Subcommittee held a hearing on the Reauthorization of the Federal Aviation Administration and the Aviation Programs: Testimony from the FAA Administrator and Witnesses Representing FAA Employees. The purpose of this hearing was to take testimony on issues related to the FAA, and the programs it administers, especially the AIP program, with a view toward reauthorizing them before they expire on September 30, 2003. This particular hearing featured testimony by the FAA Administrator, as well as witnesses representing various FAA employee groups.

On April 9, 2003, the Subcommittee held a hearing on Reauthorization of the Federal Aviation Administration and the Aviation Programs: General Aviation. The purpose of this hearing was to take testimony from representatives of the general aviation industry on issues related to the FAA, and the programs it administers, notably the AIP program.

On May 8, 2003, the Subcommittee held a hearing on the Status of the Federal Flight Deck Officer Program. The purpose of this hearing was to receive testimony on the status of the Federal Flight Deck Officer (FFDO) program and related issues.

On June 5, 2003, the Subcommittee held a hearing on the Aircraft Cabin Environment. The purpose of this hearing was to re-

ceive testimony on cabin air quality, the aircraft cabin environment, and related issues.

On September 25, 2003, the Subcommittee held a hearing on the Department of Transportation (DOT) Inspector General's September 4, 2003 Report on the Safety of the FAA's Contract Tower Program. The purpose of this hearing was to receive testimony on the report: *Safety, Cost, and Operational Metrics of the Federal Aviation Administration's Visual Flight Rule Towers* (Report Number: AV-2003-057), and related issues.

On October 16, 2003, the Subcommittee held a hearing on the Transportation Security Administration's Perspective on Aviation Security. The purpose of this hearing was to receive testimony from the Transportation Security Administration (TSA) regarding the status of its programs to improve aviation security.

On October 30, 2003, the Subcommittee held a hearing on the Status of the Federal Aviation Administration's Air Traffic Control Modernization Programs. The Subcommittee met to receive testimony from the FAA, the Department of Transportation's Inspector General (IG), the Government Accountability Office (GAO) and the Management Advisory Council's Air Traffic Services Subcommittee on FAA's efforts to modernize its Air Traffic Control (ATC) system.

On February 12, 2004, the Subcommittee held a hearing on Aviation Security: Progress and Problems in Passenger and Baggage Screening. The Subcommittee met to receive testimony from the TSA, the GAO, and industry representatives to provide an update on the status of airline passenger and baggage screening efforts, with a focus on checkpoint and technology deployment issues. This hearing did not address other screening-related issues such as CAPPS II, airport opt-out, and cargo screening.

On March 16, 2004, the Subcommittee held a field hearing on Opening Reagan National Airport to General Aviation. The purpose of this hearing was to discuss efforts to open Ronald Reagan Washington National Airport to general aviation activity and the security issues surrounding this decision.

On March 17, 2004, the Subcommittee held a hearing on the Status of the Computer Assisted Passenger Prescreening System (CAPPS II). The purpose of this hearing was to determine the status of CAPPS II, and the progress made in addressing concerns regarding privacy, due process, accuracy, and the effectiveness of the system.

On April 1, 2004, the Subcommittee held a hearing on Airport Deregulation. The purpose of this hearing was to discuss the Federal regulation of the economic activities of commercial service airports.

On April 22, 2004, the Subcommittee held a hearing on the Airport Screener Privatization Pilot Program. The purpose of this hearing was to review the Security Screening Pilot Program being implemented at five commercial airports.

On April 29, 2004, the Subcommittee held a hearing on the Cape Town Treaty and Marked-up H.R. 4226, "Cape Town Treaty Implementation Act of 2004". The purpose of the hearing was to discuss the Cape Town Convention and the related Protocol on Aircraft Equipment. Immediately following the hearing the Subcommittee marked up two bills, H.R. 4226, the "Cape Town Treaty Implemen-

tation Act of 2004” and H.R. 4056, the “Commercial Aviation MANPADS Defense Act of 2004.”

On May 13, 2004, the Subcommittee held a hearing on Avoiding Summer Delays and a Review of the FAA’s Air Traffic Organization. The purpose of the hearing was to review FAA and TSA plans to prevent passenger delays during the summer peak travel period and to discuss progress on FAA’s Air Traffic Organization reform.

On May 19, 2004, the Subcommittee held a hearing on the Use of Biometrics to Improve Aviation Security. The purpose of this hearing was to discuss the use of biometric technologies to improve aviation security, including the status of efforts to develop operational and technical standards for biometrics.

On June 3, 2004, the Subcommittee held a hearing on the Financial Condition of the Airline Industry. The purpose of the hearing was to receive testimony on the financial condition of the U.S. airline industry almost three years after the September 11, 2001 terrorist attacks, with a focus on the industry’s economic self-help initiatives.

On June 15, 2004, the Subcommittee held a hearing on the Status of the Air Traffic Controller Workforce. The purpose of the hearing was to receive testimony on the status of the air traffic controller workforce with a focus on retirements, hiring and training.

On July 8, 2004, the Subcommittee held a hearing on National Capitol Region Air Space Control: A Review of the Issues Surrounding the June 9, 2004 Flight of “N24SP”. The purpose of this hearing was to review the National Capital Region’s air space control and the issues surrounding the specific incident that occurred on June 9, 2004, with Flight “N24SP.” The Subcommittee received testimony from both TSA and FAA.

On July 14, 2004, the Subcommittee held a hearing on In-Line Explosive Detection Systems: Financing and Deployment. The Subcommittee on Aviation met to receive testimony from TSA, airport representatives, and explosive detection system (EDS) manufacturers to discuss the financing and deployment of integrated in-line EDS for screening checked baggage for explosives.

On August 25, 2004, the Subcommittee held a hearing on the 9/11 Commission Report: Review of Aviation Security Recommendations. The purpose of this hearing was to review and discuss the 9/11 Commission Report’s aviation security recommendations.

On September 9, 2004, the Subcommittee held a hearing on Delay Reduction Efforts at Chicago’s O’Hare Airport. The purpose of this hearing was to review and discuss recent and future delay reduction efforts by the FAA and the commercial airlines at O’Hare International Airport in Chicago, Illinois, and across the national airspace system.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON
COAST GUARD AND MARITIME TRANSPORTATION

During the 108th Congress, the Subcommittee on Coast Guard and Maritime Transportation, chaired by Congressman Frank A. LoBiondo with Congressman Bob Filner serving as the Democratic Ranking Member, developed major legislation regarding the U.S. Coast Guard and maritime security. The Coast Guard and Maritime Transportation Act of 2004, P.L. 108–293, was enacted during the 108th Congress and incorporated a number of bills that were developed and considered by the Subcommittee.

ENACTED LEGISLATION

**COAST GUARD AND MARITIME TRANSPORTATION ACT
OF 2004**

H.R. 2443

(Public Law 108–293)

The legislation authorizes \$8.2 billion for Coast Guard programs and operations in fiscal year 2005. The law also amends existing statutes to improve management of Coast Guard activities, navigation, and commercial shipping. The legislation made a series of amendments to the Maritime Transportation Security Act of 2002 that require reports on the security and screening of maritime cargo containers, the degree of information sharing between Federal agencies regarding activities in the maritime domain, and the design of the Department of Homeland Security's port security grant program.

This law also included many provisions included in House bills H.R. 3879 and H.R. 4251.

OTHER LEGISLATION

**COAST GUARD AND MARITIME TRANSPORTATION
TECHNICAL CORRECTIONS ACT OF 2004**

H.R. 5426

This Act makes technical corrections to the Coast Guard and Maritime Transportation Act of 2004 (P.L. 108–293). The House passed the bill on December 7, 2004. No further action was taken on the bill.

COAST GUARD AUTHORIZATION ACT FOR FISCAL YEAR 2005

H.R. 3879

This bill authorizes funding for Coast Guard activities for fiscal year 2005. The Committee approved a funding level of \$7.9 billion, including an amount of \$1.1 billion for the Integrated Deepwater System, the Coast Guard's multi-year asset recapitalization program. The Committee reported the bill on May 11, 2004. H.R. 3879 was incorporated into P.L. 108-293.

MARITIME TRANSPORTATION AMENDMENTS OF 2004

H.R. 4251

This legislation amends existing statutes to enhance the Coast Guard's authority to promote and protect maritime safety and to enforce port security regulations. The legislation also included provisions to improve the safety and security of commercial shipping by requiring regular inspection of towing vessels and by requiring notification of drug test violations from civilian and certain uniformed personnel employed aboard Federally-operated vessels. The Committee reported the bill on November 16, 2004. H.R. 4251 was incorporated into P.L. 108-293.

HEARINGS

During the 108th Congress, the Subcommittee on Coast Guard and Maritime Transportation, chaired by Congressman Frank A. LoBiondo, with Congressman Bob Filner serving as Ranking Democratic Member, held 14 hearings.

ANNUAL HEARINGS ON THE ADMINISTRATION'S PROPOSED BUDGET FOR THE COAST GUARD AND FEDERAL MARITIME COMMISSION

The Subcommittee conducted two separate hearings on the Administration's fiscal year 2004 and 2005 budgets during the 108th Congress.

The United States Coast Guard was established on January 28, 1915, through the consolidation of the Revenue Cutter Service (established in 1790) and the Lifesaving Service (established in 1848). The Coast Guard later assumed the duties of three other agencies: the Lighthouse Service (established in 1789), the Steamboat Inspection Service established in 1838, and the Bureau of Navigation (established in 1884).

The Coast Guard remained a part of the Department of the Treasury until 1967, when it was transferred to the newly created Department of Transportation. Under the Homeland Security Act of 2002, Public Law 107-296, the Coast Guard moved to the new Department of Homeland Security on March 1, 2003.

Under section 2 of title 14, United States Code, the Coast Guard has primary responsibility to enforce or assist in the enforcement of all applicable Federal laws on, under, and over the high seas and waters subject to the jurisdiction of the United States; to ensure safety of life and property at sea; to protect the marine environment; to carry out domestic and international icebreaking activi-

ties; and to ensure the safety and security of vessels, ports, waterways, and related facilities.

As the fifth armed force of the United States, the Coast Guard also maintains defense readiness to operate as a specialized service in the Navy upon the declaration of war or when the President directs. The Coast Guard is composed of approximately 37,000 active duty military personnel, 9,000 reservists, 6,400 civilian employees, and 32,000 volunteers of the Coast Guard Auxiliary. The Coast Guard has defended the Nation in every war since 1790. In recent years, the Coast Guard deployed assets to the Persian Gulf and Mediterranean region to take part in the U.S. military's Operation Iraqi Freedom.

PRESIDENT'S FISCAL YEAR 2004 BUDGETS FOR THE U.S. COAST GUARD
AND THE FEDERAL MARITIME COMMISSION

On March 13, 2003, the Subcommittee conducted an oversight hearing on the Administration's fiscal year 2004 budget requests for the U.S. Coast Guard and the Federal Maritime Commission.

The Subcommittee heard testimony from Admiral Thomas H. Collins, Commandant, United States Coast Guard; Master Chief Franklin A. Welch, Master Chief Petty Officer of the United States Coast Guard; and the Honorable Steven Blust, Chairman of the Federal Maritime Commission. Accompanying Mr. Blust was Ms. Amy W. Larson, Acting General Counsel and Mr. Bruce A. Dombrowski, Executive Director.

The Administration requested \$6.7 billion for Coast Guard activities that were subject to appropriation in fiscal year 2004. This request was \$581 million, or approximately 10 percent, more than the amount appropriated for the Coast Guard in fiscal year 2003. This request reflected three primary objectives for the Coast Guard in fiscal year 2004: (1) to recapitalize Coast Guard legacy assets and infrastructure; (2) to build-out homeland security capabilities; and (3) to sustain non-homeland security missions near pre-September 11, 2001 levels. Approximately \$538 million was requested for mandatory military personnel entitlement programs, including retirement pay and enhanced Coast Guard operations. An additional \$60 million was requested for increased costs for capital acquisitions and for training of Coast Guard Reserve forces.

The President requested no additional funding above the \$64 million permanently appropriated for the boating safety program (Wallop-Breaux Trust Fund) and Coast Guard administrative expenses. The Wallop-Breaux Trust Fund consists of two accounts, the Sport Fish Restoration Account and the Boat Safety Account. Annually, up to \$70 million of the motorboat fuel taxes paid by recreational boaters are deposited in the Boat Safety Account to fund state boating safety grant programs coordinated by the Coast Guard.

The Administration's fiscal year 2004 budget requested that an amount of \$61.2 million be provided for Coast Guard activities under the Oil Pollution Act of 1990 from the Oil Spill Liability Trust Fund. This amount included \$50 million for emergency response costs, \$10 million for payment of claims, and \$1.2 million for support of the Prince William Sound Oil Spill Recovery Institute in Cordova, Alaska. Established by the Oil Pollution Act of

1990, the Oil Spill Liability Trust Fund provides a source of funds, not subject to appropriation, to pay oil spill removal costs and damages, including assessment of natural resources damages, and Federal expenses necessary to administer the Fund. Each year, the Fund may provide up to \$50 million for emergency response costs and pay all valid claims for oil spill damages resulting from oil spills.

The Administration requested \$18.47 million for the operation of the Federal Maritime Commission (FMC) for fiscal year 2004. Approximately \$16.70 million was appropriated for FMC operations in fiscal year 2003. The FMC is primarily engaged in administering the Shipping Act of 1984. However, the FMC also enforces the Foreign Shipping Practices Act and Section 19 of the Merchant Marine Act, 1920. Under these authorities, the FMC protects shippers and carriers from restrictive or unfair practices of foreign governments and foreign-flag carriers. Under these laws, the FMC has the authority to take action against the offending carriers, including the imposition of per voyage fees and the prevention of trade with the United States. The FMC also enforces the laws related to cruise vessel financial responsibility to ensure that cruise vessel operators have sufficient resources to pay judgments to passengers for personal injury or death or for nonperformance of a voyage.

UNITED STATES COAST GUARD AND FEDERAL MARITIME COMMISSION
FISCAL YEAR 2005 BUDGET REQUESTS, AND THE COAST GUARD AUTHORIZATION ACT FOR FISCAL YEAR 2005

On March 4, 2004, the Subcommittee conducted a hearing on the United States Coast Guard and Federal Maritime Commission fiscal year 2005 budget requests and the Coast Guard Authorization Act for fiscal year 2005. The purpose of the hearing was to consider the Administration's fiscal year 2005 budget requests for the U.S. Coast Guard, Department of Homeland Security port security grants, and the Federal Maritime Commission.

Testimony was received from Admiral Thomas H. Collins, Commandant, United States Coast Guard; Master Chief Franklin A. Welch, Master Chief Petty Officer, United States Coast Guard; and the Honorable Steven R. Blust, Chairman, Federal Maritime Commission. Ms. Amy W. Larson, General Counsel, accompanied Mr. Blust.

The Administration's fiscal year 2005 budget requested \$7.5 billion to support Coast Guard operations. This request was \$430 million, or approximately 6.1 percent, more than the amount appropriated for the Coast Guard in fiscal year 2004. This request reflects four primary objectives for the Coast Guard in fiscal year 2005: (1) to recapitalize operational assets; (2) to maintain existing missions; (3) to implement the Marine Transportation Security Act of 2002 (MTSA); and (4) to enhance maritime domain awareness.

The Administration did not request additional funding above the \$64 million permanently appropriated for the boating safety program (Wallop-Breaux Trust Fund) and Coast Guard administrative expenses. In 1984, the Wallop-Breaux amendments to the Deficit Reduction Act of 1984 created the Aquatic Resources Trust Fund. The Wallop-Breaux Trust Fund consists of two accounts, the Sport Fish Restoration Account and the Boat Safety Account. Annually,

up to \$70 million of the motorboat fuel taxes paid by recreational boaters are deposited in the Boat Safety Account to fund state boating safety grant programs coordinated by the Coast Guard.

The Sportfishing and Boating Safety Act of 1998, which is contained in Subtitle D of title VII of the Transportation Equity Act for the 21st Century (P.L. 105–178), amended the Recreational Boating Safety Program, administered by the Coast Guard. Under these amendments, states receive \$59 million without appropriation for boating safety programs. An additional \$13 million may be appropriated from the Coast Guard's budget for boating safety programs. This legislation also provides the Coast Guard with \$5 million annually to coordinate and carry out the national recreational boating safety program.

Established by the Oil Pollution Act of 1990, the Oil Spill Liability Trust Fund provides a source of funds, not subject to appropriation, to pay oil spill removal costs and damages, including assessment of natural resources damages, and Federal expenses necessary to administer the Fund. Each year, the Fund may provide up to \$50 million for emergency response costs and pay all valid claims for oil spill damages resulting from oil spills.

The President's fiscal year 2005 request from the Fund was \$61.2 million, including \$50 million for emergency response costs, \$10 million for payment of claims, and \$1.2 million for support of the Prince William Sound Oil Spill Recovery Institute in Cordova, Alaska. In addition, \$52.5 million was proposed to be taken from the Fund to offset Coast Guard expenditures related to Oil Pollution Act activities—\$25 million for Operating Expenses, \$24 million for Acquisitions, Construction and Improvements, and \$3.5 million for Research, Development, Test and Evaluation.

The President's FY 2005 request included \$46 million in port security grants to be administered by the Office of Domestic Preparedness. Section 102 of the Maritime Transportation Security Act (46 U.S.C. 70107) authorizes the Secretary of Transportation, acting through the Maritime Administrator, to make port security grants to port authorities, facility operators, and state and local governments. These grants may be used to correct vulnerabilities in port security and ensure compliance with Area Maritime Transportation Security Plans and facility plans. In fiscal years 2002, 2003, and 2004 a total of \$588 million has been appropriated for these grants. Of that amount, \$442 million has been awarded. An additional round of grants is expected to be made later this year. In FY 2004, \$124.5 million was provided to the Transportation Security Administration for these grants.

The Administration requested \$19.5 million for the operation of the Federal Maritime Commission for fiscal year 2005. Approximately \$18.4 million was appropriated for FMC operations in fiscal year 2004.

The Subcommittee authorized funding levels for fiscal years 2004 and 2005 in the House-passed version of H.R. 2443, the Coast Guard and Maritime Transportation Act of 2004. The final Act included authorization levels for Coast Guard activities in fiscal year 2005 only.

The following table summarizes the funding levels that were requested by the Administration, authorized by the Congress, and

eventually appropriated by the Congress for Coast Guard activities in the fiscal years 2004 and 2005. All funding levels are reported in millions of dollars.

Account	Funding levels reported in millions of \$					
	FY 2004 request	FY 2004 appropriated	FY 2005 request	H.R. 2443 authorized	FY 2005 appropriated	H. R. 4837 supplemental
Operating Expenses	\$4,706.0	\$4,816.2	\$5,173.2	\$5,404.3	\$5,157.2	**\$33.4
Environmental Compliance and Restoration	17.0	17.0	17.0	17.0	17.0
Reserve Training	114.0	95.0	117.0	117.0	113.0
Acquisition, Construction and Improvements	775.0	**1,011.2	942.6	1,500.0	982.2
Deepwater	500.0	668.4	678.0	1,100.0	724.0
Alteration of Bridges	0.0	19.3	0.0	19.7	15.9
Research, Development, Test and Evaluation	22.0	15.0	0.0	24.2	18.5
Retired Pay	1,020.0	1,020.0	1,085.5	1,085.5	1,085.5
Total	6,654.0	**6,993.6	7,355.3	8,167.7	7,389.3	**\$33.4

**FY 2004 appropriations (AC&I) include AC&I \$16 million rescission from Rescue 21 (as part of FY 2005 Act)

***Supplemental for hurricane assistance included in H.R. 4837

PORT SECURITY-RELATED HEARINGS

The Subcommittee held five hearings that focused on issues related to increasing port security through review and implementation of measures outlined by the Maritime Transportation Security Act of 2002 (P.L. 107-295).

The U.S. Marine Transportation System (MTS) consists of waterways, ports and their intermodal connections, vessels, vehicles, and system users, and Federal maritime navigation systems that are scattered throughout 3.5 million square miles of ocean area and along 95,000 miles of coastline. Commercial shipping carries more than 95 percent by volume of the U.S. overseas trade through these waters and is critical to U.S. economic health. The System's objective is the safe, secure, and environmentally sound movement of goods, people, and military assets in the most efficient and economically effective manner possible. Annually, the MTS handles more than two billion tons of freight, three billion barrels of oil, more than 134 million ferry passengers, and more than seven million cruise ship passengers. Approximately 7,500 foreign ships, manned by 200,000 foreign sailors, enter U.S. ports every year to offload approximately six million truck-size cargo containers onto U.S. docks. Additionally, many of these seaports are critical military strategic sealift ports whose availability must be constantly assured.

Critical coastal facilities such as military installations, nuclear power plants, oil refineries, fuel tanks, pipelines, chemical plants, and vital bridges, line American ports, waterways, and shores. These and many other national assets are critical to our economic and national security and vital for the free and seamless movement of passengers and goods throughout the country.

There are 361 public ports in the United States that handle over 95 percent of U.S. overseas trade. The top 50 ports in the United States account for over 90 percent of total cargo tonnage. Twenty-five U.S. ports account for over 98 percent of all container shipments. Cruise ships visiting foreign destinations embark from at least 16 U.S. ports. Generally, ports are often very open and exposed and are susceptible to large-scale acts of terrorism that could cause catastrophic loss of life and economic disruption. Despite the importance of seaport security, perhaps no other mode of transportation is currently more vulnerable to future attacks than our Nation's Marine Transportation System.

MARITIME TRANSPORTATION SECURITY ACT OF 2002

On November 25, 2002, President Bush signed into law the Maritime Transportation Security Act (MTSA) of 2002 which contains several provisions to protect America's maritime community against the threat of terrorism without adversely affecting the flow of U.S. commerce through our ports. Section 102 of the MTSA created a new subtitle VI of title 46, United States Code, which establishes a comprehensive national system of maritime transportation security enhancements. Chapter 701 of this title contains provisions related to port security.

The Coast Guard has been designated as the lead Federal agency with responsibility over maritime homeland security. The Coast

Guard's homeland security missions include protection of the U.S. maritime domain and the U.S. Marine Transportation System and the denial of use and exploitation of these systems by terrorists as a means for attacks on U.S. territory, population, and critical infrastructure. The MTSA contains several provisions relating to the Coast Guard's role in maritime homeland security. The MTSA creates a U.S. maritime security system and requires Federal agencies, ports, and vessel owners to take numerous steps to upgrade security. The MTSA also required the Coast Guard to conduct vulnerability assessments of U.S. ports. The MTSA further required the Coast Guard to develop national and regional area maritime transportation security plans and required seaports, waterfront terminals, and certain types of vessels to develop and submit security and incident response plans to the Coast Guard for approval by July 1, 2004. Finally, the MTSA also required the Coast Guard to conduct an antiterrorism assessment of certain foreign ports.

IMPLEMENTATION OF U.S. MARITIME SECURITY

Section 70117 of title 46, United States Code required the Coast Guard to issue an interim final rule, as soon as practicable, as a temporary regulation to implement the Port Security section (section 102) of the MTSA. The Coast Guard published a series of six temporary interim rules on July 1, 2003 and published final rules on October 22, 2003, which became effective on November 21, 2003.

PORT SECURITY

On June 3, 2003, the Subcommittee conducted a hearing on the implementation of chapter 701 (Port Security) of title 46, as enacted in the Maritime Transportation and Security Act of 2002, with particular emphasis on U.S. facility and vessel vulnerability assessments, maritime transportation security plans, transportation security incident response, and foreign port assessment.

Testimony was received from Admiral Thomas H. Collins, Commandant, United States Coast Guard; Mr. William C. Ellis, Director of Security, Port of Long Beach, California; and Ms. Bethann Rooney, Manager, Port Security, Port Authority of New York and New Jersey.

Admiral Collins testified about the development of regulations that would outline requirements and deadlines for vessels and facility security plans required under the Maritime Transportation Security Act of 2002 and about the measures that were in place and being developed to identify ownership of and assess risk associated with foreign-flagged ships calling on U.S. harbors. Mr. Ellis and Ms. Rooney testified on the role of local port authorities in enhancing port security, the effects that the proposed regulations would have on U.S. ports, and the availability of funding for implementing the security measures required by the Maritime Transportation Security Act of 2002.

INTERIM FINAL REGULATIONS ON PORT SECURITY

On July 22, 2003, the Subcommittee conducted a hearing on interim regulations on port security that were developed by the Coast Guard. These interim rules promulgate maritime security require-

ments mandated by chapter 701 of title 46 (Port Security), United States Code, as enacted in the Maritime Transportation and Security Act of 2002. These six temporary interim rules included: Implementation of National Maritime Security Initiatives, Area Maritime Security, Vessel Security, Facility Security, Outer Continental Shelf Facility Security, and Automatic Identification System.

Testimony was received from Admiral Thomas H. Collins, Commandant, accompanied by RADM Larry Hereth, Director of Port Security, United States Coast Guard; Mr. Cornel Martin, Vice President, Passenger Vessel Association; Mr. Michael Crye, President, International Council of Cruise Lines; Mr. Joseph Cox, President, Chamber of Shipping of America; Mr. Rob Remar, General Counsel, International Longshore & Warehouse Union; Mr. Harold Hudgins, Manager, General Cargo/Intermodal, Alabama State Port Authority; Mr. Dan Smith, President and CEO, Maritel; Mr. Dennis Rochford, President, Maritime Exchange for the Delaware River and Bay; and Fiona J. Morgan, Executive Director, National Marine Charter Association.

The interim rules covered vessels and facilities operating on or adjacent to waters subject to the jurisdiction of the U.S. and were split into six separate parts. Following a general section that discussed general requirements and definitions, each of the sections focused on a specific segment of the marine industry: ports, vessels, facilities, and outer continental shelf facilities. Lastly, the interim regulations addressed the installation of the Automatic Identification System (AIS). These regulations were part of the new Subchapter H of title 33 of the Code of Federal Regulations (CFR), except for AIS, which amended several sections of the CFR.

The interim regulations became effective on July 1, 2003. The Coast Guard accepted written comments on the regulations for 30 days, and held a public meeting to discuss the maritime security interim rules and the AIS interim rules on July 23, 2003, in Washington, D.C.

The temporary interim regulations required the designation of an individual who will be responsible for the vessel or facility security program, outlined the qualifications for security officers, and required all personnel to have training so that they are ready and able to implement the security plan. The regulations also required owners and operators to assess vulnerabilities and develop plans that may include passenger, vehicle and baggage screening procedures. The regulations also directed the plans to take into account existing and future security patrols, established restricted areas, personnel identification procedures, access control measures, and installation of surveillance equipment.

IMPLEMENTATION OF THE MARITIME TRANSPORTATION SECURITY ACT,
AND ON H.R. 3712, THE UNITED STATES SEAPORT MULTIYEAR SECURITY
ENHANCEMENT ACT, AND H.R. 2193, THE PORT SECURITY IMPROVEMENTS
ACT OF 2003

On June 9, 2004, the Subcommittee conducted an oversight hearing on the implementation of the Maritime Transportation Security Act of 2002. Also, the Subcommittee received testimony on H.R. 2193, the Port Security Improvements Act of 2003, sponsored by Representative Ose (CA), and H.R. 3712, the United States Seaport

Multiyear Security Enhancement Act, sponsored by Representative Millender-McDonald (CA).

The Subcommittee received testimony from Rear Admiral Larry Hereth, Director of Port Security, United States Coast Guard; Mr. Noel Cunningham, Director of Operations, Port of Los Angeles; and Mr. Michael Mitre, Coast Port Security Director, International Longshore and Warehouse Union.

The marine areas under U.S. jurisdiction cover some 3.5 million square miles of ocean area and 95,000 miles of coastline. America's 361 salt and freshwater ports provide numerous entry points through which more than 95 percent by volume of the U.S. overseas trade arrives in this country. However, those seeking to endanger the security of the American people may use these same ports.

Critical coastal facilities, marine and otherwise, such as military installations, nuclear power plants, oil refineries, fuel tanks, pipelines, chemical plants, and vital bridges, line American ports, waterways, and shores. These and many other national assets are critical to our economic and national security, and vital for the free and seamless movement of passengers and goods throughout the country.

Generally, ports are often very open and exposed and are susceptible to large-scale acts of terrorism that could cause catastrophic loss of life and economic disruption. Despite the importance of seaport security, perhaps no other mode of transportation is currently more vulnerable to future attacks than our Nation's Marine Transportation System.

On November 25, 2002, President Bush signed into law the Maritime Transportation Security Act (MTSA) of 2002. In 2003, the Subcommittee on Coast Guard and Maritime Transportation conducted two oversight hearings concerning port security, focusing on the U.S. Coast Guard's promulgation of regulations to implement maritime security requirements mandated by chapter 701 of title 46 (Port Security), United States Code, as enacted in the MTSA. The Coast Guard published a series of final rules that built on interim rules that had been implemented earlier in the year and required that certain sectors of the maritime industry to take significant measures to increase the security of vessels, shore-side facilities, and offshore facilities under U.S. jurisdiction. The regulations also required the carriage of automatic identification systems on board certain vessels on specified navigable waters of the United States. The rules went into force on July 1, 2004, in conjunction with the rules outlined in the International Ship and Port Facility Security (ISPS) Code that was adopted by the International Maritime Organization.

The Subcommittee received testimony on the implementation of the final rules and the level of compliance by maritime industries with the regulations. Rear Admiral Hereth testified that more than 98 percent of vessels and shoreside facilities were expected to be compliant with the final rules by the time the regulations went into force on July 1, 2004. Mr. Cunningham and Mr. Mitre testified regarding the industry's efforts to be compliant with the rules and the effect that the regulations would have on normal operation within U.S. ports.

At this hearing, the Subcommittee heard testimony regarding H.R. 2193, the Port Security Improvement Act of 2003 and H.R. 3712, the United States Seaport Multiyear Security Enhancement Act.

H.R. 3193 was introduced by Rep. Ose (CA) on May 21, 2003, and would provide for the enhancement of security measures at ports nationwide. This bill would make available to the Secretary of Homeland Security a percentage of the customs duties collected at each port that exceed the total port security costs incurred at that port for a period of five fiscal years to fund port security improvements. These improvements include the administration of the transportation security card program (also known as the transportation worker identification credentials (TWIG) program); the inspection of cruise passengers, cargo and empty containers; and upgrades to port security infrastructure. H.R. 2193 establishes deadlines for the issuance of interim and final regulations regarding the transportation security card program and establishes national minimum standards for security requirements for each port and facility in the United States and each vessel entering a U.S. port.

H.R. 3712 was introduced by Rep. Juanita Millender-McDonald on January 21, 2004. This bill would authorize the Secretary of Homeland Security to make grants to seaports to provide funds for port security improvements. Additionally, the bill establishes criteria for projects that maybe funded by such awards and would require that funds from federal grants not exceed 75 percent of the total costs of any project except under certain circumstances. H.R. 3712 provides for the issuance of a letter of intent by the Secretary of Homeland Security committing to obligate funds from future budget authority to a seaport. This provision would allow ports to move ahead with security improvements with the expectation that funds will be provided in the future to meet part of the costs incurred by any such projects. The bill also authorizes appropriations in the amount of \$800 million for each of fiscal years 2005 through 2009 to carry out the grant program and remain available to the Secretary until expended.

9/11 COMMISSION REPORT AND MARITIME TRANSPORTATION SECURITY

On August 25, 2004, the Subcommittee conducted a hearing on the National Commission on Terrorist Attacks Upon the United States (9/11 Commission) report and maritime transportation security.

The Subcommittee received testimony from Mr. John Lehman, Commissioner, National Commission on Terrorist Attacks Upon the United States; Ms. Jamie Gorelick, Commissioner, National Commission on Terrorist Attacks Upon the United States; Rear Admiral Larry Hereth, Director of Port Security, and was accompanied by Mr. James F. Sloan, Assistant Commandant for Intelligence, United States Coast Guard; and Dr. Stephen E. Flynn, Jeane J. Kirkpartick Senior Fellow for National Security Studies, Council on Foreign Relations.

On July 22, 2004, the 9/11 Commission released its final report. The report reviews in detail the events that occurred September 11, 2001, as well as political, economic, military, and cultural circumstances that have combined to create a climate that is favor-

able for the generation and operation of fundamental Islamist terrorist organizations, such as Al Qaeda, that aim to attack Americans and American interests both at home and abroad. The 9/11 Commission's report makes a number of recommendations that would modify Federal activities to further safeguard homeland security.

The Subcommittee received testimony on the security of the nation's transportation system, specifically on issues related to the maritime transportation industry. The Subcommittee also received testimony from the Coast Guard and the U.S. Customs and Border Protection regarding the Department of Homeland Security's efforts to enhance port and cargo security.

MARITIME DOMAIN AWARENESS

On October 6, 2004, the Subcommittee conducted a hearing to investigate Federal activities related to improving Maritime Domain Awareness.

The Subcommittee received testimony from Mr. Jeffrey P. High, Director of Maritime Domain Awareness, United States Coast Guard; Rear Admiral Samuel P. DeBow, Director, NOAA Marine and Aviation Operations, National Oceanic and Atmospheric Administration; and Mr. Robert A. Jacksta, Executive Director, Border Security and Facilitation, U.S. Customs and Border Protection, Department of Homeland Security.

Maritime Domain Awareness (MDA) has been defined as the effective knowledge of all activities associated with the global maritime environment that could impact the security, safety, economy, or environment of the United States.

Numerous Federal and State government agencies are responsible for carrying out activities that contribute to overall maritime domain awareness. MDA requires information ranging from the detailed mapping of the coastal ocean floor to strategies that identify the multitude of vessels that operate along the more than 95,000 miles of shoreline and in the 25,000 miles of navigable waterways and 3.4 million square miles of open water that comprise the U.S. economic exclusion zone. MDA represents an important tool that can be employed to further protect the safety and security of the United States and the continued operation of the maritime transportation industry in U.S. waters.

In an effort to recognize and reduce vulnerabilities of U.S. ports and waterways following the attacks of September 11th, the United States Coast Guard has spearheaded an interagency approach for establishing MDA. The core of MDA efforts revolve around the development and use of accurate information, intelligence, and knowledge of vessels, cargo, crews, and passengers, and extend this well beyond traditional maritime boundaries. MDA is designed to provide a layered defense through collaborative efforts with international partners to identify and counter security risks long before they reach a U.S. port.

The Coast Guard is currently leading efforts to develop a comprehensive national MDA plan and system architecture. The 9/11 Commission's Report recommends that the government identify and evaluate transportation assets needing protection, set risk-based priorities for defending them, select the most practical and

cost-effective ways of doing so, and then develop a plan, budget, and funding to implement the efforts. The Coast Guard contends that a comprehensive MDA plan will address this need in a maritime environment.

The Coast Guard's Intelligence Coordination Center, which is collocated with the Office on Naval Intelligence at the National Maritime Intelligence Center in Suitland, Maryland, has recently established a program called COASTWATCH to monitor the entry of vessels into U.S. waters. Through this process, notices of arrival reports (containing crew, passenger, cargo, and shipping line information) from the National Vessel Movement Center (NVMC) are analyzed using law enforcement and intelligence information. Vessels of interest are identified so the Coast Guard and other agencies can appropriately respond prior to the vessel reaching port. Additionally, the Coast Guard is establishing a network for receiving and distributing Automatic Identification System (AIS) reports (vessel position, course, speed, etc.) from ships using existing Vessel Traffic Services monitoring systems located in ten of the Nation's largest ports. This initiative is planned to expand to other strategically significant U.S. seaports and ultimately will cover the entire coastline including all of America's 361 ports.

The Coast Guard is developing technologies and systems to track vessels within and bound for U.S. waters from overseas locations, as required by both the Maritime Transportation Security Act of 2002 (MTSA) and the Coast Guard and Maritime Transportation Act of 2004. The Coast Guard is currently working with the International Maritime Organization (IMO) to develop functional and technical requirements for long range tracking out to 2000 nautical miles. The United States is currently developing an amendment to the International Ship and Port Facility Security Code (ISPS) for this initiative that will be submitted to the IMO for consideration.

In addition to efforts to safeguard homeland security through the identification and tracking of vessels on the high seas, the Coast Guard has initiated vulnerability assessments in a number of strategic ports located throughout the United States. Of the 361 domestic ports located in the U.S., 55 have been deemed as militarily or economically critical (15 percent). The Coast Guard has completed Port Threat Assessments (PTAs) at 14 of these 55 critical ports, with 5 more scheduled for completion by the end of fiscal year 2004. The remaining 36 PTAs are planned for completion by early fiscal year 2006.

The Coast Guard is also working in partnership with the Chief of Naval Operations (CNO) to develop prototype joint harbor operations centers in select Navy homeports. These centers will be responsible for coordinating Coast Guard and Navy efforts to improve the Service's capabilities to provide and safeguard port security and force protection. Joint operations centers are currently in place in San Diego, California and Hampton Roads, Virginia.

As directed by MTSA, the Coast Guard established an International Port Security Program (IPSP). This program combines the knowledge and experience of CBP, TSA, and other Federal agencies in developing this program, sharing lessons learned and best practices from TSA's Civil Aviation Security Liaison Officer program and CBP's Container Security Initiative. IPSP began visiting for-

eight ports in July to measure the extent of these countries' compliance with the ISPS Code.

The Coast Guard has established Maritime Intelligence Fusion Centers on the east and west coasts to provide tactical, actionable intelligence to Coast Guard District commanders and units. In addition, the Coast Guard established subordinate Field Intelligence Support Teams (FISTs) in key ports. These teams are actively engaged in intelligence gathering and initial analysis in coordination with Federal, State, and local law enforcement and intelligence agencies.

In addition to the above initiatives, the Coast Guard continues to develop additional technologies and sources through its research, development, test and evaluation program to improve the collection, analysis and dissemination of information in order to expand MDA and provide the maximum possible coverage.

Numerous Federal agencies, in addition to the Coast Guard, carry out operations that enhance overall Maritime Domain Awareness. The Department of Homeland Security (DHS), as coordinated by U.S. Customs and Border Protection (CBP), has initiated a number of programs designed to safeguard the maritime transportation industry by improving the security of maritime cargo containers.

In 2002, CBP established Operation Safe Commerce at the Ports of New York/New Jersey, the Ports of Los Angeles/Long Beach, and the Ports of Seattle/Tacoma. Operation Safe Commerce is a public-private partnership between the Federal government, business interests and the maritime industries that provides grant monies to test and implement technologies and practices that track and trace maritime cargo containers, use non-intrusive detection to investigate cargo contents, and use improved seals to maintain the structural integrity of containers once loaded at their port of departure. \$58 million have been appropriated to the Transportation Security Administration to support programs under Operation Safe Commerce and more than \$55 million of that amount has been awarded in the form of grants and cooperative agreements.

CBP has also established the Container Security Initiative which aims to extend the zone of security outward by pre-screening maritime cargo containers at foreign ports before they are loaded on vessels bound for U.S. ports. Teams of CBP officials have been deployed to 25 major seaports worldwide including those ports that have been identified to ship more than two-thirds of their total volume of maritime containers to the United States. These officials are involved in targeting containers that may pose a threat to U.S. security and screen these and other containers using non-intrusive technologies.

The National Oceanic and Atmospheric Administration is responsible for making the basic geophysical observations, including hydrographic mapping, and tide and current measurements that are required for effective maritime domain awareness. The agency also has a fleet of ships and planes operating continuously in the EEZ that provide additional assistance and data when needed. NOAA sits on the interagency maritime domain awareness council, and it is working with the Coast Guard to place AIS equipment on offshore weather buoys. Finally, NOAA's Office of Response and Res-

toration provides scientific expertise in the event of maritime spills. The office works to predict and minimize effects of such incidents.

OTHER OVERSIGHT, INVESTIGATIVE AND LEGISLATIVE HEARINGS

COAST GUARD'S MOVE TO THE DEPARTMENT OF HOMELAND SECURITY

On April 1, 2003, the Subcommittee conducted an oversight hearing on the Coast Guard's move to the Department of Homeland Security (DHS). The Subcommittee examined the Coast Guard's ongoing transition to DHS as well as its homeland and non-homeland security missions.

The Subcommittee heard testimony from Admiral Thomas H. Collins, Commandant, United States Coast Guard; and Ms. JayEtta Hecker, Director, Physical Infrastructure Issues, General Accounting Office.

On November 25, 2002, the President signed into law the Homeland Security Act of 2002, Public Law 107-296, which creates the new Department of Homeland Security. Under this legislation, the U.S. Coast Guard was transferred from the Department of Transportation to the new Department on March 1, 2003. Section 888 of the Homeland Security Act specifically requires that the Coast Guard be maintained as a distinct agency with the Commandant reporting directly to the Secretary of Homeland Security. Functions, authorities, and capabilities of the Coast Guard to perform its missions shall be maintained intact and without significant reductions.

The Coast Guard has integrated its new responsibilities as the lead Federal agency for protecting maritime security with the Service's many traditional services for our Nation that have been grouped into five fundamental roles: maritime safety, maritime security, protection of natural resources, maritime mobility, and national defense. Since September 11, 2001, the Coast Guard has placed increasing emphasis on the Service's homeland security efforts. These enhanced security efforts have had varying effects on levels of effort among all of its missions. Security-related missions such as ports, waterways, and coastal security and migrant interdiction have seen dramatic increases from pre-September 11, 2001 levels. Resources and man-hours devoted to missions such as search and rescue and aids to navigation have remained consistent with pre-September 11, 2001 levels. However, the levels of effort for other missions such as drug interdiction and fisheries law enforcement are well below pre-September 11, 2001 levels.

The Coast Guard's budget request for FY 2004 did not contain direct proposals that would substantially increase the levels of effort among missions that have been in decline, specifically drug interdiction and fisheries law enforcement. The budget request included three new initiatives: one for search and rescue and two related to homeland security. Additionally, due to continued underfunding, the Coast Guard faces significant delays and cost increases for the Service's \$17 billion Integrated Deepwater Systems project. The project has already experienced delays in delivery of key assets and could face additional delays if future funding falls behind what the Coast Guard has planned. These delays could

hinder the Coast Guard's ability to carry out its security and non-security missions.

INTERPRETATIONS OF EXISTING OWNERSHIP REQUIREMENTS FOR U.S.
FLAG DREDGES

On April 30, 2003, the Subcommittee held a joint oversight hearing with the Subcommittee on Water Resources and Environment and received testimony on interpretations of existing ownership and control requirements for U.S. flag dredges.

The Subcommittee heard testimony from Mr. Barry W. Holliday, Chief, Navigation and Operations Branch of the U.S. Army Corps of Engineers; Mr. Larry Burton, Director, International Trade Compliance Division, Office of Regulations and Rulings, Bureau of Customs and Border Protection; Mr. James W. Bean, Chairman and CEO, C.F. Bean LLC; Mr. Richard S. Weeks, President, Dredging Contractors of America; RADM Richard M. Larrabee (Ret.), Director, Port Commerce Department, American Association of Port Authorities; and Mr. J.M. Cashman, CEO, Jay Cashman, Inc.

The Act of May 28, 1906 (46 App. U.S.C. 292), informally referred to as the Dredging Act, establishes U.S.-construction or -documentation, -ownership and -control requirements for dredges engaged in dredging activities in U.S. navigable waters.

The Dredging Act was amended in 1992 by the inclusion of a provision that applies citizenship requirements not only to dredge ownership, but also to any entity that charters a dredge engaged in dredging U.S. navigable waters. The 1992 amendment also included an exemption that waives citizenship requirements for a U.S.-built and flagged hopper dredge, the STUYVESANT, and any other U.S.-flagged hopper dredge chartered to the entity that owned the STUYVESANT, the Stuyvesant Dredging Company, or an entity in which Stuyvesant Dredging Company had an ownership interest. The amendment also exempted from citizenship requirements any U.S.-flagged non-hopper dredge chartered to Stuyvesant Dredging Company or to an entity in which Stuyvesant has an ownership interest that is necessary to fulfill dredging obligations under a specific contract or as a temporary replacement for a disabled vessel. The exemption is set to expire in December 2022 or the date that the STUYVESANT loses its U.S.-flag status, whichever is earliest.

In February 1998, and on two subsequent occasions, the U.S. Customs Service (now U.S. Customs and Border Protection) ruled that the chartered dredge exemptions in the 1992 amendment allow the Stuyvesant Dredging Company to use U.S.-flag dredges chartered to the company, or a company in which it has an ownership interest, for use in projects that do not involve the STUYVESANT.

In October 2003, the U.S. Court of Claims overturned the Customs' interpretation in the case of Norfolk Dredging Company Inc. vs. the United States and Bean Stuyvesant LLC. On July 7, 2004, the U.S. Court of Appeals overturned the lower court's decision and affirmed the interpretation of the U.S. Customs Service.

Section 609 of the House-passed version of H.R. 2443, the Coast Guard and Maritime Transportation Act of 2004, directed the Congressional Budget Office to study the impacts of chartering by for-

eign citizens of dredges documented in the United States. The study was completed and submitted to the Committee on Transportation and Infrastructure.

COAST GUARD AUTHORIZATION ACT OF 2003

On May 22, 2003, the Subcommittee conducted a hearing to examine the Administration's proposed legislative package for calendar year 2003. Many of the provisions in the Administration proposal were incorporated into H.R. 2443, the Coast Guard Authorization Act of 2003. Testimony was received from Admiral Thomas H. Collins, Commandant of the United States Coast Guard.

The Administration proposal included authorization levels for funding to support the activities of the Coast Guard and for levels of military strength and training in fiscal year 2004. The Administration proposal also would grant members of the Coast Guard certain law enforcement authorities, including the authority to carry firearms, to seize property, and to make warrantless arrests. The Administration also proposed measures designed to improve management of Coast Guard personnel, finances, and housing.

The proposal also included numerous provisions related to improving navigation safety, Coast Guard oversight of vessel operations in U.S. waters, and use of funds from the Oil Spill Liability Trust Fund.

Admiral Collins gave testimony on the Coast Guard's fiscal year 2004 budget, the first budget proposed by the Coast Guard following its transfer to the Department of Homeland Security. The Commandant answered several questions addressed to him by Members of the Subcommittee regarding the review and implementation of proposed port security measures, resources necessary to carry out the Service's increasing homeland security missions, and the many provisions of the Administration's legislative proposal. Many of the provisions included in the Administration proposal became the basis for provisions that were included in legislation that was enacted as part of the Coast Guard and Maritime Transportation Act of 2004 in August 2004.

STATEN ISLAND FERRY ACCIDENT

On November 4, 2003, the Subcommittee conducted a field oversight hearing in Staten Island, New York, on the Staten Island Ferry accident that occurred on October 15, 2003, and focused on the status and preliminary findings of the accident investigation.

Testimony was received from the Honorable Ellen G. Engleman, Chairman, National Transportation Safety Board; Captain Craig E. Bone, USCG Activities New York, United States Coast Guard; The Honorable Iris Weinshall, Commissioner, New York City Department of Transportation; and Mr. Robert Carroll, Passenger, ANDREW J. BARBERI.

On Wednesday, October 15, 2003, at 3:20 p.m., the Staten Island Ferry, ANDREW J. BARBERI, carrying approximately 1,500 people, struck a concrete maintenance pier several hundred yards away from its St. George terminal dock on Staten Island. The accident resulted in the deaths of 10 passengers and injuries to at least 70 others aboard the vessel. At its maximum capacity, the 300 foot, 3,335 gross ton ferry can hold 6,000 passengers.

The Staten Island Ferry system provides 20 million people (70,000 passengers a day) with ferry service between St. George, Staten Island, and Whitehall Street in Manhattan, a five mile, 25 minute voyage each way. The ferry is the only non-vehicular mode of transportation between Staten Island and Manhattan. The New York City Department of Transportation (NYC DOT) operates and maintains the eight vessel fleet as well as the St. George Ferry Terminal in Staten Island, Whitehall Ferry Terminal in Manhattan, the City Island and Hart Island Facilities, the Battery Maritime Building, and all floating dock building equipment.

Since 1993, Congress has provided approximately \$50 million in federal funds for the Staten Island Ferry system. On July 4, 1997, the fare for foot passengers on the Staten Island ferry was eliminated.

Several federal government agencies including the NTSB, Coast Guard, and Department of Justice are currently investigating the accident. Additionally, the NYC DOT has initiated a separate investigation. In accordance with joint NTSB and Coast Guard regulations on the investigation of marine casualties, contained in 46 CFR 4.40, and the September 12, 2002 Memorandum of Understanding between the NTSB and the Coast Guard, the NTSB is leading the accident investigation due to the actual loss of 10 lives, the threatened high loss of life to other passengers and crew aboard the vessel, and the threat to the port facility.

The Coast Guard is participating in the accident investigation under the lead of the NTSB. The NTSB plans to release the public docket regarding the ferry accident and continues to work on the final report without a deadline or schedule for its eventual release.

BALLAST WATER MANAGEMENT: NEW INTERNATIONAL STANDARDS AND NATIONAL INVASIVE SPECIES ACT REAUTHORIZATION

On March 25, 2004, the Subcommittee held a joint oversight hearing with the Subcommittee on Water Resources and Environment on international ballast water management standards that were agreed to by the International Maritime Organization in early 2004 and on reauthorization of the ballast water management provisions of the National Invasive Species Act.

Testimony was received from Rear Admiral Thomas H. Gilmour, Assistant Commandant for Marine Safety, Security, and Environmental Protection, United States Coast Guard, and was accompanied by Lieutenant Commander Kathleen Moore, Chief, Environmental Standards Division, and Aquatic Nuisance Species Program Manager; Mr. Joseph J. Cox, President, Chamber of Shipping of America, representing the Shipping Industry Ballast Water Coalition; Mr. James H.I. Weakley, President, Lake Carriers' Association; Dr. Roger L. Mann, Acting Director for Research and Advisory Science, Virginia Institute of Marine Science; Ms. Catherine L. Hazelwood, Clean Oceans Program Manager, The Ocean Conservancy; Mr. David A. Ullrich, Executive Director, Great Lakes Cities Initiative; and Ms. Allegra Cangelosi, Senior Policy Analyst, Northeast/Midwest Institute.

On February 13, 2004, the International Maritime Organization (IMO) agreed to the International Convention for the Control and Management of Ships' Ballast Water & Sediments. This Conven-

tion and its supporting Annex (the Convention), as of November 2004 had not been ratified by any of IMO's member nations. If the Convention is ratified by a sufficient number of nations and enters into force this would represent the first effort to use international law to minimize the spread of non-indigenous, aquatic organisms by requiring ballast water management. This Convention also would establish the first performance standards applicable to ballast water treatment. A delegation of U.S. officials, led by the Coast Guard, participated in the IMO's development of the Convention.

Under the Convention, all new and existing vessels with ballast tanks will be required to implement ballast water management procedures and meet specific standards when on voyages entering a nation's waters from beyond its Exclusive Economic Zone (200 miles). The Convention specifies both an interim ballast water exchange standard and ballast water treatment performance standards. The IMO Convention developed a timeline by which new and existing vessels will be required to meet the standards. In general, new vessels (defined in the Convention as constructed in or after 2009) will be required, upon entry into service, to meet the performance standards. Existing vessels (defined in the Convention as constructed before 2009) are given a phase-in period (until either 2014 or 2016, depending on the size of the vessel) before they must meet the performance standards. During the phase-in period, existing vessels are to conduct ballast water exchange.

Currently there are no technologies that have been demonstrated aboard vessels that would meet the standards established by the Convention. The Coast Guard and the National Oceanic and Atmospheric Administration, however, have been involved in testing of scaled-down treatment technologies. To ensure that proven technologies are available, the Convention provides that the IMO must review the performance standards no later than 3 years before the earliest effective date of the standards, for achievability, efficacy, safety, and cost-effectiveness. Vessels participating in a program approved by the IMO to test and evaluate promising ballast water treatment technologies will be given a 5 year grace period before having to comply with applicable standards.

The Convention's ballast water management regulations would apply to both port nations and flag nations, under whose authority a vessel operates, that ratify the Convention. As a result, whether or not the U.S. ratifies the Convention, U.S.-flagged vessels equipped with ballast water tanks that call on ports in nations that have ratified it will likely be subject to the requirements of the Convention after it enters into force. In addition, if Canada or the U.S. ratifies the Convention and it enters into force, vessels that ply trade in the Great Lakes and between Alaska and the continental United States also would be subject to the IMO regulations, as these vessels move between U.S. and Canadian waters en route to their destinations. Otherwise, U.S. coastwise trade would be unaffected by the IMO Convention.

The Convention will enter into force 12 months after the date on which at least 30 nations, representing more than 35 percent of world merchant shipping tonnage, ratify it.

The United States has repeatedly taken action to minimize the introduction of aquatic nuisance species via ballast water since

populations of zebra mussels were discovered in the Great Lakes in the 1980's. In 1990, Congress responded to this problem by enacting the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (Title I of P.L. 101-646; the "1990 Act"). The 1990 Act established a program for preventing, researching, monitoring, and controlling infestations of nonindigenous aquatic species and required all vessels equipped with ballast water tanks entering the Great Lakes to undergo ballast water exchange.

In 1996, Congress amended the 1990 Act to address the potential introduction of aquatic nuisance species through ballast water in other U.S. waters. This law, the National Invasive Species Act of 1996 (P.L. 104-332; "NISA"), required the Coast Guard to issue voluntary guidelines to prevent the introduction and spread of nonindigenous species in all U.S. waters by vessels equipped with ballast water tanks that enter U.S. waters from beyond the U.S. Exclusive Economic Zone (200 miles), and to make those voluntary guidelines mandatory if the Coast Guard found lack of compliance or could not verify vessel compliance with the voluntary guidelines.

In June 2002, the Coast Guard determined that there was a significant lack of compliance and implemented on September 27, 2004 final rules that require all vessels equipped with ballast tanks and bound for U.S. ports to exchange their ballast water before entering U.S. waters.

Under NISA, the Coast Guard may approve alternative ballast water management technologies that are at least as effective as ballast water exchange in preventing invasions. The Coast Guard has not been able to implement this authority because it has not been able to establish a baseline of effectiveness for ballast water exchange. To begin evaluation and approval of experimental ballast water treatment technologies, the Coast Guard, in January 2004, initiated the Shipboard Technology Evaluation Program (STEP), a voluntary experimental technology approval program to encourage research and development of treatment systems. To date, no alternatives to ballast water exchange have been approved under the STEP program.

Rear Admiral Thomas Glimour and Lieutenant Commander Kathleen Moore gave testimony on the Coast Guard's efforts to develop final rules mandating ballast water exchange for vessels entering the U.S. Economic Exclusion Zone as well as preliminary actions to develop ballast water treatment systems under the new STEP program. Representatives from the shipping industries in the Great Lakes and in other U.S. waters testified as to the effects of regulations regarding ballast water management on the movement of maritime commerce. The Subcommittees also received testimony from witnesses regarding the effects that any regulations that would require ballast water management would have on the marine and estuarine environments.

INTEGRATED DEEPWATER SYSTEM

On April 28, 2004, the Subcommittee conducted a hearing to oversee the Integrated Deepwater System acquisition project (known as Deepwater), a multi-year program to modernize and replace the aging ships and aircraft of the United States Coast Guard, and to improve command and control and logistic systems.

Testimony was received by Vice Admiral Thomas J. Barrett, Vice Commandant, United States Coast Guard; Dr. Philip A. Dur, President, Northrop Grumman Ship Systems; and Mr. Fred P. Moosally, President, Lockheed Maritime System and Sensors.

The Coast Guard's Integrated Deepwater System (Deepwater) is intended to replace or modernize more than 90 ships and 200 aircraft used in the Coast Guard's deepwater missions, which generally occur more than 50 miles offshore. Coast Guard activities in this zone typically require extended on-scene presence, long transits to operating areas, and forward deployment of forces. The Coast Guard has identified fourteen missions in this zone, including alien migrant interdiction operations, drug interdiction, and fisheries law enforcement. As the lead federal agency responsible for maritime homeland security, it is critical that the Coast Guard be able to identify and intercept targets of interest as far from U.S. shores as possible.

The Coast Guard began planning for replacing assets in 1996 because deepwater-capable assets are nearing the end of their service lives, are technologically limited for performing deepwater missions effectively, and are expensive to operate because of relatively high crew requirements. Instead of proposing a traditional one-for-one asset-replacement program, the Coast Guard hired three industry teams to develop competing proposals for a single, integrated package of ships, aircraft, and associated systems that will optimize performance of deepwater missions while minimizing life-cycle costs.

On June 25, 2002, the Department of Transportation announced the award of a \$17 billion contract for Deepwater. The contract was valued at \$11 billion for a fleet of new ships and aircraft, plus improved command and control systems, to elevate the Coast Guard's capability to perform their varied core safety missions and homeland security missions. In addition, the contract included another \$6 billion for operating and maintaining this new system of assets. The contract was awarded to Integrated Coast Guard Systems (ICGS), a joint venture established by Lockheed Martin and Northrop Grumman. Although delivery of Deepwater assets is expected within 20 years, the ICGS contract may extend up to 30 years to allow the contractor to continue implementing the program. The contract has a five-year base period with five additional five-year options. In fiscal year 2005, \$724 million was appropriated for the Deepwater program. This funding level was more than the Administration request of \$678 million, but far less than the level authorized by the Committee on Transportation and Infrastructure, \$1.1 billion.

The Coast Guard's Deepwater build-out plan was based on a 20-year projected funding stream of \$500 million (in 1998 dollars) per year going to the prime contractor beginning in fiscal year 2003. In addition to the annual \$500 million acquisition cost there is approximately \$25 million (in 1998 dollars) in government program fees required to administer a project of this magnitude on an annual recurring basis. The President's Budget requests have not adjusted to this indexed funding stream resulting in the project operating below planned funding levels since its inception.

The hearing explored several key issues affecting the Deepwater program. The program is facing serious challenges remaining both on schedule and on budget. The Coast Guard has experienced increasing maritime homeland security operational requirements, as well as maintenance and repair costs associated with rapidly deteriorating legacy assets. Declining operational capabilities of the assets responsible for protecting our maritime borders and carrying out other Coast Guard deepwater missions may dictate a need to bring Deepwater assets on line sooner than currently planned.

THE MARITIME TRANSPORTATION AMENDMENTS OF 2004

H.R. 4251

The Subcommittee met on May 6, 2004 to consider changes to the legislative statutes that authorize activities of the United States Coast Guard and to review H.R. 4251, the Maritime Transportation Amendments of 2004.

Testimony was received from Rear Admiral John E. Crowley, Judge Advocate General, United States Coast Guard.

This bill was introduced by Transportation and Infrastructure Committee Chairman Don Young on April 30, 2004 and is co-sponsored by Coast Guard and Maritime Transportation Subcommittee Chairman, Frank A. LoBiondo, and Full and Subcommittee Ranking Democratic Members James L. Oberstar and Bob Filner. This bill made a number of changes to existing statutes and was based on the Coast Guard's FY 2005 Legislative Proposal. Many of the bill's provisions were enacted in August 2004 as part of the Coast Guard and Maritime Transportation Act of 2004 (P.L. 108-293).

An explanation of the bill follows:

Sec. 101 increased the funding level available to be used for Coast Guard contingent expenses to an amount of \$50,000 per fiscal year. These funds are used by the Service for representational and reception purposes. The previously authorized level of \$7,500 had not been increased since being established in 1949. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 102 clarified language that outlines the maximum term of service in active status for reserve rear admirals of the Coast Guard to ensure that reserve officers may serve a full four-year term at that position. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 103 increased the funding level available to be used for Coast Guard confidential investigative expenses to an amount of \$45,000 per fiscal year. The previously authorized level of \$15,000 had not been increased since being established in 1974. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 104 reauthorized seven advisory groups established under the authority of the Federal Advisory Committee Act (FACA) and extends the date of termination five years to September 30, 2010. This section also added a member to represent recreational boating interests to the Houston-Galveston Navigation Safety Advisory Committee. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 105 restricted the Coast Guard's ability to procure Response Boat-Medium vessels unless those vessels are equipped with engines manufactured in the United States or composed substantially of components produced and manufactured in the United States. This section also established circumstances under which the Coast Guard may be excepted from these restrictions.

Sec. 201 expressly authorized members of the Coast Guard to carry firearms and while at shoreside facilities make warrantless arrests and seize property as provided by law. This section also authorized State and local officers to arrest persons suspected of violating federal security zone regulations provided that States have already authorized those officers to enforce federal port security measures. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 202 established in rem liability for any vessel used to violate regulations issued under the authorization of the Maritime Transportation Security Act in order to recover financial penalties assessed following such violations. Section 202 also authorized the Captain of the Port to withhold clearance of any vessel if the owner or operators are suspected to be subject to a financial penalty resulting from violations of port security regulations. This section also allowed clearance to be granted upon the filing of a surety bond. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 203 authorized the President to delegate authority to the Secretary of the Department in which the Coast Guard is operating to issue rules and regulations under the authority of 50 U.S.C. 191. 50 U.S.C. 191 allows for the emergency regulation of vessels in time of national emergency. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 204 eliminated the requirement that the Coast Guard notify in writing ship owners and operators of deficiencies discovered during inspections and examinations and instruct the appropriate person on the method that should be used to correct those deficiencies. The new language would have required prompt corrections of any deficiency upon discovery.

Sec. 205 required Federal agencies to submit results of positive drug tests and verified test violations from civilian and certain uniformed personnel employed aboard Federally-operated vessels to the Coast Guard. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 206 clarified that the Coast Guard has the authority to appeal final orders issued by the National Transportation Safety Board (NTSB) regarding maritime cases. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 207 identified towing vessels as a vessel class required to be regularly inspected by the Coast Guard and authorized the Secretary of the Department in which the Coast Guard is operating to establish a safety management system appropriate for towing vessels. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 208 authorized the Coast Guard to restore certificates of documentation with appropriate endorsements for coastwise trade to

ten U.S.-built and operated barges owned by the Westlake Chemical Corporation of Houston, Texas. This provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 209 conveyed a decommissioned Coast Guard 44-foot Motor Life Boat to the City of Luddington, Michigan and a 180-foot, Balsam Class Coast Guard Vessel to the CAS Foundation, Inc., a non-profit corporation in the State of Indiana, upon decommission of such a vessel. A provision to convey the 44-foot Motor Life Boat to the City of Luddington, Michigan was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 210 authorized the Coast Guard to settle claims assessed for actions completed under the authority of the Oil Pollution Act of 1990 (OPA) that total less than \$500,000. This section gave the Coast Guard the authority to settle at the same level as the Environmental Protection Agency, the other agency responsible for oil mitigation and recovery activities under OPA. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 211 required that vessels subject to inspection by the Coast Guard have an adequate supply of potable water for drinking and washing. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

Sec. 212 extended the authority to dispose of non-hazardous, non-toxic dry bulk residues while transiting on waters of the Great Lakes for a period of two years or the date that regulations are promulgated by the Secretary of the Department in which the Coast Guard is operating regarding the disposal of dry bulk cargo residue, whichever should occur earlier. This section also granted the Secretary the authority to promulgate permanent regulations governing the discharge of dry bulk cargo residue. A similar provision was included in the Coast Guard and Maritime Transportation Act of 2004.

SUMMARY OF OVERSIGHT ACTIVITIES
SUBCOMMITTEE ON COAST GUARD AND MARITIME
SUBCOMMITTEE

The Committee oversight plan included oversight of the Coast Guard's implementation of security measures required under the Maritime Transportation Security Act of 2004 (P.L. 107-295), the Coast Guard's transfer to the new Department of Homeland Security, the Coast Guard's multi-year asset recapitalization program, the Integrated Deepwater System, and the Coast Guard's modernization of the national distress and response system, Rescue 21. The plan also called for oversight over the Coast Guard's drug interdiction activities in U.S. water and on the high seas and Coast Guard activities under the Oil Pollution Act of 1990 (P.L. 101-380). The plan also included continued review and monitoring over measures to prevent or minimize introductions of aquatic invasive species via ships' ballast waters and measures to enhance recreational boating safety in U.S. waters.

The Subcommittee held several hearings on the Coast Guard's development and implementation of regulations to enhance the security of U.S. ports and vessels that call on those ports. On June 3, 2003 and July 22, 2003 the Subcommittee held hearings to investigate and review the interim final rules that were established by the Coast Guard on July 1, 2003. These regulations covered vessels and facilities operating on or adjacent to waters subject to the jurisdiction of the United States. On June 9, 2004 the Subcommittee held a hearing on the Coast Guard's development of final regulations that went into force on July 1, 2004 in conjunction with international maritime transportation security regulations under the International Ship and Port Facility Security (ISPS) Code. The Subcommittee also held hearings related to port and maritime security that investigated Federal activities to increase Maritime Domain Awareness and the 9/11 Commission's recommendations for enhancing maritime transportation security.

On April 28, 2004, the Subcommittee held a hearing to investigate the progress that had been made under the Integrated Deepwater System program (Deepwater). The Subcommittee also held hearings to consider the benefits of accelerating the scheduled completion of the Deepwater program to 2016 (5 years earlier from the original completion date of 2021). Subcommittee members expressed their concerns over the Coast Guard's failure to provide a program update reflecting post-September 11th requirements and changes to the platforms that will be procured under the program. Subcommittee members were also concerned by a General Accountability Office report that raised concerns over the rapid and widespread degradation of Coast Guard legacy assets.

On March 25, 2004, the Subcommittee held a joint hearing with the Subcommittee on Water Resources and Environment to examine existing regulations that require ballast water exchange and the International Convention for the Control and Management of Ships' Ballast Water & Sediments that was agreed to by the International Maritime Organization. Subcommittee members inquired about the Coast Guard's Shipboard Technology Evaluation Program (STEP) to develop and demonstrate ballast water treatment technologies aboard vessels and heard testimony from the Coast Guard, the shipping industry, and environmental advocates on the effect of existing ballast water regulations and the possible need for future legislation.

ADDITIONAL OVERSIGHT

On April 30, 2003, the Subcommittee held a hearing on the Coast Guard's interpretations of existing ownership and control requirements for U.S.-flag dredges.

On November 4, 2003, the Subcommittee held a field hearing in Staten Island, New York to investigate the events of the Staten Island Ferry accident of October 15, 2003.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT

During the 108th Congress, Republican Steven C. LaTourette of Ohio served as Chairman of the Subcommittee and Eleanor Homes Norton of the District of Columbia served as the Ranking Democratic Member. The Subcommittee held a number of hearings to conduct oversight and prepare legislation. A brief list of the topics covered by the Subcommittee during the 108th Congress includes: reauthorization of the Economic Development Administration, reauthorization of the Assistance to Firefighters Grant Program, reauthorization of the John F. Kennedy Center for the Performing Arts, authorization of the General Services Administration's Fiscal Year 2005 Capital Investment and Leasing Program, numerous bills for building designations, resolutions authorizing the use of the Capitol grounds, hearings, resolutions, and legislation resulting from the September 11th attacks.

ENACTED LEGISLATION

TED WEISS FEDERAL BUILDING

H.R. 145

(Public Law 108–14)

This law designates the Federal building located at 290 Broadway in New York City, New York, as the “Ted Weiss Federal Building”. Ted Weiss was born in Gava, Hungary, on September 17, 1927. The Weiss family took passage on one of the last passenger ships to leave Hamburg, Germany, prior to the outbreak of World War II. Congressman Weiss graduated from Hoffman High School in South Amboy, New Jersey in 1946, and joined the United States Army. After serving in the Army for one year, he enrolled at Syracuse University, where he earned both his bachelor and law degrees, graduating in 1952. Congressman Weiss began his career in public service in 1955, as an Assistant District Attorney for New York City. In 1959, he entered the private practice of law, but returned to the political arena, being elected to the New York City Council in 1962. In 1976, Congressman Weiss was elected to the United States House of Representatives. While in the House of Representatives, he received numerous awards and recognition for his legislative efforts, including the Consumer Federation of America's Public Service Award and the NAACP's National Legislative Award. Congressman Weiss passed away on September 4, 1992.

**BIRCH BAYH FEDERAL BUILDING AND UNITED STATES
COURTHOUSE**

S. 763

(Public Law 108–35)

This law designates the Federal Building and United States Courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the “Birch Bayh Federal Building and United States Courthouse”. Born in Terra Haute, Indiana, on January 22, 1928, Senator Bayh served in the United States Army from 1946–1948. Upon his return, Senator Bayh graduated from Purdue University School of Agriculture at Lafayette, Indiana in 1951, and attended Indiana State University at Terre Haute from 1952–1953. In 1960, he graduated from Indiana University School of Law and was admitted to the Indiana bar in 1961. In 1954, he was elected to the State House of Representatives, serving as Minority Leader in 1957 and 1961 and as Speaker in 1959. In 1962, he was elected as a Democrat to the United States Senate, and served from January 3, 1963, to January 3, 1981. During his tenure he authored the 25th and 26th Amendments to the U.S. Constitution.

**CARL T. CURTIS NATIONAL PARK SERVICE MIDWEST
REGIONAL HEADQUARTERS BUILDING**

S. 703

(Public Law 108–37)

This law designates a building under construction in Omaha, Nebraska, as the “Carl T. Curtis National Park Service Midwest Regional Headquarters Building”. The facility to be named will be occupied under a 20-year lease, the owner having given permission for the naming. Carl T. Curtis was born near Minden, Nebraska, in 1905. Upon graduating from the public schools of Minden, Curtis attended Nebraska Wesleyan University in Lincoln, Nebraska. Upon his graduation, he taught in the Minden public schools before becoming a lawyer in 1930. Curtis was in private practice until 1939, when he was elected to the United States House of Representatives for the first of eight successive terms, and then to the United States Senate for four terms until 1979. He was Chairman of the Republican Conference from 1975–1979. After leaving the Senate, he practiced law in Lincoln until his death in 2000.

**JAMES L. WATSON UNITED STATES COURT OF
INTERNATIONAL TRADE BUILDING**

H.R. 1018

(Public Law 108–70)

This law designates the building at 1 Federal Plaza in New York City, New York, as the “James L. Watson United States Court of International Trade Building”. James L. Watson was born in Har-

lem, New York. He served with the Buffalo Soldiers of the 371st Infantry Regiment, 92nd Division in World War II. He was wounded in Italy and returned to the United States decorated with a Purple Heart and the Combat Infantry Badge. He graduated from New York University in 1947 and from Brooklyn Law School in 1951. Judge Watson was elected to the New York State Senate in 1954. In 1963, Judge Watson was elected to the New York City Civil Court. President Lyndon Johnson appointed Judge Watson to what was then known as the United States Customs Court and now known as the United States Court of International Trade in 1966. The nine members of the United States Customs Court could be assigned to sit in any Federal District Court in the nation. Judge Watson took senior status in 1991 and passed away in 2001.

SMITHSONIAN FACILITIES AUTHORIZATION ACT

H.R. 2195

(Public Law 108–72)

This law authorizes the Board of Regents of the Smithsonian Institution to plan, design, construct, and equip additional special storage and laboratory space at the Museum Support Facility in Suitland, Maryland, to accommodate the care, preservation, conservation, deposit, and study of national collections held in trust by the Institution. It also authorizes the Board to plan, design, and construct improvements to the interior and exterior of the Patent Office Building using funds available to the Institution from non-appropriated sources and provides for retention of that building's historic character and the Advisory Council on Historic Preservation a reasonable opportunity to comment on them. Lastly, this law declares the sense of Congress that: the Smithsonian Institution's National Museum of American History should be commended for establishing a Jazz Appreciation Month; and musicians, schools, colleges, libraries, concert halls, museums, radio and television stations, and other organizations should develop programs to explore, perpetuate, and honor jazz as a national and world treasure.

ED EDMONDSON UNITED STATES COURTHOUSE

H.R. 1668

(Public Law 108–80)

This law designates the United States Courthouse located at 101 North Fifth Street in Muskogee, Oklahoma, as the "Ed Edmondson United States Courthouse". Ed Edmondson was born in Muskogee, Oklahoma, on April 7, 1919. He graduated from Muskogee Junior College in 1938, the University of Oklahoma in 1940, and Georgetown University in 1947. He then served as a Special Agent with the FBI from 1940 to 1943. After serving in the U.S. Navy from 1943 until 1946, Ed Edmondson was admitted to the Washington, DC bar in 1947. He also served in the Naval Reserve from 1946 to 1970. He was sworn into the United States House of Representa-

tives on January 3, 1953, where he represented Oklahoma's 2nd district until 1973.

**ESTABLISH WITHIN THE SMITHSONIAN INSTITUTION
THE NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE**

H.R. 3491

(Public Law 108-184)

This law establishes, within the Smithsonian Institution, the National Museum of African American History and Culture, to be operated as a center for scholarship and a location for museum training, public education, exhibits, and collection and study of items and materials relating to the life, art, history, and culture of African Americans that encompass the period of slavery, the era of reconstruction, the Harlem renaissance, the civil rights movement, and other periods of the African American diaspora. The law also proscribes how the Smithsonian is to select the site for the museum from a designated list, how the Board of the museum is to be selected, the general management of the museum, and authorizes funds necessary for its construction and operation.

TO DIRECT THE ADMINISTRATOR OF GENERAL SERVICES TO CONVEY TO FRESNO COUNTY, CALIFORNIA, THE EXISTING FEDERAL COURTHOUSE IN THAT COUNTY

H.R. 1274

(Public Law 108-221)

This law authorizes the Administrator of General Services to convey to Fresno County, California, the B.F. Sisk Federal Building and United States Courthouse located at 1130 O Street in Fresno, California. The General Services Administration is currently constructing a new courthouse in Fresno, California. The law includes provisions to clarify that the courthouse is not to be transferred until occupancy of the new courthouse, that the conveyance include a public use reversion clause, and that the Administrator may include in the conveyance such other terms as are necessary to protect the interests of the United States. It is expected that Fresno County will use the B.F. Sisk Building as a county courthouse.

ORVILLE WRIGHT FEDERAL BUILDING AND WILBUR WRIGHT FEDERAL BUILDING

H.R. 3118

(Public Law 108-223)

This law designates the building located at 600 Independence Avenue, SE, in Washington, D.C., as the "Orville Wright Federal Building" and the building located at 800 Independence Avenue,

SE, in Washington, D.C., as the “Wilbur Wright Federal Building”. Orville and Wilbur Wright were born in 1871 and 1867 respectively, in Dayton, Ohio. The two brothers, bicycle repairmen by trade but aviation enthusiasts by hobby, after numerous efforts and early failures, ushered in the age of powered flight with their successful flights at Kitty Hawk, North Carolina. The two buildings designated by this law are currently in use by the Federal Aviation Administration (FAA).

**WILKIE D. FERGUSON, JR. UNITED STATES
COURTHOUSE**

S. 1904

(Public Law 108–225)

This law designates the United States Courthouse located at 400 North Miami Avenue in Miami, Florida, as the “Wilkie D. Ferguson, Jr. United States Courthouse”. Wilkie Demeritte Ferguson, Jr. was born May 11, 1938, in Miami, Florida. He was raised in the Liberty Square public-housing project and attended segregated public schools. He attended Florida A&M University where he earned a Bachelor’s degree in Business Administration. He served in the United States Army as a First Lieutenant from 1960 to 1963 and as a Captain in the Army Reserve until 1965. He graduated from Howard University School of Law in 1968. He then served in several capacities, first as a staff attorney for Legal Services of Greater Miami from 1968–72, then as staff attorney for the Dade County School Board, from 1972 to 1973. In 1973, he was elected Judge of the Court of Industrial Claims where he served until 1976, when he was elevated to the Circuit Court for the 11th Judicial Circuit of Florida, a position he held until 1980. In 1980, he was elevated to the Third District Court of Appeals for Florida, where he served until his appointment to the federal bench in 1993. Judge Ferguson was appointed to the United States District Court for the Southern District of Florida in 1993. He passed away in 2003.

SENATOR PAUL SIMON FEDERAL BUILDING

S. 2022

(Public Law 108–226)

This law designates the Federal building located at 250 West Cherry Street in Carbondale, Illinois, the “Senator Paul Simon Federal Building”. Senator Simon served in the United States Army Counterintelligence Corps from 1951 until 1953, during which time he was assigned as a special agent in Europe. He was elected to the Illinois State House of Representatives and State Senate and as Lieutenant Governor before being elected to the United States House of Representatives in 1974. Senator Simon served in the House of Representatives until being elected to the United States Senate in 1984. He served for two terms in the

United States Senate, retiring in 1996. Senator Simon passed away in 2003.

RONALD REAGAN FEDERAL BUILDING

S. 2043

(Public Law 108–227)

This law designates the Federal Building located at 228 Walnut Street in Harrisburg, Pennsylvania, as the “Ronald Reagan Federal Building”. Born February 6, 1911, in Tampico, Illinois, Ronald Reagan studied economics and sociology, played on the football team, and acted in school plays at Eureka College. As an actor, Ronald Reagan served as President of the Screen Actors Guild. He was elected Governor of California in 1966 and re-elected in 1970. In 1980 he was elected President of the United States and served two terms. During his tenure, he lowered taxes, strengthened the American economy, improved the national defense, opened dialogue with the Soviet Union, worked closely with American allies, and reduced regulatory burdens. President Reagan passed away in 2004.

**LUIS A. FERRÉ UNITED STATES COURTHOUSE AND
POST OFFICE BUILDING**

S. 2017

(Public Law 108–273)

This law designates the United States Courthouse and Post Office Building located at 93 Atocha Street in Ponce, Puerto Rico, as the “Luis A. Ferré United States Courthouse and Post Office Building”. Born on February 17, 1904, Luis Ferré grew up in the span between the ousting of Spanish troops and the granting of United States citizenship. After graduating from primary school in Puerto Rico, he attended and graduated from the Massachusetts Institute of Technology in 1924 with a degree in Engineering, and a degree in Mechanical Engineering in 1925. He went to work for his family business, Ferré Enterprises. He ran for office in 1940 as a mayoral candidate for the City of Ponce. He was elected to the Puerto Rican House of Representatives in 1952 and was elected Governor of Puerto Rico in 1968. He served in the Puerto Rican Senate from 1977 to 1980 and 1981 to 1984, as President of that Body from 1977 to 1980. Luis Ferré was also an avid patron of the arts and founded an art museum in his hometown of Ponce. He was awarded the Presidential Medal of Freedom by President George H.W. Bush in 1991. Luis Ferré passed away on October 21, 2003.

WINSTON E. ARNOW UNITED STATES COURTHOUSE

H.R. 1572

(Public Law 108–288)

This law designates the historic Federal District Court Building located at 100 North Palafox Street in Pensacola, Florida, as the “Winston E. Arnow United States Courthouse”. Winston E. Arnow was born on March 13, 1911, in Micanopy, Florida. He graduated from the University of Florida, Gainesville, with a Bachelor of Science degree in 1932 and a law degree in 1933. Winston E. Arnow was admitted to the Florida bar on January 10, 1933. He served as a Second Lieutenant in the United States Army but transferred from Infantry to the Judge Advocates General Division, where he reached the rank of Major. He was appointed United States District Judge, Northern District of Florida by President Johnson and took office January 19, 1968. Judge Arnow served as Judge, Chief Judge, and in senior status in the Northern District of Florida until his death in 1994.

TO AUTHORIZE THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION TO CARRY OUT CONSTRUCTION AND RELATED ACTIVITIES IN SUPPORT OF THE COLLABORATIVE VERY ENERGETIC RADIATION IMAGING TELESCOPE ARRAY SYSTEM (VERITAS) PROJECT ON KITT PEAK NEAR TUCSON, ARIZONA

H.R. 5105

(Public Law 108–331)

This law authorizes construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak, near Tucson, Arizona. The VERITAS project is a collaborative effort that brings together the Smithsonian Institution and ten universities from the United States, Canada, Ireland, and Great Britain to construct a new ground-based gamma-ray observatory with an array of four 12m optical reflectors for gamma-ray astronomy. The new gamma-ray observatory will allow scientists to explore new aspects of the universe by allowing them to observe interstellar energy patterns, which were previously inaccessible from ground-based observatories.

**ECONOMIC DEVELOPMENT ADMINISTRATION
REAUTHORIZATION ACT OF 2004**

S. 1134

(Public Law 108–373)

This law reauthorizes the Economic Development Administration for five years. The legislation also updates the findings and dec-

larations; revises several definitions; and allows for the inclusion of non-profit entities in eligible economic development activities. This reauthorization act also grants the Secretary of Commerce the authority to: implement a performance-based incentive plan, issue new regulations relating to the operation of revolving loan funds, waive planning requirements for isolated areas, convene meetings to improve coordination between federal agencies, increase the federal share of grants, allow for increased retention of funds, and issue new performance regulations.

**ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM
REAUTHORIZATION ACT OF 2004**

H.R. 4200

(Public Law 108–375)

This law is enacted as Title XXXVI of the Ronald W. Reagan National Defense Authorization Act for fiscal year 2005. This law reauthorizes the Assistance to Firefighters Grant Program that provides vital assistance to individual firehouses and emergency medical services departments to improve firefighter preparedness by supporting the acquisition of new equipment, improved training and fitness, and expanded reduction of risk programs. This reauthorization act also increases the level of funding for the program as well as increasing the amount available for each grant, based on the size of the area the recipient serves, as well as providing additional guidance on usage of the grant funds. Grants are annually awarded on a competitive basis based on need. The law includes a provision assisting Alaskan Native Villages by allowing all costs incurred in the assembly and delivery of equipment to be considered as equipment costs. The purpose of the FIRE grants program was also clarified to prevent grant allocation decision from being based on terrorism risk.

**JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF
2004**

H.R. 5294

(Public Law 108–410)

This law reauthorizes the capital program of the John F. Kennedy Center for the Performing Arts for four years and authorizes money for maintenance, repair, and alteration as well as capital projects. In addition, the Government Accountability Office (GAO) is required to regularly review the capital program of the Kennedy Center to ensure effective project management. Moreover, this law requires improved project management of the Plaza Project through creation of a Project Team. This Project Team will be responsible for overseeing decisions relating to the Plaza Project that will affect the scope, cost, schedule, or engineering feasibility of the overall project.

TOMOCHICHI UNITED STATES COURTHOUSE

H.R. 2523

(Public Law 108—xxx)

This law designates the United States Courthouse located at 125 Bull Street in Savannah, Georgia, as the “Tomochichi United States Courthouse”. Tomochichi was born around the year 1650 into the Creek Indian tribe town of Coweta. In 1728, he established the town of Yamacraw located on the Savannah River. In 1733, General James Edward Oglethorpe arrived at what was to become the new colony of Georgia. Tomochichi befriended Oglethorpe and assisted him in the creation of a new English colony to be named Savannah. In 1734, Tomochichi accompanied Oglethorpe to England to approve a treaty between the Creek Nation and the English. The friendship between Tomochichi and Oglethorpe aided in the peaceful coexistence between the Creek and the English during the period prior to the founding of the United States. Tomochichi died in 1739, and was buried in what is now known as Wright Square in Savannah, Georgia.

JAMES V. HANSEN FEDERAL BUILDING

H.R. 3147

(Public Law 108—xxx)

This law designates the Federal Building located at 324 Twenty-Fifth Street in Ogden, Utah, as the “James V. Hansen Federal Building”. James Vear Hansen was born in Salt Lake City, Utah, on August 14, 1932. He graduated from East High School and the University of Utah. He served in the United States Navy from 1951 to 1955. He worked as a real estate agent and insurance agent. Congressman Hansen served on the Farmington (Utah) City Council from 1960 until 1972. He was elected to the Utah state House of Representatives in 1973 and served until 1980, and as Speaker from 1979 to 1980. Representative Hansen was elected to the U.S. House of Representatives in 1980 where he served until his retirement at the end of the 107th Congress.

JOE SKEEN FEDERAL BUILDING

H.R. 3734

(Public Law 108—xxx)

This law designates the Federal Building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the “Joe Skeen Federal Building”. Congressman Skeen was born in Roswell, New Mexico. He served in the United States Navy for a one-year enlistment and later in the United States Air Force Reserves from 1949 until 1952. Congressman Skeen graduated from Texas A&M University with his Bachelor of Science degree in Agriculture Engineering. After graduation he worked as a soil and water engineer

for the Zuni and Ramah Navajo Indians. He later purchased the family sheep ranch. He was first elected to public office in 1960 when he served in the New Mexico State Senate until 1970. For the last six years of his service in the State Senate, he served as Minority Leader. In 1980, Congressman Skeen was elected to serve New Mexico's 2nd district in the United States House of Representatives. He was first elected as a write-in candidate and served until his retirement during the 107th Congress. While serving in the House, Congressman Skeen was known for his commitment to property rights, balancing the federal budget, and increased tax relief.

HIPOLITO F. GARCIA FEDERAL BUILDING AND UNITED STATES COURTHOUSE

H.R. 3884

(Public Law 108—xxx)

This law designates the Federal Building and United States Courthouse located at 615 East Houston Street, in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse". Judge Garcia was born December 4, 1925, in San Antonio, Texas. After serving in the Army from 1943 to 1945, Judge Garcia attended St. Mary's University School of Law, graduating in 1951. In 1952, he became the assistant criminal attorney for Bexar County, Texas. Judge Garcia was appointed as a Judge to the County Court in 1964 and State District Court in 1975. In 1981, President Carter named Judge Garcia to the United States District Court for the Western District of Texas. Hipolito Garcia passed away January 12, 2002 in Austin, Texas.

F.H. NEWELL BUILDING

H.R. 3124

(Public Law 108—xxx)

This law designates the facility of the U.S. Geological Survey and the U.S. Bureau of Reclamation located at 230 Collins Rd. in Boise, Idaho, as the "F.H. Newell Building". Born on March 5, 1862, in Bradford, Pennsylvania, F.H. Newell attended prep school in Newton, Massachusetts, then the Massachusetts Institute of Technology, where he graduated in 1885 with a degree in mining engineering. Upon his graduation, he was appointed to head an irrigation survey group in the American West by the Director of the United States Geological Survey (USGS). During his term, he developed techniques of stream gauging still in use today. Promoted to Chief of the Hydraulic Branch of the USGS, Newell was the primary architect of the Reclamation Act of 1902, and upon its passage, was appointed by President Roosevelt as the first Chief Engineer of Reclamation and later, its second Director. He was a founding member of the National Geographic Society and the American Forestry Association and the author of seven books and a number

of scholarly articles. After leaving the Bureau of Reclamation, he was named head of the Department of Civil Engineering at the University of Illinois. He passed away in 1932.

OTHER LEGISLATION

In addition to numerous bills enacted into law, the Subcommittee reported a number of concurrent resolutions authorizing the use of the Capitol Grounds. Additionally, the Subcommittee held hearings and reported several bills that passed the House but did not pass the Senate. The Subcommittee also supported bills that were discharged from Committee consideration and approved by the House.

CONCURRENT RESOLUTIONS

GREATER WASHINGTON SOAP BOX DERBY

H. CON. RES. 53

House Concurrent Resolution 53 authorized the use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying races held on June 21, 2003. The races took place on Constitution Avenue between Delaware Avenue and Third Street, NW. The winners of the races, Janna Kliene, Stephanie Reuss, and Diana Tomasello went on to represent the Washington Metropolitan Area at the National finals, held in Akron, Ohio.

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

H. CON. RES. 96

House Concurrent Resolution 96 authorized the use of the Capitol Grounds for the 22nd Annual National Peace Officers' Memorial Service, held on May 15, 2003. The service was in honor of the federal, state, and local law enforcement officers killed in the line of duty in 2002.

DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

H. CON. RES. 128

House Concurrent Resolution 128 authorized the 2003 District of Columbia Special Olympics Law Enforcement Torch Run to be conducted through the grounds of the Capitol on June 6, 2003. The Capitol Police hosted the opening ceremonies for the run starting on Capitol Hill. Over 2,000 law enforcement representatives from local and federal law enforcement agencies in the Washington, D.C. area carried the Special Olympics Torch in honor of over 2,500 Special Olympians who participated in this annual event to show their support of the Special Olympics.

GREATER WASHINGTON SOAP BOX DERBY

H. CON. RES. 376

House Concurrent Resolution 376 authorized the use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying races held on June 19, 2004. The races took place on Con-

stitution Avenue between Delaware Avenue and Third Street, NW. The winners of the races, Haley Luense, Robbie Ruess, and Robert McDaniel went on to represent the Washington Metropolitan Area at the National finals, held in Akron, Ohio.

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

H. CON. RES. 388

House Concurrent Resolution 388 authorized the use of the Capitol Grounds for the 23rd Annual National Peace Officers' Memorial Service, held on May 15, 2004. The service was in honor of the federal, state and local law enforcement officers killed in the line of duty in 2003.

DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

H. CON. RES. 389

House Concurrent Resolution 389 authorized the 2004 District of Columbia Special Olympics Law Enforcement Torch Run to be conducted through the grounds of the Capitol on June 4, 2004. The Capitol Police hosted the opening ceremonies for the run starting on Capitol Hill.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR ACTIVITIES ASSOCIATED WITH THE DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL

H. CON. RES. 423

House Concurrent Resolution 423 authorized the use of the Capitol Grounds for activities associated with the dedication of the National World War II Memorial. Events were held on May 29, 2004.

HOUSE RESOLUTIONS

DESIGNATING ROOM H-236 IN THE HOUSE OF REPRESENTATIVES WING OF THE CAPITOL AS THE "RICHARD K. ARMEY ROOM"

H. RES. 19

House Resolution 19 designates room H-236 in the House of Representatives wing of the Capitol as the "Richard K. Armey Room". Richard K. Armey was born July 7, 1940, in Cando, North Dakota. He graduated from Cando High School in 1958. Congressman Armey earned his Bachelor of Arts degree from Jamestown College in Jamestown, North Dakota, his Master of Arts degree in Economics from the University of North Dakota, and a Ph.D. in Economics from the University of Oklahoma. He later went on to hold faculty positions at the University of Montana, West Texas State University, Austin College, and North Texas State University where he spent 11 years, during which time he was Chairman of the Economics Department for six years. In 1984, Congressman Armey was elected to the House of Representatives to serve in the 99th Congress. He was reelected to each succeeding Congress until his retirement after the 107th Congress. In 1992, Congressman Armey became Chairman of the House Republican Conference. Two

years later, in 1994, he became Majority Leader, a position he held until his retirement.

BILLS PASSED BY THE HOUSE ONLY

(Summaries of Bills)

**TONY HALL FEDERAL BUILDING AND UNITED STATES
COURTHOUSE**

H.R. 281

H.R. 281 designates the Federal Building and United States Courthouse located at 200 West 2nd Street in Dayton, Ohio, as the “Tony Hall Federal Building and United States Courthouse”. Congressman Hall was born in Dayton, Ohio, on January 16, 1942. He graduated from Fairmont High School in 1960 and from Denison University in 1964. After graduation, Congressman Hall served for two years in the United States Peace Corps. From 1969 to 1972, Congressman Hall served in the Ohio General Assembly. He was then elected to serve in the Ohio Senate from 1973 until 1978, at which time he was elected to the United States House of Representatives. During his time in the House, Congressman Hall was an outspoken advocate for combating world hunger, protecting human rights, and promoting humanitarian causes—including basic education, adult literacy, immunization and other child survival programs, and sustainable agriculture in developing countries. Congressman Hall served as Chairman of the House Select Committee on Hunger from 1989 until it was abolished in 1993, then fasted for 22 days to draw worldwide attention to the scourge of hunger. He served on the Rules Committee in addition to numerous other committee assignments. In 2002, Congressman Hall resigned his seat to accept appointment as United States Ambassador to the United Nations food and agriculture agencies. This bill passed the House on May 13, 2003.

**PREDISASTER MITIGATION PROGRAM
REAUTHORIZATION ACT OF 2003**

H.R. 3181

H.R. 3181 reauthorizes the Predisaster Mitigation Program (PDM) for three years; increases the percentage of Hazard Mitigation Grant Program (HMGP) funds to 15%; allows the President to offer additional home repair assistance to disaster victims; and requires the completion, within two years, of a Congressional Budget Office (CBO) study of the cost-effectiveness of the program. This bill passed the House on November 21, 2003. However, one-year extensions of PDM were enacted into law as part of the Consolidated Appropriations Act of FY2004 and FY2005 (P.L. 108–7 and P.L. 108–447) respectively.

**JUSTIN W. WILLIAMS UNITED STATES ATTORNEY'S
BUILDING**

H.R. 3428

H.R. 3428 designates the A-Wing of the Albert V. Bryan United States Courthouse as the “Justin W. Williams United States Attorney’s Building”. The United States Attorney’s office currently occupies the wing. Born in New York City, in 1942, Justin Williams earned his Bachelor’s degree from Columbia University in 1963 and his law degree from the University of Virginia in 1967. He worked for the Department of Justice Criminal Division from 1967 until 1968. He then served as Assistant Commonwealth’s Attorney in Arlington County from 1968 to 1970. In 1970, he was appointed as an Assistant U.S. Attorney for the Eastern District of Virginia, based in Alexandria. He was appointed Chief of the Criminal Division in 1986, and served in that capacity until his death in 2003. During his tenure he supervised over 100 prosecutors and oversaw such high profile trials as *U.S. v. Aldrich Ames*, *U.S. v. Robert Hansen*, and the prosecution of the Virginia Jihad Network. He received numerous awards from the Department of Justice including the Attorney General’s Award for Excellence in Furthering the Interests of U.S. National Security. This bill passed the House on September 22, 2004.

WILLIAM B. BRYANT ANNEX

H.R. 4294

H.R. 4294 designates the annex to the E. Barrett Prettyman Federal Building and United States Courthouse, as the “William B. Bryant Annex to the E. Barrett Prettyman Federal Building and United States Courthouse”. Judge Bryant was born in Alabama but raised in Washington, D.C. He attended D.C. public schools, and graduated from Dunbar High School. He received both his Bachelor’s and law degrees from Howard University. In 1943, he entered the United States Army, receiving a commission as a First Lieutenant. Judge Bryant was honorably discharged in 1947, having attained the rank of Lieutenant Colonel. After 18 years in private practice, marked by a brief period with the Department of Justice, William Bryant was appointed to the United States District Court for the District of Columbia in 1965. In 1977, Judge Bryant became the first African American to serve as Chief Judge for the D.C. District Court. Judge Bryant took senior status in 1982. This bill passed the House on July 21, 2004.

**REYNALDO G. GARZA AND FILEMON B. VELA UNITED
STATES COURTHOUSE**

H.R. 1402

H.R. 1402 designates the United States Courthouse located in Brownsville, Texas, as the “Garza-Vela United States Courthouse”. Judge Reynaldo Garza was born in Brownsville, Texas, on July 7, 1915, and attended local public schools. He graduated from

Brownsville Junior College in 1935, and from the University of Texas at Austin in 1939. Upon his graduation, he worked in private practice until entering the U.S. Army Air Corps. After WWII, Reynaldo Garza returned to private practice until 1961. In 1961 he was appointed to the United States District Court for the Southern District of Texas and then elected Chief Judge for United States District Court for the Southern District of Texas in 1974. Judge Garza was appointed to the United States Court of Appeals for the Fifth Circuit in 1979 and in April of 1997, Chief Justice William H. Rehnquist appointed him Chief Judge of the Temporary Emergency Court of Appeals of the United States. He passed away on September 14, 2004 from pneumonia. Judge Filemon Vela was born in Harlingen, Texas, in 1936, and attended Harlingen local public schools. He went on to attend Texas Southmost College, the University of Texas, and St. Mary's School of Law in San Antonio, Texas. He served in the United States Army from 1957 until 1959. After his graduation, he worked in private practice from 1962 to 1975. He was appointed as a Judge on the 107th Judicial District, for Cameron-Willacy County from 1975 to 1980. President Carter appointed him to the United States District Court for the Southern District of Texas in 1980. Judge Vela took senior status in 2000. Judge Vela passed away on April 13, 2004. This bill passed the House on September 29, 2004.

**FASTER AND SMARTER FUNDING FOR FIRST
RESPONDERS ACT OF 2004**

H.R. 3266

H.R. 3266, as reported by the Committee on Transportation and Infrastructure, adds a new title to the Robert T. Stafford Disaster Relief and Emergency Assistance Act. This new title provides for the revision of the manner in which the Department provides funding to first responders; clarifies the purpose of funding for first responders; defines key terms; establishes a National Preparedness Goal; requires the establishment of essential capabilities for first responders; requires the establishment of national standards for equipment and training; requires a statewide preparedness strategy; addresses what grants are covered by the legislation and provides for a state minimum award; clarifies how those funds may be used; provides accountability for the Department and grant recipients; restricts changes to certain existing programs; authorizes appropriations for the program; and requires reporting by the Department and grant recipients. A compromise version of the text of the legislation was included as a part of H.R. 10, as passed by the House on October 8, 2004. First responder funding language was not included in the 9/11 Commission Recommendations Conference Report (P.L. 108-XXX).

**ADDING ASHTABULA, MAHONING, AND TRUMBULL
COUNTIES, OHIO, TO THE APPALACHIAN REGION****H.R. 587**

H.R. 587 adds 12 counties to the Appalachian Regional Commission (ARC). The legislation adds Ashtabula, Fayette, Mahoning, and Trumbull counties in the State of Ohio, Nicholas and Robertson counties in the State of Kentucky, Giles, Lawrence, Lewis, and Lincoln counties in the State of Tennessee, and Henry and Patrick counties in the Commonwealth of Virginia. Membership within the ARC makes counties eligible to receive assistance under its programs. All of these counties are contiguous to the existing ARC and are a natural extension of the ARC. The text of the legislation passed the House as part of H.R. 2535 on October 21, 2003. It was not included in S. 1134, the Economic Development Administration Reauthorization Act of 2004.

HEARINGS

During the 108th Congress, the Subcommittee held a number of hearings and other meetings on topics within its jurisdiction, oversight hearings on issues of concern to the Subcommittee, and on legislation developed by the Subcommittee and proposals made by Members of Congress not on the Committee.

On February 25, 2003, the Subcommittee held a hearing to receive testimony regarding the emergency preparedness policies at the Indian Point Energy Center located in Buchanan, New York. The hearing was to examine the effectiveness and potential problems associated with the Radiological Emergency Preparedness Plan (REPP) at the Indian Point Energy Center (Indian Point). Several communities in New York had raised questions about the effectiveness of the REPP at Indian Point, located in the City of Buchanan, New York. In August 2002, Governor George Pataki commissioned an independent review of the REPP at Indian Point and for that portion of New York in proximity to the Millstone Nuclear Plant in Greenwich, Connecticut. While the Federal Emergency Management Agency (FEMA) and Nuclear Regulatory Commission (NRC) establish rules and regulations for the development and certification of preparedness plans, ultimate responsibility for protecting the lives of those surrounding these facilities will lie with the operators of the plant and the State and local governments involved. Members testifying brought up concerns that, although State and local organizations participating in the exercise demonstrated knowledge of their emergency response plans and procedures, high population areas need special evacuation plans and that FEMA had not yet provided final recommendations. Other witnesses testified that previously identified weaknesses had been substantially addressed.

On April 2, 2003, the Subcommittee received testimony regarding Local Economic Development Issues Relating to Reauthorization of the Economic Development Administration (EDA). Representatives of local governments and professionals involved in local economic development projects and issues outlined EDA's value to distressed areas. The witnesses stressed the need for local flexibility and re-

sponsibility in economic development as well as cited results of several studies conducted by Rutgers University that examined the effectiveness of three of EDA programs.

On April 9, 2003, the Subcommittee held the second of three hearings to receive testimony about the Economic Development Administration (EDA). This hearing concerned Regional Economic Development Issues Relating to Reauthorization of EDA. Representatives of regional economic development authorities and groups that work with those authorities to effect positive economic change in underdeveloped regions in the United States testified in support of reauthorizing the EDA. Representatives of the ARC, the Delta Regional Authority (DRA), and associations of regional councils and development organizations affirmed EDA's long history of working with State and local governments, Local Development Districts (LDD's), and existing and operational regional development authorities, including the ARC, DRA, and Denali Commission, to deliver planning assistance and guidance on regional planning issues. Witnesses also outlined the efficient accomplishments EDA has achieved, through limited funding, in economically depressed regions and highlighted the need for both regional development authorities and EDA to work in conjunction to improve economically depressed area levels. Witnesses called for sufficient funding for EDA and regional development authorities.

The Subcommittee held its final hearing concerning reauthorization of EDA to discuss the Administration's Proposal to Reauthorize the Economic Development Administration on June 4, 2003. Established by the Public Works and Economic Development Act of 1965, EDA was created to alleviate conditions of substantial and persistent unemployment in economically distressed areas and regions. EDA was last authorized, for a period of five years, in the Economic Development Administration and Appalachian Regional Development Act of 1998. Prior to that, EDA had not been reauthorized since 1982, surviving on year-to-year appropriations. Witnesses highlighted EDA's potential to stimulate economically distressed rural and urban areas throughout the country. The Administration's proposal, which authorized \$331 million for fiscal year 2004, and such sums as may be necessary for each of fiscal years 2005 through 2008. The proposal had three primary objectives: to increase EDA's flexibility, to enhance coordination among other federal programs, and to reward EDA's highest performing recipients for achieving results. This hearing provided the Subcommittee with important information that served to assist the Committee in the reauthorization process and which resulted in the passage of the Economic Development Administration Reauthorization Act of 2004 (P.L. 108-373).

On July 9, 2003, the Subcommittee held a hearing on the General Services Administration's (GSA) FY 2004 Capital Investment and Leasing Program (CILP). The hearing covered all aspects of the CILP including the alteration/modernization and construction portions. The Subcommittee received testimony from Joseph Moravec, Commissioner of the Public Buildings Service at the General Services Administration and from Judge Jane R. Roth of the U.S. Court of Appeals, Third Circuit representing the Administrative Office of the United States Courts (AOC). GSA requested new

authority totaling \$821 million for design, modernization, repair, and alteration of 28 Federal buildings in 20 cities. This request included \$711 million for Basic Repairs and Alterations projects, \$68 million for Fire and Life Safety Repairs in four Federal Buildings in the Washington, D.C. area, and \$42 million for the design of future projects.

GSA requested \$400.7 million in new authority for the construction of new facilities. This request included \$204.5 million for two Executive Agency construction projects, \$186 million for construction of border facilities, and \$10 million for non-prospectus construction projects. No money was requested in the FY 2004 program for construction of new judicial facilities. Lastly 14 lease prospectuses were considered.

On September 10, 2003, the Subcommittee held a hearing on the Reauthorization of the John F. Kennedy Center for the Performing Arts (Kennedy Center). This hearing covered those aspects of the Kennedy Center's activities that receive appropriated funds including a review of the Kennedy Center's five-year Comprehensive Building Plan (CBP), as well as an update of ongoing and proposed construction projects. The Government Accountability Office (GAO) had recently completed a review of the Kennedy Center's construction of a new garage and presented it before the Subcommittee. GAO reported that early estimates of the garage expansion and site improvements project proved to be especially problematic and were based on unrealistic assumptions. GAO recommended that the Kennedy Center develop comprehensive project management policies and procedures to guide the construction process, ensure development and utilization of timely data to oversee construction projects, and ensure that needs for human capital expertise are met. This oversight hearing led to the John F. Kennedy Center Reauthorization Act of 2004 (P.L. 108-410), which establishes a Project Team for improved project management of the Plaza Project. The Kennedy Center only receives federal funds for the repair and upkeep of the physical infrastructure of the building and is required to raise private funds to support its artistic activities.

On September 16, 2003, the Subcommittee received testimony regarding emergency preparedness issues, including reauthorization of the Predisaster Mitigation Program (PDM). The hearing focused on the proposed reauthorization of the PDM, which provides assistance on a competitive basis to states and localities to perform hazard mitigation projects. The resulting bill, H.R. 3181, reauthorizes the Predisaster Mitigation Program for three years; increases the percentage of Hazard Mitigation Grant Program (HMGP) funds to 15%; allows the President to offer additional home repair assistance to disaster victims; and requires the completion of a Congressional Budget Office (CBO) study of the cost-effectiveness of the program. Although H.R. 3181 passed the House, it did not become law. However, one-year extensions of PDM were enacted into law as part of the Omnibus Appropriations Act of FY2004 and FY2005 (PL 108-7 and PL 108-447) respectively.

On October 7, 2003, the Subcommittee held a hearing in Yorktown, Virginia, concerning the federal response to Hurricane Isabel. Although Hurricane Isabel left a path of destruction stretching from the Outer Banks of North Carolina to the suburbs of Pitts-

burgh, Pennsylvania, the area encompassing the southern suburbs of Washington, D.C. to the Atlantic Coast of southern Virginia were perhaps the hardest hit. The Subcommittee chose Yorktown, Virginia due to its receiving sustained winds in excess of 100 miles an hour and the driving rain that accompanied it. It is estimated by insurance officials that the cost of Hurricane Isabel would exceed \$500 million in Virginia alone. The hearing highlighted the coordination between the federal, Commonwealth, and local responders. Witnesses ranged from Members of Congress and representatives of FEMA to Commonwealth and local officials.

On March 18, 2004 the Subcommittee received testimony from Michael Brown, Undersecretary for Emergency Preparedness and Response (EP&R) at the Department of Homeland Security (DHS) concerning DHS's FY 2005 Budget Request for EP&R, the Office of Domestic Preparedness (ODP), and first responder funding. Undersecretary Brown also outlined the Department's intention to consolidate offices and transfer into the ODP grants that are currently being administered by other divisions of the Department. This new office would assume responsibility for administration of select grant award functions currently exercised by the Under Secretary for EP&R and the Administrator of TSA. Included among the functions transferred into this new office would be port security grants, firefighter assistance grants, and emergency management planning grants. Subcommittee Members expressed particular concern regarding the transfer of the FIRE (Fire Investment and Response Enhancement) Grant Program to ODP, as proposed in the Administration's FY 2005 budget request. The budget request includes language that would provide a preference for FIRE grant applications that address terrorism, rather than those activities originally intended by the program, such as conducting training, acquiring basic firefighting equipment, and conducting fire prevention activities.

On May 13, 2004, the Subcommittee held a hearing entitled, "How to Best Prepare for Acts of Terror: National Preparedness and Funding for First Responders". Witnesses included representatives from GAO, DHS, and the Commonwealth of Virginia. There is currently a debate about the proper approach to emergency preparedness, between an all-hazards approach and an approach that separates terrorism and non-terrorism planning, training and funding; every witness supported the all-hazards approach. Since September 11, 2001, the Federal government has made more than \$8 billion available to State and local governments for preparedness. However, some have questioned the timeliness of the delivery of these funds to the State and local level. Witnesses testified that funding delivery, partially slowed by State and local decision-making process, is improving. A GAO analysis presented at the hearing yielded a similar conclusion.

On July 13, 2004, the Subcommittee held a hearing on GSA's FY 2005 Capital Investment and Leasing Program (CILP). The hearing covered all aspects of the CILP including the alteration/modernization and construction portions. The Subcommittee received testimony from Joseph Moravec, Commissioner of the Public Buildings Service at the General Services Administration and from Judge Jane R. Roth of the U.S. Court of Appeals, Third Circuit rep-

representing the Administrative Office of the United States Courts (AOC). GSA requested new authority totaling \$684.9 million for design, modernization, repair, and alteration of Federal buildings and Courthouses. This request includes \$693.7 million for basic repair and alteration projects and \$46.3 million for the design of future projects. The program included requests for new authority totaling \$681.3 million for the construction of new facilities.

GOVERNMENT ACCOUNTABILITY OFFICE REQUESTS

In addition to requests for testimony at hearings held by the Subcommittee and legislative mandates included in enacted laws, the Subcommittee requested GAO to conduct a number of studies and publish reports on issues within its jurisdiction. Three requests were made, though only one of these requests was completed during the 108th Congress. The Committee requested GAO identify obstacles that existed to effective and efficient project management of the Kennedy Center expansion project. In particular, GAO was asked to identify improvements needed to strengthen the construction process. GAO reported that early estimates of the Kennedy Center garage expansion and site improvements project proved to be especially problematic and were based on unrealistic assumptions. GAO recommended that the Kennedy Center develop comprehensive project management policies and procedures to guide the construction process, ensure development and utilization of timely data to oversee construction projects, and ensure that needs for human capital expertise are met.

The Committee also requested that GAO look at issues regarding the Smithsonian Institution's facilities construction, repair, and alteration projects and to report on the impact of the Smithsonian Institution's facilities needs on its operating budgets. This study was requested on January 6, 2004.

Lastly, Committee requested that GAO to examine how DHS is working with and assisting state and local first responders, in particular, how the Department's efforts enhance state and local first responders' all-hazards capacity. This study was requested on January 20, 2004.

SITE VISITS

In January 2003, Chairman LaTourette visited the Submillimeter Array (SMA) in Mauna Kea, Hawaii. The Submillimeter Array, collaboration between the Smithsonian Astrophysical Observatory and the Institute of Astronomy and Astrophysics of the Academia Sinica of Taiwan, will observe the universe at submillimeter wavelengths.

Subcommittee staff visited the facilities of the Smithsonian Environmental Research Center (SERC) in Edgewater, Maryland. For the last 40 years, SERC's primary mission has been to research linkages between land and water ecosystems in the coastal zone. This includes such aspects like foreign animal invasion from ballast water and land-use and landscape ecology among many other topics. The site visit provided a more comprehensive understanding of the Smithsonian's Environmental Research Center and its building and facilities' needs there.

Additionally, Subcommittee staff traveled with the Delta Regional Authority (DRA) to inspect economic development projects throughout the Delta region in August of 2003 and 2004. Staff visited sites in Louisiana, Arkansas, Missouri, Tennessee, and Mississippi.

Subcommittee staff visited sites in and around the Washington Metropolitan area to better understand issues within the Subcommittee's jurisdiction. Staff visited the Southeast Federal Center, Capitol Visitor's Center, National Museum of American History, National Air and Space Museum Dulles Annex, National Museum of the American Indian, and the John F. Kennedy Center for the Performing Arts.

In April 2003, Subcommittee staff visited the nuclear power plant located at Waterford, Louisiana, to better understand the preparations made to ensure the safety of communities surrounding nuclear power plants.

In August 2004, Subcommittee staff traveled to Florida to see firsthand the devastation caused by a series of hurricanes.

OTHER OVERSIGHT ACTIVITIES

During the 108th Congress, the Subcommittee remained extremely interested in the oversight of Federal Emergency Management policies, which include the preparation, mitigation, response and recovery aspects of national disasters, and general interest in the National Capital Region. In addition, the Subcommittee continues close oversight of the construction of the Capitol Visitors Center.

Additionally, the Subcommittee continued its ongoing oversight of activities within the National Capital Region of the GSA, including the new headquarters for DHS, DOT, development of the Southeast Federal Center, and the progression of the Capitol Visitors Center project.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959

Date Referred	Date Approved	Location	Project
Apr. 9, 2003	Washington, DC	Resolution authorizing the lease of up to approximately 116,064 rentable square feet of space for the Department of Justice currently located in leased space at 1401 H Street, NW, in Washington, DC, at a proposed total annual cost of \$5,222,880 for a lease term of 10 years.
Apr. 9, 2003	Washington, DC	Resolution authorizing the lease of up to approximately 347,020 rentable square feet of space for the Department of Justice currently located in leased space at 600 E Street, NW, in Washington, DC, at a proposed total annual cost of \$15,615,900 for a lease term of 10 years.
Apr. 9, 2003	Washington, DC	Resolution authorizing the lease of up to approximately 165,824 rentable square feet of space for the Department of Health and Human Services, Administration for Children and Families, currently located in leased space at 370 L'Enfant Plaza Promenade, SW, in Washington, DC, at a proposed total annual cost of \$7,462,080 for a lease term of 10 years.
Apr. 9, 2003	Washington, DC	Resolution authorizing the lease of up to approximately 118,754 rentable square feet of space for the Office of Government Ethics and Corporation for National Service currently located in leased space at 1201 and 1225 New York Avenue in Washington, DC, at a proposed total annual cost of \$5,343,930 for a lease term of 10 years.
Apr. 9, 2003	Rockville, MD	Resolution authorizing the lease of up to approximately 251,527 rentable square feet of space for the Department of Health and Human Services Substance Abuse and Mental Health Services Administration currently located in leased space at 5515 Security Lane and 5600 Fishers Lane in Rockville, MD, at a proposed total annual cost of \$8,551,918 for a lease term of 10 years.
Apr. 9, 2003	Falls Church, VA	Resolution authorizing the lease of up to approximately 162,696 rentable square feet of space for the Department of Defense, Defense Information Systems Agency currently located in leased space at 5600 Columbia Pike in Falls Church, VA at a proposed total annual cost of \$3,531,664 for a lease term of 10 years.
Apr. 9, 2003	Arlington, VA	Resolution authorizing the lease of up to approximately 153,560 rentable square feet of space for the Department of Defense currently located in leased space at Crystal Plaza V, 2211 South Clark Place in Arlington, VA, at a proposed total annual cost of \$5,221,040 for a lease term of 10 years.
Apr. 9, 2003	Alexandria, VA	Resolution authorizing the lease of up to approximately 403,734 rentable square feet of space for the Department of Defense currently located in leased space at Hoffman Building, 2200 Stovall Street in Alexandria, VA, at a proposed total annual cost of \$13,726,956 for a lease term of 10 years.
Apr. 9, 2003	Northern VA	Resolution authorizing the lease of up to approximately 524,867 rentable square feet of space for the Department of Defense, Secretary of the Army, Office of the Administrative Assistant currently located in leased space at the Pentagon and various leased locations in Northern Virginia, at a proposed total annual cost of \$17,845,478 for a lease term of 10 years.
Apr. 9, 2003	Fairfax, VA	Resolution authorizing the lease of up to approximately 134,237 rentable square feet of space for the Department of the Interior and the Department of Commerce currently located in leased space at 381 Elden Street in Fairfax, VA, at a proposed total annual cost of \$4,564,058 for a lease term of 10 years.
Apr. 9, 2003	Arlington, VA	Resolution authorizing the lease of up to approximately 144,552 rentable square feet of space for the Department of Defense, Missile Defense Agency currently located in leased space at Wing 8 of Federal Office Building 2 Arlington Naval Annex in Arlington, VA, at a proposed cost total annual cost of \$4,914,768 for a lease term of 10 years.

Apr. 9, 2003	Fairfax, VA	Resolution authorizing the lease of up to approximately 149,040 rentable square feet of space for the Department of Treasury, Financial Crimes Enforcement Network currently located in leased space at Tycon Courthouse, 2070 Chain Bridge Road in Fairfax, VA, at a proposed total annual cost of \$5,067,360 for a lease term of 10 years.
Apr. 9, 2003	Arlington, VA	Resolution authorizing the lease of up to approximately 281,558 rentable square feet of space for the Department of State currently located in leased space at 1701 North Myer Drive in Arlington, VA, at a proposed total annual cost of \$9,572,972 for a lease term of 10 years.
Apr. 9, 2003	Denver, CO	Resolution authorizing the lease of up to approximately 231,981 rentable square feet of space for the Environmental Protection Agency Region VIII, General Services Administration, Federal Telecommunications Service, and the Department of Health and Human Services, Centers for Disease Control and Prevention, currently located in leased space at 999 18th Street, in Denver, CO at a proposed total annual cost of \$7,191,411 for a lease term of 10 years.
Apr. 9, 2003	Kansas City, MO	Resolution authorizing the lease of up to approximately 1,140,000 rentable square feet of space for the Department of Treasury, Internal Revenue Service, Service Center currently located in leased space at 1500 Bannister Road, and five leased locations in the Kansas City metropolitan area, at a proposed total annual cost of \$34,200,000 for a lease term of 15 years.
Apr. 9, 2003	Denver, CO	Resolution authorizing the alteration of the Byron G. Rogers Federal Building and United States Courthouse located in Denver, CO, at an additional construction cost of demolition and asbestos abatement of \$9,000,000, a modified prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated July 18, 2001, which authorized appropriations in the amount of \$3,688,000 for advanced design.
Apr. 9, 2003	Las Cruces, NM	Resolution authorizing site acquisition for a 206,881 gross square foot United States Courthouse, including 81 inside parking spaces, located in Las Cruces, NM, at a cost of \$600,000, a modified prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated July 26, 2000, which authorized appropriations in the amount of \$3,040,000 for design; and Committee resolution dated July 18, 2001, which authorized appropriations in the amount of \$1,070,000 for additional design.
July 23, 2003	San Diego County, CA	Resolution authorizing site, relocation and design of a 311,000 gross square foot United States Border Station, including 400-500 parking spaces, located in San Diego County, California, at a site and relocation cost of \$25,630,000 and design cost of \$8,581,000 for a combined estimated cost of \$34,211,000.
July 23, 2003	Jackman, ME	Resolution authorizing additional appropriations for the construction of a 53,217 gross square foot United States Border Station, including 12 inside parking spaces, located in Jackman, Maine, at an additional estimated construction cost of \$6,267,000 (estimated construction cost of \$7,967,000 was previously authorized) and additional site, design and management and inspection cost of \$1,445,000 (site, design and management inspection cost of \$2,095,000 was previously authorized) for a combined estimated cost of \$7,712,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated June 26, 2002, which authorized estimated construction cost and management and inspection cost of \$9,194,000 which amended a Committee resolution dated July 18, 2001, which authorized additional design cost of \$249,000, and which amended a Committee resolution dated June 21, 2000, which authorized design cost of \$619,000.
July 23, 2003	Suitland, MD	Resolution authorizing appropriations for the construction of a 1,010,800 gross square foot building for the Bureau of the Census, including 864 parking spaces, located in Suitland, Maryland at a management and inspection cost of \$7,779,000 and estimated construction cost of \$138,672,000 for a combined estimated total project cost of \$154,638,000 (design cost of \$8,187,000 was previously authorized).

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	July 23, 2003	Detroit, MI	Resolution to authorizing appropriations for the construction of a 23,500 gross square foot cargo inspection facility, including 230 parking spaces, for the Amba Ambassador Bridge, located in Detroit, Michigan, at a management and inspection cost of \$1,852,000 and estimated construction cost of \$23,535,000 for a combined estimated total project cost of \$34,857,000 (site and design cost of \$9,470,000 was previously authorized).
	July 23, 2003	Champlain, NY	Resolution to authorizing appropriations for site, design and review, management and inspection, and construction of a United States Border Station, including parking, located in Champlain, New York, at a total authorized cost of \$42,831,000 (includes \$4,000,000 for site acquisition and design and review appropriated pursuant to P.L. 108-7; site acquisition and design and review cost of \$3,800,000 was authorized by Committee resolution on November 7, 2001).
	July 23, 2003	Del Rio, TX	Resolution authorizing appropriations for the construction of a 110,560 gross square foot United States Border Station, including 145 parking spaces, located in Del Rio, Texas at a management and inspection cost of \$2,326,000 and estimated construction cost of \$21,640,000 for a combined estimated total project cost of \$25,835,000 (design and review cost of \$1,869,000 was previously authorized).
	July 23, 2003	Eagle Pass, TX	Resolution authorizing appropriations for the construction of a 153,950 gross square foot United States Border Station, including 130 parking spaces, located in Eagle Pass, Texas at a management and inspection cost of \$3,245,000 and an estimated construction cost of \$28,735,000 for an estimated total project cost of \$34,236,000 (design cost of \$2,256,000 was previously authorized).
	July 23, 2003	Houston, TX	Resolution authorizing appropriations for the construction of a 394,750 gross square foot Federal Bureau of Investigation Field Office, including 795 parking spaces, located in Houston, Texas at a management and inspection cost of \$3,408,000 and an estimated construction cost of \$54,672,000, for an estimated total project cost of \$64,348,000 (design and review and site acquisition cost of \$6,268,000 was previously authorized).
	July 23, 2003	McAllen, TX	Resolution authorizing appropriations for the construction of a 64,785 gross square foot border station, including parking, at the Anzalduas Bridge, at a management and inspection cost of \$1,691,000, an estimated construction cost of \$13,872,000, and a design cost of \$2,375,000 for an estimated total project cost of \$17,938,000.
	July 23, 2003	Blaine, WA	Resolution authorizing appropriations for site and design of a 102,400 gross square foot facility, including 148 parking spaces, located at the United States Port of Entry in Blaine, WA at a site acquisition cost of \$7,060,000 and a design cost of \$2,752,000, for an estimated total cost of \$9,812,000.
	July 23, 2003	Atlanta, GA	Resolution authorizing appropriations for site acquisition, relocation and design of a 123,025 usable square foot facility, located adjacent to the Elbert P. Tuttle Court of Appeals Building, in Atlanta, Georgia, at a site acquisition cost \$9,100,00, relocation cost of \$1,500,000 and design cost of \$6,725,000, for an estimated total cost of \$17,325,000.
	July 23, 2003	Denver, CO	Resolution authorizing appropriations for the alteration of the Byron G. Rogers United States Courthouse located at 1961 Stout Street in Denver, CO, at an additional design and review cost of \$467,000 (design and review cost of \$3,688,000 was previously authorized), an estimated construction cost of \$44,008,000 (construction cost of \$9,000,000 was previously authorized), and management and inspection cost of \$3,961,000 for a combined estimated total project cost of \$52,124,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution that authorized design cost of \$3,688,000 dated July 18, 2001.

July 23, 2003	Washington, DC	Resolution, authorizing appropriations for the alteration of the building located at 320 First Street building in NW, Washington, DC, at an additional estimated construction cost of \$6,631,000 (estimated construction cost \$7,215,000 was previously authorized), additional design and review cost of \$543,000 (design and review cost of \$722,000 was previously authorized), and additional management and inspection cost of \$311,000 (management and inspection cost of \$323,000 was previously authorized) for an estimated total project cost of \$15,745,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 18, 2001, which authorized design and review cost of \$722,000, management and inspection cost of \$323,000, and estimated construction cost of \$7,215,000.
July 23, 2003	Washington, DC	Resolution authorizing appropriations for the alteration of Federal Office Building Eight located at 2nd & C Streets, SW, in Washington, DC, at an estimated construction cost of \$126,080,000, additional design and review cost of \$2,301,000 (design and review cost of \$7,761,000 has been previously authorized), and a management and inspection cost of \$6,491,000 for an estimated total project cost of \$142,633,000.
July 23, 2003	Washington, DC	Resolution authorizing appropriations for the alteration of the Department of Interior's main headquarters building located at 1849 C Street, NW, Washington, DC, at a design and review cost of \$10,722,000, a management and inspection cost of \$19,228,000, and an estimated construction cost of \$190,265,000 for an estimated total project cost of \$220,265,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated November 16, 1995, which authorized an estimated total project cost of \$120,635,000.
July 23, 2003	Washington, DC	Resolution authorizing appropriations for alteration of the 17th Street portion of the Eisenhower Executive Office Building located at Pennsylvania Avenue and 17th Street, Washington, DC, at an estimated construction cost of \$63,531,000 and a management and inspection cost of \$2,226,000 (management and inspection cost of \$3,456,000 was previously authorized) for an estimated total project cost of \$74,931,000 (design and review cost of \$5,718,000 was previously authorized).
July 23, 2003	Washington, DC	Resolution authorizing appropriations for the alteration of the 1724 F Street, NW, Washington, DC, at an additional design cost of \$59,000 (design cost of \$336,000 was previously authorized), an additional management and inspection cost of \$44,000 (management and inspection cost of \$170,000 was previously authorized), and an additional estimated construction cost of \$403,000 (estimated construction cost of \$2,228,000 was previously authorized) for an estimated total project cost of \$3,240,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated August 5, 1999.
July 23, 2003	Atlanta, GA	Resolution authorizing appropriations for the alteration of the Richard B. Russell Federal Building in Atlanta, GA, at an estimated construction cost of \$29,586,000 and a management and inspection cost of \$2,587,000 for an estimated total project cost of \$35,090,000 (design and review cost of \$2,917,000 was previously authorized).
July 23, 2003	Chicago, IL	Resolution authorizing appropriations for the alteration of the Everett M. Dirksen Courthouse and John C. Kluczynski Federal Building in Chicago, IL, at an estimated construction cost of \$20,980,000, a management and inspection cost of \$1,462,000, and a design and review cost of \$1,614,000 for an estimated total project cost of \$24,056,000.
July 23, 2003	Springfield, IL	Resolution authorizing appropriations for the alteration of the Paul H. Findley Federal Building and United States Courthouse in Springfield, IL, at an estimated construction cost of \$5,661,000 and a management and inspection cost of \$22,000 for an estimated total project cost of \$6,722,000 (design and review cost of \$339,000 was previously authorized).

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	July 23, 2003	Boston, MA	Resolution authorizing appropriations for the alteration of the John W. McCormack Post Office and Courthouse located at Five Post Office Square in Boston, MA, at an estimated construction cost of \$67,107,000 and a management and inspection cost of \$5,930,000 for an estimated total project cost of \$78,375,000 (design and review cost of \$5,338,000 was previously authorized).
	July 23, 2003	Brooklyn, NY	Resolution authorizing appropriations for the alteration of the Emanuel Celler Courthouse located at 225 Cadman Plaza East, Brooklyn, NY, at an estimated construction cost of \$61,046,000 and a management and inspection cost of \$4,465,000 for an estimated total project cost of \$69,302,000 (design and review cost of \$3,791,000 was previously authorized).
	July 23, 2003	Fargo, ND	Resolution authorizing appropriations for the alteration of the Federal Building—Post Office in Fargo, ND, at an estimated construction cost of \$5,201,000, a management and inspection cost of \$416,000, and an additional design and review cost of \$184,000 (design and review cost of \$336,000 was previously authorized) for an estimated total project cost of \$6,137,000.
	July 23, 2003	Columbus, OH	Resolution authorizing appropriations for the alteration of the John W. Bricker Federal Building located at 200 North High Street in Columbus, OH, at an estimated construction cost of \$9,960,000 and a management and inspection cost of \$747,000 for an estimated total project cost of \$11,770,000 (design and review cost of \$1,063,000 was previously authorized).
	July 23, 2003	Auburn, WA	Resolution authorizing appropriations for the alteration of the warehouse in Building Seven in the Auburn Federal Complex at an estimated construction cost of \$16,943,000 and a management and inspection cost of \$1,372,000 for an estimated total project cost of \$19,449,000 (design and review cost of \$1,134,000 was previously authorized).
	July 23, 2003	Seattle, WA	Resolution authorizing appropriations for the alteration of the Henry M. Jackson Federal Building located at 915 2nd Avenue in Seattle, WA, at an additional estimated construction cost of \$5,723,000 (estimated construction cost of \$24,750,000 was previously authorized), an additional management and inspection cost of \$499,000 (management and inspection cost of \$2,027,000 was previously authorized), and an additional design and review cost of \$646,000 (design and review cost of \$1,728,000 and an additional design and review cost of \$55,000 were previously authorized) for an estimated total project cost of \$35,428,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated June 26, 2002, which authorized \$26,832,000 for additional design, construction and management and inspection.
	July 23, 2003	Metropolitan DC	Resolution authorizing appropriations for the repair and or replacement of existing fire and life safety systems in the Wilbur J. Cohen Building at a cost of \$19,558,000, the Forrestal Building at a cost of \$40,278,000, the Theodore Roosevelt Building at a cost of \$5,414,000, each located in Washington, DC, and the Department of Energy Main Building located in Germantown, Maryland at a cost of \$2,938,000, for an estimated total cost of \$68,188,000.
	July 23, 2003	Washington, DC	Resolution authorizing appropriations to lease up to approximately 107,376 rentable square feet of space for the Department of Energy currently located in leased space at 950 L'Enfant Plaza, SW, in Washington, DC, at a proposed total annual cost of \$4,831,920 for a lease term of 10 years.
	July 23, 2003	Washington, DC	Resolution authorizing appropriations to lease up to approximately 297,697 rentable square feet of space for the Department of State in Washington, DC, at a proposed total annual cost of \$14,116,365 for a lease term of 10 years.

July 23, 2003	Washington, DC	Resolution authorizing appropriations to lease up to approximately 86,479 rentable square feet of space for the Department of Transportation currently located in leased space at 1120 Vermont Avenue, in Washington, DC, at a proposed total annual cost of \$3,891,555 for a lease term of 5 years.
July 23, 2003	Rockville, MD	Resolution authorizing appropriations to lease up to approximately 108,000 rentable square feet of space for the Department of Justice currently located in leased space at 1151 Seven Locks Road, in Rockville, MD at a proposed total annual cost of \$3,348,000 for a lease term of 10 years.
July 23, 2003	Rockville, MD	Resolution authorizing appropriations to lease up to approximately 115,507 rentable square feet of space for the Food and Drug Administration currently located in leased space at 9200 Corporate Blvd, in Rockville, MD at a proposed total annual cost of \$3,580,717 for a lease term of 10 years.
July 23, 2003	Rockville, MD	Resolution authorizing appropriations to lease up to approximately 108,136 rentable square feet of space for the Food and Drug Administration currently located in leased space at 1350 Piccard Drive, in Rockville, MD at a proposed total annual cost of \$3,352,216 for a lease term of 10 years.
July 23, 2003	Camp Springs, MD	Resolution authorizing appropriations to lease up to approximately 268,762 rentable square feet of space for the Department of Commerce currently located in leased space at 5200 Auth Road, in Camp Springs, MD at a proposed total annual cost of \$8,869,146 for a lease term of 13 years.
July 23, 2003	Las Vegas, NV	Resolution authorizing appropriations to lease up to approximately 106,955 rentable square feet of space for the Federal Bureau of Investigation currently located in leased space at various locations, in Las Vegas, NV, at a new proposed total annual cost of \$3,422,560 for a lease term of 15 years; a prospectus for which is attached to and included in this resolution. This resolution amends a Committee resolution dated September 27, 2000, which authorized a total annual cost of \$2,620,398.
July 23, 2003	Alexandria, VA	Resolution authorizing appropriations to lease up to approximately 99,168 rentable square feet of space for the Department of Defense currently located in leased space at the Park Center Office building, 4501 Ford Avenue, in Alexandria, VA at a proposed total annual cost of \$3,371,712 for a lease term of 10 years.
July 23, 2003	Falls Church, VA	Resolution authorizing appropriations to lease up to approximately 149,087 rentable square feet of space for the Department of Defense currently located in leased space at Skyline VI, 5109 Leesburg Pike, in Falls Church, VA at a proposed total annual cost of \$5,068,958 for a lease term of 10 years.
July 23, 2003	Arlington, VA	Resolution authorizing appropriations to lease up to approximately 103,068 rentable square feet of space for the Environmental Protection Agency currently located in leased space at 2800 Crystal Drive, in Arlington, VA at a proposed total annual cost of \$3,504,312 for a lease term of 10 years.
July 23, 2003	Arlington, VA	Resolution authorizing appropriations to lease up to approximately 173,898 rentable square feet of space for the U.S. Marshals Service currently located in leased space at 1735 Jefferson Davis Highway, in Arlington, VA at a proposed total annual cost of \$5,912,532 for a lease term of 10 years.
July 23, 2003	Birmingham, AL	Resolution authorizing appropriations to lease up to approximately 587,528 rentable square feet of space for the Social Security Administration currently housed in a leased facility at 12th Avenue and 19th Street in downtown Birmingham, AL, at a proposed total annual cost of \$16,450,784 for a lease term of 20 years.
July 23, 2003	Suburban MD	Resolution authorizing appropriations to lease up to approximately 306,890 rentable square feet of space for the Department of Agriculture currently located at 4700 River Road, Riverdale, MD, at a proposed total annual cost of \$7,672,000 for a lease term of 10 years.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	July 23, 2003	Various Locations	Resolution authorizing appropriations for the design of projects scheduled for the James A. Walsh Federal Courthouse in Tucson, Arizona, at a design cost of \$1,588,000; for the Herbert C. Hoover Building in Washington, DC, at a design cost of \$12,800,000; for the Mary E. Switzer Memorial Building in Washington, DC, at a design cost of \$944,000; for the Federal Building in Des Moines, Iowa, at a design cost of \$3,588,000; for the Hale Boggs Federal Building and United States Courthouse in New Orleans, LA, at a design cost of \$2,161,000; for the John Minor Wisdom Court of Appeals in New Orleans, LA, at a design cost of \$939,000; for the Richard Boiling Federal Building in Kansas City, MO, at a design cost of \$10,881,000; for Building 102 of the Federal Center in St. Louis, MO, at a design cost of \$1,193,000; for the Anthony Celebrezze Federal Building in Cleveland, OH, at a design cost of \$2,274,000; for the Edith Green/Wendell Wyatt Federal Building in Portland, OR, at a design cost of \$3,173,000; for the Post Office and for the William K. Nakamura United States and for the William K. Nakamura U.S. Courthouse in Seattle, WA, at Courthouse in Seattle, WA, at a design cost of \$395,000; at a total design cost of \$42,845,000.
	July 23, 2003	San Antonio, TX	Resolution authorizing additional appropriations for the design of a 377,691 gross square foot United States Courthouse, including 37 inside parking spaces, located in San Antonio, TX, at an additional design cost of \$1,251,000, for which a fact sheet is attached to, and included in, this resolution. This resolution amends a Committee resolution that authorized \$6,926,000 for design cost, dated July 24, 2002.
	July 23, 2003	Anniston, AL	Resolution authorizing additional appropriations for the design of a 65,482 gross square foot United States Courthouse, including 20 inside parking spaces, located in Anniston, AL, at additional site and design cost of \$1,291,000, for a total site and design cost of \$4,381,000 (site cost of \$1,257,000 and design cost of \$1,833,000 was previously authorized), for which a fact sheet is attached to, and included in, this resolution. That resolution amends a Committee resolution that authorized \$1,257,000 for site and \$1,833,000 for design dated July 24, 2002.
	July 23, 2003	Harrisburg, PA	Resolution authorizing additional appropriations for the design of a 262,970 gross square foot United States Courthouse, including 40 inside parking spaces, located in Harrisburg, PA, at additional design cost of \$1,220,000 and additional site cost of \$5,785,000 for a total site and design cost of \$25,682,000 (a total site and design cost of \$18,677,000 has been previously authorized), for which a fact sheet is attached to, and included in, this resolution. This resolution amends a Committee resolution that authorized \$14,215,000 for site and \$4,462,000 for design dated July 24, 2002.
	July 23, 2003	Greenville, SC	Resolution authorizing additional appropriations for the design of a 257,347 gross square foot United States Courthouse, including 74 inside parking spaces, located in Greenville, SC, at additional site and design cost of \$2,627,000 for a total site and design cost of \$10,934,000 (a total site and design cost of \$8,307,000 has been previously authorized), for which a fact sheet is attached to, and included in, this resolution. This resolution amends a Committee resolution that authorized \$3,451,000 for site and \$4,856,000 for site and \$4,856,000 for design dated July 24, 2002.
	July 23, 2003	Charlotte, NC	Resolution authorizing additional appropriations for the design of a 390,724 gross square foot United States Courthouse, including 60 inside parking spaces, located in Charlotte, NC, at additional design cost of \$1,034,000, for a total design cost of \$8,053,000 (design cost of \$7,019,000 was previously authorized), for which a fact sheet is attached to, and included in, this resolution. This resolution amends a Committee resolution that authorized \$7,401,000 dated July 24, 2002.

July 23, 2003	Savannah, GA	Resolution authorizing appropriations for the construction of a 166,955 gross square foot United States Courthouse located in Savannah, GA, at additional design cost of \$668,000 (design cost of \$2,386,000 was previously authorized), estimated construction cost of \$45,818,000, and management and inspection cost of \$4,250,000 for an estimated total project cost of \$56,333,000 (site cost of \$3,211,000 was previously authorized).
July 23, 2003	San Jose, CA	Resolution authorizing additional appropriations for the site and design of a 404,361 gross square foot United States Courthouse, including 76 inside parking spaces, located in San Jose, CA, at additional site and design cost of \$6,681,000. This resolution amends a Committee resolution that authorized \$19,441,000 for additional site and design dated July 18, 2001, which amended a Committee resolution that authorized \$10,800,000, for site dated July 23, 1998.
July 23, 2003	El Paso, TX	Resolution authorizing appropriations for the construction of a 231,945 gross square foot United States Courthouse, including 60 inside parking spaces, located in El Paso, TX, at additional design cost of \$673,000 (design cost of \$4,493,000 was previously authorized), additional site cost of \$1,000,000 (site cost of \$6,700,000 was previously authorized), management and inspection cost of \$4,285,000, and estimated construction cost of \$49,927,000 for an estimated total project cost of \$67,078,000.
July 23, 2003	Mobile, AL	Resolution authorizing appropriations for the construction of a 342,273 gross square foot United States Courthouse, including 50 inside parking spaces, located in Mobile, AL, at additional design cost of \$491,000 (design cost of \$6,590,000 was previously authorized), estimated construction cost of \$80,007,000 and management and inspection cost of \$5,245,000, for an estimated total project cost of \$97,033,000 (site cost of \$4,700,000 was previously authorized).
July 23, 2003	Las Cruces, NM	Resolution authorizing appropriations for the construction of a 206,881 gross square foot United States Courthouse, including 81 inside parking spaces, located in Las Cruces, NM, at additional design cost of \$319,000 (design cost of \$4,110,000 was previously authorized), estimated construction cost of \$48,096,000 and management and inspection cost of \$3,967,000, for an estimated total project cost of \$57,092,000 (site cost of \$600,000 was previously authorized).
July 23, 2003	Salt Lake City, UT	Resolution authorizing additional appropriations for the site of a 329,896 gross square foot United States Courthouse, including 44 inside parking spaces; located in Salt Lake City, UT, at additional site cost of \$3,765,000 (site cost of \$12,802,000 was previously authorized) for a combined site cost of \$16,567,000.)
July 23, 2003	Rockford, IL	Resolution authorizing appropriations for the construction of a 150,365 gross square foot United States Courthouse, including 55 inside parking spaces, located in Rockford, IL, at additional design cost of \$377,000 (design cost of \$3,133,000 was previously authorized), additional site cost of \$1,012,000 (site cost of \$1,800,000 was previously authorized), estimated construction cost of \$44,062,000, and management and inspection cost of \$3,384,000 for an estimated total project cost of \$53,768,000.
Feb. 25, 2004		Resolution authorizing the lease of up to an additional 86,846 rentable square feet for a total maximum square footage of 252,670 square feet of space for the Department of Health and Human Services, Administration for Children and Families, currently located in leased space at various locations in Washington, DC, at an additional cost of \$3,908,070 for a proposed total annual cost of \$11,370,150 for a lease term of 10 years. This resolution amends a Committee resolution dated April 9, 2003, which authorized 165,824 square feet at a total annual cost of \$7,462,080.
Feb. 25, 2004	Washington, DC	Resolution authorizing the lease of up to approximately 584,000 rentable square feet of space for the Department of Justice currently located in leased space at 601 D St., NW, in Washington, DC at a proposed total annual cost of \$26,298,000 for a lease term of 10 years.
Feb. 25, 2004	Suburban MD	Resolution authorizing the lease of up to approximately 113,993 rentable square feet of space for the Food and Drug Administration currently located in leased space at 7500 Standish Place, in Rockville, Maryland, at a proposed total annual cost of \$3,553,783 for a lease term of 10 years.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	Feb. 25, 2004	Suburban MD	Resolution authorizing the lease of up to approximately 110,035 rentable square feet of space for the Food and Drug Administration's Center for Drug Evaluation and Research currently located at 1451 Rockville Pike, Rockville, Maryland, at a proposed total annual cost of \$3,411,085 for a lease term of up to three years.
	Feb. 25, 2004	Suburban MD	Resolution authorizing the lease of up to approximately 107,886 rentable square feet of space for the Food and Drug Administration, Center for Drug Evaluation and Research currently located at 9201 Corporate Boulevard, Rockville, Maryland, at a proposed total annual cost of \$3,344,466 for a lease term of three years.
	Feb. 25, 2004	Suburban MD	Resolution authorizing the lease of up to approximately 159,773 rentable square feet of space for the National Institutes of Health, National Institute of Allergy And Infectious Diseases currently located at 6700 Rockledge Drive, Bethesda, Maryland, at a proposed total annual cost of \$4,952,963 for a lease term of five years.
	Feb. 25, 2004	Honolulu, HI	Resolution authorizing appropriations for the alteration of the Prince Kuhio Federal Building and United States Courthouse located at 300 Ala Moana Boulevard, in Honolulu, Hawaii, at an estimated construction cost \$8,704,000, design and review cost of \$1,345,000, and a management and inspection cost of \$749,000 for an estimated total project cost of \$10,798,000.
	Feb. 25, 2004	New York City, NY	Resolution authorizing appropriations for the alteration of the Jacob J. Javits Federal Building located at 26 Federal Plaza, in New York City, New York, at an estimated construction cost of \$10,988,000, design and review cost of \$403,000, and a management and inspection cost of \$703,000 for an estimated total project cost of \$12,094,000.
	Feb. 25, 2004	Miami, FL	Resolution authorizing the lease of up to approximately 58,811 rentable square feet of space for the Department of Justice, Drug Enforcement Administration currently located at 5205 NW 84th Avenue, Miami, Florida, at a proposed total annual cost of \$3,116,983 for a lease term of 15 years.
	Feb. 25, 2004	Suburban MD	Resolution authorizing the lease of up to approximately 258,558 rentable square feet of space for the National Institutes of Health, Center for Scientific Review, and National Heart, Lung, and Blood Institute currently located at 6701 Rockledge Drive, Bethesda, Maryland, at a proposed total annual cost of \$8,015,298 for a lease term of 10 years.
	Feb. 25, 2004	Orlando, FL	Resolution authorizing the construction of a 336,049 gross square foot United States Courthouse, including 40 inside parking spaces, 160 space parking structure, landscaped square, and entrance pavilion, located in Orlando, Florida, at a total estimated cost of \$94,705,000. This resolution amends a Committee resolution dated May 26, 1994, which authorized site acquisition for a 235,050 gross square foot courthouse plus 35 inside parking spaces and 200 outside parking spaces, which was amended by a Committee resolution dated November 7, 2001, which authorized construction of a 257,050 gross square foot building, including 40 inside parking spaces and 200 surface parking spaces.

Feb. 25, 2004	Rockford, IL	Resolution authorizing appropriations for site acquisition and design of a 166,043 gross square foot United States Courthouse, including 55 inside parking spaces, located in Rockford, Illinois, at additional site cost of \$1,012,000 (site cost of \$1,800,000 was previously authorized) and additional design cost of \$990,000 (design cost of \$3,133,000 was previously authorized), for which an amended prospectus is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 18, 2001, that authorized \$2,096,000 for additional site and design of a 147,249 gross square foot courthouse, including 33 inside parking spaces, which amended a Committee resolution authorizing \$618,000 for site and \$2,219,000 for design of a 129,800 gross square foot courthouse including 33 inside parking spaces, adopted on July 26, 2000.
Feb. 25, 2004	San Antonio, TX	Resolution authorizing the lease of up to approximately 145,000 rentable square feet of space for the Federal Bureau of Investigation, currently located in Government-owned space at 615 E. Houston Street, and in leased space at 209 6th Street, in San Antonio, Texas, at a proposed total annual cost of \$4,567,500 for a lease term of 14 years.
Feb. 25, 2004	Northern VA	Resolution authorizing the lease of up to approximately 199,110 rentable square feet of space for the Federal Bureau of Investigation, currently located at 7799 Leesburg Pike, Falls Church, Virginia, at a proposed total annual cost of \$6,919,740 for a lease term of 15 years.
May 12, 2004	Northern VA	Resolution authorizing the lease of up to approximately 133,665 rentable square feet of space for the Department of the Navy, currently located in government-owned space at the Nebraska Avenue Complex, in Washington, DC, at a proposed total annual cost of \$5,012,437 for a lease term of ten years.
July 21, 2004	Washington, DC	Resolution authorizing the alteration of the J. Edgar Hoover Building located at 935 Pennsylvania Avenue, NW., in Washington, District of Columbia at a design and project cost of \$8,918,000, and management and inspection cost of \$635,000 for a combined estimated total project cost of \$10,242,000
July 21, 2004	Washington, DC	Resolution authorizing the alteration of the Eisenhower Executive Office Building located at Pennsylvania Avenue and 17th Street, NW., in Washington, District of Columbia at a design and review cost of \$454,000, an estimated construction cost of \$4,092,000, and management and inspection cost of \$454,000 for a combined estimated total project cost of \$5,000,000.
July 21, 2004	Washington, DC	Resolution authorizing the alteration of the Federal Office Building 6 located at 400 Maryland Avenue, SW., in Washington, District of Columbia at a design and review cost of \$622,000, an estimated construction cost of \$7,315,000, and management and inspection cost of \$330,000 for a combined estimated total project cost of \$8,267,000.
July 21, 2004	Washington, DC	Resolution authorizing the alteration of the Mary E. Switzer Memorial Federal Building located at 330 C St., SW., in Washington, District of Columbia at an estimated construction cost of \$100,080,000 and management and inspection cost of \$7,525,000 for a combined estimated total project cost of \$116,325,000 (design and review cost of \$8,720,000 was previously authorized).
July 21, 2004	Washington, DC	Resolution authorizing the alteration of the New Executive Office Building located at 725 17th St., NW., in Washington, District of Columbia at a design and review cost of \$451,000, an estimated construction cost of \$5,388,000, and management and inspection cost of \$423,000 for a combined estimated total project cost of \$6,262,000.
July 21, 2004	Washington, DC	Resolution authorizing the alteration of the Theodore Roosevelt Building located at 1900 E Street, NW., in Washington, District of Columbia at a design and review cost of \$570,000, an estimated construction cost of \$8,630,000, and management and inspection cost of \$530,000 for a combined estimated total project cost of \$9,730,000.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	July 21, 2004	Atlanta, GA	Resolution authorizing Phase 1 of the alteration of the Martin Luther King, Jr. Federal Building located at 77 Forsyth Street, in Atlanta, Georgia, at an estimated construction cost of \$13,436,000 and management and inspection cost of \$1,364,000 for a combined estimated total project cost of \$45,712,000 (design and review cost of \$2,351,000 was previously authorized; estimated construction and management and inspection cost of \$28,561,000 for Phase 2 will be included in a future request).
July 21, 2004	July 21, 2004	Atlanta, GA	Resolution authorizing the alteration of the for adaptive reuse of historic properties adjacent to the Elbert P. Tuttle Court of Appeals Building in Atlanta, GA, at an estimated construction cost of \$30,773,000, and management and inspection cost of \$1,231,000 for a combined estimated total project cost of \$49,239,000 (acquisition cost of \$9,100,000, relocation cost of \$1,500,000 and design cost of \$6,725,000 were previously authorized).
July 21, 2004		Hilo, HI	Resolution authorizing the alteration of the Federal Building and Post Office located at 154 Waiannuenu Avenue, in Hilo, Hawaii at an estimated construction cost of \$4,528,000, and management and inspection cost of \$605,000 for a combined estimated total project cost of \$5,738,000 (design and review cost of \$605,000 was previously authorized).
July 21, 2004		New Orleans, LA	Resolution authorizing the alteration of the Hale Boggs Federal Building and Courthouse located at 501 Magazine Street and 500 Camp Street, in New Orleans, Louisiana at an estimated construction cost of \$20,525,00 and management and inspection cost of \$2,056,000 for a combined estimated total project cost of \$24,742,000 (design and review cost of \$2,161,000 was previously authorized).
July 21, 2004		New Orleans, LA	Resolution authorizing the alteration of the John Minor Wisdom Court of Appeals Building located at 600 Camp Street, in New Orleans, Louisiana at an estimated construction cost of \$6,973,000, and management and inspection cost of \$1,032,000 for a combined estimated total project cost of \$8,944,000 (design and review cost of \$939,000 was previously authorized).
July 21, 2004		Baltimore, MD	Resolution authorizing the alteration of the George H. Fallon Federal Building located at 31 Hopkins Street, in Baltimore, Maryland at an estimated construction cost of \$42,473,000, additional design and review cost of \$1,079,000, and management and inspection cost of \$2,611,000 for a combined estimated total project cost of \$49,737,000 (design and review cost of \$3,574,000 was previously authorized).
July 21, 2004		Suitland, MD	Resolution authorizing the alteration of the Washington National Record Center, located at the Suitland Federal Center, in Suitland, Maryland at an estimated construction cost of \$6,840,000, design and review cost of \$698,000 and management and inspection cost of \$451,000 for a combined estimated total project cost of \$7,989,000.
July 21, 2004		Woodlawn, MD	Resolution authorizing the alteration of the Altmeier Building, located at the Social Security Administration's Headquarters Campus, in Woodlawn, Maryland at an estimated construction cost of \$5,250,000, design and review cost of \$525,000 and management and inspection cost of \$525,000 for a combined estimated total project cost of \$12,600,000 (includes authorization for \$6,300,000 to be contributed by the Social Security Administration).
July 21, 2004		St. Paul, MN	Resolution authorizing the alteration of the Warren E. Burger Federal Building and United States Courthouse, in St. Paul, Minnesota at an estimated construction cost of \$33,745,000 and management and inspection cost of \$2,899,000 for a combined estimated total project cost of \$39,235,000 (design and review cost of \$2,591,000 was previously authorized).

July 21, 2004	Kansas City, MO	Resolution authorizing the alteration of the Bannister Federal Complex, Building 2, in Kansas City, Missouri at an additional estimated design/build cost of \$3,384,000 (estimated design/build cost of \$2,641,000 was previously authorized), additional design and review cost of \$221,000 (design and review cost of \$243,000 was previously authorized), and additional management and inspection cost of \$113,000 (management and inspection cost of \$264,000 was previously authorized) for a combined estimated total project cost of \$6,866,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated June 26, 2002 that authorized \$3,148,000.
July 21, 2004	Kansas City, MO	Resolution authorizing the alteration of the Richard Bolling Federal Building located at 601 East 12th Street, in Kansas City, Missouri at an estimated construction cost of \$146,144,000 for Phases 2, 3, and 4, design and review cost of \$8,108,000 for Phases 3 and 4, and management and inspection cost of \$14,853,000 for Phases 2, 3, and 4 for a combined estimated total project cost of \$199,583,000 (estimated construction cost of \$24,010,000 for Phase 1, design and review cost of \$4,663,000 for Phases 1 and 2, and management and inspection cost of \$1,805,000 for Phase 1 were previously authorized).
July 21, 2004	New York City, NY	Resolution authorizing the alteration of the Daniel P. Moynihan United States Courthouse located at 500 Pearl Street, in New York City, New York at an estimated construction cost of \$2,338,000, design and review cost of \$94,000 and management and inspection cost of \$73,000 for a combined estimated total project cost of \$2,505,000.
July 21, 2004	Jamaica, NY	Resolution authorizing the alteration of the Joseph P. Addabbo Federal Building located at One Jamaica Center Plaza, in Jamaica, New York at an estimated construction cost of \$4,896,000, design and review cost of \$353,000 and management and inspection cost of \$206,000 for a combined estimated total project cost of \$5,455,000.
July 21, 2004	Cincinnati, OH	Resolution authorizing the alteration of the Potter Stewart United States Courthouse located at 100 East Fifth Street, in Cincinnati, Ohio at an estimated construction cost of \$32,228,000, design and review cost of \$3,162,000 and management and inspection cost of \$2,585,000 for a combined estimated total project cost of \$37,975,000.
July 21, 2004	Cleveland, OH	Resolution authorizing the alteration of the Anthony J. Celebrezze Federal Building located at 1240 East Ninth Street, in Cleveland, Ohio at an estimated construction cost of \$34,418,000 and management and inspection cost of \$2,957,000 for a combined estimated total project cost of \$39,649,000 (design and review cost of \$2,274,000 was previously authorized).
July 21, 2004	Seattle, WA	Resolution authorizing the alteration of the William K. Nakamura United States Courthouse located at 1010 5th Avenue, in Seattle, Washington at an estimated construction cost of \$45,879,000 and management and inspection cost of \$4,331,000 for a combined estimated total project cost of \$53,060,000 (design and review cost of \$2,850,000 was previously authorized).
July 21, 2004	Hot Springs, AR	Resolution authorizing the alteration of the Post Office-Courthouse located at Broadway and Reserve Streets, in Hot Springs, Arkansas at an estimated construction cost of \$3,545,000, design and review cost of \$180,000 and management and inspection cost of \$248,000 for a combined estimated total project cost of \$3,973,000.
July 21, 2004	Tulsa, OK	Resolution authorizing the alteration of the Page Belcher Federal Building, in Tulsa, Oklahoma at an estimated construction cost of \$3,100,000, de-sign and review cost of \$175,000 and management and inspection cost of \$115,000 for a combined estimated total project cost of \$3,390,000.
July 21, 2004	Los Angeles, CA	Resolution authorizing appropriations for the design of a 1,357,000 gross square foot facility including secure structured parking for 1,200 vehicles, located in Los Angeles, California, at a design cost of \$14,054,000.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	July 21, 2004	Los Angeles, CA	Resolution authorizing appropriations \$364,384,000 are authorized for construction of a 1,016,300 gross square foot United States Courthouse including 150 inside parking spaces, located in Los Angeles, California, including additional design cost of \$4,340,000, management and inspection cost of \$11,936,000, and estimated construction cost of \$348,109,000, for an estimated total project cost of \$399,635,000 (site cost of \$20,600,000 and design cost of \$14,650,000 were previously authorized). Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed. Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.
	July 21, 2004	San Diego, CA	Resolution authorizing appropriations for additional site and additional design of a 614,394 gross square foot facility including 105 inside parking spaces, located in San Diego, California, at an additional site cost of \$2,516,000 (site cost of \$29,400,000 was previously authorized) and additional design cost of \$552,000 (design cost of \$11,441,000 was previously authorized), a prospectus for which is attached to, and included in, this resolution. Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed. Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on courtrooms.
	July 21, 2004	Chicago, IL	Resolution authorizing appropriations for acquisition of the building located at 10 West Jackson Boulevard and other proximate parcels adjacent to the Everett M. Dirksen Courthouse, located in Chicago, Illinois, at an estimated total project cost of \$53,170,000.
	July 21, 2004	Calais, ME	Resolution authorizing appropriations for site and design of a 95,239 gross square foot facility including 14 inside and 122 outside parking spaces, located in Calais, Maine, at site acquisition cost of \$332,000 and design and review cost of \$2,937,000.
	July 21, 2004	Madawaska, ME	Resolution authorizing appropriations for site acquisition and design of a 17,504 gross square foot facility including four inside and 31 outside parking spaces, located in Madawaska, Maine, at a site acquisition cost of \$500,000 and design and review cost of \$1,260,000.
	July 21, 2004	Warroad, MN	Resolution authorizing appropriations for site acquisition and design of a 34,785 gross square foot facility including five inside and 37 outside parking spaces, located in Warroad, Minnesota, at a site acquisition cost of \$300,000 and design and review cost of \$1,537,000.
	July 21, 2004	Alexandria Bay, NY	Resolution authorizing appropriations for site acquisition and design of a 131,520 gross square foot facility and 203 parking spaces, located in Alexandria Bay, New York, at a site acquisition cost of \$200,000 and design and review cost of \$8,684,000.

July 21, 2004	Massena, NY	Resolution authorizing appropriations for the construction of a 58,950 gross square foot facility and 170 parking spaces, located in Massena, New York, at an additional site acquisition cost of \$432,000 (site acquisition cost of \$100,000 was previously authorized), additional design and review cost of \$2,832,000 (design and review cost of \$1,546,000 was previously authorized), management and inspection cost of \$5,040,000, and estimated construction cost of \$48,938,000 for an estimated total project cost of \$58,888,000. This resolution amends a Committee resolution dated June 26, 2002.
July 21, 2004	Dunseith, ND	Resolution authorizing appropriations for site acquisition and design of a 58,672 gross square foot facility including 4 inside and 29 outside parking spaces, located in Dunseith, North Dakota, at a site acquisition cost of \$300,000 and design and review cost of \$2,001,000.
July 21, 2004	Portal, ND	Resolution authorizing appropriations for construction of a 72,125 square foot facility including 22 inside and 90 outside parking spaces, located in Portal, North Dakota, at an additional site acquisition cost of \$200,000 (site acquisition cost of \$800,000 was previously authorized), additional design and review cost of \$552,000 (design and review cost of \$1,401,000 was previously authorized), management and inspection cost of \$1,575,000, and estimated construction cost of \$20,024,000 for an estimated total project cost of \$24,552,000.
July 21, 2004	El Paso, TX	Resolution authorizing appropriations for design of the Ysleta Border Station, a 201,093 gross square foot facility and 412 outside parking spaces, located in El Paso, Texas, at a design cost of \$2,491,000.
July 21, 2004	El Paso, TX	Resolution authorizing appropriations for construction of the Paso Del Norte Border Station, a 148,800 gross square foot facility and 372 outside parking spaces, located in El Paso, Texas, at an additional design cost of \$660,000 (design cost of \$2,200,000 was previously authorized), management and inspection cost of \$3,019,000 and estimated construction cost of \$22,512,000 for an estimated total project cost of \$28,391,000.
July 21, 2004	El Paso, TX	Resolution authorizing additional appropriations of \$7,577,000 are authorized for construction of a 239,600 gross square foot United States Courthouse including 60 inside parking spaces, located in El Paso, Texas, including additional site cost of \$1,500,000, additional design cost of \$1,214,000, additional estimated construction cost of \$379,000, and management and inspection cost of \$4,484,000, for an estimated total project cost of \$74,655,000, a prospectus for which is attached to, and included in, this resolution. This resolution is in addition to Committee resolutions that authorized \$8,473,000 for site and design of a 221,613 gross square foot Courthouse, including 60 inside parking spaces on July 26, 2000; \$2,720,000 for additional site and design of a 221,613 gross square foot Courthouse, including 60 inside parking spaces on July 18, 2001; and \$1,673,000 for additional site and design, \$4,285,000 for management and inspection, and \$49,927,000 for estimated construction cost of a 231,945 gross square foot Courthouse, including 60 inside parking spaces, on July 23, 2003. Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.
July 21, 2004	Richford, VT	Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.
July 21, 2004	Norton, VT	Resolution authorizing appropriations for site acquisition and design of a 29,927 gross square foot facility including 5 inside and 33 outside parking spaces, located in Richford, Vermont, at a site acquisition cost of \$589,000 and design and review cost of \$956,000.
July 21, 2004	Norton, VT	Resolution authorizing appropriations for site acquisition and design of 29,925 gross square foot facility including 4 inside and 44 outside parking spaces, located in Norton, Vermont, at a site acquisition cost of \$580,000 and design and review cost of \$1,167,000.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
July 21, 2004	Derby Line, VT	Resolution authorizing appropriations for site acquisition and design of a 43,809 gross square foot facility including 5 inside and 67 outside parking spaces, located in Derby Line, Vermont, at a site acquisition cost of \$1,253,000 and design and review cost of \$2,095,000.
July 21, 2004	Richford, VT	Resolution authorizing appropriations for construction of a 300,388 gross square foot United States Courthouse including 40 inside parking spaces, located in Cedar Rapids, Iowa, at an additional design cost of \$1,541,000 (design cost of \$5,167,000 was previously authorized). Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed. Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.
July 21, 2004	Harrisburg, PA	Resolution authorizing appropriations for site acquisition and design of a 262,970 gross square foot United States Courthouse including 40 inside parking spaces, located in Harrisburg, Pennsylvania, within a delineated area expanded from the Central Business District of Harrisburg to the City of Harrisburg, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated July 24, 2002 and July 23, 2003 that authorized appropriations for a Courthouse located within the Central Business District. Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed. Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.
July 21, 2004	Jackson, MS	Resolution authorizing additional appropriations for construction of a 430,293 gross square foot United States Courthouse including 79 inside parking spaces, located in Jackson, Mississippi, at an additional site cost of \$210,000 and additional design cost of \$2,216,000 (site cost of \$6,500,000 and design cost of \$6,731,000 were previously authorized), a prospectus for which is attached to, and included in, this resolution. Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed. Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.
July 21, 2004	Nashville, TN	Resolution authorizing additional appropriations for construction of a 378,307 gross square foot United States Courthouse including 55 inside parking spaces, located in Nashville, Tennessee, at an additional site cost of \$5,399,000 and additional design cost of \$1,614,000 (site cost of \$13,601,000 and design cost of \$7,095,000 were previously authorized). Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed. Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.

<p>July 21, 2004</p>	<p>Austin, TX</p>	<p>Resolution authorizing additional appropriations for construction of a 229,483 gross square foot United States Courthouse including 65 parking spaces, located in Austin, Texas, at an additional site cost of \$3,000,000 and additional design cost of \$759,000 (site cost of \$9,000,000 and design cost of \$4,809,000 were previously authorized), a prospectus for which is attached to, and included in, this resolution.</p> <p>Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.</p> <p>Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.</p> <p>Resolution authorizing appropriations for the design of site acquisition for a 377,691 gross square foot United States Courthouse including 37 inside parking spaces, located in San Antonio, Texas, at a site acquisition cost of \$18,000,000, a prospectus for which is attached to, and included in, this resolution.</p> <p>Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.</p> <p>Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.</p>
<p>July 21, 2004</p>	<p>San Antonio, TX</p>	<p>Resolution authorizing additional appropriations of \$7,403,000 are authorized for construction of a 346,000 gross square foot United States Courthouse including 64 inside parking spaces, located in Richmond, Virginia, including additional design cost of \$516,000, additional management and inspection cost of \$295,000, and additional estimated construction cost of \$6,592,000, for an estimated total project cost of \$102,476,000 (site cost of \$13,094,000; design cost of \$5,490,000, construction cost of \$71,722,000, and management and inspection cost of \$4,807,000 were previously authorized), a prospectus for which is attached to, and included in, this resolution.</p> <p>Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.</p> <p>Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.</p>
<p>July 21, 2004</p>	<p>Richmond, VA</p>	<p>Resolution authorizing appropriations for the design of projects scheduled for the Robert S. Vance Federal Building and United States Courthouse, located in Birmingham, Alabama at a design cost of \$1,739,000; Lafayette Building, located in Washington, District of Columbia at a design cost of \$8,470,000; Eisenhower Executive Office Building, located in Washington, D.C. at a design cost of \$4,788,000; Everett McKinley Dirksen United States Courthouse, located in Chicago, Illinois at a design cost of \$8,152,000; Birch Bayh Federal Building and United States Courthouse, located in Indianapolis, Indiana at a design cost of \$2,413,000; Peter W. Rodino Federal Building, located in Newark, New Jersey at a design cost of \$4,700,000; Thurgood Marshall United States Courthouse, located in New York City, New York at a design cost of \$13,500,000; and the John W. Peck Federal Building, located in Cincinnati, Ohio at a design cost of \$2,587,000, for a total design cost of \$46,349,000.</p> <p>Resolution authorizing appropriations to lease up to approximately 74,698 rentable square feet of space for the Bureau of Land Management currently located in leased space at 1620 L Street, NW, in Washington, District of Columbia, at a proposed total annual cost of \$3,361,410 for a lease term of 10 years.</p> <p>Resolution authorizing appropriations to lease up to approximately 82,191 rentable square feet of space for the Department of Education currently located in leased space at 555 New Jersey Avenue, SW, in Washington, District of Columbia at a proposed total annual cost of \$3,698,595 for a lease term of 5 years.</p>
<p>July 21, 2004</p>	<p>Various</p>	<p>Resolution authorizing appropriations for the design of projects scheduled for the Robert S. Vance Federal Building and United States Courthouse, located in Birmingham, Alabama at a design cost of \$1,739,000; Lafayette Building, located in Washington, District of Columbia at a design cost of \$8,470,000; Eisenhower Executive Office Building, located in Washington, D.C. at a design cost of \$4,788,000; Everett McKinley Dirksen United States Courthouse, located in Chicago, Illinois at a design cost of \$8,152,000; Birch Bayh Federal Building and United States Courthouse, located in Indianapolis, Indiana at a design cost of \$2,413,000; Peter W. Rodino Federal Building, located in Newark, New Jersey at a design cost of \$4,700,000; Thurgood Marshall United States Courthouse, located in New York City, New York at a design cost of \$13,500,000; and the John W. Peck Federal Building, located in Cincinnati, Ohio at a design cost of \$2,587,000, for a total design cost of \$46,349,000.</p> <p>Resolution authorizing appropriations to lease up to approximately 74,698 rentable square feet of space for the Bureau of Land Management currently located in leased space at 1620 L Street, NW, in Washington, District of Columbia, at a proposed total annual cost of \$3,361,410 for a lease term of 10 years.</p> <p>Resolution authorizing appropriations to lease up to approximately 82,191 rentable square feet of space for the Department of Education currently located in leased space at 555 New Jersey Avenue, SW, in Washington, District of Columbia at a proposed total annual cost of \$3,698,595 for a lease term of 5 years.</p>
<p>July 21, 2004</p>	<p>Washington, DC</p>	<p>Resolution authorizing appropriations to lease up to approximately 74,698 rentable square feet of space for the Bureau of Land Management currently located in leased space at 1620 L Street, NW, in Washington, District of Columbia, at a proposed total annual cost of \$3,361,410 for a lease term of 10 years.</p> <p>Resolution authorizing appropriations to lease up to approximately 82,191 rentable square feet of space for the Department of Education currently located in leased space at 555 New Jersey Avenue, SW, in Washington, District of Columbia at a proposed total annual cost of \$3,698,595 for a lease term of 5 years.</p>
<p>July 21, 2004</p>	<p>Washington, DC</p>	<p>Resolution authorizing appropriations to lease up to approximately 74,698 rentable square feet of space for the Bureau of Land Management currently located in leased space at 1620 L Street, NW, in Washington, District of Columbia, at a proposed total annual cost of \$3,361,410 for a lease term of 10 years.</p> <p>Resolution authorizing appropriations to lease up to approximately 82,191 rentable square feet of space for the Department of Education currently located in leased space at 555 New Jersey Avenue, SW, in Washington, District of Columbia at a proposed total annual cost of \$3,698,595 for a lease term of 5 years.</p>

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 403,847 rentable square feet of space for the Department of Homeland Security currently located in leased space at 425 Eye Street, NW, in Washington, District of Columbia at a proposed total annual cost of \$18,173,115 for a lease term of 10 years.
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 182,264 rentable square feet of space and 173 parking spaces for the Department of Justice currently located in leased space at 1100 L Street, NW, in Washington, District of Columbia at a proposed total annual cost of \$8,201,880 for a lease term of 10 years.
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 163,664 rentable square feet of space and 79 parking spaces for the Department of Justice currently located in leased space at 1400 New York Avenue, NW, in Washington, District of Columbia at a proposed total annual cost of \$7,364,880 for a lease term of 10 years.
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 496,571 rentable square feet of space for the Department of Justice currently located in various leased locations in Washington, District of Columbia at a proposed total annual cost of \$22,345,695 for a lease term of 15 years.
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 110,570 rentable square feet of space for the Internal Revenue Service currently located in leased space at 950 L'Enfant Plaza, SW, in Washington, District of Columbia at a proposed total annual cost of \$4,975,650 for a lease term of 10 years.
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 74,870 rentable square feet of space and 2 parking spaces for the Surface Transportation Board currently located in leased space at 1925 K Street, NW, in Washington, District of Columbia at a proposed total annual cost of \$3,369,150 for a lease term of 10 years.
	July 21, 2004	Chicago, IL	Resolution authorizing appropriations to lease up to approximately 91,141 rentable square feet of space and 8 parking spaces for the Department of Education currently located in leased space at 111 North Canal Street, in Chicago, Illinois, at a proposed total annual cost of \$3,554,499 for a lease term of 10 years.
	July 21, 2004	Arlington, VA	Resolution authorizing appropriations to lease up to approximately 372,826 rentable square feet of space for the Department of Defense currently located in leased space at 1931 Jefferson Davis Highway, in Arlington, Virginia, at a proposed total annual cost of \$12,676,084 for a lease term of 10 years.
	July 21, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 112,970 rentable square feet of space and 133 parking spaces for the Department of Justice, Bureau of Prisons currently located in leased space at 500 1st Street, NW, in Washington, DC, at a proposed total annual cost of \$5,383,650 for a lease term of 10 years.
	July 21, 2004	Miami, FL	Resolution authorizing appropriations to lease up to approximately 127,211 rentable square feet of space and 32 parking spaces for the Executive Office of Immigration Review and Department of Homeland Security, Office of the Chief Counsel currently located in various leased locations, in Miami, Florida, at a proposed total annual cost of \$3,802,211 for a lease term of 15 years.
	July 21, 2004	New York City, NY	Resolution authorizing appropriations to lease up to approximately 205,500 rentable square feet of space for the United States Courts currently located in government owned space, at a proposed total annual cost of \$10,994,250 for a lease term of 10 years.

July 21, 2004	Frederick County, VA	Resolution authorizing appropriations to lease up to approximately 155,864 rentable square feet of space and 734 parking spaces for the Department of Homeland Security, currently located in government owned space at the Mount Weather Emergency Operations Center in Clarke County, Virginia, at a proposed total annual cost of \$3,740,736 for a lease term of 15 years.
July 21, 2004	Arlington, VA	Resolution authorizing appropriations to lease up to approximately 377,882 rentable square feet of space and 52 parking spaces for the Department of Defense, currently located in leased space at 2511 Jefferson Davis Highway, in Arlington, Virginia, at a proposed total annual cost of \$12,847,988 for a lease term of 10 years.
July 21, 2004	Parkersburg, WV	Resolution authorizing appropriations to lease up to approximately 182,499 rentable square feet of space for the Bureau of Public Debt currently located in leased space in Parkersburg, West Virginia, at a proposed total annual cost of \$4,927,473 for a lease term of 15 years.
Sept. 29, 2004	Washington, DC	Resolution authorizing appropriations are authorized to lease up to approximately 207,943 rentable square feet of space, including 10 parking spaces, for the Department of Veteran's Affairs currently located in government owned space at 811 Vermont Avenue, NW, in Washington, DC, at a proposed total annual cost of \$9,357,435 for a lease term of 10 years.
Sept. 29, 2004	Tampa, FL	Resolution authorizing appropriations to lease up to approximately 137,023 rentable square feet of space, and 124 inside and 22 outside parking spaces, for the Federal Bureau of Investigation currently located in Tampa, Florida, at a proposed total annual cost of \$4,453,248 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution. This amends a Committee resolution dated November 7, 2001, which authorized 112,700 square feet and 117 parking spaces at a proposed total annual cost of \$3,662,750.
Sept. 29, 2004	Philadelphia, PA	Resolution authorizing appropriations to lease up to approximately 205,789 rentable square feet of space, and 1,175 parking spaces, for the Internal Revenue Service currently located in multiple facilities in Philadelphia, Pennsylvania, at a proposed total annual cost of \$7,356,957 for a lease term of 15 years.
Sept. 29, 2004	Northern Virginia	Resolution authorizing appropriations to lease up to approximately 375,000 rentable square feet of space, and 1,575 parking spaces, for the Executive Office of the President currently located in multiple facilities in Northern Virginia, at a proposed total annual cost of \$13,875,000 for a lease term of 15 years.
Sept. 29, 2004	Parkersburg, WV	Resolution authorizing appropriations for the alteration of leased space located at 200 Third Street, in Parkersburg, West Virginia at a design and review cost of \$154,000, an estimated construction cost of \$1,930,000, and management and inspection cost of \$116,000 for a combined estimated total project cost of \$2,200,000.
Sept. 29, 2004	Las Cruces, NM	Resolution authorizing additional appropriations are authorized for the construction of a 229,988 gross square foot United States Courthouse, including 81 inside parking spaces, located in Las Cruces, NM, at additional site, design, construction, and management and inspection cost of \$7,644,000 for an estimated total project cost of \$64,736,000, for which a fact sheet is attached to, and included in, this resolution.

Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.
 Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.

PUBLIC BUILDING PROJECT RESOLUTIONS APPROVED PURSUANT TO THE PUBLIC BUILDINGS ACT OF 1959—Continued

Date Referred	Date Approved	Location	Project
	Sept. 29, 2004	Washington, DC	Resolution authorizing additional appropriations for the alteration of the Eisenhower Executive Office Building, located in Washington, DC, at an additional estimated construction cost of \$5,718,000 (estimated construction cost of \$63,531,000 was previously authorized), additional design and review cost of \$515,000 (design cost of \$5,718,000 was previously authorized and \$1,674,000 was made available through P.L. 107-38), and additional management and inspection cost of \$343,000 (management and inspection cost of \$5,682,000 was previously authorized) for an estimated total project cost of \$81,507,000.
	Sept. 29, 2004	New York, NY	Resolution authorizing additional appropriations for the construction of the United States Mission to the United Nations, located in New York, NY, at an additional design and review cost of \$405,000, additional management and inspection cost of \$641,000, and additional estimated construction cost of \$9,773,000, for an amended estimated total project cost of \$72,326,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated July 23, 1998, which authorized design cost of \$3,163,000; May 27, 1999, that authorized demolition and management and inspection cost of \$4,300,000; and June 21, 2000, that authorized design cost of \$266,000, construction cost of \$49,962,000, and management and inspection cost of \$3,816,000.
	Sept. 29, 2004	Washington, DC	Resolution authorizing additional appropriations for the construction of a 438,242 gross square foot facility, including 200 inside parking spaces for the Bureau of Alcohol, Tobacco, Firearms, and Explosives, currently located at multiple facilities in Washington, D.C., at an additional estimated construction cost of \$47,503,000, for an amended estimated total project cost of \$150,998,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated October 9, 1998, which authorized a site acquisition cost of \$32,700,000 and design cost of \$5,234,000, and June 21, 2000, which authorized a construction cost of \$79,000,000 and management and inspection cost of \$4,000,000.
	Sept. 29, 2004	Washington, DC	Resolution authorizing appropriations to lease up to approximately 169,461 rentable square feet of space for the Federal Bureau of Investigation currently located in government owned space at 26 Federal Plaza and 290 Broadway, in New York, NY at a proposed total annual cost of \$8,134,128 for a lease term of 10 years. Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

PUBLIC BUILDINGS 3314(b) RESOLUTIONS

Date Referred	Date Approved	Location	Project
	July 23, 2003	Fort Lauderdale, FL	Pursuant to Title 40 U.S.C. § 3314(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house a United States Courthouse and Federal Building, in Fort Lauderdale, FL. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report to Congress within 60 days.
	July 23, 2003	Greensboro, NC	Pursuant to Title 40 U.S.C. § 3314(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house a United States District Court and related agencies, in Greensboro, NC. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report to Congress within 60 days.
	July 23, 2003	Benton, IL	Pursuant to Title 40 U.S.C. § 3314(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house a United States Courthouse, in Benton, IL. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report to Congress within 60 days.
	July 23, 2003	Sioux Falls, SD	Pursuant to Title 40 U.S.C. § 3314(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house a United States Courthouse Annex, in Sioux Falls, SD. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; lease, purchase, and Federal construction and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report to Congress within 60 days.
	October 1, 2003	Orange County, NY	Pursuant to Title 40 U.S.C. § 3314(b), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house a United States Courthouse, in Orange County, New York. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report to Congress within 60 days.

SUMMARY OF ACTIVITIES FOR THE SUBCOMMITTEE ON HIGHWAYS, TRANSIT AND PIPELINES

In the 108th Congress, the Subcommittee on Highways, Transit, and Pipelines was chaired by Thomas Petri of Wisconsin. William O. Lipinski of Illinois served as the Subcommittee Ranking Democratic Member. The Subcommittee developed and reported H.R. 3550, which is legislation that reauthorizes the Federal highway, public transportation, highway safety, and motor carrier safety programs for six years, from FY 2004 through FY 2009. H.R. 3550 was passed by the House on April 2, 2004, and a Conference Committee with the Senate began on June 9, 2004. To continue the funding of the aforementioned Federal programs, six short-term extensions to the previous reauthorization, the Transportation Equity Act for the 21st Century, were signed into law. These were Public Laws 108–88, 108–202, 108–224, 108–263, 108–280, and 108–310. Pursuant to Public Law 108–310, highway, transit, and safety programs expire on May 31, 2005. The Subcommittee also developed and reported the Norman Y. Mineta Research and Special Programs Improvement Act, Public Law 108–426. This legislation, signed into law on November 30, 2004, reorganizes the current Research and Special Programs Administration (RSPA) into two new administrations: The Research and Innovative Technology Administration (RITA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA). In addition, the Subcommittee held 13 hearings in the 108th Congress.

ENACTED LEGISLATION

SURFACE TRANSPORTATION EXTENSION ACT OF 2003

H.R. 3087

(Public Law 108–88)

Public Law 108–88 extended Federal highway, highway safety, motor carrier safety and transit programs for five months, and authorized appropriations through February 29, 2004.

SURFACE TRANSPORTATION EXTENSION ACT OF 2004

H.R. 3850

(Public Law 108–202)

Public Law 108–202 extended Federal highway, highway safety, motor carrier safety and transit programs for two months, and authorized appropriations through April 30, 2004.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART II**

H.R. 4219

(Public Law 108–224)

Public Law 108–224 extended Federal highway, highway safety, motor carrier safety and transit programs for two months, and authorized appropriations through June 30, 2004.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART III**

H.R. 4635

(Public Law 108–263)

Public Law 108–263 extended Federal highway, highway safety, motor carrier safety and transit programs for one month, and authorized appropriations through July 31, 2004.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART IV**

H.R. 4916

(Public Law 280)

Public Law 108–280 extended highway safety, motor carrier safety and transit programs for two months, and authorized appropriations through September 30, 2004. H.R. 4916 only extended the Federal highway program to September 24, 2004.

**SURFACE TRANSPORTATION EXTENSION ACT OF 2004,
PART V**

H.R. 5183

(Public Law 108–310)

Public Law 108–310 extended Federal highway, highway safety, motor carrier safety and transit programs for eight months, and authorized appropriations through May 31, 2005.

**THE NORMAN Y. MINETA RESEARCH AND SPECIAL
PROGRAMS IMPROVEMENT ACT**

H.R. 5163

(Public Law 108–426)

Public Law 108–426 reorganizes the current Research and Special Programs Administration (RSPA) into two new administrations: The Research and Innovative Technology Administration

(RITA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA).

In RITA, the Administrator will be in charge of the: (1) Department's research and development programs and activities; (2) advancement of innovative technologies, including intelligent transportation systems projects and products; (3) comprehensive transportation statistics research, analysis, and reporting; (4) education and training in transportation and transportation-related fields; and (5) other duties and powers prescribed by the Secretary.

In PHMSA, the Administrator will have authority over the aspects of pipeline and hazardous materials transportation and safety vested in the Secretary.

RECOGNIZING THE AMERICAN CONCRETE INSTITUTE'S 100-YEAR CONTRIBUTION AS THE STANDARDS DEVELOPMENT ORGANIZATION OF THE CONCRETE INDUSTRY AND FOR THE SAFE AND TECHNOLOGICALLY CURRENT CONSTRUCTION ACTIVITY IT HAS ENABLED, WHICH CONTRIBUTES TO THE ECONOMIC STABILITY, QUALITY OF LIFE, DURABILITY OF INFRASTRUCTURE, AND INTERNATIONAL COMPETITIVENESS OF THE UNITED STATES

H. RES. 394

This resolution recognizes the American Concrete Institute's 100-year contribution as the standards development organization of the concrete industry and for the safe and technologically current construction. This resolution was agreed to on November 4, 2003.

APPLAUDING THE MEN AND WOMEN WHO KEEP AMERICA MOVING AND RECOGNIZING NATIONAL TRANSPORTATION WEEK

H. CON. RES. 420

This concurrent resolution states that the 108th Congress applauds the men and women who keep America moving, recognizes National Transportation Week by supporting the goals of that Week and urges all Americans to become more aware of the benefits and contributions of transportation to the United States economy. It was passed by the House on May 17, 2004 and by the Senate on May 20, 2004.

OTHER LEGISLATION

THE TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (TEALU)

H.R. 3550

The Subcommittee also developed and reported H.R. 3550, the Transportation Equity Act: A Legacy for Users (TEALU), which authorizes the Federal highway, public transportation, highway

safety, and motor carrier safety programs for six years. H.R. 3550 passed the House on April 2, 2004, and Conferees were appointed on June 3, 2004. Subsequent Conference meetings were held on June 9, June 23, July 7, July 20 and July 22, 2004. A Conference Report was not agreed upon. Thus, pursuant to Public Law 108-310, authorization for the highway, transit, and safety programs expires on May 31, 2005.

OVER-THE-ROAD BUS SECURITY AND SAFETY ACT OF 2004

H.R. 875

The Over-the-Road Bus Security and Safety Act of 2003, H.R. 875, directs the Secretary of Transportation, acting through the Administrator of the Federal Motor Carrier Safety Administration, to establish a program to make grants to private operators of over-the-road buses for specified system-wide security improvements to their operations, including the reimbursement of extraordinary security-related costs incurred since September 11, 2001. The bill was ordered reported on March 13, 2003. No further action was taken.

PUBLIC TRANSPORTATION TERRORISM PREVENTION AND
RESPONSE ACT OF 2004

H.R. 5082

H.R. 5082, the Public Transportation Terrorism Prevention and Response Act of 2004, was written and reported by the Subcommittee with the purpose of awarding grants to transit agencies and bus operators to improve security in a manner consistent with the recommendations of the 9/11 Commission. It was reported by the Committee on October 6, 2004. No further action was taken.

EXPRESSING THE SENSE OF THE CONGRESS THAT STATES
SHOULD REQUIRE CANDIDATES FOR DRIVER'S LICENSES
TO DEMONSTRATE AN ABILITY TO EXERCISE GREATLY
INCREASED CAUTION WHEN DRIVING IN THE PROXIMITY
OF A POTENTIALLY VISUALLY IMPAIRED INDIVIDUAL.

H. CON. RES. 56

This concurrent resolution expresses the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual. It passed the House on June 22, 2004. There was no subsequent Senate action.

EXPRESSING THE SENSE OF CONGRESS IN SUPPORT OF
BUCKLE UP AMERICA WEEK

H. CON. RES. 166

This resolution expresses the sense of Congress in support of Buckle Up America Week. H. Con. Res. 166 passed the House on May 19, 2003. There was no subsequent Senate action.

RECOGNIZING THE NATIONAL STONE, SAND AND GRAVEL ASSOCIATION FOR REACHING ITS 100TH ANNIVERSARY, AND FOR THE MANY VITAL CONTRIBUTIONS OF ITS MEMBERS TO THE NATION'S ECONOMY AND TO IMPROVING THE QUALITY OF LIFE THROUGH THE CONSTANTLY EXPANDING ROLES STONE, SAND, AND GRAVEL SERVE IN THE NATION'S EVERYDAY LIFE

H. CON. RES. 280

This resolution recognizes the National Stone, Sand & Gravel Association for reaching its 100th Anniversary, and for the many vital contributions of its members to the Nation's economy and to improving the quality of life through the constantly expanding roles stone, sand, and gravel serve in the Nation's everyday life. It passed the House on November 4, 2003. There was no subsequent Senate action.

HEARINGS

The Subcommittee on Highways, Transit, and Pipelines held a total of 11 hearings in the 108th Congress.

The Subcommittee's first hearing of the 108th Congress was held on March 4, 2003. In this hearing, the Subcommittee followed up on an 18 hearing series begun in the 107th Congress concerning reauthorization of the Federal-aid highways and transit, and safety programs. The Transportation Equity Act for the 21st Century (TEA 21)(P. L. 105-178, as amended by title IX of P.L. 105-206) reauthorized these programs in the 105th Congress. The Subcommittee heard testimony addressing the research, development, and education programs at the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Motor Carrier Safety Administration (FMCSA), National Highway Traffic Safety Administration (NHTSA), and RSPA. Officials from these federal programs testified concerning their respective research, development and education activities.

On March 13, 2003, the Subcommittee heard testimony on the status of the nation's highway and transit systems. A panel of witnesses addressed research that has been completed on the needs of the nation's highway and transit system and how to meet those needs.

On March 24, 2003, the Subcommittee held a field hearing in Sanford, Florida, on the safety of commercial motor vehicle traffic in the State of Florida. The Subcommittee heard testimony from local government and industry representatives on the status of Florida's truck safety, highway safety, and freight mobility.

On April 1–3, 2003, the Subcommittee held a three-day series of hearings, at which Members presented their priority projects and policy requests for the reauthorization of Federal highway, transit, and highway safety programs.

On April 15, 2003, the Subcommittee held a field hearing in Lincoln, Nebraska, on highway—railway crossing issues and Midwest transportation infrastructure needs. The Subcommittee heard testimony from Nebraska Governor Mike Johanns, State and local government officials, and representatives of local organizations on rail crossing issues and Midwest highway and transit needs.

On May 7, 2003, the Subcommittee continued its series of hearings concerning the reauthorization of the Federal-aid highways and transit, and safety programs with a hearing on state and local highway and transit needs. Governors from three states testified about the highway and transit needs in their states on the first panel. Local elected officials were represented on the second panel and testified on the highway and transit needs in their communities.

On May 15, 2003, the Subcommittee continued its series of hearings concerning the reauthorization of the Federal-aid highway, transit, and safety programs with the first of a three-part hearing on the Administration's reauthorization proposal: the Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA). This first hearing concerned an overview of Administration's reauthorization proposal.

On May 20, 2003, the Subcommittee continued its series of hearings concerning the reauthorization of the Federal-aid highway, transit, and safety programs with the second of a three-part hearing on the Administration's reauthorization proposal: the Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA). This second hearing focused on the FHWA and FMCA programs.

On May 21, 2003, the Subcommittee continued its series of hearings concerning the reauthorization of the Federal-aid highway, transit, and safety programs with the third of a three-part hearing on the Administration's reauthorization proposal: the Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA). This third hearing concerned the FTA and NHTSA programs.

On June 16, 2004, the Subcommittee held an oversight hearing with regard to pipeline safety regulation by the Office of Pipeline Safety within the RSPA.

On June 22, 2004, the Subcommittee held an oversight hearing to examine current issues of public transportation security, including: the roles and responsibilities of FTA and DHS; the state of preparedness in the transit industry; and the security needs and funding priorities for deterrence and mitigation of security threats against the nation's public transportation systems.

ACTIVITIES OF THE RAILROADS SUBCOMMITTEE

ENACTED LEGISLATION

CONSOLIDATED APPROPRIATIONS ACT FOR FY 2004

H.R. 2763

(Public Law 108–199)

(EMERGENCY DIRECTED RAIL SERVICE ACT (H.R. 2712))

This legislation includes a provision (Section 150) to provide for emergency directed service powers under the auspices of the Surface Transportation Board (STB) if Amtrak shuts down. It gives the STB the authority to order the continued maintenance, signaling, and dispatching of the Northeast Corridor and other Amtrak lines. It permits the STB to use Federal funds to compensate the entity that conducts these services and to indemnify it with respect to any increased liability exposure. The legislation also authorizes the STB to direct service and to provide interim financial assistance to commuter operations around the country affected by an Amtrak shutdown.

The legislation authorizes the STB to provide funding to the extent appropriated (including the payment of increased insurance premiums) to support operation of the Northeast Corridor. In the case of a failure of existing freight or commuter rail passenger transportation operations caused by cessation of service by Amtrak, the STB may not direct a rail carrier to undertake specified activities to continue operations unless: (1) the rail carrier is operationally capable of conducting the directed service in a safe and efficient manner; and (2) funding for such directed service is provided by congressional appropriations.

OTHER LEGISLATION

**RAIL INFRASTRUCTURE DEVELOPMENT AND EXPANSION
ACT FOR THE 21ST CENTURY (RIDE 21)**

H.R. 2571

This legislation, as reported by the Committee on September 18, 2003, permits states or interstate compacts to issue \$12 billion in tax-credit bonds and \$12 billion in tax-exempt bonds for the development of new high-speed rail corridors.

The bill also amends the Swift Rail Development Act (or “Swift Act”) to make corridor development activities (including the acquisition of locomotives, rolling stock, track, and signal equipment) eligible for Federal assistance. It authorizes appropriations of \$100 million per year for FY 2004 through FY 2011 for these purposes.

It also amends specified Federal law to change from discretionary to mandatory the Secretary's authority to provide direct loans and loan guarantees for rail rehabilitation and improvement projects to State and local governments, interstate compacts, government sponsored authorities and corporations, railroads, and joint ventures that include at least one railroad. It extends the meaning of "railroad" for rail rehabilitation and infrastructure financing (RRIF) program purposes, to include modern high-speed ground transportation technology such as magnetic levitation.

The legislation expands the existing Railroad Rehabilitation and Infrastructure Financing (RRIF) loan and loan guarantee program by increasing funding authority from \$3.5 billion to \$35 billion of outstanding loan principal at any time and increases from \$1 billion to \$7 billion the set-aside for projects primarily benefiting non-Class I freight railroads (shortline railroads) prohibits the Secretary of Transportation from establishing any limit on the amount of one loan or loan guarantee issued under the program, and removes other administratively imposed requirements on the program, such as a requirement making the Federal government the lender of last resort.

(The Swift Act provisions of H.R. 2571 were approved by the House as part of H.R. 3550.)

AMTRAK REAUTHORIZATION ACT OF 2003

H.R. 2572

H.R. 2572 as reported by the Committee on September 17, 2003, authorizes \$2 billion per year for each of fiscal years 2004 through 2006 to the Secretary of Transportation for the benefit of Amtrak capital and operating expenses, and Amtrak excess railroad retirement expenses.

The Secretary is required to set aside a reserve to ensure that Amtrak meets all of its contractual obligations related to commuter rail and state-supported rail services. Amtrak is also required to submit to the Secretary comprehensive business plans and follow-up reports with a separate accounting for its various lines of business, and reports related to capital project expenditures.

According to Amtrak, this level of funding would be sufficient to complete the first three years of Amtrak's five year capital plan, which is geared to restoring the Amtrak system, including the Northeast Corridor, to a good state of repair.

RAIL PASSENGER DISASTER FAMILY ASSISTANCE ACT OF 2003

H.R. 874

H.R. 874 establishes procedures to ensure timely and sensitive handling of intercity passenger rail accident information needed by accident victims and their families. The legislation tracks the aviation disaster assistance legislation, which has proven successful over the last three years. This information is coordinated among the National Transportation Safety Board (NTSB), the rail pas-

senger carrier, and a designated non-profit charitable organization. The designated organization is in charge of providing necessary counseling services, ensuring a private venue for families to grieve, and assisting families in a variety of matters, including a possible memorial service.

The bill applies to Amtrak and other intercity rail passenger service. Amtrak is the only current passenger rail carrier that would be affected by the provisions of the bill.

On May 8, 2003, the House passed H.R. 874. No further action was taken.

HEARINGS

On February 26, 2003, the Subcommittee on Railroads, together with the Subcommittee on Aviation, heard testimony on the possible uses of high-speed rail to reduce airport congestion and improve commercial airline service. Aviation's inherent speed advantage is limited by air traffic infrastructure and airline operating models. Access and egress times can have an impact when the airport is far from the center city and the trip distance is relatively short. Proponents believe that high-speed trains are viable alternatives to airplanes in certain short-haul markets.

On March 6, 2003, the Subcommittee on Railroads heard testimony from industry, government, industry, and union officials, providing suggestions for improvement or expansion of rail infrastructure policies and programs. The three rail programs discussed were: the Railroad Rehabilitation and Infrastructure Finance (RRIF) program, a "light density rail pilot projects" program created by TEA21, and the Swift Rail Development Act.

On April 30, 2003, the Subcommittee on Railroads received testimony from government, industry, and union officials on Amtrak's current financial and operational situation and prospects.

On May 20, 2003, the Subcommittee on Railroads received testimony to evaluate the STB's funding and personnel requirements, and its administrative affiliation with the DOT, for possible reauthorization. Among the resource issues discussed was the appropriate level of staffing needed to meet the Board's continuing regulatory responsibilities and efforts to retain staff with expertise in STB issues.

On June 10, 2003, the Subcommittee on Railroads held a hearing to evaluate the new technologies being developed to enhance the operational safety of freight and passenger trains. The Subcommittee heard from Administration and industry officials regarding their ideas on how to continue to improve railroad safety technologies.

On June 26, 2003, the Subcommittee on Railroads received testimony to evaluate proposals to provide new financing mechanisms for national rail infrastructure. The witnesses advocated a variety of proposed means of providing public financing for improvement and rehabilitation of rail infrastructure, including shortline railroad infrastructure grants, Rail Infrastructure Development and Expansion Act for the 21st Century (RIDE 21, H.R. 2571), National Railroad Infrastructure Program Act (H.R. 1617), AASHTO Infrastructure Finance Corporation, the Railway Supply Institute's Rail

Finance Corporation proposal, and the Local Railroad Rehabilitation and Investment Act of 2003 (H.R. 876).

On March 5, 2004, the Subcommittee on Railroads held a hearing to evaluate Federal jurisdictional issues and railroad operational and safety concerns regarding transportation of nuclear waste to the Yucca Mountain Repository. The Department of Energy (DOE) has determined that rail is the preferred option for transport of spent fuel and nuclear waste to the Yucca Mountain Repository in Nevada. The Subcommittee heard from a number of Administration, State and local government officials, and environmental industry representatives on the subject.

On March 31, 2004, the Subcommittee on Railroads held a hearing to examine the current state of economic regulations governing rail carriers.

On May 5, 2004, the Subcommittee on Railroads held a hearing to examine current issues of preparedness, processes, and resources affecting security of rail transport—freight, intercity passenger, and commuter. Given the increased importance of railroad security in the post-9/11 era, especially after the bomb detonations in a Madrid commuter rail station, the Subcommittee received testimony from Administration officials, Amtrak, labor representatives, as well as shortline and freight railroad companies.

SUMMARY OF ACTIVITIES OF THE SUBCOMMITTEE ON
WATER RESOURCES AND ENVIRONMENT

During the 108th Congress, the Subcommittee on Water Resources and Environment, chaired by Congressman John J. Duncan, Jr. with Congressman Jerry F. Costello serving as Ranking Democratic Member, had referred to it or took action on eight bills that became public laws, four bills that were approved by the House but did not become public law, two bills that were approved by the Committee but did not move through the full House, and one bill that was approved by the Subcommittee but was not considered by the Committee. The Committee also approved 28 Committee Resolutions authorizing studies by the Corps of Engineers of potential water resources projects and one Committee Resolution authorizing a small flood control project to be carried out by the Natural Resources Conservation Service. The Subcommittee held 23 hearings during the 108th Congress.

ENACTED LEGISLATION

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL
YEAR 2004**

H.R. 1588

(Public Law 108–136)

The National Defense Authorization Act for Fiscal Year 2004 includes several provisions that fall within the jurisdiction of the Subcommittee on Water Resources and Environment. Section 314 authorizes the Secretary of Defense to utilize mitigation banks when carrying mitigation for adverse wetlands impacts. Section 314 also directs the Secretary of the Army to issue regulations establishing performance standards and criteria for the use of on-site, off-site, in-lieu fee mitigation, and mitigation banks as compensatory mitigation in permits issued under section 404 of the Clean Water Act. Section 2862 authorizes the transfer of land on Umnak Island, Alaska, between certain Alaska native village corporations and the Department of the Interior, and addresses environmental restoration requirements associated with the transfer. H.R. 1588 was not referred to the Committee on Transportation and Infrastructure, but the Committee participated in the conference as conferees on the sections identified above, as well as other sections of the bill. The bill became Public Law 108–136.

**A BILL TO RESOLVE THE BOUNDARY CONFLICTS IN
BARRY AND STONE COUNTIES IN THE STATE OF MISSOURI**

S. 1167

(Public Law 108–279)

S. 1167, a bill to resolve boundary conflicts in Barry and Stone counties in the State of Missouri, establishes a mechanism to resolve disputes over the boundaries of the Mark Twain National Forest arising from a property survey carried out by the Army Corps of Engineers. The companion bill in the House of Representatives, H.R. 2304, which was referred to the Committee on Agriculture and in addition, to the Committee on Transportation and Infrastructure, passed the House on November 17, 2003. This bill became Public Law 108–279.

**THE WATER SUPPLY, RELIABILITY, AND
ENVIRONMENTAL IMPROVEMENT ACT**

H.R. 2828

(Public Law 108–361)

The Water Supply, Reliability, and Improvement Act, provides a framework for Federal agencies, including the Environmental Protection Agency and the Army Corps of Engineers, to use existing authorities to help implement the California Bay-Delta Program Record of Decision. This bill also authorizes \$90 million for the Secretary of the Army to undertake the construction and implementation of levee stability programs or projects for such purposes as flood control, ecosystem restoration, water supply, water conveyance, and water quality objectives. H.R. 2828 was referred to the Committee on Resources and, in addition, to the Committee on Transportation and Infrastructure. This bill became Public Law 108–361.

**RONALD W. REAGAN NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2005**

H.R. 4200

(Public Law 108–375)

The Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 includes several provisions that fall within the jurisdiction of the Subcommittee on Water Resources and Environment. Section 311 relates to the satisfaction of certain audit requirements of the Inspector General of the Department of Defense under section 111(k) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Section 313 amends section 591 of the Water Resources Development Act of 1999 to increase the authorization from \$12 million to \$22 million. Section 314 authorizes construction by the Army Corps of Engineers of a small boat harbor at Unalaska, Alaska, contingent upon completion of a favorable report of the Chief of Engineers. Section

2847 amends section 563 of the Water Resources Development Act of 1999 to modify authority for an Army Corps of Engineers land conveyance in Charleston, South Carolina. In addition, the Committee was a conferee on Department of Defense land conveyances authorized in sections 2843, 2866, 2867, as a result of the Committee's jurisdiction over section 120(h) of CERCLA. H.R. 4200 was not referred to the Committee on Transportation and Infrastructure, but the Committee participated in the conference as conferees on the sections identified above, as well as other sections of the bill. This bill became Public Law 108-375.

A BILL TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE NATIONAL ESTUARY PROGRAM

H.R. 4731

(Public Law 108-399)

This law amends the Federal Water Pollution Control Act to reauthorize the National Estuary Program, at \$35 million per year through fiscal year 2010. The purpose of the National Estuary Program is to promote long-term protection of estuaries through collaborative voluntary efforts of Federal, State, local, non-profit, and private interests. Congressman Gerlach and Congresswoman Tauscher introduced H.R. 4731 on June 25, 2004. H.R. 4731 was referred to the Committee on Transportation and Infrastructure. The Water Resources and Environment Subcommittee considered this bill on July 15, 2004. The Subcommittee reported the bill favorably without amendment, to the Transportation and Infrastructure Committee, by voice vote. The Transportation and Infrastructure Committee met in open session on July 21, 2004, and ordered the bill reported to the House by voice vote. The Committee filed its report on September 13, 2004 (H. Rept. 108-678). The House considered H.R. 4731 under suspension of the rules and passed it by voice vote on September 29, 2004. On October 11, 2004, the Senate cleared the bill for the President, by unanimous consent. The bill became Public Law 108-399.

A BILL TO AMEND THE TIJUANA RIVER VALLEY ESTUARY AND BEACH SEWAGE CLEANUP ACT OF 2000 TO EXTEND THE AUTHORIZATION OF APPROPRIATIONS AND FOR OTHER PURPOSES

H.R. 4794

(Public Law 108-425)

This law amends the authority of the United States to enter into a fee-for-services contract with the owner of a privately financed secondary wastewater treatment facility located in Mexico to provide improved wastewater treatment along the U.S.-Mexico border so that untreated or partially treated sewage from Tijuana, Mexico no longer flows north into the San Diego, California area. The law makes the statutory changes necessary to allow the International Boundary and Water Commission to enter into the contract con-

templated by the Act. On July 9, 2004, Representatives Hunter, Filner, Davis, Cunningham, and Issa introduced H.R. 4794. The bill was referred to the Committee on Transportation and Infrastructure and, in addition, to the Committee on International Relations. The Subcommittee considered this bill on July 15, 2004, and reported the bill favorably without amendment, to the Transportation and Infrastructure Committee, by voice vote. The Transportation and Infrastructure Committee met in open session on July 21, 2004, and ordered the bill reported to the House without amendment by voice vote. The Committee filed its report on September 15, 2004 (House Report 108–688, Part I). The House considered H.R. 4794, with an amendment, under suspension of the rules and passed it by voice vote on October 6, 2004. On November 16, 2004, the Senate cleared the bill for the President, by unanimous consent. The bill became Public Law 108–425.

**HARMFUL ALGAL BLOOM AND HYPOXIA AMENDMENTS
ACT OF 2004**

S. 3014

(Public Law 108–356)

The Harmful Algal Bloom and Hypoxia Amendments Act of 2004 reauthorizes the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998. S. 3014 was introduced on November 19, 2004, and passed the Senate without amendment that same day by unanimous consent. The bill was held at the desk and passed the House by unanimous consent on November 20, 2004. S. 3014 originated in the Senate as S. 247 and in the House as H.R. 1856. H.R. 1856 was introduced by Mr. Ehlert and others on April 29, 2003, and was referred to the Committee on Science, and in addition to the Committee on Resources. The Committee on Science reported the bill favorably to the House on October 24, 2003 (H. Rept. 108–326, part 1). The bill was referred sequentially to the Committee on Transportation and Infrastructure on November 7, 2003. On July 7, 2003, the House considered H.R. 1856, with an amendment, under suspension of the rules and passed the bill by voice vote. No further action was taken on H.R. 1856. Instead, the Senate introduced a new bill, S. 3014, which became Public Law 108–456.

**THE CONSOLIDATED APPROPRIATIONS ACT FOR
FISCAL YEAR 2005**

H.R. 4818

(Public Law 108–447)

The Consolidated Appropriations Act for Fiscal Year 2005 includes several provisions under the jurisdiction of the Subcommittee on Water Resources and Environment. In Division C, making appropriations for Energy and Water Development, title VI incorporates the text of S. 1351 and H.R. 3044, amending the Tennessee Valley Authority Act of 1933 to change the current three-member governing board of directors to a nine member advisory board and to direct the board to appoint a chief executive officer

to carry out the day-to-day management of the TVA. Division C also includes several Army Corps of Engineers authorizations. Division H, making appropriations for the Departments of Transportation, Treasury and Independent Agencies includes a provision (Section 520) that requires TVA to file information with the Securities Exchange Commission (SEC) that would be required if TVA were regulated by the SEC. This bill became Public Law 108-447.

OTHER LEGISLATION

WATER RESOURCES DEVELOPMENT ACT OF 2003

H.R. 2557

H.R. 2557, the Water Resources Development Act of 2003, authorizes the Secretary of the Army, acting through the Chief of Engineers, to carry out projects and studies for improvements to rivers and harbors, flood damage reduction, and environmental restoration, and other water-related purposes. Sponsored by Representatives Young, Oberstar, Duncan, and Costello, this bill was introduced on June 23, 2003, and was referred to the Committee on Transportation and Infrastructure. In addition to other projects and policy initiatives, H.R. 2557 incorporated the subject matter of H.R. 590, introduced by Rep. Leach and Rep. Boswell on February 5, 2003; H.R. 1445, introduced by Rep. DeLauro and others on March 26, 2003; H.R. 1817, introduced by Rep. Stupak on April 11, 2003; H.R. 2245, introduced by Rep. LoBiondo and Rep. Lampson on May 22, 2003; and H.R. 3760, introduced by Rep. Otter and Rep. Simpson on February 3, 2004. On July 17, 2003, the Subcommittee on Water Resources and Environment marked up the Water Resources Development Act of 2003 and reported it favorably, with an amendment, to the Full Committee by voice vote. On July 23, 2003, the Transportation and Infrastructure Committee marked up H.R. 2557 and ordered it reported, with an amendment, to the House by voice vote. The Committee filed its report on September 5, 2003 (H. Rept. 108-265). On September 24, 2003, the House of Representatives considered H.R. 2557 under H. Res. 375, and passed the bill by a vote of 412 to 8. No further action was taken on this bill.

WASTEWATER TREATMENT WORKS SECURITY ACT OF 2003

H.R. 866

H.R. 866, the Wastewater Treatment Works Security Act of 2003, authorizes the Administrator of the Environmental Protection Agency to make grants for vulnerability assessments and security enhancements at publicly owned treatment works, to provide technical assistance on security measures to small publicly owned treatment works, and to provide for the improvement of vulnerability self-assessment methodologies and tools. Rep. Young, Rep. Oberstar, Rep. Duncan, and Rep. Costello introduced this legislation on February 13, 2003. The bill was referred to the Committee on Transportation and Infrastructure. On February 26, 2003, the Transportation and Infrastructure Committee ordered H.R. 866 reported to the House by voice vote. The Committee filed its report on March 11, 2003 (H. Rept. 108-33). The House considered H.R.

866 under suspension of the rules and passed it by a vote of 413 to 2 on May 7, 2003. No further action was taken on this bill.

TWENTY-FIRST CENTURY WATER COMMISSION ACT OF 2003

H.R. 135

H.R. 135, the Twenty-First Century Water Commission Act of 2003, establishes a nine-member commission to provide for water assessments to project future water supply and demand, review current water management programs at each level of government, and develop recommendations for a comprehensive water strategy to ensure an adequate and dependable water supply to meet America's needs for the next 50 years. Rep. Linder and others introduced this bill on January 7, 2003. It was referred to the Committee on Resources and, in addition, to the Committee on Transportation and Infrastructure. The House considered H.R. 135 under suspension of the rules on November 21, 2003, and passed the bill by voice vote. No further action was taken on this bill.

A BILL TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO EXTEND THE AUTHORIZATION OF APPROPRIATIONS FOR THE LAKE PONTCHARTRAIN BASIN RESTORATION PROGRAM

H.R. 4470

H.R. 4470, a bill to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program extends that program through fiscal year 2010. Under the Lake Pontchartrain Basin Restoration Program, EPA may provide up to \$20 million a year in assistance for restoration projects and studies and public education relating to restoring the ecological health of the Basin. Rep. Vitter and others introduced H.R. 4470 on June 1, 2004, and the bill was referred to the Committee on Transportation and Infrastructure. The Subcommittee considered this bill on July 15, 2004, and reported the bill favorably without amendment to the Transportation and Infrastructure Committee, by voice vote. The Transportation and Infrastructure Committee met in open session on July 21, 2004, and ordered the bill reported to the House by voice vote without amendment. The Committee filed its report on September 13, 2004 (H. Rept. 108-676). The House considered H.R. 4470 under suspension of the rules and passed it by voice vote on October 6, 2004. No further action was taken on this bill.

THE ENERGY POLICY ACT OF 2003

H.R. 6

H.R. 6, the Energy Policy Act of 2003, is a bill to address energy conservation, research, and development and the security and diversity of energy supply. Rep. Tauzin and others introduced H.R. 6 on April 7, 2003. The bill was referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Ways and Means, Resources, Education and Workforce, Transpor-

tation and Infrastructure, Financial Services, and Agriculture. This legislation includes several items that fall within the jurisdiction of the Subcommittee on Water Resources and Environment, including matters relating to electricity generation and distribution affecting the Tennessee Valley Authority, matters relating to hydropower facilities on federal lands, an amendment to the Federal Water Pollution Control Act, and various environmental matters relating to energy infrastructure. H.R. 6 passed the House on April 11, 2003, by a vote of 247 to 175. The Senate passed the bill with an amendment in the nature of a substitute on July 31, 2003, by a vote of 84 to 14. The Senate appointed conferees on September 4, 2003. The House appointed conferees on September 5, 2003. The Conference Committee met on September 5, 2003. The Conference Report (H. Rept. 108–375) was filed on November 18, 2003, and passed the House on that day under H. Res. 443, by a vote of 246 to 180. The Senate failed to invoke cloture on the Conference Report on November 21, 2003, by a vote of 57 to 40. No further action was taken on this bill.

WATER QUALITY INVESTMENT ACT OF 2003

H.R. 874

H.R. 784, the Water Quality Investment Act of 2003, authorizes \$1.5 billion in grants to municipalities and States to help them solve sewer overflows. Rep. Camp, Rep. Pascrell, and others introduced H.R. 784 on February 13, 2003. The bill was referred to the Committee on Transportation and Infrastructure. The Water Resources and Environment Subcommittee marked up the bill on July 15, 2004, and approved the bill, as amended, by voice vote. The Committee on Transportation and Infrastructure marked up the bill on July 21, 2004, and ordered it reported by voice vote. The Committee filed its report on September 13, 2004 (House Report 108–675). No further action was taken on this bill.

A BILL TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE CHESAPEAKE BAY PROGRAM

H.R. 4688

H.R. 4688, a bill to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program, reauthorizes the Chesapeake Bay Program's \$40 million annual funding level through fiscal year 2010. The Chesapeake Bay Program is a unique regional partnership that directs and conducts the restoration of the Chesapeake Bay under the voluntary Chesapeake Bay Agreement, first adopted in 1983. Rep. Gilchrest and others introduced H.R. 4688 on June 24, 2004. The bill was referred to the Committee on Transportation and Infrastructure. The Subcommittee considered this bill on July 15, 2004, and reported the bill favorably without amendment to the Transportation and Infrastructure Committee, by voice vote. The Transportation and Infrastructure Committee met in open session on July 21, 2004, and ordered the bill H.R. 4688 reported to the House by voice vote. The Committee

filed its report on September 13, 2004 (H. Rept. 108–677). No further action was taken on this bill.

WATER QUALITY FINANCING ACT OF 2003

H.R. 1560

H.R. 1560, the Water Quality Financing Act of 2003, authorizes \$20 billion in federal grants over five years for the Clean Water Act State Revolving Loan Funds for increased investment in wastewater infrastructure and would encourage reductions in the cost of constructing and maintaining that infrastructure. Rep. Duncan and Rep. Young introduced H.R. 1560 on April 2, 2003. The bill was referred to the Committee on Transportation and Infrastructure. On July 17, 2003, the Subcommittee on Water Resources and Environment marked up the bill, and reported it favorably, with an amendment, to the Full Committee by voice vote. No further action was taken on this bill.

HEARINGS

The Subcommittee held a hearing on February 27, 2003, to receive testimony on agency budget requests and program priorities for FY 2004 from various agencies under the Subcommittee's jurisdiction. Representatives from the U.S. Army Corps of Engineers, the Environmental Protection Agency, the Tennessee Valley Authority, the National Oceanic and Atmospheric Administration, and the Natural Resources Conservation Service testified.

On March 5, 2003, the Subcommittee held a hearing on Independent Peer Review of Products that Support Agency Decision-making. Testimony was heard from the Environmental Protection Agency, the Department of the Interior, and the U.S. Army Corps of Engineers on how they review scientific and technical products that support their decision-making. The Subcommittee also heard recommendations from interested parties about how to improve the review processes of these agencies.

On March 19, 2003, the Subcommittee held a hearing on Meeting the Nation's Wastewater Infrastructure Needs. Testimony was heard from representatives of the U.S. Conference of Mayors, the Association of State and Interstate Water Pollution Control Administrators, the Water Infrastructure Network, Rural Community Assistance Programs, Prince Georges County Department of Environmental Resources, and the National Utility Contractors Association.

On April 30, 2003, the Subcommittee held a joint hearing with the Coast Guard and Maritime Transportation Subcommittee on Interpretations of Existing Ownership Requirements for U.S. Flag Dredges. Testimony was heard from the Bureau of Customs and Border Protection regarding interpretations of ownership for dredging vessels, and the U.S. Army Corps of Engineers regarding the dredging contracting that they do to construct and maintain U.S. ports and waterways. Also testifying was the American Association of Port Authorities and representatives of the dredging industry.

On May 7, 2003, the Subcommittee held a hearing to receive testimony on H.R. 135, the Twenty-First Century Water Commission

Act of 2003, relating to the study and development of recommendations for a comprehensive water strategy to address future water needs. Testimony was heard from Rep. Linder, the U.S. Army Corps of Engineers, the Tennessee Valley Authority, the U.S. Conference of Mayors, and the Interstate Council on Water Policy.

On May 22, 2003, and June 4, 2003, the Subcommittee held hearings on *Water: Is It the Oil of the 21st Century*. On the first day of the hearing, the Subcommittee reviewed water scarcity and demand. Testimony was received from representatives of the Metropolitan Water District of Southern California; Frederick County, Maryland; Dow Chemical Company; and the American Farm Bureau Federation. On the second day of hearings, the Subcommittee examined various responses to water supply problems. Testimony was received from representatives of a water company, the Texas Water Development Board, the Interstate Commission on the Potomac River Basin, the United States Conference of Mayors and Urban Water Council, and from water resources experts.

On June 11, 2003, the Subcommittee held a hearing on *EPA Grants Management: Persistent Problems and Proposed Solutions*. Testimony was heard from the EPA's Office of Inspector General, the General Accounting Office (GAO, since renamed the Government Accountability Office), and the Environmental Protection Agency's Office of Administration and Resources Management.

On June 19, 2003, the Subcommittee held a hearing to receive testimony from GAO, the Association of State and Interstate Water Pollution Control Administrators, the Western Coalition of Arid States, and a representative of the environmental community. The hearing focused on the need to update water quality standards to improve the management and results of Clean Water Act Programs.

On September 17, 2003, the Subcommittee held a hearing to receive testimony on *Contributions of Ports and Inland Waterways to the Nation's Inter-nodal Transportation System*. Testimony was received from the Honorable Norman Y. Mineta, Secretary, U.S. Department of Transportation; the Honorable John Paul Woodley, Jr., Assistant Secretary of the Army (Civil Works); and Lieutenant General Robert B. Flowers, Chief of Engineers, U.S. Army Corps of Engineers.

On November 20, 2003, the Subcommittee held a hearing on *Financing Port Infrastructure—Who Should Pay?* Testimony was received from Rep. Rohrabacher, Rep. Ose, the American Association of Port Authorities, the Waterfront Coalition, and the World Shipping Council regarding financing of port infrastructure.

On February 26, 2004, the Subcommittee held a hearing to receive testimony on *Agency Budget Requests and Program Priorities for FY 2005* from various agencies under the Subcommittee's jurisdiction. Representatives from the U.S. Department of the Army, the U.S. Army Corps of Engineers, the Environmental Protection Agency, the Tennessee Valley Authority, the International Boundary and Water Commission, the Saint Lawrence Seaway Development Corporation, the Natural Resources Conservation Service, and the National Oceanic and Atmospheric Administration testified.

On March 25, 2004, the Subcommittee held a joint hearing with the Coast Guard and Maritime Transportation Subcommittee on Ballast Water Management: New International Standards and National Invasive Species Act Reauthorization. Witnesses from the U.S. Coast Guard, the Chamber of Shipping of America, the Lake Carriers' Association, the Virginia Institute of Marine Science, the Northeast-Midwest Institute, the Great Lakes Cities Initiative, and the Ocean Conservancy testified on international ballast water management standards recently agreed to by the International Maritime Organization and on reauthorization of the ballast water management provisions of the Nonindigenous Aquatic Nuisance Prevention and Control Act.

On March 30, 2004, the Subcommittee held an oversight hearing on the inconsistent regulation of wetlands and other waters. Rep. Ose, the U.S. Army Corps of Engineers, the Environmental Protection Agency, the National Association of Flood and Stormwater Management Agencies, the Nationwide Public Projects Coalition, Bronco Construction, American Farm Bureau Federation, and the Western Environmental Law Center testified. The hearing focused on the inconsistent determinations by agencies of what is, and is not, subject to Federal jurisdiction under the Clean Water Act.

On April 28, 2004, the Subcommittee held a hearing on Aging Water Supply Infrastructure. Representatives of the American Water Works Association, the Association of Metropolitan Water Agencies, the Rural Water Association, and the U.S. Conference of Mayors' Urban Water Council discussed problems and impacts of aging infrastructure.

On May 20, 2004 and May 21, 2004, the Subcommittee held hearings on Great Lakes Water Quality and Restoration Efforts. On the first day of hearings, Federal agencies testified regarding their efforts to improve Great Lakes water quality and restore the health of the ecosystem with Canada. On the second day of hearings, Members of Congress, representatives of the Council of Great Lakes Governors, the International Joint Commission, GAO, and a scientist involved in Great Lakes restoration efforts, testified on the progress made to date and made recommendations for improvement to the Great Lakes.

On June 24, 2004, the Subcommittee held a hearing on the proposal for the Upper Mississippi River-Illinois Waterway Navigation Improvement and Ecosystem Restoration Project. Testimony was heard from Rep. Hulshof, Federal Agencies, Upper Mississippi River Basin Association, the Midwest Area River Coalition (MARC 2000), the National Corn Growers Association, the National Academy of Sciences, and Environmental Defense.

On July 8, 2004, the Subcommittee held a legislative hearing on four bills: H.R. 784, the "Water Quality Investment Act of 2003"; H.R. 4470, a bill to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program; H.R. 4688, a bill to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; and H.R. 4731, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program. Testimony was received from Members of Congress, representatives of State and local governments and nongovernmental

organizations with expertise in sewage treatment and aquatic ecosystem restoration.

On July 15, 2004, the Subcommittee held a hearing to receive testimony on the U.S. Army Corps of Engineers' proposed Louisiana Coastal Area Ecosystem Restoration Project. Witnesses included Members of Congress, the U.S. Army Corps of Engineers, the State of Louisiana, the Coalition to Restore Coastal Louisiana, the Houma Terrebonne Chamber of Commerce, Port Fourchon, and the Shell Pipeline Company.

On July 20, 2004, the Subcommittee held a hearing on Ensuring Value from EPA Grants, to determine if procedures are in place to ensure that all EPA grants will produce measurable environmental benefits. The Subcommittee received testimony from the Inspector General of the Environmental Protection Agency, the GAO, the Office of Administration and Resources Management of the EPA, the Institute for Regulatory Science, and Portage Environmental.

On July 22, 2004, the Subcommittee held a hearing on Comprehensive Everglades Restoration Plan—The First Major Projects. Testimony was heard from Representative Foley, the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection, the Martin County Board of County Commissioners, Audubon of Florida and the Independent Scientific Review Panel—Indian River Lagoon.

On September 30, 2004, the Subcommittee held a hearing on Are Citizen Suit Provisions of the Clean Water Act Being Misused? Testimony was received from representatives of two communities in Northern California and from the City of Los Angeles about their experiences with lawsuits filed under the Clean Water Act's citizen suit provisions.

SUMMARY OF OVERSIGHT ACTIVITIES

WATER RESOURCES AND ENVIRONMENT

1. Environmental Protection Agency (EPA) Clean Water Act and Water Infrastructure Programs

The oversight plan included a review of wastewater treatment and water pollution control funding issues, including levels and sources of funding and management of grant and loan programs; wastewater security and infrastructure needs; watershed, market, and performance-based approaches to regulation; regulatory issues involving total maximum daily loads, water quality standards, effluent limitations, and permitting; data quality issues, and continued efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint source pollution. The Subcommittee examined EPA Clean Water Act and water infrastructure program issues as part of a hearing the Subcommittee held on February 27, 2003, on agencies' proposed program priorities and budgets for FY 2004. The Subcommittee also received testimony on EPA Clean Water Act and water infrastructure program issues in a hearing held on February 26, 2004 on agencies' proposed program priorities and budgets for FY 2005. The Subcommittee held a hearing on June 19, 2003, to receive testimony on the need to update water quality 799 159 standards to improve

the management and results of Clean Water Act programs. On March 19, 2003, the Subcommittee held a hearing on meeting the nation's wastewater infrastructure needs. The hearing led to the development of H.R. 1560, the "Water Quality Financing Act of 2003." The Subcommittee reported H.R. 1560, as amended, favorably to the Full Committee, by voice vote on July 17, 2003. The Subcommittee also held a hearing on aging water supply infrastructure on April 28, 2004, and received testimony on the problems and impacts of aging water infrastructure. Additionally, on May 20 and 21, 2004, the Subcommittee held hearings on efforts to improve Great Lakes water quality and restore the health of the Great Lakes ecosystem, the progress made to date, and recommendations for further improvements to the Great Lakes. The Subcommittee also held a follow-up public meeting on June 7, 2004, in Chicago, on water quality and restoration efforts underway in the Great Lakes basin. On September 30, 2004, the Subcommittee held a hearing on the citizen suit provisions of the Clean Water Act and whether the provisions are being misused. In addition, the Subcommittee held a hearing on July 8, 2004, regarding legislative proposals to amend the Clean Water Act to extend the authorization of appropriations for the National Estuary Program (H.R. 4731), the Lake Pontchartrain Basin Restoration Program (H.R. 4470), and the Chesapeake Bay Program (H.R. 4688), and to authorize \$1.5 billion in grants to municipalities and States to help them solve sewer overflow problems (H.R. 784). The Committee on Transportation and Infrastructure ordered the bills H.R. 4731, H.R. 4470, H.R. 4688, and H.R. 784 reported to the House on July 21, 2004. H.R. 4731 became Public Law 108-399. In addition to formal hearings, the Subcommittee Chairman requested GAO to assess the need for improved guidance and support from EPA to help States improve their water quality standards. This request led to GAO's publication of the report, "Water Quality: Improved EPA Guidance and Support Can Help States Develop Water Quality Standards that Better Target Cleanup Efforts," in February 2003. The Subcommittee Chairman also requested GAO to assess the need for improved coordination between Federal and State agencies of the collection of water data needed to support key water management decisions. This request led to GAO's publication of the report, "Watershed Management: Better Coordination of Data Collection Efforts Needed to Support Key Decisions," in June 2004.

2. Army Corps of Engineers (Corps) Water Resources Program

The plan included a review of efforts to improve the efficiency and effectiveness of the organization and the management and mission of the civil works program of the Army Corps of Engineers, including the selection, planning, and implementation of water resources projects; financing of harbor and inland waterways infrastructure; and efforts to improve the efficiency, effectiveness, and fairness of the agency's regulatory programs, including those pertaining to wetlands (including the scope and procedural and substantive requirements of the permitting programs) and dredging activities. The Subcommittee examined Corps water resources program issues as part of a hearing the Subcommittee held on February 27, 2003, on agencies' proposed program priorities and budg-

ets for FY 2004. The Subcommittee also received testimony on Corps water resources program issues in a hearing held on February 26, 2004, on agencies' proposed program priorities and budgets for FY 2005. On March 5, 2003, the Subcommittee held a hearing on independent peer review of scientific and technical products that support agency decision-making in the Corps and other agencies. In addition, the Subcommittee held a series of hearings related to ports and navigation. On April 30, 2003, the Subcommittee held a joint hearing with the Coast Guard and Maritime Transportation Subcommittee on interpretations of existing ownership requirements for U.S. flag dredges. The Subcommittee also received testimony at a hearing on September 17, 2003, regarding contributions of ports and inland waterways to the nation's intermodal transportation system. Additionally, on November 20, 2003, the Subcommittee held a hearing on financing of port infrastructure. On March 30, 2004, the Subcommittee received testimony at an oversight hearing on the inconsistent regulation of wetlands and other waters around the nation.

3. EPA—Superfund/CERCLA and Brownfields

The plan included a review of efforts to improve the efficiency, effectiveness, and fairness of the contaminated site cleanup process and the process of assessing natural resources damages; a review of the liability, financing, and settlement mechanisms and procedures under the current Superfund program, including implementation of the Small Business Liability Protection Act; a review of the role of the States in conducting and financing cleanups; a review of the relationships among the States, EPA, and other Federal entities in implementing the Superfund program; and a review of ongoing Federal, State, and local efforts to revitalize "brownfields," including implementation of the Brownfields Revitalization and Environmental Restoration Act. The Subcommittee examined EPA Superfund and Brownfields program issues as part of a hearing the Subcommittee held on February 27, 2003, on agencies' proposed program priorities and budgets for FY 2004. The Subcommittee also received testimony on EPA Superfund and Brownfields program issues in a hearing held on February 26, 2004, on agencies' proposed program priorities and budgets for FY 2005. In response to a June 2004 EPA Office of Inspector General (EPA-IG) report to Congress on the implementation of the Brownfields Program, which identified a number of challenges facing the program, including determining the staff and resources needed to effectively manage and run the program, the Subcommittee Chairman requested the EPA-IG to evaluate the costs and resources being used to carry out the program as well as identify options to minimize administrative and program costs. This request will result in the EPA-IG producing a report on the administrative and program costs and resources being used to carry out the Brownfields Program and options to minimize costs.

4. Corps and EPA Regional Water and Ecosystem Restoration Issues

The plan included a review of regional and local projects and controversies involving water quality, water supply, environmental

protection, and flood control. In a hearing held on February 26, 2004, the Subcommittee received testimony from the United States Commissioner of the International Boundary and Water Commission on the status of implementation of the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000. This led to the development of H.R. 4794, a bill to extend the authorization of appropriations under the Tijuana River Valley Estuary and Beach Sewage Cleanup Act to address raw and partially treated sewage flows in the Tijuana-San Diego border region. H.R. 4794 became Public Law 108-425. The Subcommittee held a series of hearings on water resources and supply issues and proposed legislation for the development of a comprehensive water strategy. On May 7, 2003, the Subcommittee received testimony on H.R. 135, the "Twenty-First Century Water Commission Act of 2003," relating to the creation of a Commission to study and develop recommendations for a comprehensive water strategy to address future water needs. In addition, on May 22 and June 4, 2003, the Subcommittee held hearings on *Water: Is It the Oil of the 21st Century*. On the first day of hearings, the Subcommittee reviewed water scarcity and demand issues in several regions around the nation and how water supply problems are affecting various sectors of water users. On the second day of hearings, the Subcommittee examined various responses to water supply problems. The Subcommittee also held a series of hearings on proposed Corps regional water and ecosystem restoration projects. On June 24, 2004, the Subcommittee held a hearing on the Upper Mississippi River-Illinois Waterway Navigation Improvement and Ecosystem Restoration Project. In addition, the Subcommittee met on July 15, 2004 to receive testimony on the Corps' proposed Louisiana Coastal Area Ecosystem Restoration Project. On July 22, 2004, the Subcommittee held a hearing on the first major projects requiring Congressional authorization under the Comprehensive Everglades Restoration Plan.

5. Coast Guard/EPA/Corps National Invasive Species Act

The plan included a review, in cooperation with the Subcommittee on Coast Guard and Maritime Transportation, of efforts by various agencies to implement the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996, the effectiveness of those efforts, and the need for further action to control nonindigenous species. On March 25, 2004, the Subcommittee held a joint hearing was held with the Coast Guard and Maritime Transportation Subcommittee on *Ballast Water Management: New International Standards and National Invasive Species Act Reauthorization*. The Subcommittees received testimony on international ballast water management standards recently agreed to by the International Maritime Organization and on reauthorization of the ballast water management provisions of the National Invasive Species Act.

6. Tennessee Valley Authority (TVA)

The plan included a review of TVA programs, including its energy program and operations in the current and in a less regulated marketplace, and the impact of TVA debt. The Subcommittee examined TVA program issues as part of a hearing the Subcommittee

held on February 26, 2004, on agencies' proposed program priorities and budgets for FY 2005.

7. Saint Lawrence Seaway Development Corporation (LSDC)

The plan included a review of the efficiency and effectiveness of SLSDC's current operations and structure, possible improvements in the operation of the Seaway, addressing national security and the economy, and the relation of the SLSDC to the St. Lawrence Seaway Management Corporation, its Canadian counterpart. The Subcommittee examined SLSDC program issues as part of a hearing the Subcommittee held on February 26, 2004, on agencies' proposed program priorities and budgets for FY 2005.

8. EPA and Coast Guard Oil Pollution Act (OPA)

The plan included a review, in cooperation with the Subcommittee on Coast Guard and Maritime Transportation, of the oil spill response, planning, and liability provisions under OPA and the Clean Water Act, and enforcement activities and effectiveness under the oil spill prevention and response laws. No formal oversight was conducted on this issue.

9. Corps/EPA/National Oceanic Atmospheric Administration (NOAA) Ocean and Coastal Programs and Policies

The plan included a review of dredged material management and disposal under the Ocean Dumping Act, Water Resources Development Acts, and the Clean Water Act, and various ocean and coastal water quality and shoreline protection issues under the Clean Water Act, Coastal Zone Management Act, Coastal Zone Act Reauthorization Amendments, and Water Resources Development Acts. The Subcommittee examined NOAA program issues as part of a hearing the Subcommittee held on February 27, 2003, on agencies' proposed program priorities and budgets for FY 2004. The Subcommittee also received testimony on NOAA program issues in a hearing on February 26, 2004, on agencies' proposed program priorities and budgets for FY 2005.

10. Natural Resources Conservation Service (NRCS) Small Watershed Program

The plan included a review of the Small Watershed Program, authorized under P.L. 83-566, and conducted by the U.S. Department of Agriculture's NRCS, including its relation to other conservation, environmental restoration, and flood control efforts. The Subcommittee examined NRCS program issues as part of a hearing the Subcommittee held on February 27, 2003 on agencies' proposed program priorities and budgets for FY 2004. The Subcommittee also received testimony on NRCS program issues in a hearing on February 26, 2004 on agencies' proposed program priorities and budgets for FY 2005.

11. Government Performance and Results Act and Agency Innovation

The plan included a review of agency programs, performance, and results, including efforts to implement the Government Performance and Results Act, and efforts of agencies, such as EPA and

the Corps, to improve environmental results by encouraging regulatory innovation, such as market-based approaches and other approaches undertaken by State and local governments. Agency performance and results were reviewed at the Subcommittee's hearings on February 27, 2003 and February 26, 2004, on agency budget requests and program priorities for FY 2004 and FY 2005. In addition, on June 11, 2003, the Subcommittee held a hearing on persistent problems with and proposed reforms to EPA grants management. The Subcommittee also held a hearing on July 20, 2004, on ensuring value from EPA grants. The Subcommittee received testimony on whether procedures are in place to ensure that all EPA grants will produce measurable environmental benefits.

RESOLUTIONS ADOPTED TO AUTHORIZE THE CORPS OF ENGINEERS TO CONDUCT FEASIBILITY STUDIES

Docket Number	Project
2709	Huntington, West Virginia
2710	Rio Grande Basin, Texas
2711	Ashland Riverfront, Kentucky
2712	Salt Lick Creek, Kentucky
2713	Silver Creek, Illinois
2714	Tar River & Pamlico Sound, North Carolina
2715	Lake Carl Blackwell Dam, Oklahoma
2716	City of Huntsville, Alabama
2717	Boulder Creek, Colorado
2718	Androscoggin River, Maine
2719	Eagle Creek Basin, Kentucky
2720	Clear Lake Watershed, Iowa
2721	Choctawhatchee, Pea & Yellow Rivers, Alabama
2722	Canaseraga Creek, New York
2723	Lower Columbia River, Oregon & Washington
2724	Tyger River, Union County, South Carolina
2725	Dismal Swamp & Dismal Swamp Canal, North Carolina
2726	Upper Guyandotte Basin, West Virginia
2727	Collier County, Florida
2728	Meramec River Basin, Valley Park, Missouri
2729	Lake Erie Waterfront, Euclid, Ohio
2730	Cherry River Basin, West Virginia
2731	Meadow River Basin, West Virginia
2732	Clinton River & Anchor Bay, Michigan
2733	Cuyahoga River & Tributaries, Ohio
2734	Cuyahoga River & Tributaries, Summit Co, Ohio
2735	Guayanes River, Yabucoa, Puerto Rico
2736	Glen Jean, West Virginia

WATERSHED PROJECT APPROVED

Date Approved	Project
7/23/03	Departee Creek Watershed, Arkansas

OVERSIGHT AND INVESTIGATION ACTIVITIES OF TRANSPORTATION AND INFRASTRUCTURE

The oversight and investigation functions of the Committee on Transportation and Infrastructure are vested at the Full Committee level. Oversight and investigation activities are coordinated between the Full Committee and the Subcommittees. The following listed activities outline the Full Committee's activities.

1. Satellite Utilization. The Committee conducted a strategic evaluation of the role satellites will play in the future of the transportation industry. The evaluation included reports, meetings, fact finding trips, and research with the GAO, the Department of Defense (DOD), private sector, the House Permanent Select Committee on Intelligence, and various agencies and offices of DOT. A number of meetings were held with the DOT Office of the Under Secretary for Policy because DOT is the lead agency for all Federal civil Global Positioning System (GPS) issues.

Although the GPS was originally launched for military purposes it has been expanded to civilian use. While there are many ways to measure GPS utilization it would be safe to say that today the vast majority of individuals using GPS are civilian. This use has set the stage for a number of strategic decisions that will be made in 2005–2006. Military needs for GPS no longer address some of the growing civilian uses. However, funding for GPS remains solely with military budgets. The result is that GPS upgrades compete with other military programs for priority. The cost-benefit analysis concerning opportunities for greater efficiency in the civilian sector from upgraded GPS satellites does not really factor into the equation. Another issue of whether and when to upgrade the GPS constellation is that a consortium of countries, lead by the European Union, is developing an alternative GPS system which provides both opportunities and challenges for the domestic US transportation sector.

Other areas of responsibility within the Committee on Transportation and Infrastructure that are uniquely affected by satellite utilization were evaluated. They include: tracking cargo on an intermodal basis for security and safety; providing communications for the traveling public, air carriers, and the Federal Air Marshals; management of the national airspace; and navigation infrastructure.

2. Aviation Security. Oversight assessments were made in conjunction with the Aviation Subcommittee concerning: TSA screener training, operations, and effective handling of passengers at airports; Federal Air Marshal recruitment, training, and deployment; FAA/TSA development of the Common Strategy to address threats posed by terrorists and disruptive passengers; explosive detection equipment capabilities, the use of Personal Electronic Devices (PEDs) onboard airplanes; TSA's development of the Computer As-

sisted Passenger Profiling System (CAPPS II) and Secure Flight; the effectiveness of security and biometric measures that TSA may use to identify and screen passengers; and the list of items prohibited on flights along with the treatment of passengers that arrive at screening locations with prohibited items.

3. Aviation Safety, FAA operations, and DOT aviation issues. Other oversight activities concerning aviation safety and Department operations conducted in cooperation with the Aviation Subcommittee included: the Capstone Safe Flight System; FAA involvement in the discovery of absent Members of the Texas Legislature in May 2003 (hearing and markup of H.Res. 288 on July 15, 2003); and the determination by the DOT concerning the citizenship of domestic air carriers.

4. Amtrak. The Chairman of the Committee requested GAO and the Amtrak Inspector General to evaluate a broad range of management and operational issues at Amtrak. A primary objective is to determine whether

Amtrak is using its federal and non-federal resources in an efficient manner. The assessment includes a review of how Amtrak procures professional services, the level of train set maintenance, and how major contracts are administered.

5. Fuel Tax. After reviewing Congressional Budget Office's conservative estimate that motor fuel tax evasion is costing average American's more than \$800 million annually in lost revenue, the Committee began an examination of current industry practices, regulations, and fuel tax enforcement resources at the federal and state level. If that money can be recovered it could be used to improve the nation's highway and transit. Staff continues to work with the DOT IG and the Internal Revenue Service Fuel Task Force to ensure a cooperative and comprehensive fuel tax enforcement scheme is effectively implemented in order to maximize revenues to the Highway Trust Fund.

6. EPA Grants. A major focus of the Committee's oversight efforts for the 108th Congress was work concerning the grants management activities at the EPA. A series of hearings (June 2003, and October 2003, and July 2004) reviewed EPA's long record of poor management in making and overseeing grants, particularly discretionary grants to non-profit organizations. The Committee worked closely with the EPA Inspector General (IG), EPA Office of Administration and Resources Management, the GAO, and the Water Resources and Environment Subcommittee on a bipartisan basis to highlight the need for reforms. The EPA IG and GAO provided numerous reports documenting the problems.

In response, EPA focused on developing and implementing new grant-making policy guidelines and procedures. Additionally, the Committee worked with EPA to develop the Grants Award Database, which makes grant information available to the public. EPA also developed the Grants Compliance Database, which allows grant managers to log and track grantee compliance issues.

Additional progress from EPA in connection with Committee oversight includes: strengthened competition policy guidelines, a new focus on environmental results, and improved post-award monitoring. EPA is investing significant resources to communicate

these policies to employees and grantees through training and conferences.

7. **Committee Oversight Enhancement.** During the 108th Congress, the Committee undertook a comprehensive effort to enhance oversight of the agencies within its jurisdiction. Although agencies produce an abundance of budget and performance information, challenges still exist for Congress to effectively synthesize and use that information to identify areas of greatest concern and conduct effective oversight. The purpose of the Committee's effort is to explore various tools, resources, and processes to facilitate and expedite information sharing between agencies and the Committee. During the 108th Congress, the Committee selected the FAA as a case study with the intent to develop a sustainable mechanism for ensuring timely and constructive oversight that can be extended to other programs under the Committee's jurisdiction.

As part of this effort, the Committee requested the GAO to review the FAA and identify what information it relies on for internal management purposes, to what extent that information could be used for congressional oversight, and how that information can be effectively communicated to the Committee. Additionally, Committee staff has met with various private industry leaders and solicited feedback on improving comprehensive congressional oversight of federal agencies. The Committee has also worked with officials from FAA and the Office of Management and Budget (OMB) to both gain their insights and begin to develop some tools for information sharing.

8. **TSA Procurement.** The Committee continues to conduct oversight of procurement activities at TSA. During the 108th Congress, the Committee received several reports on this subject from GAO and the DHS Inspector General. The weaknesses and resulting problems cited in these reports were attributed primarily to the challenges of starting a new government agency and the heavy reliance on contractors in that endeavor. Recent findings provided to the Committee from GAO and the IG indicate that TSA is strengthening management of its contracts and improving its procurement functions. Notwithstanding these improvements, the Committee has continued to work with GAO, the IG, and TSA to ensure appropriate resolution of contracting and procurement problems.

9. **Debt Reduction at the Tennessee Valley Authority.** The Committee continues to work closely with the members of the Board and executive management at the TVA in addressing the need to reduce TVA's sizeable debt. During the 108th Congress, Committee staff visited the TVA service area to gain a better understand of operations, tour several plants and other facilities, and meet with TVA personnel at all levels of the organization. Additionally, Committee staff made several trips to TVA Headquarters in Knoxville, Tennessee to meet with Members of the Board and executive management team. The purpose of these meetings was to provide guidance and specific recommendations from the Committee as TVA developed its long-term Strategic Plan. This Plan outlines how TVA will respond to its future business landscape. An important part of the Plan is a goal to reduce TVA's debt by \$3-5 billion over the next ten to 12 years. As the Plan states, this type of aggressive

debt reduction is necessary for TVA to achieve financial stability and flexibility in a changing energy market.

10. *Eliminating Waste, Fraud, and Abuse Hearing.* On July 22, 2003, the Committee held a hearing on eliminating waste, fraud, and abuse in mandatory programs under its jurisdiction. The purpose of this hearing was to identify potential savings in these programs and ensure that taxpayers' money is being used efficiently and effectively. The hearing included testimony regarding the Federal-aid Highways, the FTA, Essential Air Service (EAS), and Railroad Retirement programs.

Federal-aid Highways and FTA. The DOT IG, GAO, and the FHWA Administrator provided testimony identifying ways to better spend the federal dollars used in state transportation projects. Those options included strengthening project management skills and increasing FHWA and FTA oversight. They also recommended: better project management at the state and local level; improving financial management through the use of finance plans; adopting measures to stop the loss of hundreds of millions of dollars annually from fuel tax evasion; greater detection and prevention of fraud by making debarment mandatory and final following a contractor fraud conviction; encouraging greater state participation by allowing states to share in recoveries from fraud investigations; and redirecting funds from inactive projects to new projects.

EAS Program Costs. Costs for the EAS program have increased significantly since 1995. According to GAO, federal appropriations to the program have grown from \$37 million in 1995 to \$113 million in fiscal year 2002 (in constant 2002 dollars). To address the problems, the Committee recommended several reforms to the Essential Air Service program. These reforms were included in section 415 of H.R. 2115, as reported by the Committee.

Railroad Retirement Board Programs. The RRB IG does not currently have authority to investigate possible 1997 and 1999 appropriations acts fraud for any of the nearly \$800 million in Medicare funds that are distributed to railroad beneficiaries. This was a previous RRB IG responsibility that was removed by a 1997 appropriations bill. The RRB IG has estimated, based on experience at the Social Security Administration, that over \$49 million in fraudulent spending in these programs could be avoided through increased oversight and investigation.

11. *MARAD Reserve Fleet.* After reviewing reports from GAO, the DOT IG, and meeting with the Maritime Administration (MARAD), the Committee has begun examining the timely disposal of federally owned former merchant vessels in the National Defense Reserve Fleet (NDRF). These ships are located in the James River Reserve Fleet, Virginia, the Beaumont Reserve Fleet, Texas, and the Suisun Bay Reserve Fleet, in California. Several of these vessels pose a significant environmental threat. MARAD is required by law to dispose of these vessels by September 30, 2006.

12. *Government Accountability Office Requests.* In addition to the GAO and Inspectors General reports covered in separate subject areas above, the Chairman also requested GAO and IG reports concerning: DHS's ability to maintain critical legacy missions such as FEMA natural disaster response and Coast Guard search and rescue activities; the net gain/loss of FTE's in connection with the

establishment of DHS; the Federal Highway Administration's oversight of state transportation projects, and DHS's progress in integrating IT and accounting services.

PUBLICATIONS

108-1—Aviation Compilation.

108-2—Water Resources Compilation, Volumes I and II.

108-3—Railroad Compilation, Volumes I and II.

108-4—Hearings before the Subcommittee on Aviation on the Reauthorization of the Federal Aviation Administration and Aviation Programs, February 12, March 6, 12 and 27, 2003.

108-5—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on Emergency Preparedness at the Indian Point Energy Center Located in Buchanan, New York, February 25, 2003.

108-6—Joint hearing before the Subcommittees on Aviation and Railroads on Planes, Trains and Intermodalism: Improving the Link Between Air and Rail, February 26, 2003.

108-7—Hearing before the Subcommittee on Water Resources and Environment on Agency Budgets and Priorities for fiscal year 2004, February 27, 2003.

108-8—Hearing before the Subcommittee on Highways, Transit, and Pipelines on Reauthorization of Transportation Research, Development and Education Programs, March 4, 2003.

108-9—Hearing before the Subcommittee on Water Resources and Environment on Independent Peer Review of Products the Support Agency Decision-Making, March 5, 2003.

108-10—Hearing before the Subcommittee on Railroads on the Rail Infrastructure Policies and Reauthorization of Highways, Transit and Surface Transportation Programs, March 6, 2003.

108-11—Hearing before the Subcommittee on Highways, Transit, and Pipelines on the Reauthorization of Federal Highway and Transit Programs: What are the Needs, and How to Meet Those Needs, March 13, 2003.

108-12—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on the President's fiscal year 2004 Budgets for the Coast Guard and the Federal Maritime Commission, March 13, 2003.

108-13—Field Hearing before the Subcommittee on Aviation on Small Community Air Service, Portland, Oregon, March 17, 2003.

108-14—Hearing before the Subcommittee on Water Resources and Environment on the Nation's Wastewater Infrastructure Needs, March 19, 2003.

108-15—Field Hearing before the Subcommittee on Highways, Transit, and Pipelines on Truck Safety, Sanford, Florida, March 24, 2003.

108-16—Hearings before the Subcommittee on Highways, Transit, and Pipelines on Member Policy Initiatives and Project Requests for Reauthorization of the Federal Highway and Transit Programs, April 1, 2, 3, 2003.

108-17—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on the Coast Guard’s Move to the Department of Homeland Security, April 1, 2003.

108-18—Hearings before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on Local Economic Development Issues Relating to Reauthorization of the Economic Development Administration, April 2 and 9, 2003.

108-19—Field Hearing before the Subcommittee on Highways, Transit and Pipelines on Rail Crossing Issues and Midwest Transportation Infrastructure Needs, Lincoln, NE, April 15, 2003.

108-20—Hearing before the Subcommittee on Railroads on Current Amtrak Issues, April 30, 2003.

108-21—Hearing before the Subcommittee on Aviation on the Reauthorization of the Federal Aviation Administration and Aviation Programs, April 9, 2003.

108-22—Joint hearing before the Full Committee with the Committee on Education and the Workforce on Coordinating Human Services Transportation, May 1, 2003.

108-23—Hearing before the Subcommittee on Highways, Transit, and Pipelines on Highway and Transit Needs: The State and Local Perspectives, May 7, 2003.

108-24—Hearing before the Subcommittee on Water Resources and Environment on H.R. 135, To establish the “Twenty-First Century Water Commission” to study and develop recommendations for a comprehensive water strategy to address future water needs, May 7, 2003.

108-25—Hearing before the Subcommittee on Aviation on The Status of the Federal Flight Deck Officer Program, May 8, 2003.

108-26—Hearing before the Subcommittee on Highways, Transit, and Pipeline on Overview of the Administration’s Proposed Reauthorization Bill. (H.R. 2088—SAFETEA), May 15, 20 and 21, 2003.

108-27—Hearing before the Subcommittee on Railroads on the Surface Transportation Board: Agency Resources and Requirements, May 20, 2003.

108-28—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on H.R. 2443, The Coast Guard and Maritime Transportation Act of 2003, May 22, 2003.

108-29—Hearing before the Subcommittee on Water Resources and Environment on Water: Is it the “Oil” of the 21st Century? May 22 and June 4, 2003.

108-30—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on Port Security, June 3, 2003.

108-31—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on The Administration’s Proposal to reauthorize the Economic Development Administration, (H.R. 2535), June 4, 2003.

108-32—Hearing before the Subcommittee on Aviation on Aircraft Cabin Environment, June 5, 2003.

108-33—Hearing before the Subcommittee on Railroads on New Technologies in Railroad Safety, June 10, 2003.

108-34—Hearing before the Subcommittee on Water Resources and Environment on Environmental Protection Agency Grants Management: Persistent Problems and Proposed Solutions, June 11, 2003.

108-35—Hearing before the Subcommittee on Water Resources and Environment on The Need to Update Water Quality Standards to Improve Clean Water Act Programs, June 19, 2003.

108-36—Hearing before the Subcommittee on Railroads on National Rail Infrastructure Financing Proposals, June 26, 2003.

108-37—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on The General Services Administration's fiscal year 2004 Capital Investment and Leasing Program, July 9, 2003.

108-38—Hearing before the Full Committee on Elimination of Waste, Fraud, and Abuse in Mandatory Transportation Programs. July 22, 2003.

108-39—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on Port Security, July 22, 2003.

108-40—Coast Guard Compilation.

108-41—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on the Reauthorization of the Kennedy Center for the Performing Arts, (H.R. 3198), September 10, 2003.

108-42—Hearing before the Subcommittee on Water Resources and Environment on Contributions of Ports and Inland Waterways to the Nation's Intermodal Transportation System, September 17, 2003.

108-43—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on Emergency Preparedness Issues, Including the Reauthorization of the Predisaster Mitigation Program, (H.R. 3181), September 24, 2003.

108-44—Hearing before the Subcommittee on Aviation on The Department of Transportation Inspector General's September 4th Report On The Safety Of The Federal Aviation Administration's Contract Tower Program, September 24, 2003.

108-45—Hearing before the Subcommittee on Water Resources and Environment on Cleaning Up the Waste at the Environmental Protection Agency: Phase 11, October 1, 2003.

108-46—Field Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on the Federal Response to Hurricane Isabel, Yorktown, VA, October 7, 2003.

108-47—Hearing before the Subcommittee on Aviation on the Transportation Security Administration's Perspective on Aviation Security, October 16, 2003.

108-48—Hearing before the Subcommittee on Aviation on the Status of the Federal Aviation Administration's Perspective on Aviation Security, October 16, 2003.

108-49—Field hearing before the Subcommittee on Coast Guard and Maritime Transportation on the Staten Island Ferry Accident, Staten Island, NY, November 4, 2003.

108-50—Hearing before the Subcommittee on Water Resources and Environment on Financing Port Infrastructure—Who Should Pay? November 20, 2003.

108-51—Hearing before the Subcommittee on Aviation on Aviation Security: Progress and Problems in Passenger Baggage Screening, February 12, 2004.

108-52—Hearing before the Subcommittee on Water Resources and Environment on Agency Budgets and Priorities for Fiscal Year 2005, February 26, 2004.

108-53—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on U.S. Coast Guard and Federal Maritime Commission Fiscal Year 2005 Budget Requests, and H.R. 3879, the Coast Guard Authorization Act for Fiscal Year 2005, March 4, 2004.

108-54—Hearing, before the Subcommittee on Railroad on Proposed Transportation of Nuclear Waste to the Yucca Mountain Repository, Las Vegas, NV, March 5, 2004.

108-55—Hearing before the Subcommittee on Aviation on Computer Assisted Passenger Prescreening System (CAPSII), March 17, 2004.

108-56—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on Fiscal Year 2005 Budget Request for the Department of Homeland Security's Emergency Preparedness and Response Directorate, the Office of Domestic Preparedness and First Responder Funding, March 18, 2004.

108-57—Hearing before the Subcommittee on Water Resources and Environment on Ballast Water Management: New International Standards and National Invasive Species Act Reauthorization, March 25, 2004.

108-58—Hearing before the Subcommittee on Water Resources and Environment on Inconsistent Regulation of Wetlands and Other Waters, March 30, 2004.

108-59—Hearing before the Subcommittee on Railroad on the Status of Railroad Economic Regulation, March 31, 2004.

108-60—Hearing before the Subcommittee on Aviation on Airport Deregulation, April 1, 2004.

108-61—Hearing before the Subcommittee on Aviation on A Review of the Airport Private Security Screening Pilot Program, April 22, 2004.

108-62—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on Integrated Deepwater System, April 28, 2004.

108-63—Hearing before the Subcommittee on Water Resources and Environment on Aging Water Supply Infrastructure, April 28, 2004.

108-64—Hearing before the Subcommittee on Railroad on Railroad Security, May 5, 2004.

108-65—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on H.R. 4251, the Maritime Transportation Amendments of 2004, May 6, 2004.

108-66—Hearing before the Subcommittee on Economic Development, Public Buildings, and Emergency Management on How to Best Prepare for Acts of Terror: National Preparedness and Funding for First Responders, May 12, 2004.

108-67—Hearing before the Subcommittee on Aviation on Potential Increases In Aviation Passenger Delay During The Summer 2004 Travel Season, May 13, 2004.

108-68—Hearing before the Subcommittee on Aviation on Opening Reagan National to General Aviation, March 16, 2004.

108-69—Hearing before the Subcommittee on Aviation on the Use of Biometrics to Improve Aviation Security, May 19, 2004.

108-70—Hearing before the Subcommittee on Water Resources and Environment on Great Lakes Water Quality and Restoration Efforts Part 1 and 2, May 20 and 21, 2004.

108-71—Hearing before the Subcommittee on Aviation on The Financial Condition of the Airline Industry, June 3, 2004.

108-72—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on the Implementation of the Maritime Transportation Security Act, H.R. 3712, the U.S. Seaport Multiyear Security Enhancement Act, and H.R. 2193, the Port Security Improvements Act of 2003, June 9, 2004.

108-73—Hearing before the Subcommittee on Aviation on The Status of the Air Traffic Controller Workforce, June 15, 2004.

108-74—Hearing before the Subcommittee on Highways, Transit and Pipeline on Pipeline Safety, June 16, 2004.

108-75—Hearing before the Subcommittee on Highways, Transit and Pipelines on Public Transportation Security, June 22, 2004.

108-76—Hearing before the Subcommittee on Water Resources and Environment on Upper Mississippi and Illinois Rivers—Recommendations for Navigation Improvements and Ecosystem, June 24, 2004.

108-77—Hearing before the Subcommittee on Aviation on National Capitol Region Air Space Control: A Review of the Issues Surrounding the June 9, 2004 Flight of “N24SP”, July 8, 2004.

108-78—Hearing before the Subcommittee on Economic Development, Public Buildings and Emergency Management on The General Services Administration’s Fiscal Year 2005 Capital Investment and Leasing Program, July 13, 2004.

108-79—Hearing before the Subcommittee on Aviation on In-Line Explosive Detection Systems: Financing and Development, July 14, 2004.

108-80—Hearing before the Subcommittee on Water Resources and Environment on Louisiana Coastal Area—Addressing Decades of Erosion, July 15, 2004.

108-81—Hearing before the Subcommittee on Water Resources and Environment on H.R. 784, the Water Quality Investment Act of 2003, H.R. 4470, Lake Pontchartrain Basin Restoration Program, H.R. 4688, the Chesapeake Bay Program, and H.R. 4731, National Estuary Program, July 8, 2004.

108-82—Hearing before the Subcommittee on Water Resources and Environment on Ensuring Value from EPA Grants, July 20, 2004.

108-83—Hearing before the Subcommittee on Water Resources and Environment on Comprehensive Everglades Restoration Plan The First Major Projects, July 22, 2004.

108-84—Hearing before the Subcommittee on Aviation on Commission Report: Review of Aviation Security Recommendations, August 25, 2004.

108-85—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on 9/11 Commission Report and Maritime Transportation Security, August 25, 2004.

108-86—Hearing before the Subcommittee on Aviation on Delay Reduction Efforts at Chicago's O'Hare Airport, September 9, 2004.

108-87—Hearing before the Subcommittee on Water Resources and Environment—Are Citizen Suits of the Clean Water Act Being Misused? September 30, 2004.

108-88—Hearing before the Subcommittee on Coast Guard and Maritime Transportation on 9/11 Commission Report and Maritime Transportation Security, October 6, 2004.

108-89—Activities Report.

