



The Daily Whip

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THURSDAY, APRIL 1, 2004

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Ten "One Minutes" Per Side	6:00 – 7:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY

H.R. 3550 - Transportation Equity Act: A Legacy for Users (TEA-LU) (Rep. Young {AK} - Transportation & Infrastructure) (General Debate under Unanimous Consent / Amendments to be considered Subject to a Rule). This bill authorizes \$275 billion over six years for highways, public transit, and safety and research programs, a 26% increase over the 1998 Transportation Equity Act for the 21st Century. This bill exceeds the President's proposal by \$19 billion and is \$43 billion less than the Senate-passed bill. This bill also raises an additional \$17.7 billion for the bill by making changes to tax provisions.

This bill: authorizes \$217.4 billion for highways, \$51.5 billion for public transit and approximately \$6 billion for various safety and research programs; authorizes a total of \$11.1 billion for high priority projects requested by Members; guarantees each state at least 90.5% return on the federal fuel taxes it pays; contains a "reopener" provision that would cut-off funding for highway programs after September 30, 2005, unless a new law is enacted that would increase the guaranteed rate of return each year until it reached 95% in FY09.

Funding provisions include the following: continues the revenue-aligned budget authority (RABA), under which the amount of money available for highway and transit projects would rise or fall based annual revenue coming into the Highway Trust Fund; shifts the costs of the payments for the alcohol tax credits from the Highway Trust Fund to the general fund; shifts the receipts from the tax on ethanol and the gas tax on motorboats and small engines from the general fund to the Highway Trust Fund; places the fines collected from fuel tax evasion into the Highway Trust Fund.

A Unanimous Consent agreement reached on Tuesday allocates 2 hours and 30 minutes of general debate. In addition, today the House will consider a structured rule for further consideration of this bill. The Rule recommended by the Rules Committee waives all points of order against the amendments allowed by the rule and provides one motion to recommit with or without instructions. The Rule also makes in order twenty three amendments in the following order:

- **Young, Don (AK) Manager's Amendment (10 minutes).** This amendment makes numerous changes to the underlying bill including: improving the calculation of Revenue Aligned Budget Authority to provide more accurate information; requiring the off-ramp on Interstate 495/94 to remain open to all traffic; and making technical and funding changes to the Interstate System construction toll pilot program
- **Johnson, Eddie Bernice (TX) (10 minutes).** This amendment requires the Department of Transportation's Section 104(j) report to be made available to the public in a user-friendly format via the internet.
- **Flake (10 minutes).** This amendment subtracts the amount that states receive in High Priority Program earmarks from their formula totals for the Surface Transportation Program; prevents the Minimum Guaranty Program from backfilling for what comes out of states' Surface Transportation Program funding; apportions to states, via formula, any funding remaining in the High Priority Program.
- **Jackson-Lee (10 minutes).** This amendment allows states to receive toll credits for any local, state, or private funds contributed to a toll project that exceed the minimum nonfederal 20% threshold required for federal match.
- **Shadegg (10 minutes).** This amendment ensures that Congestion Mitigation and Air Quality Improvement Program funds will be made available for areas which are not in attainment of air quality standards for either coarse particulate matter (PM-10) or fine particulate matter (PM-2.5).
- **Schiff (10 minutes).** This amendment strikes the toll requirement placed on hybrid gasoline-electric car users regarding the use of high-occupancy vehicle (HOV) lanes.
- **Vitter (10 minutes).** This amendment ensures the Interstate Route 49 Corridor is given priority consideration under the new National Corridor Infrastructure Improvement Program.
- **Graves (10 minutes).** This amendment eliminates liability under state law for an owner of a motor vehicle who is engaged in the business of renting and leasing motor vehicles provided there is no negligence or criminal wrongdoing on the part of the motor vehicle owner.
- **Chocola (10 minutes).** This amendment provides for a 400-pound weight limit exclusion for any motor vehicle equipped with an idling reduction technology verified by the Environmental Protection Agency.



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- **Baird (10 minutes)**. This amendment expresses the Sense of Congress to clarify that the Buy America Act applies to overall projects, and not their component parts.
- **Holt (10 minutes)**. This amendment preserves the authority and right of the State of New Jersey to restrict trucks to only using interstate highways, the New Jersey turnpike, and the Atlantic City Expressway in New Jersey unless they are traveling to a terminal or making pickups or deliveries on other roads in New Jersey. This would uphold current restrictions and policy and thus, by extension, affirm the right of all states to regulate super-sized trucks on the roads that are not part of the designated national highway system.
- **Waters (10 minutes)**. This amendment prohibits the use of funds for surface transportation projects that are planned or required to implement any proposal to build a remote passenger check-in facility at Los Angeles International Airport (LAX).
- **LoBiondo (10 minutes)**. This amendment provides states eligibility to receive Section 410, Alcohol-Impaired Countermeasures grant funding to cover the costs of DWI vehicle impoundment programs.
- **Wu (10 minutes)**. This amendment exempts projects, for which the Secretary of Transportation has received an application for final design, from the small start provisions of the bill; and allows recommended new start projects, which have applied for final design, to move forward on their original timeline and avoid unnecessary delay.
- **LaTourette (10 minutes)**. This amendment requires that in the case of construction projects steel or iron used must be of U.S. origin; more than 60% of the cost components and subcomponents of all manufactured products shall be of U.S. origin; and in the case of manufactured components final assembly must occur in the U.S.. The labor cost related to on-site construction, installation, and final assembly is not included in calculating the cost.
- **Crowley (10 minutes)**. This amendment creates a pilot program that facilitates the use of natural gas buses at the nation's top 25 busiest airports.
- **Bachus (10 minutes)**. This amendment exempts motion picture and television production truck drivers from the new hours of service regulations that went into effect at the beginning of this year.
- **Bereuter (10 minutes)**. This amendment continues the farm supply and agricultural commodity exemption to the hours of service for drivers rules and clarifies the definition of "agricultural commodities" and "farm supplies for agricultural purposes."
- **Ehlers (10 minutes)**. This amendment clarifies that the Surface Transportation Environment Cooperative Research Program authorized in the legislation will solely carry out the Transportation Research Board's Special Report 268.
- **Bradley (10 minutes)**. This amendment increases the allowable weight of vehicles permitted to travel on interstate highways 93 and 89, in New Hampshire, from 80,000 to 99,000 pounds. Instructs the New Hampshire Department of Transportation to conduct a study to discern the economic, safety and infrastructure impact to the exemption.
- **Kirk (10 minutes)**. This amendment authorizes states the authority to administer requirements governing the sounding of a locomotive horn when a train approaches and enters upon public highway-rail grade crossings.
- **Kennedy (MN) (20 minutes)**. This amendment repeals the authority to indefinitely charge tolls on existing highway lanes, replacing it with language that allows tolls only on new voluntary-use lanes, with revenues dedicated to new highway capacity.
- **Isakson/Mica/DeMint/Ehlers/Hoekstra/Burns/Chocola/Mario Diaz-Balart/Coble/Scott (GA) (40 minutes)**. This amendment includes high priority projects and projects of national regional significance under the Minimum Guarantee, consistent with current law.

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: On Friday, the House will meet at 10:00 a.m. for legislative business. The House is expected to complete consideration of: **H.R. 3550 - Transportation Equity Act: A Legacy for Users (TEA-LU)**, and to consider the **Pension Conference Report**.

Daily Quote...

"Like a consumer taking out new credit cards to pay for old debt, the House Republican leadership refuses to restrain its spending and tax-cut frenzy. The latest sign came Tuesday when the House refused to follow the lead of the Senate and narrowly voted down a motion that would insist that tax cuts and spending increases be matched by offsetting tax increases or spending cuts... Without such rules, Congress will succumb to long-term fiscal irresponsibility that could end up driving the deficit even higher than the current projected \$521 billion for 2005."

- The *Los Angeles Times* Editorial today