Committee on Transportation and Infrastructure.

8267. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Miami, OK [Airspace Docket No. 98–ASW–11] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8268. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Idabel, OK [Airspace Docket No. 98–ASW–09] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8269. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Henryetta, OK [Airspace Docket No. 98–ASW–08] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8270. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; McAlester, OK [Airspace Docket No. 98–ASW–10] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8271. A letter from the Deputy Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Revision to the NASA FAR Supplement Coverage on Alternative Dispute Resolution [48 CFR Part 1833] received March 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8272. A letter from the Deputy Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Contract Financing [48 CFR Parts 1832 and 1852] received March 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

¶26.3 POINT OF PERSONAL PRIVILEGE

Mr. SHUSTER rose to a question of personal privilege.

The SPEAKER, pursuant to rule IX, recognized Mr. SHUSTER for one hour.

Mr. SHUSTER made the following statement:

''Mr. Speaker, many years ago, Joseph McCarthy in Wheeling, West Virginia stood up and waved papers and said he had the names of 57 Communists in government. Well, he got lots of headlines but, of course, he was eventually proved to be a liar. I am reminded of that event, although I certainly make no such charge here today.

''Mr. Speaker, three of our colleagues have made numerous statements in the media that we have been, quote, 'buying votes,' to get them to support our BESTEA transportation legislation in exchange for projects which we have given them. Indeed, conversely, that we have been threatening Members that if they did not vote with us, they would not get the projects.

''Let me make this very clear. I challenge these Members to name one person, one person whom I went to and said they will get a project in exchange for their vote. I challenge them to name one person who I threatened that they not get a project if they voted against us.

''Indeed, if we look back at the battle we had here last year on the budget resolution where we had our transportation amendment, I urge my colleagues to go look at Members who voted against us and then look at the projects they are receiving today. This is simply a blatant falsehood.

''Now, no doubt many Members support our legislation because it is important to their district, because it is important to America, because they are getting projects that they have requested and which have been vetted through our 14-point requirement.

''It seems that in life sometimes there are those who, when one takes a different view from their view, they must somehow ascribe some base motivation. They simply cannot believe that because someone disagrees with them, that another's motives can be as pure as theirs. Indeed, sometimes it seems as though the smaller the minority they represent, the more incensed they become, because they view themselves as more pure, more righteous, more sanctimonious than the larger majority of us who are mere mortals. But I do not ascribe any of these motives to our colleagues. I prefer to believe that they simply are misinformed.

''Mr. Speaker, the supreme irony, the supreme irony is that the three individuals who have been attacking us, attacking our motives, attacking our integrity, have submitted projects to us for their own congressional districts.

''Mr. Speaker, I yield to the distinguished gentleman from Minnesota (Mr. OBERSTAR), ranking member of the full committee.''.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. SHUSTER) for yielding.

''Mr. Speaker, I join in the gentleman's indignation, to put it mildly, over these attacks that are totally unjustified, unfounded, and inappropriate for Members of this body to make.

''First of all, the projects in question have gone through a very thorough and careful vetting process according to a 14-point outline that the committee fashioned, which includes a requirement that the project be on the State's priority or State's future project development list. The points that are included in the review of projects are all the points that States use to measure validity of projects that their transportation departments will fund.

''After reviewing all of these projects and ensuring that they meet standards accepted by States and that these are projects necessary in a Member's district, we accept the Member's judgment as to what is necessary for his or her district, and those projects are included in this package, as was done in 1991 in the previous transportation bill.

''Mr. Speaker, I could understand Members disagreeing with the process, but I do not approve, I am offended by the use of language and by the accusations made. The gentleman from Pennsylvania has been a vigorous advocate for transportation since before he was elected to Congress in 1972 and since taking his place on the then-Committee on Public Works and now-Committee on Transportation and Infrastructure. Under his chairmanship, he has waged a nationwide campaign for increased investment in the Nation's portfolio of bridges, highways, buses, transit systems, but above all, its safety. He is a champion of safety.

''The gentleman's drive to increase spending out of the highway trust fund, tax dollars that have been collected at the pump but not paid into projects for which driving America has already been taxed, is clear and well known and widely respected, open and clear for everyone to review.

''So when the gentleman from Pennsylvania or I, together on a bipartisan basis, present our program to our respective caucuses and to this body and ask for their support, we do so very clearly, very openly, without any hidden agenda. And for Members then to say that they have been somehow browbeaten, whipped into line, or threatened is totally inappropriate and totally untrue.

''As a strong and vigorous advocate for his viewpoint, I respect the gentleman from Pennsylvania and I respect those who take a differing viewpoint. They are entitled to that viewpoint. They are also entitled to the fair share of funding that we have designated without any questions, without any quid pro quo.

''We respect and always have respected the Members' right to vote their district and their conscience. We would ask them, and I do not think there is anything inappropriate to ask a Member to support this legislation, but we respect their right not to.

''Mr. Speaker, I think the gentleman from Pennsylvania has conducted himself with the highest dignity, with the appropriate character of a Member of Congress of this distinguished body, in the same manner that he has done for his 26 years in the House of Representatives. I join with him in reproving those who have used such inappropriate language. It is an assault upon the integrity of the chairman of this committee, a Member who has championed the cause for all of America for better transportation, better investment in the future of our economy, and I salute the gentleman from Pennsylvania.''.

Mr. SHUSTER. Mr. Speaker, reclaiming my time, I thank the gentleman from Minnesota for those words.

Mr. TRAFICANT. Mr. Speaker, will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from Ohio.

Mr. TRAFICANT. Mr. Speaker, I want to commend the gentleman from Pennsylvania (Mr. SHUSTER) for being a chairman and taking care of the jurisdictional authority which he is in charge of. I am tired of the ''pork barrel'' labels on the gentleman from

Pennsylvania and on the gentleman from Minnesota (Mr. OBERSTAR).

''Mr. Speaker, I had five bridges in the original ISTEA bill, and one of the major news networks came to my district and said, boy, you are getting all of this pork. And I said, come on down. Then I showed them bridges with a sway, with a 2-ton weight limit. The next bridge down had a 5-ton weight limit. And I got those bridges built. I got the money for them. And they are still not built; they are now under process. That is how many years it takes.

''Well, I want to announce here that as soon as the wrecking crew appeared on the Center Street Bridge, the first time the backhoe hit one of the steel structures, the bridge collapsed.

''They said, thank God citizens were not killed. Enough of this pork barrel madness. Ohio had 28 major projects announced last year, and my district did not get one of them; and I have the most infrastructure needs in the country. No Member of Congress should go home and flout this pork barrel if they have got infrastructure needs and they are not taking care of it. Because that is why we are elected.

''And by God, I am just glad we are building the Center Street bridge and no one in my district got hurt. I want to say this as a former Pitt grad, my colleague stands for what a chairman should be; and all chairmen should deal with their jurisdictional authority and dispatch the duties like he has.

''I stand with him, proud to be associated with him, and I commend him and the gentleman from Minnesota (Mr. OBERSTAR) for the fine job they have done on this bill.''.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for his statement.

Mr. OBERSTAR. Mr. Speaker, if the Chairman would continue to yield, let me just emphasize once again, never on our side or on the chairman's side of the aisle was any Member told that conclusion of their project was contingent upon or dependent upon their vote. No Member was asked how they intended to vote in advance. Projects were included for Members on the basis of the merits of the project, not on how they would vote.

Mr. Speaker, I include the following for the RECORD:

Washington, DC, March 7, 1996.

Hon. BUD SHUSTER,

Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Recently, the Oklahoma Department of Transportation submitted an authorization request to your Committee to extend the Broken Arrow Expressway from I–44 southeast approximately 8.0 miles to the Tulsa County Line.

I am forwarding the enclosed request on to your Committee for its consideration. I am confident that the merit of the project will speak for itself.

Sincerely,

STEVE LARGENT,
Member of Congress.

INFORMATION REQUESTS FOR TRANSPORTATION PROJECTS STATE OF OKLAHOMA

Project Description: SH 51 (Broken Arrow Expressway) extending from I–44 southeast approximately 8.0 miles to the Tulsa County Line.

EVALUATION CRITERIA AND RESPONSES ARE AS FOLLOWS

1. Name and Congressional District of the Primary Member of Congress sponsoring the project, as well as any other Members supporting the project (each project must have a single primary sponsoring Member).

U.S. Representative Steve Largent.

2. Identify the State or other qualified recipient responsible for carrying out the project.

Oklahoma Department of Transportation.

3. Is the project eligible for the use of Federal-aid funds (if a road or bridge project, please note whether it is on the National Highway System)?

This project is eligible for Federal-aid funds and it is on the National Highway System.

4. Describe the design, scope and objectives of the project and whether it is part of a larger system of projects. In doing so, identify the specific segment for which project funding is being sought including terminus points.

Design/Scope: Reconstruct the existing 4 lane highway and add 2 additional lanes to provide a 6 lane facility. This project will complete the final improvements to upgrade the Broken Arrow Expressway which connects the Tulsa central business district with Broken Arrow, Oklahoma and the residential developments in the western portion of Wagoner County. The specific section we are requesting funding for extends from I–44 southeast 8.0 miles to the Tulsa/Wagoner County Line.

5. What is the total project cost and proposed source of funds (please identify the federal, state, or local shares and the extent, if any, of private sector financing or the use of innovative financing) and of this amount, how much is being requested for the specific project segment described in item #4?

The estimated total cost of this project is $160,000,000 and the average daily traffic volume on this section of highway is in excess of 78,000 vehicles daily.

10. Does the project have national or regional significance?

This project is on the National Highway System and it serves as a connector route between I–44, I–444, I–244, US 64, US 169 and the Muskogee Turnpike. Consequently, this highway serves both local commuter traffic and interstate travel which makes it significant from a national and regional level.

11. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns?

Although an environmental assessment has been completed on this project, a reassessment will be required. The EA includes the mainline, but does not include the interchange at US 169. Clearance of the SH 51/US 169 interchange will likely require intermodal issues and a major investment study (MIS).

12. Describe the economic, energy efficiency, and environmental, congestion mitigation and safety benefits associated with completion of the project.

Widening this expressway to 6 lanes, reconstructing the major clover leaf interchanges, and providing full directional interchanges will significantly increase capacity, reduce congestion and improve the safety of this major highway serving the Tulsa metropolitan area.

13. Has the project received funding through the State's Federal aid highway apportionment, or in the case of a transit project, through Federal Transit Administration funding? If not, why not?

The State of Oklahoma has expended in excess of $34,000,000 in State and Federal funds on this project to perform preliminary engineering work, acquire right-of-way, relocate utilities, and reconstruction work on several sections of the highway in the past few years.

Is the authorization requested for the project an increase to an amount previously authorized or appropriated for it in federal statue (if so, please identify the statute, the amount provided, and the amount obligated to date), or would this be the first authorization for the project in a federal statute? If the authorization requested is for a transit project, has it previously received appropriations and/or received a Letter of Intent or entered into a Full Funding Grant Agreement with the FTA.

The authorization requested for this project would be the first one received by the State of Oklahoma on the Broken Arrow Expressway.

Washington, DC, February 25, 1997.

Hon. BUD SHUSTER,

Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER: Enclosed, please find a copy of an ISTEA funding request by the City of Charlotte, North Carolina, which we both represent. As the attached proposal indicates, the City of Charlotte is seeking funds for a South Corridor Transitway, one of the first of its kind in the United States. This project would link Uptown Charlotte to Southeast Charlotte via a 13.5 mile express bus transitway, relieving traffic congestion and providing improved access to the City's Uptown area.

We respectfully submit this proposal by the City of Charlotte and ask for your due consideration of this request. Please do not hesitate to contact either one of us with questions or concerns. We would both be pleased to speak with you further concerning this project.

Thank you in advance for your consideration.

Sincerely,

SUE MYRICK,
Member of Congress.

MELVIN WATT,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 1997.

Hon. THOMAS E. PETRI,

U.S. House of Representatives, Chairman-Subcommittee on Surface Transportation, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN PETRI: I encourage you to read the following testimony and letter. The enclosed detail very carefully the importance of Oklahoma's surface transportation.

I request that you give the State Highway 51 demonstration project proposal your full consideration.

In advance, I would like to thank you and your colleagues on the Transportation and Infrastructure Committee for your diligence and hard work on the upcoming ISTEA reauthorization.

Sincerely yours,

TOM A. COBURN, MD,
Member of Congress.

STATE OF OKLAHOMA,
OFFICE OF THE GOVERNOR,
Oklahoma, OK, February 21, 1997.

Hon. THOMAS E. PETRI,

U.S. House of Representatives, Chairman-Subcommittee on Surface Transportation, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN PETRI: The significance of our surface transportation system

should not be under estimated. Careful investment in our infrastructure increases productivity and economic prosperity at local and regional levels. Despite the importance of our transportation system to the nation's economic health, investment has fallen well short of what is truly needed. Dealing with these needs will require numerous approaches, including special project funding.

As you begin the monumental task of reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991 (ISETA), we, the undersigned, wish to lend our support to the following special funding request which is in addition to our existing obligation limit and is critical to the transportation needs of the State of Oklahoma.

SH 51 extending from Coweta east approximately 14.6 miles to Wagoner, Oklahoma.

We commend your committee for its role in enacting ISTEA and for the subsequent improvements made with the passage of the National Highway System Bill last year. A sound national transportation policy is critical to our state's economy and our nation's ability to compete globally. To that end we urge you to evaluate our request and take the appropriate action.

Sincerely,

FRANK KEATING,
Governor.
NEAL A. MCCALEB,
Secretary of Transportation.
HERSCHAL CROW,
Chairman, Oklahoma Transportation Commission.

DEMONSTRATION PROJECT TESTIMONY, STATE HIGHWAY 51, WAGONER, OKLAHOMA

Submitted by: the Honorable Tom A. Coburn, U.S. House of Representatives and Neal A. McCaleb, Secretary of Transportation, State of Oklahoma

State Highway 51 (SH 51): SH–51 extending east from Coweta to the Arkansas border, has been identified as a Transportation Improvement Corridor. Eastern Oklahoma has an ever increasing population. Tourism has also increased in the Fort Gibson Lake and Tahlequah areas. These two factors form the basis of why reconstruction of SH–51 is of foremost concern.

The route has a high accident rate and contains bridges that are structurally deficient or functionally obsolete. For projected traffic, this two lane route with no shoulders is unacceptable, and could ultimately curb any future economic growth in the northeastern region of Oklahoma.

In addition to tourism dollars, the highway also serves as a major travel corridor and commuter route extending from the Tulsa Metropolitan area east to Broken Arrow, Muskogee and the Arkansas state line.

SH–51 is crucial to the region's business, industry and labor, because it provides access to the Tulsa metropolitan area, McClellan Kerr Navigational System, and several recreational areas in eastern Oklahoma.

Nationally significant, SH–51 connects with I–44, I–244, the Muskogee Turnpike, US–412 and other major routes in eastern Oklahoma.

It is essential that SH–51 be expanded to four lanes to increase capacity, promote tourism, boost economic growth, and to improve safety and congestion. This project is estimated to cost $63 million, and although the state has expended nearly $34 million to improve this corridor, it is simply not enough in view of the overall critical needs of the entire highway system.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, SUBCOMMITTEE ON SURFACE TRANSPORTATION INFORMATION REQUESTS FOR TRANSPORTATION PROJECTS, STATE OF OKLAHOMA

Project Description: SH 51 extending from Coweta east approximately 14.6 miles to Wagoner, Oklahoma.

Evaluation Criteria and Responses are as follows:

1. Name and Congressional District of the Primary Member of Congress sponsoring the project, as well as any other Members supporting the project (each project must have a single primary sponsoring Member).

Response to No. 1: U.S. Representative Tom Coburn.

2. Identify the State or other qualified recipient responsible for carrying out the project.

Response to No. 2: Oklahoma Department of Transportation.

3. Is the project eligible for the use of Federal-aid funds (if a road or bridge project, please note whether it is on the National Highway System)?

Response to No. 3: This project is eligible for the use of Federal-aid funds, but it is not on the National Highway System.

4. Describe the design, scope and objectives of the project and whether it is part of a larger system of projects. In doing so, identify the specific segment for which project funding is being sought including terminus points.

Response to No. 4: Design/Scope: Reconstruct to 4 lanes. The objectives of this project is to continue improving SH 51 from Tulsa extending west approximately 59.0 miles to Tahlequah, Oklahoma. The specific section for which we are requesting funding extends from Coweta east 14.6 miles to Wagoner, including the Wagoner bypass.

5. What is the total project cost and proposed source of funds (please identify the federal, state, or local shares and the extent, if any, of private sector financing or the use of innovative financing) and of this amount, how much is being requested for the specific project segment described in Item No. 4?

Response to No. 5: The estimated total cost of this project is $63,000,000.00 and we are requesting $50,400,000.00 in Federal-aid funds. The State of Oklahoma will provide $12,600,000.00 in matching funds to finance this project.

6. Of the amount requested, how much is expected to be obligated over each of the next 5 years?

Response to No. 6: All of the funds we are requesting can be obligated over the next 5 years.

7. What is the proposed schedule and status of work on the project?

Response to No. 7: The environmental clearance has been completed on this project. However, a reassessment may be necessary. Following completion of the environmental reassessment, right-of-way and design plans will be prepared and this takes approximately 2 years. Right-of-way acquisition will then take about 18 months to complete. Construction contracts should be ready for letting within 4 to 5 years.

8. Is the project included in the metropolitan and/or State Transportation Improvement Program(s), or the State long-range plan and, if so, is it scheduled for funding?

Response to No. 8: The right-of-way acquisition and utility relocations for one section of this project are currently on the Statewide Transportation Improvement Program and funding is scheduled for these items. The entire project limit, however, is identified as one of the transportation improvement corridors in the Statewide Intermodal Transportation Plan (long range plan). Due to the high cost of this project and the State's limited funds, the remaining construction, right-of-way, and utility phases of this project are not currently scheduled.

9. Is the project considered by State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not.

Response to No. 9: This project is considered critical to the economic growth of the eastern region of Oklahoma which generates a large amount of tourism in the Fort Gibson Lake and Tahlequah areas. The highway also serves as a major travel corridor and commuter route extending from the Tulsa Metropolitan area east to Broken Bow, Muskogee and the Arkansas State Line.

10. Does the project have national or regional significance?

Response to No. 10: This project is regionally significant because it provides access to the Tulsa metropolitan area, McClellan Kerr Navigational System, and several recreational areas in eastern Oklahoma. SH 51 is also nationally significant because it connects with I–44, I–244, the Muskogee Turnpike, US 412, and other major routes in the eastern section of Oklahoma.

11. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles based on environmental or other types of concerns?

Response to No. 11: The environmental clearance has been completed on this project. However, a reassessment is likely. We do not anticipate any major opposition or other obstacles that will delay construction of this project.

12. Describe the economic, energy efficiency, environmental, congestion mitigation and safety benefits associated with completion of the project.

Response to No. 12: Widening SH 51 to a 4 lane highway will increase capacity, promote tourism and economic growth in the region, and improve the safety and congestion along this major highway serving the eastern region of Oklahoma.

13. Has the project received funding through the State's Federal-aid highway apportionment, or in the case of a transit project, through Federal Transit Administration funding? If no, why not?

Response to No. 13: During the past few years the State has expended in excess of $34,000,000.00 to improve this corridor between I–44 in Tulsa and the Arkansas State Line. However, because the overall critical needs of the entire highway system far exceeds the limited funding levels, this project from Coweta to Wagoner has not received funding through the State's Federal-aid highway apportionments.

14. Is the authorization requested for the project an increase to an amount previously authorized or appropriated for it in federal statute (if so, please identify the statute, the amount provided, and the amount obligated to date), or would this be the first authorization for the project in federal statute? If the authorization requested is for a transit project, has it previously received appropriations and/or received a Letter of Intent or entered into a Full Funding Grant Agreement with the FTA?

Response to No. 14: This is the first authorization we have requested for this project.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 10, 1997.

Hon. BUD SHUSTER,
Chairman, House Committee on Transportation, Rayburn House Office Building.

Hon. THOMAS PETRI,
Chairman, Subcommittee on Surface Transportation, Rayburn House Office Building.

Hon. JIM OBERSTAR,
Ranking Democratic Member, House Committee on Transportation, Rayburn House Office Building.

Hon. NICK RAHALL,
Ranking Democratic Member, Subcommittee on Surface Transportation, Rayburn House Office Building.

DEAR MR. CHAIRMAN AND RANKING MEMBERS: On February 25, 1997, the North Carolina Delegation forwarded to your attention copies of the State of North Carolina's highway transportation project priorities.

Included in this package, there were two funding requests that are of particular concern to our districts, the Ninth and Twelfth Districts of North Carolina. These requests regarded funding for construction of the Eastern and Western Outer Loops in Charlotte, Mecklenburg County, North Carolina. The completion of the Outer Loop is the foremost road priority for our region during consideration of transportation funding this year. The purpose of this letter is to formally inform you of our strong support for this critical transportation need for the City of Charlotte.

We thank you in advance for your consideration of this request. Please do not hesitate to contact either of us if we can provide you with further information regarding the Outer Loop project.

Sincerely,

SUE MYRICK,
Member of Congress.
MELVIN WATT,
Member of Congress.

CONGRESS OF THE UNITED STATES,
Washington, DC, August 20, 1997.

Chairman BUD SHUSTER,
Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER: We are writing to express our strong support for the I–40 cross bridge project, which was submitted to the Surface Transportation Subcommittee in February. This project is important not only to the State of Oklahoma, but also to the Nation.

The I–40 cross bridge is in a critical state of disrepair. There are serious safety concerns surrounding the continued use of this bridge. Due to these concerns Oklahoma inspects this particular bridge every six months; other bridges are inspected only once every two years.

It is critical to the State and to the Nation that this bridge remains open. Recently, the Oklahoma Department of Transportation determined that approximately 102,000 cars cross this bridge every day. Furthermore, 61% of all the trucks that cross this bridge are out of state trucks. Clearly, this bridge is heavily traveled by more than just Oklahomans.

Both the Governor of Oklahoma and the Secretary of Transportation have endorsed this project and have made it the number one transportation priority for the State of Oklahoma. Unfortunately, due to the magnitude of the project, Oklahoma does not have the funds to tackle it at this time.

We are committed to working with our state officials to ensure that this project receive the attention and funding it needs. We would greatly appreciate your consideration of the merits of this project. The I–40 cross bridge is indeed vital to both Oklahoma and the overall interstate system. Please let us know if we can provide you with additional information.

Sincerely,

REP. J.C. WATTS, JR.
REP. ERNEST ISTOOK, JR.
REP. STEVE LARGENT.
REP. FRANK LUCAS.
REP. WES WATKINS.
REP. TOM COBURN.

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

¶26.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which concurrence of the House is requested:

S. Con. Res. 87. Concurrent resolution to correct the enrollment of S. 419.

¶26.5 PROVIDING FOR THE CONSIDERATION OF H.R. 3310

Mr. MCINNIS, by direction of the Committee on Rules, called up the following resolution (H. Res. 396):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3310) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI or section 303 or 311 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform and Oversight. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Government Reform and Oversight now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with section 303 or section 311 of the Congressional Budget Act of 1974 are waived. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. MCINNIS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶26.6 SMALL BUSINESS PAPERWORK REDUCTION AMENDMENTS

The SPEAKER pro tempore, Mr. MCINNIS, pursuant to House Resolution 396 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3310) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses.

The SPEAKER pro tempore, Mr. MCINNIS, by unanimous consent, designated Mr. CALVERT as Chairman of the Committee of the Whole; and after some time spent therein.

¶26.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KUCINICH:

Page 4, strike line 10 and all that follows through page 6, line 25, and insert the following:

''(B) establish a policy or program for eliminating, delaying, and reducing civil fines in appropriate circumstances for first-time violations by small entities (as defined in section 601 of title 5, United States Code) of requirements regarding collection of information. Such policy or program shall take into account—

''(i) the nature and seriousness of the violation, including whether the violation was technical or inadvertent, involved willful or criminal conduct, or has caused or threatens to cause harm to—

''(I) the health and safety of the public;

''(II) consumer, investor, worker, or pension protections; or

''(III) the environment;

''(ii) whether there has been a demonstration of good faith effort by the small entity to comply with applicable laws, and to remedy the violation within the shortest practicable period of time;

''(iii) the previous compliance history of the small entity, including whether the entity, its owner or owners, or its principal officers have been subject to past enforcement actions;

''(iv) whether the small entity has obtained a significant economic benefit from the violation; and

''(v) any other factors considered relevant by the head of the agency;