

Mr. SHUSTER. We have none. I am prepared to close.

I have how much time left?

The SPEAKER pro tempore. The gentleman has 5½ minutes.

Mr. SHUSTER. Again, I just want to reiterate the reasons that I oppose this bill today. First and foremost, the Transportation and Infrastructure Committee is a committee that does its homework usually, that works hard to understand the issues and come forth with something that is good legislation, and it's also bipartisan. And I think that in this situation, we're not able to reach that standard that we typically do in the Transportation and Infrastructure Committee. Not bringing in the STB to have them at the table, the experts, to really understand how the nuts and bolts of this legislation going forward is going to have a chilling effect, I believe, on our rail industry.

We do have the most efficient, the safest railroad industry in the world. It's the gold standard. Countries around the world look at our rail industry and want to copy it, want to try to have that type of freight industry in their countries.

But we in Congress sometimes do our best to try to make it extremely difficult for them to operate, to cause them to put mandates on them that I don't believe serve the best interests of not only communities, but of the rail industry and of our economy.

As I said, we have the most efficient and safest rail industry of the world, and we should continue to want to see that so that we don't, down the road 10 years, 15 years, see the rail industry coming to Congress asking them to bail them out.

As I said, I believe there are going to be unintended consequences of this bill. There are going to be negative effects on the growth of the railroad industry which we desperately need to see going forward as I talked earlier about the increase and demand for rail. The retroactive provision is going to undermine the confidence in our regulatory system, and it's going to, as I said, have a chilling effect on investments when rail companies in the future want to merge.

The CN and EJ&E deal, if it's killed, the increase in traffic can still occur on those lines. The situation is going to be, though, that the EJ&E is not going to have to put \$40 million of money into mitigating some of the problems and the increase in traffic. So I think that's going to be bad for those communities.

And we can't forget the benefits that decreased congestion in Chicago is going to have on America. And also, most importantly, as I said earlier, we're not hearing from those low-income communities in Chicago that have hundreds of trains going through their neighborhood every week. They are going to see a decrease. That voice of those low-income neighborhoods is not being heard, is not being addressed

because that is what is going to happen here. Those neighborhoods will benefit also with a decrease in traffic if we are able to spread out trains to decrease that bottleneck that's occurring in Chicago.

So I urge my colleagues to vote "no" on this piece of legislation, and I urge other members of the committee, let's go back to the committee, let's work together and produce something that we can see improvements to the STB that will be a positive for the communities as well as the economy of this country.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Minnesota has 4½ minutes remaining.

Mr. OBERSTAR. Mr. Speaker, I yield myself the balance of our time.

This is not a retroactive measure. It does not undo any transaction in the works or already concluded. It sets standards for all railroads, for all considerations of acquisition by class 1 or class 2 or class 3 railroads, sets up standards, reinforces authority that the Surface Transportation Board chairman has said they thought they had authority over environmental review but they've never exercised it. They're concerned that if they did, they might have some legal difficulties. We're clarifying that the board has authority to act on environmental issues raised by communities.

We did hear from those inner city communities who testified in person at the hearing at the request of the gentleman from Illinois (Mr. LIPINSKI). I have heard railroads don't need help from the Federal Government. Well, they shouldn't. The Federal Government gave the railroads, between 1850 and 1871, 173 million acres of public land, 9 percent of the total surface area of the United States, for the public use, convenience, necessity, and benefit of the Nation to own and control the resources above and below ground: the timber resources as well as the coal and, in many cases, oil and gas, and other minerals; and the right to sell those properties. The railroads have sold billions of dollars' worth of public land that were given to them for the public trust. And they're not without their requests to the Congress. They've spent a considerable amount of time, the Association of American Railroads, lobbying the House and the Senate for a 25 percent investment tax credit to increase their capital investment. I'm for it. I think that's a reasonable investment to make. I think we ought to help railroads do that. I think we ought to ensure that they use that tax credit for those capital investments. It's a reasonable request, but they're not without their hand out to the Federal Government.

Why should the railroads take the position that they are above review? When other forms of transportation are subject to public scrutiny by the communities affected by road construction,

bridge construction, transit, light rail, commuter rail, all are subject to citizen review. Railroads cannot take the position that they're above review. They, too, take actions that affect the citizens and the communities that reside along their lines. And all we're providing in this legislation is a process within which those actions taken by railroads would be subject—class 1 to class 1, and class 1 to class 2 and class 3 should be considered in the same way.

That's all this legislation does.

I ask for a very resounding "aye" vote for this long overdue legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 6707, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SHUSTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

APPOINTMENT OF HON. STENY HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH REMAINDER OF SECOND SESSION OF 110TH CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 27, 2008.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the second session of the One Hundred Tenth Congress.

NANCY PELOSI,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

PROVIDING FOR THE PRINTING OF A REVISED EDITION OF THE RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES FOR THE 111TH CONGRESS

Mr. FOSTER. Mr. Speaker, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?