

Chairman Oberstar Floor Statement on H.R. 6707

September 27, 2008

Congressional Record Page H10159

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

This bill before us arises out of long-standing concerns of communities along the routes of the Nation's freight rail system, particularly in cases where there is dramatic change, where a merger has occurred or is about to occur, and the result of which will be to change their quality of life.

The period of the Interstate Commerce Commission, from the 1880s until the Staggers Act of 1980, was a period of regulation necessary in the public interest but of increasing burdensome regulation that inhibited the productivity of the Nation's railroads. Many would argue that the result of deregulation was too little representation of the public interest in our freight rail system.

There are so many instances where the freight railroads have dismissed or been dismissive of or not paid sufficient attention to the concerns of communities and people that live along the railroad, the tracks that go through their cities and by their homes. There are, of course, those cases where some railroads have been very attentive and very responsive.

But the core problem is that of the Surface Transportation Board. As we looked into the issues of concerns raised by many communities along class 2 or class 3 railroads, who are about to be absorbed into a larger class 1 railroad, I find questions of the actions of the Surface Transportation Board defending the public interest.

This bill will assure that the Surface Transportation Board will have the legal authority and policy direction it needs to deal with mergers, which have potential to cause serious safety, environmental and other quality-of-life problems for the people in the communities along the route of the proposed merger.

The bill does not require the STB, Surface Transportation Board, to approve or disapprove any particular merger. It is not merger specific. It seeks only to ensure that when the STB considers mergers, it will have the authority to disapprove any merger in which the benefits from the merger are outweighed by the adverse effects on communities or safety.

It will vest in the board authority and give the board direction to fully evaluate rate crossing safety, hazardous materials transportation safety, public safety, noise, job losses, adverse economic impact. It will also, and our anticipation is, that the board will fully evaluate the benefits of a merger. There are clearly, in most of these mergers, benefits for one community that unfortunately are accompanied by adverse effects on other communities, or at least perceived adverse effects.

Now, the problem that we found in the course of the hearing and in evaluating issues leading up to the hearing in the Committee on Transportation and Infrastructure is that the action of the board in dealing with mergers of two class 1 railroads are different authorities than are available to the board in evaluating the proposed merger of a class 1 and a class 2 or class 3 railroad.

This legislation will assure or make it clear that the board has the same authority to deal with mergers of class 1 with class 2 and class 3 railroads as it does in mergers of class 1 to other class 1 railroads.

Mr. Speaker, I reserve the balance of my time.

FINAL VOTE RESULTS FOR ROLL CALL 663(Democrats in roman; Republicans in *italic*; Independents underlined)**H R 6707** 2/3 YEA-AND-NAY 27-Sep-2008 4:55 PM**QUESTION:** On Motion to Suspend the Rules and Pass, as Amended**BILL TITLE:** Taking Responsible Action for Community Safety Act

	YEAS	NAYS	PRES	NV
DEMOCRATIC	206	22		6
REPUBLICAN	37	153		9
INDEPENDENT				
TOTALS	243	175		15

---- YEAS 243 ---

Abercrombie	<i>Gilchrest</i>	Murtha
Ackerman	Gillibrand	Nadler
Allen	<i>Gohmert</i>	Napolitano
Andrews	Gonzalez	Neal (MA)
Arcuri	Gordon	Oberstar
Baca	Green, Al	Obey
<i>Bachmann</i>	Green, Gene	Olver
Baird	Grijalva	Ortiz
Baldwin	Hall (NY)	Pallone
Barrow	Hare	Pascrell
Bean	Harman	Pastor
Becerra	Hastings (FL)	Payne
Berkley	Herseth Sandlin	Perlmutter
Berman	Higgins	Pomeroy
Berry	Hill	<i>Porter</i>
<i>Biggert</i>	Hinchey	Price (NC)
<i>Bilbray</i>	Hinojosa	<i>Ramstad</i>
Bishop (GA)	Hirono	Rangel
Bishop (NY)	Hodes	<i>Regula</i>
Blumenauer	Holden	Reyes
Boswell	Holt	Richardson
Boucher	Honda	Rodriguez
Boyd (FL)	Hooley	<i>Rogers (AL)</i>
Brady (PA)	Hoyer	<i>Roskam</i>
Braley (IA)	<i>Hulshof</i>	Ross
<i>Brown-Waite, Ginny</i>	Inslee	Rothman
Butterfield	Israel	Roybal-Allard
<i>Campbell (CA)</i>	Jackson (IL)	Ruppersberger
<i>Capito</i>	Jackson-Lee (TX)	Rush
Capps	Johnson (GA)	Ryan (OH)
Capuano	<i>Jones (NC)</i>	Salazar

Cardoza	Kagen	Sánchez, Linda T.
Carnahan	Kanjorski	Sanchez, Loretta
Carney	Kennedy	Sarbanes
Carson	Kildee	<i>Saxton</i>
<i>Castle</i>	Kilpatrick	<i>Scalise</i>
Castor	Kind	Schiff
Cazayoux	Klein (FL)	Schwartz
Childers	<i>Knollenberg</i>	Scott (GA)
Clarke	Kucinich	Scott (VA)
Clay	<i>LaHood</i>	Serrano
Cleaver	Lampson	Sestak
Cohen	Langevin	Shea-Porter
Conyers	Larsen (WA)	Sherman
Cooper	Larson (CT)	<i>Shinkus</i>
Costa	Lee	Sires
Courtney	Levin	Skelton
Cramer	Lewis (GA)	Slaughter
Crowley	Lipinski	<i>Smith (NJ)</i>
Cuellar	<i>LoBiondo</i>	Snyder
Cummings	Loebsack	Solis
Davis (AL)	Lofgren, Zoe	Space
Davis (CA)	Lowey	Speier
Davis (IL)	<i>Lungren, Daniel E.</i>	Spratt
<i>Davis, Tom</i>	Mahoney (FL)	Stark
DeFazio	Maloney (NY)	Sutton
DeGette	<i>Manzullo</i>	<i>Tancredo</i>
Delahunt	Markey	Tanner
DeLauro	Matsui	Tauscher
Dicks	McCarthy (NY)	Taylor
Dingell	McCollum (MN)	Thompson (CA)
Doggett	<i>McCotter</i>	Thompson (MS)
Donnelly	<i>McCrery</i>	Towns
Doyle	McDermott	Tsongas
Edwards (MD)	McGovern	Udall (CO)
Edwards (TX)	<i>McHugh</i>	Udall (NM)
Ellison	McIntyre	Van Hollen
Ellsworth	McNerney	Velázquez
<i>Emerson</i>	McNulty	Visclosky
Engel	Meeks (NY)	Walz (MN)
Eshoo	Melancon	Wasserman Schultz
Etheridge	<i>Mica</i>	Waters
Farr	Michaud	Watt
Fattah	Miller (NC)	Waxman
<i>Ferguson</i>	Miller, George	Welch (VT)
Filner	Mitchell	<i>Wilson (NM)</i>
<i>Forbes</i>	Moore (KS)	Wilson (OH)
<i>Fortenberry</i>	Moore (WI)	<i>Wolf</i>
Foster	Moran (VA)	Woolsey
Frank (MA)	Murphy (CT)	Wu
Giffords	Murphy, Patrick	Yarmuth

---- NAYS 175 ---

<i>Aderholt</i>	<i>Franks (AZ)</i>	<i>Nunes</i>
<i>Akin</i>	<i>Frelinghuysen</i>	<i>Paul</i>
<i>Alexander</i>	<i>Gallegly</i>	<i>Pearce</i>
<i>Altmire</i>	<i>Garrett (NJ)</i>	<i>Pence</i>
<i>Bachus</i>	<i>Gerlach</i>	<i>Peterson (MN)</i>
<i>Barrett (SC)</i>	<i>Gingrey</i>	<i>Petri</i>
<i>Bartlett (MD)</i>	<i>Goode</i>	<i>Pitts</i>
<i>Barton (TX)</i>	<i>Goodlatte</i>	<i>Platts</i>
<i>Bilirakis</i>	<i>Granger</i>	<i>Poe</i>
<i>Bishop (UT)</i>	<i>Graves</i>	<i>Price (GA)</i>
<i>Blackburn</i>	<i>Gutierrez</i>	<i>Putnam</i>
<i>Boehner</i>	<i>Hall (TX)</i>	<i>Radanovich</i>
<i>Bonner</i>	<i>Hastings (WA)</i>	<i>Rahall</i>
<i>Bono Mack</i>	<i>Hayes</i>	<i>Rehberg</i>
<i>Boozman</i>	<i>Heller</i>	<i>Reichert</i>
<i>Boren</i>	<i>Hensarling</i>	<i>Renzi</i>
<i>Boustany</i>	<i>Herger</i>	<i>Reynolds</i>
<i>Boyda (KS)</i>	<i>Hobson</i>	<i>Rogers (KY)</i>
<i>Brady (TX)</i>	<i>Hoekstra</i>	<i>Rogers (MI)</i>
<i>Broun (GA)</i>	<i>Hunter</i>	<i>Rohrabacher</i>
<i>Brown (SC)</i>	<i>Inglis (SC)</i>	<i>Ros-Lehtinen</i>
<i>Brown, Corrine</i>	<i>Issa</i>	<i>Royce</i>
<i>Buchanan</i>	<i>Johnson (IL)</i>	<i>Ryan (WI)</i>
<i>Burgess</i>	<i>Johnson, E. B.</i>	<i>Sali</i>
<i>Burton (IN)</i>	<i>Johnson, Sam</i>	<i>Schakowsky</i>
<i>Buyer</i>	<i>Jordan</i>	<i>Schmidt</i>
<i>Calvert</i>	<i>Keller</i>	<i>Sensenbrenner</i>
<i>Camp (MI)</i>	<i>King (IA)</i>	<i>Sessions</i>
<i>Cannon</i>	<i>King (NY)</i>	<i>Shadegg</i>
<i>Cantor</i>	<i>Kingston</i>	<i>Shays</i>
<i>Carter</i>	<i>Kirk</i>	<i>Shuler</i>
<i>Chabot</i>	<i>Kline (MN)</i>	<i>Shuster</i>
<i>Chandler</i>	<i>Kuhl (NY)</i>	<i>Simpson</i>
<i>Clyburn</i>	<i>Lamborn</i>	<i>Smith (NE)</i>
<i>Coble</i>	<i>Latham</i>	<i>Smith (TX)</i>
<i>Cole (OK)</i>	<i>LaTourette</i>	<i>Smith (WA)</i>
<i>Conaway</i>	<i>Latta</i>	<i>Souder</i>
<i>Costello</i>	<i>Lewis (CA)</i>	<i>Stearns</i>
<i>Crenshaw</i>	<i>Lewis (KY)</i>	<i>Stupak</i>
<i>Culberson</i>	<i>Linder</i>	<i>Sullivan</i>
<i>Davis (KY)</i>	<i>Lucas</i>	<i>Terry</i>
<i>Davis, David</i>	<i>Mack</i>	<i>Thornberry</i>
<i>Davis, Lincoln</i>	<i>Marchant</i>	<i>Tiahrt</i>
<i>Deal (GA)</i>	<i>Marshall</i>	<i>Tiberi</i>
<i>Dent</i>	<i>Matheson</i>	<i>Turner</i>
<i>Diaz-Balart, L.</i>	<i>McCarthy (CA)</i>	<i>Upton</i>
<i>Diaz-Balart, M.</i>	<i>McCaul (TX)</i>	<i>Walberg</i>

<i>Drake</i>	<i>McHenry</i>	<i>Walden (OR)</i>
<i>Dreier</i>	<i>McKeon</i>	<i>Wamp</i>
<i>Duncan</i>	<i>McMorris Rodgers</i>	<i>Watson</i>
<i>Ehlers</i>	<i>Meek (FL)</i>	<i>Weldon (FL)</i>
<i>Emanuel</i>	<i>Miller (FL)</i>	<i>Westmoreland</i>
<i>English (PA)</i>	<i>Miller (MI)</i>	<i>Whitfield (KY)</i>
<i>Everett</i>	<i>Miller, Gary</i>	<i>Wilson (SC)</i>
<i>Fallin</i>	<i>Mollohan</i>	<i>Wittman (VA)</i>
<i>Feeney</i>	<i>Moran (KS)</i>	<i>Young (AK)</i>
<i>Flake</i>	<i>Musgrave</i>	<i>Young (FL)</i>
<i>Fossella</i>	<i>Myrick</i>	
<i>Fox</i>	<i>Neugebauer</i>	

---- NOT VOTING 15 ----

<i>Blunt</i>	<i>Lynch</i>	<i>Tierney</i>
<i>Cubin</i>	<i>Murphy, Tim</i>	<i>Walsh (NY)</i>
<i>Doolittle</i>	<i>Peterson (PA)</i>	<i>Weiner</i>
<i>Jefferson</i>	<i>Pickering</i>	<i>Weller</i>
<i>Kaptur</i>	<i>Pryce (OH)</i>	<i>Wexler</i>