



# Committee On Finance

**Max Baucus, Ranking Member**

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**Opening Statement of U.S. Senator Max Baucus  
Highway Reauthorization and Excise Tax Simplification Act of 2005  
U.S. Tax Court Modernization Act  
United States Senate Finance Committee Markup**

“The financing of the nation’s highways, bridges, and transit is critical to the safety of the traveling public, the strength of our economy, and our ability to compete globally. Few bills have such sweeping effects.

We have been working on this bill for quite some time. We are operating under a sixth extension. That extension expires in just over a month, on May 31. The Environment and Public Works Committee, where I am the Ranking Member of the Transportation and Infrastructure Subcommittee, has completed action. The Commerce and Banking Committees have completed their work. It is now time for this Committee to finance the programs and prepare the bill for the Senate floor.

We are at a critical point. The House of Representatives funded the program at an unsatisfactory level. That was their decision. It is now up to the Senate to exercise its prerogative and propose the level of transportation funding that it considers appropriate. We must do what we believe is right.

If the Senate disagrees with the House, we will address those disagreements in conference. Nothing in the Constitution says that we have to do exactly what the House does. That is why the Congress has two chambers. That is why we have conference committees. We need to do our best to improve the nation’s transportation systems. Few other pieces of legislation can so profoundly move this country forward. We need to invest in our nation’s future. And it’s an investment in each of our states’ futures.

For my home state of Montana, one of the largest states in the country, the Transportation Bill is about safe and efficient roads—as it is for many states. But it’s also about jobs and our economy. The 1998 bill helped to sustain over 11,000 good-paying jobs and pumped \$1.6 billion into our state. I helped to write the bill in 1998, and it was a great benefit to my state of Montana. That’s why I’m fighting so hard for Congress to pass a bill—a good bill with higher funding levels. It’s vital to my home state, and it’s vital to many others.

I have fought for higher funding levels for these important programs. And I continue to do so. I am not satisfied with the funding levels in the bill to date. I understand that there has been a commitment to the Majority Leader that all committees of jurisdiction will mark up this

bill at the President's level, to get the bill to the floor. I agreed to go along with that plan when the Environment and Public Works Committee marked up last month.

At that time, however, I made clear that these levels need to be raised and that I would be working with you, Mr. Chairman, to identify additional revenues and resources for the Highway Trust Fund. You and I have discussed the Senate's strong desire to increase funding.

Look at the vote on the Talent amendment to the budget resolution — which Senators Jeffords, Wyden, and I cosponsored — to provide greater flexibility for Congress to consider all available transportation funding options. The Senate adopted that amendment by a vote of 81 to 19. Senators understand that we need to increase the funding in this bill. As I look around this room, I see colleagues who I know are not happy with the bill as it stands. For a variety of reasons, they feel that their states did not do well. I have spoken to many of my Colleagues about this.

I understand these concerns. I have heard from donor states, transit states, border states, and rural states that there needs to be more funding in order to make this a more equitable bill for everyone. I want to do that. I have agreed to a markup of the bill today at a lower funding level. I do so, however, with the understanding that the Chairman and I will offer an amendment on the floor to increase that funding.

Now we will be reasonable with our amendment. Any increases will be paid for. We will not increase the deficit. We will act responsibly. We do not know the number yet, but we continue to work to develop it. Transportation bills have rarely been partisan. There is no reason that this bill should be any different. I look forward to working with the Chairman and all Senators.

I hope all of my colleagues will understand the difficult task ahead of us, if we cannot increase funding for this bill. We have plotted a course to pass this bill, get to conference, and get this important legislation to the President.

Let us mark up the bill today. Let us work together to develop a plan for the floor — a plan that will provide the investments in our highways, bridges, and transit that we need. And then let us finally enact a law that will provide transportation systems that are appropriate for this great Country.

Finally, I want to thank the Chairman for marking up the U.S. Tax Court Modernization Act. The legislation will clarify the Tax Court's jurisdiction, modernize its operations, and conform its personnel and benefit rules to those of the other courts. It is the responsibility of the tax-writing committees to keep the laws governing the Tax Court up to date. Enactment of this important legislation is long overdue.”

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