

## United States Senate

Senator Tom Coburn, MD  
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December 18, 2007

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
361-A Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator McConnell:

I write to inform you that I will object to unanimous passage of any bill providing technical corrections of the 2005 highway bill if that bill does not require a full and open investigation of the events leading up to the unauthorized revision of congressionally passed legislation during the enrollment process.

While my understanding is that the latest version of the technical corrections bill restores the original congressional intent of the "Coconut Road" provision, those who perverted and distorted the explicit will of the U.S. Congress must also be held to account. A full investigation into this matter is necessary to ensure that this does not happen again in the future.

After both Houses of Congress approved passage of the conference report on H.R. 3 (SAFETEA-LU) in the 109<sup>th</sup> Congress, a major substantive change was secretly made to the legislation during the enrollment process. Specifically, item number 462 of section 1934 of the bill was secretly changed from "Widening and Improvements for I-75 in Collier and Lee County" to "Coconut Rd. interchange I-75/Lee County[.]"

**H.R. 3 (SAFETEA-LU) – Conference Report as Approved by Congress**

461	34	FL	Widening and Improvements for I-75 in Collier and Lee County	\$10,000,000
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**H.R. 3 (SAFETEA-LU) – Enrolled Version**

462	FL	Coconut Rd. interchange I-75/Lee County	\$10,000,000
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As you well know, substantive changes during the enrollment process can only be made via a concurrent resolution, which must be agreed to by both the House and Senate. According to the Congressional Research Service, only one concurrent resolution (H.Con.Res. 226) regarding the 2005 highway bill was passed by the 109<sup>th</sup> Congress, and the resolution was "silent on any other specific changes, including section 1934[.]"

Because secret, improper, and unauthorized changes to congressionally passed legislation call into question the integrity of our entire Constitutional and legislative