We have assured that the Amtrak reform bill will not jeopardize funding being made available to South Dakota and other non-Amtrak States. Furthermore, the groundwork has been laid for addressing use of the $2.3 billion in subsequent legislation. I commend Congressman THUNE's dedication and leadership in both instances in addressing the transportation concerns of non-Amtrak States.

Mr. THUNE. Mr. Speaker, I would like just a few minutes to address concerns I have as the lone representative from the State of South Dakota. South Dakota is one of six States that do not have intercity rail passenger service. As a result, I drafted an amendment to H.R. 2247, the Amtrak Reform and Privatization Act of 1997. I worked closely with the Gentleman from Pennsylvania, Mr. SHUSTER, on the legislation that would have amended a provision contained in the Taxpayer Relief Act of 1997. I worked with my colleagues from other States not served by Amtrak, including Alaska, Hawaii, Maine, Oklahoma, and Wyoming.

The amendment, though very narrow in scope, ran into jurisdictional concerns. Although it deals directly with transportation needs, the amendment actually makes a correction to the Taxpayer Relief Act of 1997 relating to tax refunds for the National Railroad Passenger Corporation [Amtrak].

Put simply, the tax provision would provide Amtrak with access to $2.3 billion, contingent upon passage of the bill before us today. In addition to money for Amtrak, the law also would set aside a portion of the fund for non-Amtrak States. Unfortunately, the law apparently allows such States to use the funds for very limited purposes, such as intercity passenger rail service and for intercity bus services.

My State, the State of South Dakota, presently does not have intercity passenger rail service and has not for some time. And while I am certain the State would find a way to put available funds to use for intercity bus service that is privately financed and privately operated, it may not make for the best use for those funds. That is why I presented an amendment to the Rules Committee on October 21, 1997, that would give non-Amtrak States more flexibility to use those funds.

The amendment specifically would provide flexibility to non-Amtrak States to use the funds for transportation priorities such as state-owned rail operations, rural transit and transit services for the elderly and disabled, and highway rail grade crossings projects.

While I appreciate the cooperation and work of the Chairman of the Committee on Ways and Means, the Gentleman from Texas, has concerns regarding authorizing jurisdiction of the amendment that could not be overcome. Those concerns and his willingness to work with me to address the non-Amtrak State issue in the context of a revenue measure were addressed in his letter to me dated October 21, 1997. I look forward to that opportunity.

For States that do not have rail passenger service, each of these transportation needs would be legitimate alternatives. The amendment represents sound, common sense policy that simply allows non-Amtrak States to make the best, most worthwhile use of the funds provided for transportation needs.

My colleagues in the House and the taxpayers of this Nation should have every assurance that the funds provided to non-Amtrak States will address important transportation links in each state.

For instance, the State of South Dakota owns over 600 miles of rail lines. The State purchased these lines in the early 1980's in an effort to ensure our State would continue to have access to reliable freight rail services. It is absolutely vital to maintain the farm-to-market transportation system in my State and to other States.

Likewise, we have acute transit needs, particularly in the area of transit services for the disabled, and rural transit services. In South Dakota, the Section 5311 transit program, which helps fund rural transit services, connects our seniors, disabled individuals, and children, in 42 of the 66 counties from rural locations to nearby communities for day-to-day living needs. The 5310 program supplements these needs by targeting its assistance at seniors and disabled individuals.

The amendment finally addresses an important safety concern. As my colleagues know, constructing and maintaining rail grade crossings are an important but often expensive safety priority. At present, only 219 of 2025 crossings are signalized in the State of South Dakota. For the sake of the railroads and motorists alike, the State and those traveling through our State would benefit greatly from additional assistance to improve highway/rail grade safety crossing.

I should also mention that I explored aid to rural air facilities and service. unfortunately, air service to South Dakota too often hangs precariously. There is little competition for commercial service but a significant demand. This situation unfortunately leads to high ticket prices and limited service. I hope to wrap aviation needs into the context of my amendment in the future. Doing so would be consistent with the spirit of the program, which is to give non-Amtrak States more options to address interstate transportation needs.

The amendment in sum helps non-Amtrak States maintain rail safety, transit for the elderly and disabled as well as the general public, and finally important freight rail needs. At the same time, it takes nothing from Amtrak, States served by Amtrak, or non-Amtrak States that would like to attract Amtrak service in the future.

Again, I thank the Chairman of the Transportation and Infrastructure Committee and the Committee on Ways and Means for their assistance and I look forward to continuing to work with them on this matter.

Mr. SHUSTER. Mr. Speaker, I urge the passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. Snowbarger). The question is on the motion offered by the gentleman from Pennsylvania [Mr. SHUSTER] that the House suspend the rules and pass the Senate bill, S. 738, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on S. 739, the Senate bill just considered.

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

There was no objection.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5:15 p.m.

Accordingly (at 4 o'clock and 51 minutes p.m.), the House stood in recess until approximately 5:15 p.m.

□ 1725

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. BLUNT] at 5 o'clock and 25 minutes p.m.

## REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998.

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–406) on the resolution (H. Res. 330) waiving points of order against the conference report to accompany the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## CALLING FOR RESIGNATION OR REMOVAL FROM OFFICE OF SARA LISTER, ASSISTANT SECRETARY OF THE ARMY

Mr. SOLOMON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 197) calling for the resignation or removal from office of Sara E. Lister, Assistant Secretary of the Army for Manpower and Reserve Affairs.

The Clerk read as follows:

H. CON. RES. 197

Whereas Sara E. Lister, Assistant Secretary of the Army for Manpower and Reserve Affairs, on October 26, 1997, at a public conference held in Baltimore, Maryland, stated that ''The Marines are extremists.'';

Whereas such a characterization denigrates 222 years of sacrifice and dedication to the Nation by the Marine Corps and dishonors the hundreds of thousands of Marines whose blood has been shed in the name of freedom;

Whereas citizens from all walks of life have donned the Marine Corps uniform and gone to war to defend the Nation, many never to return;