SENATE—*Wednesday, October 23, 1991*

(Legislative day of Thursday, September 19, 1991)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. ROBB].

PRAYER

The guest Chaplain, the Reverend Larry Titus of Christ Community Church, Camp Hill, PA, offered the following prayer:

Let us pray:

Heavenly Father, we enter into Your presence with thanksgiving for the many blessings that You have poured out on this Nation. With gratitude we praise You for directing the affairs of this country since our inception. With humble recognition of Your sovereignty, we now present our petitions before You on behalf of ourselves and the people that we serve.

The laws that we enact have their basis in Your law, and we govern under Your authority, therefore we ask for Your wisdom in our decisionmaking this day.

We pray for compassion that will help us rightly decide the course of law that will affect the people we serve. May these laws be equitable, just, and morally compatible with Your holy law. Since we cannot pass laws that are greater than our own personal character, let us find the courage to confess our shortcomings, openly admit our need for Your guidance, and depend on divine counsel to ensure our Nation's laws will be built upon Your unchanging principles.

We pray blessings upon our Nation that will surpass the material and find its fulfillment in the spiritual. We pray the transcendent values of moral character, honesty, and integrity will arise to destroy our internal enemies of greed, malice, and prejudice. And may the sustaining hand of the Almighty lean heavier on us now than ever before as we seek to follow Your will for our future.

We ask these petitions as humble servants of the God of the Universe. Amen.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

UNANIMOUS-CONSENT AGREEMENT—MOTION TO PROCEED TO THE CIVIL RIGHTS BILL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the leader time and the time for morning business between 11 a.m. and noon today count against the time under the 30 hours of rule XXII proceedings with respect to the motion to proceed to the civil rights bill.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr MITCHELL. Mr. President, as I indicated last evening, we are attempting to proceed in parallel fashion with respect to two bills and three subjects. The bills are the Federal Facilities Compliance Act and the Civil Rights Act. The third subject, in addition to those, is the subject of the investigation into unauthorized disclosures. Both the civil rights bill and the investigation question are now the subject of separate negotiations, and it is my hope that we will be able to reach agreement on both during the day, and be able to proceed to complete action on the Federal facilities bill, the question of the investigation, and then start on the civil rights bill today.

Under the Senate rules, of course, if the full 30 hours postcloture is utilized, we would not be able to begin on the civil rights bill until approximately 9:10 p.m. this evening. I hope that is not the case. I am going to invite comment by the distinguished Republican leader on any of the subjects which I have raised. We have been discussing the subject of the inquiry on unauthorized disclosures.

As I said last night, there has been a very good-faith genuine effort which has substantially narrowed the differences. I think there are only one or two points remaining. I am hopeful we are going to reach agreement on that sometime today.

Mr. President, I invite comment by the distinguished Republican leader.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PRIVILEGE OF THE FLOOR

Mr. DOLE. Mr. President, I ask unanimous consent that Dennis Shea be given privilege of the floor during the Senate's consideration of S. 1745.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOLE. Mr. President, with reference to the civil rights bill, S. 1745, it is my view that this is a good time for negotiations, to put a little pressure on now because we are about to proceed to the bill.

If we do not get some agreement by 9 o'clock tonight or 2 o'clock this afternoon, whatever it is, then we will be on the bill. It will be open to amendments. There will be a lot of amendments offered, as I understand it, unless there is agreement, and it can take a substantial amount of time without anybody's effort to extend the debate. There are all kinds of amendments I heard of that are very serious and very controversial, and could take a great deal of time.

So it seems to this Senator, and I think others, and I believe the majority leader, that we are probably proceeding properly, even though it may appear that nothing is being accomplished.

I know there were meetings last night with representatives of the White House, Senator DANFORTH, and others. My staff has been involved in some of those meetings. I have talked this morning with Senator DANFORTH, with Mr. Gray at the White House, Boyden Gray, the President's counsel. There may be a meeting later today with some of my colleagues on this side with the President with reference to the civil rights bill.

There are a lot of things happening. We are not just waiting for the clock to run. I think that point should be made.

Second, with reference to the investigation of so-called leaks, the majority leader is correct; we have been trying to negotiate some understanding. We had a meeting in my office this morning at 10 o'clock with about half a dozen Senators. I will be presenting to the majority leader a sort of a counter-counterproposal. Maybe if that is not satisfactory, we can have two or three on each side go into his office and work something out.

Mr. MITCHELL. Mr. President, I thank the Senator for his comments and share his hope that negotiations in both areas will bear some fruit. I think it is likely that the civil rights bill is going to take some time, in any event, because there are a number of issues that are relevant which are not the subject matter of the negotiations that are obviously going to be subject matter of amendments that will be contentious, and appropriately Senators will want to debate them and decide them here on the Senate floor. It is my hope that we can begin soon, and we will do so.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I want to reserve the remainder of my leader time, reserve all of the leader time of the distinguished Republican leader, and then I will address the Senate in morning business.

The ACTING PRESIDENT pro tempore. Without objection, all leader time is reserved.

Mr. MITCHELL. Mr. President, I understand now there is a period for morning business.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senator is correct. There will now be a period for the transaction of morning business, not to extend beyond the hour of 12 noon, with Senators not covered by the unanimous-consent order permitted to speak therein for not to exceed 5 minutes each.

Under the previous order, the Senator from Oklahoma is to be recognized for up to 15 minutes.

REGARDING DEMOCRATIC EDUCATION EFFORTS

Mr. MITCHELL. Mr. President, today the Labor and Human Resources Committee is honoring successful principals and teachers for the important work they do in our schools. I welcome them to the Capitol. I extend a special greeting to Maine's 1991 Teacher of the Year, Stephen Ellwood IV, and Maine's Principal of the Year, James Ugone. Mr. Ellwood teaches at St. Francis Elementary School and Mr. Ugone works at Caribou High School. It is interesting but maybe not coincidental, that both schools are in Aroostook County, in the northernmost part of Maine.

At today's committee hearing, these educators will suggest ways the Federal Government can help communities and States improve education. I look forward to their recommendations.

If there is one thing we need more of, it is practical suggestions from people who actually spend a considerable amount of time helping students learn and become productive citizens.

The people of Maine share with the rest of the Nation a respect for education. Whenever I speak at schools in my State, students often ask me how they can contribute to their country.

I always encourage them to take advantage of their educational opportunities and to find some way to make the State and this country a better place to live.

I believe positive role models and proper motivation can help address some of the problems students experience in school. But I also know that talk is not enough. The Federal Government must continue helping communities help themselves. We must begin shaping public policy to meet the varied needs of families and students from Maine to California and all regions of the country.

Part of my job is to listen. Parents tell me they want their children taught by talented, energized teachers. Entrepreneurs tell me they want to hire more young Americans who show up ready to work and able to communicate and compute. Administrators want a safe learning environment.

The Labor and Human Resources Committee has reported legislation (S. 2) I introduced in January that would provide assistance to schools as they continue reforming to keep up with changes in their communities, in this country, and throughout the world. We will soon consider S. 2 on the Senate floor.

I anticipate vigorous debate because our bill differs from the legislation the administration has proposed. Our bill would allow all public schools to compete for grants that would help schools improve themselves. The President's bill would assist less than one-half of a percent of all schools, draining public resources from some public schools. Our bill would concentrate on improving existing neighborhood public schools. Our ultimate goal is to produce high-achieving young adults ready to compete and succeed in the profession of their choice.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Oklahoma [Mr. BOREN] is recognized for up to 15 minutes.

THE NEED FOR COMPREHENSIVE REFORM OF CONGRESS

Mr. BOREN. Mr. President, Congress as an institution is in trouble. No one doubts it. In poll after poll the American people have described the Congress of the United States as wasteful, as inefficient, as compromised by the way that we finance our campaigns. And over the last several days the Members of Congress have realized, perhaps as never before, the serious problems which we face. These have been painful days for all of us, painful days for those who love this institution, who came here because we wanted to serve the public through membership in this institution, because we believe deeply that the Congress of the United States is at the heart of our Democratic system of representative government and that the Congress does not work as it should.

If the Congress does not function as it should, the democratic process itself is impaired. All across this country there are new cries for term limitations of Members of Congress. It is no wonder. It is a signal from the people of the United States at the level of frustration among citizens who feel that Congress no longer conducts the public business in a proper way, that the Congress no longer reflects their thinking about the certain issues that faces us, that that frustration level has now reached the point the public is ready to turn to any solution, even an extreme one, to try to change things.

Their message to us is loud and clear: If you do not set your own house in order, if you do not clean up the process, if you do not start conducting the peoples' business in a more efficient fashion, we are going to take action for you; we are going to force changes by changing the current membership of the body.

That I do not believe is a wise solution because if we are to limit terms of Members of Congress, we will simply turn over more and more power to the unelected Federal bureaucracy, which already has too much power, to make policy in this country, where the people themselves through their elected representatives should be heard.

We have had, in just the last few days, the problems with the House bank, the tragedy of a confirmation process that was compromised because of the irresponsibility of persons yet unknown, perhaps even Members of this body, perhaps even staff members of this body. All of us hope and pray that will not be the case when the investigation is completed—but a confirmation process compromised and marred by the unauthorized disclosure of confidential information which caused the American people to witness a human tragedy, two individuals, Judge Thomas and Professor Hill, torn apart on national television and radio and in the newspapers; a process that will make it more difficult to get people to come forward in the future with information which we need in the confirmation process but information people only want to offer on a confidential basis, with the assurance that their identities will remain anonymous: a confirmation process marred in a way that will make it more difficult for good, qualified people to be willing to serve in public offices of public trust in this country because they are going to hesitate to go through the confirmation process.

Having witnessed these recent problems and continuing to feel the frustrations that many of us have left for such a long time, it is no wonder that some of the most talented Members of this body and of the House of Representatives have simply said, "Enough. I am not going to serve anymore." The retirement announcements have come from the most talented Members of Congress who say that they are not certain that the personal sacrifices which they are making, the sacrifices in terms of family and friendship and other responsibilities and other involvement as citizens in the community, are really worth it because they are not convinced that they can make

a difference by serving anymore as Members of Congress.

Mr. President, if anything good can come from the tragic events of recent weeks, which have demonstrated to the American people that Congress is not working as it should, perhaps it will be a final determination by the Senate and by the House of Representatives that we must take action now—not tomorrow, not next week, not next month, not next year, but now—to do something to put our own house in order. The time has come for us to act.

How long are we going to wait, Mr. President, before we wake up? How long are we going to wait to exercise our responsibilities as trustees for the American people to set this institution right? We are trustees. These Senate seats do not belong to any of us in this Chamber. They belong to the American people. We occupy them only temporarily at the instruction of the American people. We are the trustees for the people themselves.

If this institution is not working as it should, there is only one group of people in the near term that can set it right, and that is those of us who are currently occupying these seats and acting as trustees. It is our responsibility to get something done. I intend to come to this floor at least twice a week for every week that we fail to take action to do something about it, to keep a vigil, as some might describe it, on this floor, to continue to call the attention of my colleagues and the American people to our failure to act until we take action.

The danger signals are all around us for us to do it. See. It is not only popular discontent. It is not only the frustration of the American people in the term-limit movement. It is not only the retirement decisions of fellow Members of the Congress. It is not only the criticisms of scholars in academics who see something wrong with our system. All of us know it ourselves. We know there are many days that we come out here and we run from morning to night, from one meeting to another, from one session to another of a committee or a subcommittee, to photograph sessions, to meeting with our campaign committees because the cost of campaigns has climbed so high that the average Member of Congress now has to raise $15,000 every single week for 6 years to raise that $4 million which is the average amount of money spent by a successful candidate for reelection to the U.S. Senate—part-time policymakers and full-time fundraisers who are not able to conduct the people's business as we would like to conduct it because we have not changed the system.

Mr. President, the campaign financing system itself is rotten. Every one of us knows it. Every one of us knows it is compromising our ability to do our job. It is compromising the integrity of the institution. No wonder the people do not run when they look at the fact that under the current system, which requires millions of dollars to run for public office. Incumbents, people in Congress now, on the House side, get 16 times as much from PAC's as do challengers; $16 to an incumbent with Federal interest groups for every dollar that a challenger gets. In the Senate, it is 4 to 1.

When it comes to total spending, the ability of the incumbents to raise money, they are spending in the House $8 for every dollar that a challenger has to spend. In the Senate it is $3 for every dollar that a challenger has to spend.

We have passed the campaign reform bill, an appropriate one, but a vehicle to get a conference with the House to try to hammer out legislation in cooperation, in a bipartisan way with the President. The House has still not acted. How long is it going to take before the rest of Congress passes a bill, and how long will it be before we hammer out an agreement in a conference committee, one on a bipartisan basis which the President can sign?

It has already taken far too long. There has been too much of an erosion in the strength and integrity of this institution.

Mr. President, we must not wait any longer. We know the other signs of change that need to come, the other danger signs, warning signs.

Since, 1947, Mr. President, the number of employees in Congress, the bureaucracy of this institution has grown from 2,000 to 12,000. The Judiciary Committee itself has over 100 employees. Is it any wonder that it is going to be difficult to try to determine where leaks occur? Staff members have their own agendas. They come forward with more ideas, produce a greater flow of paper.

The average length of bills in the U.S. Congress since 1970 has gone from 4 pages to 20 pages, and the percentage of bills, all of these thousands of bills that are clogging the legislative agenda, and the process on our calendar that actually get enacted into law, has been cut in half since 1950. We are being absolutely inundated with the morass of proposals, longer, more detailed proposals produced by our own growing bureaucracy. Fewer and fewer of them are being passed into law and fewer and fewer of them are dealing with the major problems of this country.

We are so bogged down in the details because of our own inefficient process that we do not even see the big picture. We are not preparing this country for the major changes that need to be made in the next century. Something must be changed in our own time.

It is no wonder we feel we are running from morning to night and not really accomplishing anything significant. When you look at the number of committees, in 1947 there were 34 committees in the House and Senate combined with parallel jurisdictions. So you could do business with each other. Today there are 300 committees and subcommittees.

The average Member is serving on 12 committees and subcommittees all with overlapping jurisdictions with various jurisdictions between the House and the Senate. By the time we get into a conference committee, there is often a situation where there are so many different representatives of so many different committees in the room it is like the Versailles Conference. You need to hire the Hall of Mirrors to even have the meeting.

How long are we going to wait to do something about it? How long are we going to wait before we exercise our responsibilities as trustees? How long are we going to wait and watch the erosion of the democratic process in this country before we do something about it? We cannot act as either Democrats or Republicans. We have to act as Americans to do something about it and to do something about it now.

I joined with Senator PETE DOMENICI, Republican Senator from New Mexico, and with Representative LEE HAMILTON, Democratic Member from Indiana, and Representative WILLIS GRADISON, Republican Member from Ohio; two Democrats and two Republicans joined together in both Houses to offer a proposal that will begin the process of reform of this institution in a way in which it was done back in 1947 when the Monroney-La Follette committee was created to take a look at Congress, a bipartisan effort, both Houses of Congress working together. The cold war was just beginning and Congress realized as an institution it was not prepared for the change in world environment.

Mr. President, as the cold war comes to a close, as we face a new set of challenges, a new set of assets required to prepare this country for world leadership in the next century, it is time Congress takes another look at itself, to step back to look at this morass of details, this huge bureaucracy, to look at inefficient rules and procedures that cause us to waste 25 percent of our time every day in procedural rollcalls and motions that have no effect on the substantive work of this body. It is time for us to look again.

We propose a temporary committee be created with eight Members from the HOUSE and eight Members from the SENATE, an equal number of Democrats and Republicans, appointed by the four leaders of the two Houses with four advisory, nonvoting members, experts from the public and private sector, to be appointed by the four leaders. It would have a duration of only 1 year.

So we will not create another permanent committee in the process of looking at how to change ourselves, that it

be authorized as was the Monroney-La Follette committee was, except voluntary staff members. We do not have to spend millions of dollars to have a study of the Congress. There are a lot of people in this country, people from the universities, people from the think tanks, other experts, people from private business who have broad experience and, in terms of efficient operation of enterprises, who can volunteer their time and want to serve their country, and who are happy to do it for nothing.

That is the kind of approach we propose in submitting Senate Concurrent Resolution 57, which is now pending in the Rules Committee. It is time to have the hearing. It is time to bring it to the floor. It time to get on with the work, for that committee to be constituted to begin its work and seek the advice of the American people as one people. Let us get our heads together all across this country. Let us restore vitality to this institution and to the House of Representatives, to the Congress of the United States, which is so badly needed and which is absolutely necessary.

We are going to do the work of the American people and do it in a way that it has the confidence of the American people. We are hurt by the charges. We understand that as an institution, the Members of Congress, right now, could not enjoy the trust of a large majority of the American people. To be blunt, until we take action to reform this process, we will not merit the trust of the American people.

Let us act now. Let us take action to regain the trust of the American people and to do the people's business as it should be done. Mr. President, let us not wait.

I will be coming to this floor again and again, week after week, until we take action, until we do our duty. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Chair will remind any member of the gallery that no displays of support or opposition is permitted. The Sergeant at Arms will maintain order in the galleries.

The Chair recognizes the Senator from Iowa [Mr. GRASSLEY].

MIDDLE EAST PEACE CONFERENCE

Mr. GRASSLEY. Mr. President, in one week, a most historic event will take place. For the first time in the four decades of her existence, Israel will be able to sit down with her neighbors in an effort to end the state of war and make peace between Israel and each of these neighbors.

Of course, Secretary of State James Baker deserves a great deal of credit for bringing off this conference and reaching this point. He has had eight missions to the area and he has had these eight missions just in the time since the gulf war has ended. In these meetings he encouraged, enticed and even cajoled the parties to get them to say yes to his idea of a regional conference. He has succeeded, and for that I offer him my congratulations.

But also besides Secretary Baker's success and the environment he has been able to work in that has been conducive to that success, world events have also played a big part in getting us to the conference in Madrid that will be coming up. I think foremost of importance is that the cold war is over. The Middle East will no longer be a theater where the Soviet Union and the United States carry out competing strategic and policy objectives.

Of course, Israel's sworn enemies no longer have a patron there to the north in the Soviet Union. And, of course, maybe Hafez Assad in Syria will finally realize that his country cannot any longer achieve what he wanted to achieve of "strategic parity" with Israel. Maybe because the Soviet Union is not there helping anymore Assad is willing to talk about Syria's differences with Israel and not threaten war in the process. And also maybe the West Bank and Gaza Palestinians—and these are the tragic pawns in so much of the Middle East turmoil—will be able now to speak for themselves and not rely upon others in seeking political rights in this process of having outsiders speak for them.

There is much hope in what lies ahead, Mr. President. But we must remember that problems in the Middle East will not be solved overnight. This is a region with thousands of years of contentious history. It took Secretary Baker some 7 months to even get the parties together. We cannot expect peace then to be achieved in 7 days, or in even another 7 months, as much as we hope that happens. The parties are entering a process that is going to take time, patience, and most importantly understanding.

This peace process will be unprecedented in its complexity. After the opening session, Israel will face off with her neighbors in direct bilateral talks. These separate tracks will proceed simultaneously and will be fraught with many difficulties. It will be hard to measure progress in the sound bites that the news media like to use in measuring progress.

But we should not lose sight of the goal—and it is a real and genuine peace for the region. And I hope that there will be peace treaties, although the invitations to the conference did not state that this was such a goal.

And we must appreciate the anxiety with which the little country of Israel enters the process. Israel will sit down with nations and with people who have sworn to drive Israel into the sea, to wipe this tiny nation out of existence.

Israel is still besieged, for just this week we have read where several soldiers died as a result of an attack in Lebanon. And earlier this year, Palestinians, led by the PLO, cheered Saddam Hussein, even as Israel was under Scud attacks. So let us understand and remember there is no place of the PLO in this peace process because it is a terrorist group which has killed many Americans, as well as Israelis, in its quest to overrun and eliminate Israel.

But the peace conference, and, in particular, the direct dialogs will be a historic moment, one that will be impossible to undo. Mr. President, I wish the parties every success and hope that we can look to what the prophet Isaiah had to say when he said "Nations shall not lift up sword against nation, neither shall they learn war anymore." This is my profound hope for the peoples of the Middle East.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GRASSLEY. Mr. President, if appropriate I would like to have additional time of 5 minutes on another subject; is that possible?

The ACTING PRESIDENT pro tempore. The Chair will remind the Senator there is another Senator waiting under morning business

Mr. GRASSLEY. I am sorry.

I will yield the floor.

Mr. SMITH. Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The chair recognizes the Senator from New Hampshire [Mr. SMITH].

CONCERNING THE STRATEGIC DEFENSE INITIATIVE

Mr. SMITH. Mr. President, in yesterday's Washington Post op-ed piece, entitled "SDI—We Don't Need It," Jeremy Stone and John Pike of the Federation of American Scientists illustrate just how out of touch the liberal arms control community is from reality and mainstream America on the issue of ballistic missile defense. As a member of the Armed Services Committee, I find their impassioned plea against SDI dangerous in its naivete and delusion.

Predictably, the article expounds the same erroneous partisan logic which SDI opponents have voiced for years. However, in a thinly veiled attempt to update their argument, the authors praise recent "major cutbacks" in Soviet nuclear forces and warn against the provocative deployment of a United States ABM system. Further, Mr. Stone and Mr. Pike completely discount the growing threat posed by Third World proliferation, and instead recommend relegating our national defense to the efficacy of arms control agreements such as the ABM Treaty, the Missile Technology Control Regime, and the Nuclear Nonproliferation Treaty.

Mr. President, with all do respect to the authors, I must say that this article reflects a fundamental ignorance concerning Soviet strategic modernization, Third World proliferation, and national security policymaking. Unfortunately, this type of disinformation, whether intentional or simply misguided, continues to curry favor with our liberal news media and enjoy wide distribution.

But let us set the record straight. Clearly, United States-Soviet relations are improving, and the recently announced joint nuclear reductions are encouraging. For the first time in 45 years, Soviet intentions appear to be turning away from militarism toward economic and political reform. One cannot help but feel a sense of relief and cautious optimism.

Yet, as Secretary Cheney and General Powell have repeatedly stated, we must tailor our military forces toward the capabilities of potential adversaries, not just perceived intentions. And although the independent republics of the former Soviet Union appear committed to reducing the quantity of nuclear weapons, they certainly are not compromising quality. In fact, the Soviets are actively modernizing and testing advanced variants of their missile inventory which combine enhanced accuracy and yield to compensate for numerical reductions. Now, mindful of these developments, and the fact that the Soviet Union already has deployed a robust ABM system around Moscow, can the authors actually be serious in asserting that a United States ABM deployment should be opposed on the basis that it would be provocative to use their language?

Moreover, while Mr. Stone and Mr. Pike are quick to downplay the significance of President Gorbachev's promise to consider American proposals on SDI, they disregard other recent statements by Soviet military officials which provide compelling proof of an evolving Soviet attitude toward missile defenses. For instance, just 2 weeks ago, Soviet Maj. Gen. Viktor Samoilov, a department chief for the Russian Republic's State Committee on Defense, stated:

> I think that this U.S. ABM project is realistic. This is a practical proposal. It's not just a political theoretical one.

Additionally, when asked to comment on the threat of third world proliferation, Samoilov said:

> This is a very serious source of threat * * * therefore, an integration of joint efforts toward an ABM agreement is both full or promise and full of interest to us.

These are bold, unambiguous statements which can lead to but one interpretation: The Soviets recognize the value of missile defenses and are prepared to negotiate. Furthermore, the Soviets recognize that in a rapidly evolving world security environment, mutual assured destruction cannot be relied upon to deter aggression. The knowledge that the United States could obliterate the nation of Iraq failed to deter Saddam Hussein. It will not prevent future incursions. Without defenses, all nations will be hostage to Third World missile threats, all nations.

Ironically, the article suggests that many Americans may be startled to learn that the initial single site ABM system advocated by the Senate would have the extreme east and west coasts vulnerable to missile attack. In all fairness, the authors are correct that Americans may be surprised, but for an entirely different reason. The real truth is that a majority of Americans believe that the United States already has a system deployed to defend against nuclear missile attack. In fact, a 1987 poll by Penn & Schoen Associates found that 74 percent of the public support deployment of an SDI system, and 64 percent believe that some type of strategic defense system is already in place.

Well Mr. President, the fact is, the United States has no system deployed to defend America against ballistic missiles. I repeat, we have no defense against strategic ballistic missiles. The only ABM system in our inventory is the Patriot missile, which is a point-defense weapon designed to protect very small areas against short range missiles in terminal phase. Thus, although America overwhelmingly supports, and actually believes we have deployed missile defenses, in reality we are completely vulnerable to missile threats.

Mr. President, the simple truth is that the anti-SDI arms control community is swimming hopelessly against the tide of mainstream America. In Desert Storm, America saw 28 of its sons and daughters killed by ballistic missile attack. This is not some hypothetical, exaggerated menace. It is a very real and serious threat. And it is growing. Indeed, I ask my colleagues, do you think the parents of those 28 brave men and women consider ballistic missiles to be a hypothetical, improbable threat? I think not. Frankly, I resent, and I believe the American people resent, the liberal arms control community's ongoing crusade to sustain the ABM Treaty at the expense of our national security and the lives of our citizens. It is not a bi-polar world; the Third World did not sign the ABM Treaty.

In adopting the Missile Defense Act of 1991, the Senate took the historic and long overdue step forward of endorsing missile defenses. Recent Soviet initiatives merely reinforce the vision and merit of the Senate proposal. And contrary to the irrational, misguided arguments of antidefense pundits such as Mr. Stone and Mr. Pike, now is the time to move forward to develop and deploy ballistic missile defenses.

I yield the floor.

The PRESIDING OFFICER (Mr. SIMON). The Senator's time has expired.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1860 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Republican leader is recognized.

THANKS TO SENATE TELEPHONE OPERATORS

Mr. DOLE. Mr. President, although it is a bit belated, I want to take a minute to thank the unsung heroes of the Thomas nomination—the Senate telephone operators.

As we know, during Columbus Day weekend, millions of Americans called their Senator to register their opinions on the Judiciary Committee hearings.

The Senate usually receives 375,000 calls on an average business day. There were 600,000 calls on the Friday the hearings began. There were 476,000 on Saturday and 331,000 on Sunday. Over 1 million calls on Columbus Day. And over 1 million calls on Tuesday, the day of the confirmation vote.

Because of the unprecedented volume of calls, some could not get through. The fact that so many did was due to the patience and skill of the switchboard operators.

On behalf of all of us in the body, I am pleased to extend our thanks and gratitude to the operators for their hard work and dedication to ensuring that the people's voice would be heard.

FOREIGN TOURISTS FLOCKING TO KANSAS: THEY COME TO SEE THE STORY OF AMERICA

Mr. DOLE. Mr. President, I want to bring to the Senate's attention a front-page article that appeared in Sunday's New York Times entitled "Tourists From Abroad Discover Mid-America."

Datedlined Dodge City, KS, the October 20 article tells the millions of New York Times readers worldwide something Kansans have known for a long time—that our State is a great place to visit, especially if you want to see frontier history up close and personal, and if you are eager to meet friendly folks wherever you go.

The good news is, foreign visitors are well aware of these great Kansas attractions, and are now flocking to the Sunflower State in record numbers. During the past 5 years, according to the Times, foreign tourism to Kansas has increased by a whopping—and welcome—213 percent.

And these tourists are quite clear about why they are coming to the

heartland: They are coming to Kansas to see and hear the story of America—the opening of the frontier; the sights and sounds of the Old West; and the majestic sweep of waving wheat all the way to the horizon.

It is a powerful story, told by frontier towns named Dodge City and Fort Hays, Nicodemus, and Fort Larned; it is the home of the Pony Express, Boot Hill, and the Santa Fe Trail; and it is the land of natural treasures such as the Cheyenne Bottoms Wildlife Refuge and the Flint Hills.

It is a story that proudly includes President Dwight Eisenhower, aviation pioneer Amelia Earhart, and frontier legends Buffalo Bill Cody, Wyatt Earp, Wild Bill Hickcok, and Bat Masterson.

In short, what awaits visitors to Kansas is the real thing, not the frontier world of some artificial theme park, and certainly not the Hollywood Kansas of "The Wizard of Oz."

This past weekend, during a series of town meetings in Kansas, I hosted a distinguished visitor from abroad—Andrei Kolosovsky, the Deputy Foreign Minister of the newly independent Russian Republic. Like many other visitors to our State, Mr. Kolosovsky was on vacation, and we are proud he chose Kansas as one of his destinations.

We in Kansas are eager to tell our story, and the door is always open, not only to travelers from abroad but to folks from the 49 other States as well.

Mr. President, I ask unanimous consent that the aforementioned article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 20, 1991]

TOURISTS FROM ABROAD DISCOVER MID-AMERICA

(By Edwin McDowell)

DODGE CITY, KS.—Aided by a weak dollar and bargain-basement air fares, visitors from overseas are flocking to the United States in numbers that have set records five years in a row. But what has startled travel experts is that more and more overseas visitors are turning up in states like Kansas and Nebraska, Kentucky and Utah.

Having seen the theme parks and the major cities, these tourists—especially repeat visitors, who last year made up 76 percent of all overseas visitors—are traveling to Indian reservations, staying at dude ranches, hiking through remote national parks and finding their way to places far off the beaten track.

Places like Dodge City, a windswept old frontier outpost that achieved international fame as the setting of "Gunsmoke," the longest-running Western in television history, hold special appeal. With its reconstructions of 1870's buildings where gunslingers like Wyatt Earp and Bat Masterson (and the fictional Marshal Matt Dillon) roamed, Dodge City has attracted almost 20,000 foreign visitors this year.

The Old West flavor is one of the main reasons Kansas leads all other states in the rate of growth in overseas tourism—up 213 percent last year from 1985—as against a national average of 60 percent in the same period.

"Can there be anybody around the world who doesn't know of Dodge City from television and the movies?" asked Bernie Ashfield of Adelaide, Australia, who traveled here from New York on a cross-country tour bus.

Ian Hay of Timaru, New Zealand, a fellow passenger added: "It's a very historic spot. Dodge City is just about as well-known down there as New York."

These days, almost no tourist attraction seems too remote for overseas visitors. Some of the recent interest in Iowa, for instance, stems from its legalization of gambling on Mississippi river boats, starting last spring.

But in Dyersville, Iowa, where a baseball field was created for the Kevin Costner movie "Field of Dreams," Jackie Ellingson of the Chamber of Commerce said, "Lots of Japanese tourists have flocked here to see the 'Field of Dreams.'"

Thousands of foreigners—inspired by reruns of the 1960's television adventure series "Route 66," about two friends who traveled the highway in a corvette, have been turning up in cities and towns along what is left of the 2,448-mile highway that linked Chicago and Los Angeles.

"Japanese, Germans, Norwegians, Swedes, Italians—the list just goes on and on," said Angel Delgadillo, a barber for 41 years in Seligman, Ariz., which sits along a 160-mile uninterrupted stretch of the famed highway. "The number of tour buses that get off Interstate 40 to come to Seligman is awesome. They say they're looking for America."

Overseas visitors are even showing up at the Tulsa home of Michael Wallis, the author of "Route 66: The Mother Road" (St. Martin's Press, 1990), a nostalgic look at the highway, wanting to know more about the highway that has gripped their imagination.

"I don't know how they know where I live," Mr. Wallis said, "but almost every week foreigners show up at the door—British, Germans, Japanese and French. Ten days ago a young couple from London, both of them in banking, showed up on their way from Chicago to L.A."

Although states like California and New York are still far ahead in absolute numbers of overseas visitors, smaller states are using aggressive promotional campaigns to make big gains. "Until about three and a half years ago we didn't even think of our state as being a potential destination for foreign tourists," said David K. Reynolds, administrator of Iowa's Division of Tourism. "But we've had a 175 percent increase in foreign visitors from 1988 to 1990. And a few weeks ago we had seven tour operators from Brazil and Argentina."

BEHIND BIG PERCENTAGE

The main reason for such high percentage growth, of course, is that most of those states had few overseas visitors until recent years, and even now lag light-years behind the states with the most overseas visitors. Kansas, for example, had only 119,000 overseas visitors last year and Utah only 267,000, compared with California's 4.8 million and New York's 4.5 million.

But the numbers are certain to change significantly, experts say, as foreigners continue to seek new experiences and as most states—realizing the economic impact of foreign tourism—pour more money and effort into promoting themselves individually or through the many regional tourism association that have cropped up.

For much is at stake: 38.8 million foreigners, including almost 17.3 million Canadians and 6.8 million Mexicans, spent $52.8 billion in the United States last year, including fares on American airlines, according to preliminary figures of the United States Travel and Tourism Administration, a unit of the Commerce Department. Of the foreign visitors, 14.8 million came from overseas and accounted for the biggest percentage growth of foreign visitors to mid-America.

All of the foreign visitors spent $5.2 billion more in the United States than did the 43.6 million Americans who traveled overseas last year.

One city that has done particularly well is Cody, Wyo., which had almost 20,000 visitors this summer from Taiwan alone. Cody, a city of about 7,500, is a gateway to Yellowstone National Park, and it has dude ranches, a rodeo every night from June through August and has museums devoted to Buffalo Bill, the Plains Indians, Western art and Winchester firearms.

But more than that, it has reached overseas to sell its attractions. About five years ago a small delegation from Cody flew to Taipei, to meet with travel operators. "We convinced them there was lots to do here," said Judith Blair, the marketing director of two hotels in Cody. Altogether, she said, Taiwanese, Britishers, Germans and other foreign tourists account for about 400 of the 1,200 tour buses that stay at the Blair Hotels.

Other regions have gained, too, Stan Fisher, the president of Allied Tours in New York, said his company has handled about 150,000 tourists from Europe this year, 10 times that of a decade ago, and his most popular tours include trips to New England to see the fall foliage. "We have so many people wanting to go to New England this month," Mr. Fisher said, "that we don't have room for them."

Similarly, Jerry DiPietro, the president of Tourco Inc. in Hyannis, Mass., said that the tour most popular with his 5,000 European clients is 14-days in New England.

The most passionate overseas visitors, by most accounts, are those who are enamored of cowboys and Indians. "The Japanese and Germans who come here are absolutely, bowled over by the Wild West," said Todd Kirshenbaum, deputy director of the Nebraska Tourism Office. "Anything with rodeo, cowboys and ranches, they just go nuts over."

That opinion was seconded by Greg Gilstrap, the director of travel and tourism for Kansas. "There's strong interest in cowboys, Indians and the Old West," he said, "and Kansas is lucky enough to have a lot of the things that foreign visitors are looking for."

SKIING ATTRACTS JAPANESE

Last year, 3.1 million Japanese visited the United States, the most from any country overseas, with 2.2 million coming from Britain and 1.2 million from Germany. While most Japanese continue to travel in groups, many are now striking out on their own.

"We're doing a lot of ski business with Japanese tourists, and many want to stay with American families," said Nanette Groves Anderson of Western Leisure Inc., a tour operator in Salt Lake City.

Mitsuko Kennair of Hotard Coaches in New Orleans, said her Japanese clients are taking Mississippi cruises, visiting plantations, journeying to see alligators and even flying from Tokyo just to attend the jazz festival held each spring. "Almost all of them are repeat tourists, looking for different destinations," she said.

Jan Arai, co-owner of J.D. Cook tour company in Seattle, said many of her repeat Jap-

anese clients are striking out on their own or with family members. "A lot are trying to test their mettle by renting R.V.'s," she said.

Arizona alone earned $56 million last year from Japanese tourists, many of whom came to visit the Grand Canyon, but others stayed at dude ranches or visited its many Indian reservations.

It will be a long time before most foreign visitors feel at home in the American heartland, according to John Sem, who heads the Tourism Center at the University of Minnesota. "There are language problems, and this culture tends to be insensitive about the needs of other cultures," he said. "And where do you exchange money in rural communities?"

But officials in both the private and public sector agree that tourism to the interior will continue experiencing record growth, now that the ice has been broken and now that cities and states are belatedly aware of its economic importance.

CHARTING A NEW COURSE TOWARD ECONOMIC GROWTH

Mr. LIEBERMAN. Mr. President, there has been a lot of discussion on Capitol Hill this week and from the White House about the recession and tax relief. I must say that, as a Senator from Connecticut where the recession is deep and has been long lasting, I truly welcome this discussion. It is long overdue. I am happy that the White House has begun to wake up to the fact of the credit crunch, which is stifling credit for business in much of America. I am also happy that many Members of Congress are talking about tax relief, middle-income tax relief.

A couple of weeks ago, I announced my own version of a working family tax relief program in Connecticut.

I am pleased to join today with Senator BENTSEN in cosponsoring the initiative that he announced over the weekend in an act of genuine leadership that breaks the logjam that existed and really offers some hope to the American people and the American economy for relief.

But I am concerned that, as we go forward, each in our own way, we do not cling to partisan blinders of the past. I am concerned that we Democrats, for instance, not embrace tax relief without also embracing tax incentives for business, which I think are essential for both short- and long-term economic growth. I am concerned that our friends in the Republican Party embrace tax incentives for business without tax relief for the middle class and without recognizing that Government can and must play a positive role in helping businesses grow, invest, save, research, develop, and export, all of which will create jobs for America.

Mr. President, this recession is just too serious. As we speak 8.5 million people have been put out of work by this recession. And the need for long-term economic growth is just too great to allow partisan debate to stand in the way of what people need to achieve prosperity once again in this country. Neither party can allow ideology to stand in the way of what will work to help businesses grow and help our economy expand.

So, Mr. President, I hope that my fellow Democrats will drop their opposition to some form of capital gains tax relief. I think we need a capital gains tax cut, at least on new stock issues, in order to stimulate investment in growing businesses, and that is investment that can save and create jobs. The rhetoric about tax cuts for the rich too often has stood in the way of doing what President Kennedy asked us to do in reminding us that a rising tide raises all boats. Mr. President, a capital gains tax cut is one of the ways to raise the tide of the American economy which will save and create jobs for American people.

I hope that my friends in the Republican party will recognize that the invisible hand that so many rely on sometimes also needs a helping hand from Government. Not with big new bureaucracies issuing orders to the private sector, or blindly pumping billions of dollars into new programs. No; Government must act in a new spirit of cooperation with the private sector to make it easier for entrepreneurs to get capital to their enterprises, to help manufacturers invest in new plants, and equipment, to encourage high-tech firms to create new products and bring them to market, and to promote trade to keep America competitive in the emerging global marketplace.

The bottom line is this: Tax relief for American families is fair and, in my opinion, essential to getting us out of the recession we are in today. But it must be accompanied by tax incentives for business, and Government-private sector cooperation to help businesses grow and create jobs. Giving taxpayers a break is important, but helping workers save their jobs is even more important. We cannot ignore either side in this equation. Middle-income tax relief will not mean much to middle-income people who have lost their jobs.

Mr. President, I have introduced my own version of a working family tax relief plan. It would increase the tax exemption for children of working families up until they are 10 years of age, and it would equalize the exemption across income lines. It would also eliminate what I think is one of the great inequities in the tax system today, and that is the tax penalty for single, working heads of households, who now bear an unfair tax burden simply because they are not married.

I also support Senator MOYNIHAN's cut in the social security tax rate, because I believe it will make that tax much less regressive, and will help put money in workers' hands so they can save and spend, which is just what our economy needs. That kind of tax cut also helps businesses save money, too, which they can use to invest in growth.

Tax relief for the middle class makes sense. Over the past decade or so it is the middle class that has suffered the most from tax increases, even while their purchasing power has remained stagnant or declined. Unless the broad middle-class working families of this country get some relief, they cannot spend and save, and our economy cannot grow its way out of this recession.

The real key to the long-term health of our economy lies in our ability to help businesses get back on their feet and growing again. The facts of economic life speak for themselves. The cost of capital in the United States is twice as high as in Japan, so it is no surprise that the Japanese are outstripping us 5 to 1 in their investments in new equities.

Venture capital investment in the United States, which is so critical to new job creation, is at the lowest point in a decade. The amount of money available for loans is shrinking, as every businessman, particularly small business people, in this country know. And spending on research and development has gone up at the slowest rate since 1976.

My ideas for economic growth are contained in several bills I have introduced, including the Economic Growth Act, which I first put in last year, and reintroduced last April. In it, and in other legislation I have sponsored, I propose:

A targeted cut in the capital gains tax, with an emphasis on new issues from companies of any size, and with benefits for investments that are held for longer periods of time;

Enactment of an investment tax credit;

Permanent extension of the research and development tax credit, with a new focus on the development side of the coin, to help bring new products to the market;

Creation of business IRA's, to be used for investments in new plant and equipment;

Reinstatement of a comprehensive IRA for individuals, to promote savings;

Creation of an expanded version of the Defense Advanced Research Products Agency to support the development of cutting-edge civilian technology and to help defense-related manufacturers diversify into commercial markets;

Enactment of trade initiatives, including increases in direct loans and tied aid through the U.S. Export Import Bank, establishment of a capital-projects bureau at the Agency for International Development, and more tenacious representation of the interests of U.S. exporters by the Federal Government in international negotiations;

Establishment of enterprise zones, to target tax incentives for businesses

that locate and expand in economically depressed regions of our economy;

Passage of credit crunch relief legislation, designed to help increase the flow of capital to banks in order to make loans to small businesses more possible.

In addition to all these measures, we also need to pass a responsible energy bill that is aimed at reducing our dependence on oil, and increasing our development of renewable, alternative sources of energy, decreasing our vulnerability toward price fluctuations in the price of oil, and increasing the energy efficiency of our buildings, homes, and motor vehicles.

Finally, we need to pay much more attention to our system of education, and devise ways to help students prepare for real jobs in the real world. Toward that end, I support legislation that encourages businesses to get directly involved with schools in order to provide better vocational training, and enhanced science and mathematics education.

Taken together, I believe this combination of tax relief, tax incentives, and a new era of Government-private sector cooperation can help get our economy moving again, get businesses investing and inventing again, get people working again, and get families saving and spending again. I hope that all of us—Democrats and Republicans alike—will recognize the dire economic straits the people of this country are in, and will set aside partisanship to join in a nonpartisan effort to end this recession and put Americans back to work, and back on the road to long-term economic growth and prosperity.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WIRTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair reminds the Senator from Colorado the time for morning business has expired.

Mr. WIRTH. Mr. President, I ask unanimous consent to speak for 10 minutes in morning business. And I ask unanimous consent the time that I may use be charged against the cloture motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LATE SENATOR JOHN HEINZ

Mr. WIRTH. Mr. President, today is the birthday of our late friend and colleague Senator John Heinz. In the months since his tragic death—under the mountainous weight of feelings of loss—I have discovered anew an appreciation for his life and for his legacy.

Throughout his life, John Heinz was blessed with great fortune. Because of his life, this institution, his beloved State of Pennsylvania, the elderly, all Americans were blessed with great fortune.

John Heinz cared enormously, and he cared for others.

This man of great wealth and opportunity could easily have focused on caring for his own needs. He could have sought simply to devote his attentions to the private sector, to personal gain. But he cared about making the public sector work. He could have worked in Congress only to get reelected. But he cared about doing what was right for policy—not politics. He could have devoted his career to protecting only the interests of Pennsylvania. But he cared about the entire Nation. In these days of cynicism about the selfishness of political life and political institutions, let us remember one who devoted himself to caring for others.

Let me just enumerate two or three areas, if I might, Mr. President.

CARING FOR SENIOR CITIZENS

First, senior citizens had no better friend than John Heinz. He was ceaseless in his pursuit of the rights of seniors. After 10 years of work, he was successful in ensuring the long-term viability of the Social Security Trust Fund. The Heinz-Hollings amendment to the 1990 Budget Reconciliation Act removed the trust fund from the Gramm-Rudman-Hollings deficit reduction calculations.

Also, during that decade of work, John Heinz was instrumental in pushing for Medicare and Medicaid reforms to protect patients and programs alike. He expanded coverage to include payments for prescription drugs. He developed programs to allow seniors to receive treatment in their homes and to avoid unwelcome institutional assignments. He made permanent the hospice benefit under Social Security. He fought to protect seniors from dramatic increases in the deductible for inpatient hospital services under Social Security.

He cared about seniors rights in the area of employment—authoring the Age Discrimination and Employment Amendments of 1985. He fought to ensure that retirees received the retirement benefits they earned and deserved.

CARING FOR WORKERS AND TRADE

John Heinz also respected the rights of working men and women in his constant search for opportunities to improve our competitive position.

He helped craft every legislative effort on trade. He was instrumental in developing the Export Administration Act and every substantive redraft of that law.

He was one of the first and most persistent proponents of increased trade in Central and Eastern Europe. He authored and passed a bill to nurture the domestic subcontractor base by encouraging prime defense contractors to use domestic parts. He helped facilitate increased lending by the Eximbank to expand U.S. trade opportunities.

Throughout his career he was a champion of Americans with disabilities, fighting for work incentives and for the availability of benefits for disabled children.

He fought against dumping practices and tariffs that unfairly disadvantaged domestic workers and industry.

He authored a bill to strengthen the U.S. job training program for displaced veterans in the work force.

Earlier, this year, he was distraught over the prospect of military families being separated from their children and he worked to ensure that children were cared for and not needlessly separated from their parents.

CARING FOR THE ENVIRONMENT

Jack Heinz was a tremendous defender of the environment—in his home State and around the globe. Two and one-half years ago, John and I, along with the distinguished occupant of the Chair, led a congressional delegation to the rain forests of South America to see firsthand the damage wrought by deforestation in the tropics. He came back with a deep commitment to address this issue and he did.

We worked together to halt the dreadful plan to build a road from the Amazon to the Pacific Ocean—discovered in a session which we had with Senator GORE and others, in Acre, in western Brazil—a plan that could have devastated hundreds of square miles, if not more, of rain forest—destroying the Brazilian rain forests and spreading over the mountains into Peru. This enormous road was described by one member of the delegation as an enormous straw sucking out the innards of the Amazon Basin, destroying the great rain forests of Brazil. That project got stopped.

In Pennsylvania, he worked to clean up the Butler mine tunnel where huge quantities of used oil were dumped. In Paoli, he trudged through the local railyard—heavily polluted by PCB's—in a moonsuit.

One of his most important works was the development of Project 88, a public policy study examining ways to harness market forces in protection of the environment. We followed up that effort with a second report earlier this fall focusing on implementing the ideas fleshed out in 1988. Market-based environmental strategies are now part of the common lexicon of policymakers. We did not invent these ideas, but we were tremendously proud of our efforts to consolidate and make relevant and prevalent their power.

These efforts were absolutely vital for passage of the Clean Air Act—breaking the logjam on acid rain with a program of tradable credits for controling emissions.

Also in the energy arena, John Heinz was past chairman of the Alliance to Save Energy, the Nation's premier nonprofit energy efficiency organization, which I now chair. On the Banking Committee, we authored an amendment to include energy efficiency programs in the effort to make housing more affordable.

CARING FOR GOVERNMENT

More than anything else, John Heinz believed in the power and promise of good government. Where others were cynical, he was creative. Where others gave up, he persisted. He persisted in his fight to bolster trade, to protect the environment and to shield senior citizens. He simply believed that there was a proper role for government, and he demanded that it be efficient, effective, and compassionate.

On the Banking Committee, Senator Heinz and I worked to step up the Federal Government's efforts to investigate and prosecute fraud and other criminal activities that were and remain part of the S&L crisis. We wrote a comprehensive S&L reform package to give Federal investigators and prosecutors the tools they need to pursue these crimes.

He believed government should look after children, particularly children of the poor. He authored legislation to provide Medicaid benefits to poor children. He created a government endowment to produce educational children's television programming and wrote a bill to establish special nutrition projects at food banks. He wrote the Excellence in Education Act and fought to eliminate discrimination with regard to coverage for treatment of mental illness under Medicare. He believed government should protect the sick, so he wrote legislation to help victims of black lung and agent orange exposure.

A LEGACY OF CARING

I have highlighted only a small part of the extraordinary legacy of Senator John Heinz. It is a legacy of caring, for his State, for the elderly, for the environment, for workers, for the disabled, the poor, the disadvantaged.

He was a most respected colleague and friend. Most of all he was beloved by this Senate, by Pennsylvania, by the American people. Words are dreadfully inadequate to express the depth of care and comprehension he conveyed to his constituents, Congress and public policy. On his birthday, we remember how blessed and enriched we are by his life, how diminished we are by his death.

Mr. President, in order to do greater justice to his legacy than I am able, I ask unanimous consent to have printed in the RECORD a collection of articles written about and by John Heinz.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 19, 1991]

PARENTHOOD AND POLICY

JOHN HEINZ: ACCOMMODATIONS MUST BE MADE

What is to be made of the Pentagon's hardheartedness toward the children of married couples and single parents within its own ranks?

The stories so far have focused mainly on women. Two reservists in my state, for example, both of whose husbands are already serving in the Persian Gulf, recently received call-up notices just hours before giving birth. They are patriotic women, but they are also, now, parents who want to care for their babies. But as a matter of policy, the military has judged these children's need for a parent to be secondary to its own need for the parents' services.

This is simply the most dramatic example of another emerging symbol of the Gulf war; mothers being torn from their young children. But this is not a "women's" or "mothers'" issue; it is a children's issue. We may countenance the parents' pain, because they volunteered for the military, with all that that implies. But their children did not volunteer, and it's their plight we must address.

If not, there is even worse symbolism ahead: American children being orphaned by an outmoded Pentagon personnel policy; an Uncle Sam already talking about how to rebuild Iraq, but whose heart turns to stone when confronted with the pain of American kids.

It is an avoidable trauma. The Pentagon already allows one parent to leave a war zone if the other has been killed in action. Against an opponent armed with biological and chemical weapons and the clear will to use them, however, waiting until one parent is dead may be too late.

That's why I have proposed that the Pentagon simply update its policy to recognize the new realities of the battlefield by allowing one parent or a single parent with sole custody of his or her child to seek reassignment somewhere other than in the war zone.

The Pentagon has objected to this suggestion on several counts: that volunteers accepted their obligations willingly; that my proposal treats parents as "second-class citizens"; and that it will seriously hamper Operation Desert Storm. Let's consider these arguments in reverse order:

Impact on Desert Storm: According to the latest figures supplied by the Pentagon, 65,982 single parents and 70,456 married couples—46,688 with children—now serve in the U.S. Armed Forces. Some 1,000 of those married couples may be in the Gulf, about half of * * * respond to my inquiry as to how many single parents with sole custody of their children are in the Gulf.

The best estimate is that my legislation would apply to fewer than 2,000 people, or less than one-half of one percent of our forces in the Gulf. Some of these may not opt out of the war zone; others may be kept in place if removing them would truly represent a hazard to their units. But the bottom line is that this represents at worst a minor personnel shuffle.

Impact on Career Military Personnel: The contention that my bill will create a "mommy and daddy track" for members of the career military is specious. The right to opt out of the war zone would be optional, not obligatory, like the prohibition on women serving in combat positions.

If the military is implying that it would derail someone's career for taking advantage of that right (one wonders if it would do the same to a soldier exercising the existing right to leave a war zone after the death of a spouse), then isn't it more civilized at least to offer parents the choice?

Most of the soldier-parents caught in this predicament are not careerists. In fact, most of the people who have contacted my office are just the opposite: they had opted to devote time to their children and were on their way out of the military when they were called up.

Implications of Volunteerism: As I have noted, it is not the parents we should help, but their children. But it is also questionable whether an 18-year-old tantalized by offers of tuition money has any inkling of what he or she is giving up in "volunteering" to leave children yet to be born behind.

Our righteous insistence that "a deal is a deal" is disturbingly reminiscent of the story of Rumpelstiltskin, the dwarf in German folklore who exacts a terrible price for helping a desperate young woman—her first-born child.

Rumpelstiltskin's fate (he tears himself apart) offers a singular warning to a military that must worry about how its behavior in this war will affect its ability to recruit for the next. If the Pentagon remains inflexible on this point, not just single parents and married couples, but all variety of individuals horrified by tales of "Gulf orphans" will shy away from military service.

RSVP—PLEASE!

(By U.S. Senator John Heinz)

(The following article was prepared and received from John Heinz, the Senior Senator from Pennsylvania and the Ranking Republican on the U.S. Senate Special Committee on Aging.)

Our society measures wealth in many ways, including salary, savings, stocks and bonds, houses, and automobiles. Senior citizens control another form of wealth: their life-earned experiences and knowledge. When applied through programs like the Retired Senior Volunteer Program (RSVP), their wealth is invested in society with bonus interest rates for all concerned.

RSVP has some impressive figures. Nationally, over 400,000 RSVP volunteers generate approximately 73 million volunteer hours on over 750 projects. In Pennsylvania alone, there are 30 projects, with some 16,200 volunteers giving 1.3 million volunteer hours per year. RSVP programs in such areas as youth counseling, literacy, in-home care, "latch key" children, consumer education, crime prevention, and housing rehabilitation are showing every day that senior volunteers can make a difference. These aren't projects created and managed by some far-off federal bureaucrat; these are projects designed, operated, and controlled on the local level, targeted directly to the needs of the community.

No other group in our country has as much to offer as senior volunteers. Raised in an age when community meant something special, when it was expected that people should try to make the world better—not just make a buck—they've been through the hard times, and know what it means to go without. They can empathize with those less well-off. They have years of practical experience at making things work, and are eager to share their valuable expertise.

Volunteerism is firmly rooted in the very origins of our democracy, and volunteerism has never been needed more than it is today. America is beset by a number of deep and troubling problems. Too many of our children grow up in families totally unlike the nuclear families most older Americans enjoyed. Many go to schools that fail to teach

them adequately how to survive in this complicated world, much less get ahead. Drug abuse tears at the fabric of our society, both in terms of crime and wasted lives. Too many seniors with disabilities suffer because they have no families to care for them and cannot afford to obtain care by themselves.

Paradoxically, our nation has never needed to do more to protect and serve its citizens, yet government has never been less able to deliver. The sad truth is that our huge federal budget deficit crimps efforts to solve problems from a federal level, and state and local governments are also having a hard time providing help due to their own budget pressures. Those who look to the government to develop vast new social support programs have little certainty of the result. Into this breech between our nation's needs and our governments' ability to provide must step volunteers.

RSVP is an excellent example of a public-private cooperation that works for the good of society. From a modest federal grant, RSVP generates additional dollars from state and local governments, and from private corporations and non-profit agencies. Most importantly, it obtains the services of irreplaceable senior volunteers. Their time, talents, and efforts give back more than money could purchase. Senior volunteers demonstrate the same unselfishness that they showed in building much of what our children take for granted.

If you are not already an RSVP volunteer, I strongly urge you to become one. If you already are, I salute you and hope you'll encourage your friends to become RSVP volunteers as well.

OVERHAULING MEDICARE

(By U.S. Senator John Heinz)

Once heralded as the archangel of health-policy reform, Medicare today has fallen in both public perception and actual protections to a much less lofty status. Indeed, 25 years after Medicare's enactment, the problems this program was designed to correct have in many ways intensified.

Medicare, which covers more than 95 percent of people over age 65, does not effectively meet the health-care needs of older Americans. For example, coverage has not kept pace with rising expenditures, resulting in dramatic increases in out-of-pocket spending for our elderly population—exactly what Medicare was intended to eliminate. The average annual expenditure for Medicare beneficiaries in 1970 was $331; today, the average is more than $3,000. What was intended as a safety net has become a complicated and cumbersome program for both seniors and their families.

Major shortcomings of the Medicare program were exposed when Congress rolled back the rug on the Medicare Catastrophic Coverage Act (MCCA). That legislation prompted one of the most heated battles over health-insurance benefits for the elderly that Congress has seen since passage of the original Medicare legislation.

This article examines the implications of the MCCA experience for future health policy under Medicare, describes how I believe we should change the program to better meet the needs of beneficiaries, and notes how such changes might affect hospitals and other providers.

In passing the catastrophic coverage act, Congress sought to protect older Americans against financial ruin in the form of out-of-pocket expenses for extended acute medical care. President Reagan identified the goal of this legislation as the removal of "a financial specter facing our older Americans: the fear of an illness so expensive that it can result in having to make an intolerable choice between bankruptcy and death. . . ."

But President Reagan also identified the Achilles heel of the proposal: "This new program will be paid for by those who are covered by its services. . . . So, we must control the costs of the new benefits [respite care and prescription drugs], or we'll harm the very people we're trying to help."

As it turned out, the president was correct. So severely did the government's number gurus underestimate MCCA costs that reestimates became a weekly—even daily—occurrence in the months following enactment. The postpartum revisions of the needed financial outlays pitted senior against senior and the Congress against its collective constituents. A frequently heard objection from beneficiaries was that the benefits duplicated existing coverage and did little to address the real need—coverage for long-term nursing-home expenses. Further fueling the revolt was what must be viewed as flagrant campaigns of misinformation by some organizations and insurers whose goals were either to raise more money for themselves or to increase their "Medigap" sales.[1]

So with the spring thaws of 1989 came a literal flood of mail, each letter or petition urging Congress to undo what it had done the previous fall. In December 1989, just 18 months after its passage, Congress did repeal the single most significant addition to the Medicare program since its inception. Ironically, the retirees who favored repeal must now stand by and watch costs raise their Medigap policies—rise to a much higher amount than they would have paid under MCCA, and for substantially less coverage. Many among those who advocated the repeal of MCCA now realize they made the wrong decision, in large measure because they had neither the best nor the most accurate information.

The postscript to the Medicare catastrophic law leaves Congress with the difficult decision of how best to proceed in the wake of repeal. Among the critical questions with which we must grapple are: Is passage of another Medicare bill possible if it does not include some kind of assistance for nursing-home costs? What kind of benefit expansions should be pursued? Should incremental changes be pursued or should the Medicare program undertake comprehensive reform?

Overhaul vs. caution. The Medicare program today simply does not meet the changing health and social needs of our aging population, with more than 32 million persons age 65 and over. In fact, the program can never keep pace if it continues to focus strictly on acutecare benefits. Medicare must be designed to rehabilitate—not to be a program that only promotes prevention or wellness.

Today, seniors and children of elderly parents are confronted with health-care problems that require nontraditional solutions, including homemaker services, adult foster and day care, and respite-care services for caregivers. Although minor changes have occurred within the Medicare program, they have not gone far enough to address these special requirements.

A particularly striking example of the blind spots in current Medicare coverage pertains to Alzheimer's disease. It is the fourth leading cause of death for older Americans. One tenth of persons over age 65 may be afflicted with Alzheimer's, while 47 percent of persons over age 85 have the disease. Families caring for the Alzheimer's patient at home find no relief in Medicare. For example, by limiting home health benefits to individuals who are "homebound," Medicare severely limits the number of Alzheimer's patients who can qualify.

A further illustration of Medicare's shortfalls lies in the benefits that were repealed as part of MCCA. Specifically, MCCA included coverage for respite-care services to assist families with the daily burden of care for someone with a debilitating or chronic disease condition. Though the respite-care benefit was triggered only after the beneficiary first met a $1,740 deductible, it presented a "foot in the door" as a means of helping families continue to care for a spouse or parent without having to resort to institutionalization. Although small in terms of the number of people it would have actually helped, this change, in my opinion, represented one of the most progressive additions to Medicare law since hospice services.

When Congress repealed MCCA, we turned back the clock to a Medicare program severely limited in benefits that assist the aged to remain independent. For Congress now, the challenge is how to structure changes in Medicare necessary to address the evolving requirements of the beneficiary population, while balancing that objective with political and financial realities.

I believe we have reached the point where, although incremental change is certainly more realistic, it is no longer appropriate. It is time to address the fundamental problems contained in Medicare—with respect to both beneficiaries and providers. In this regard, I want to focus on beneficiary changes that I believe are necessary.

Four proposals. First and foremost, we need to add a long-term care component that includes both home- and community-based care as well as "real" nursing-home coverage for persons of all ages. While this represents a significant departure from Medicare's current design, this change is vitally necessary.

It is no secret that the states would be crippled financially if they had to pay the Medicaid tab for both acute and long-term care. I believe that Congress should more equitably balance the costs by giving states the predominant fiscal responsibility for acute-care services of persons under age 65 who, for whatever reason, are without health-insurance coverage. Sole fiscal responsibility for all long-term care for people of all ages would shift to the federal government. This division of fiscal responsibility for acute and long-term care should assist state governments by reducing their fiscal burdens. At the same time, this will eliminate the politicization of the cost of such services. Such a plan ensures a more rational system and one that is easier for all to understand.

Second, in order to reduce what is now an overly complex reimbursement system, Medicare Parts A and B would be collapsed into one comprehensive acute-care program. Too many beneficiaries do not understand the nuances and idiosyncrasies of the current program and, as a result, have become extremely frustrated with Medicare.

Third, in conjunction with folding Parts A and B into one program, I feel strongly that each beneficiary should know the maximum amount he or she might have to spend in total out-of-pocket costs for medical services each year. We need to establish some form of out-of-pocket limit based on income.

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[1] Hearings of the U.S. Senate Special Committee on Aging, Jan. 8, 1990, Harrisburg, Pa., chaired by Sen. John Heinz, R-Pa.

Fourth, states cannot afford to pay Medicare premiums for people who are eligible for both Medicare and Medicaid. We should recognize that individuals who are economically deprived and unable to afford medical care should have to make only minimal, if any, contributions to the cost of their care. States should be exempt from having to make payments to the Medicare program for such persons. This would free additional state funds for acute-care services for the uninsured, which should lead to increased and more rational reimbursement for providers.

In sum, we need to redefine the objective of the Medicare program. The basic principle must be that no beneficiary should ever be forced into any kind of institutional setting unless absolutely necessary.

The Medicare program has not changed to reflect the changing needs of older Americans and their children. That change in needs is driven by the changing structure of the American family. In 1965, for example, most families had an adult female who remained at home, a built-in caregiver for aging parents or spouse. Twenty-five years later, this is no longer the case; in most households, both spouses work. There is no longer a full-time, adult family member to take care of an aging parent at home. Because neither Medicare nor most private health insurance reimburses for services such as adult day care or respite care, many families are forced to place an aging parent into an institutional setting.

Such changes in family structure combined with the aging of the population underscore the urgent need for the Medicare program to accommodate the profound changes in our society. Respite care and adult day care, for starters, are both necessary to help families care for an aged parent or spouse. We must be cautious, however, that federal benefits supplement, not replace, care provided by families.

Rational reimbursement. Having said this, it is important to remember that these changes, or any major changes in Medicare, will have some impact on providers. We need, therefore, to ascertain whether a more rational and easier reimbursement system can be developed to coincide with the restructuring of Medicare benefits.

For too long, Congress has been dictating provider reimbursement based solely on budget policy rather than focusing on whether the system is flawed, and if so, how best to fix it. Congress has made attempts to change the system by encouraging alternative forms of health-care delivery, changing Medicare reimbursement and, most recently, by reforming physician payment. Nevertheless, these efforts still represent piecemeal solutions to a program in need of radical overhaul.

We must begin by recognizing that a Medicare overhaul is a political nightmare. First, the hundreds of provider groups, each of which has its own best fix, can never be satisfied. Congress and the various committees of jurisdiction must not only expend the time and energy necessary to craft reform, but risk the heat associated with any reform cuts and costs.

Instead of a reform, however, we experience the incessant tinkering of a Congress determined to use the Gramm-Rudman-Hollings budget process for policy reform. Typically, as part of a spending-reduction package to meet the GRH target, Congress may, for example, recommend delaying payments to providers by anywhere from one day to one week. While this budget gimmickry results in paper savings, it can, and often does, have an adverse impact on hospitals and physicians forced to adjust to delayed payment.

Bradford Hospital in Bradford, Pa., recently wrote that the current seven-day payment lag for that facility is a $100,000 cash loss. "With our current operating cash balance at $23,000," the hospital vice president wrote, "this type of adjustment would require us to incur short-term borrowing costs for working capital, particularly if the adjustment happened in a payroll week. There is no actual dollar savings for the government from such an adjustment. . . ."

This example is only one of many, but it typifies the problems created by Congress' efforts to reduce the deficit and underscores the need for complete overhaul.

The comprehensive reform of the Medicare program that I've outlined emphasizes a thoroughly restructured benefits package that recognizes changes in the structure of the American family. Such an overhaul is necessary in order to assist families, old and young, in caring for their parents or spouses in noninstitutional settings and to banish, so far as possible, the traumatic prospect of costly and unnecessary institutionalization. At the same time, such changes should eliminate some problems hospitals now face and stimulate continued evolution of hospital's roles.

[From the Federation of American Health Systems Review, November–December 1990]

HEALTH CARE FOR CHILDREN: OUR FUTURE—OUR DESTINY

(By Senator John Heinz)

The U.S. health care system has been heralded as state-of-the-art. We have the finest equipment, the most advanced medical procedures for saving and sustaining life, superb hospitals, highly trained physicians and other health care professionals. We spend on average about $2,500 per man, woman and child for health services annually—or more than 11 percent of our Gross National Product. The irony in these boasts is their hollow application when it comes to protecting our children.

Literally millions of children enter life with less than a fair chance at a dream—or grow up with the distinct risk of losing the dream to an accident or an illness. Forty thousand of these children each year never reach their first birthday. These are children whose mothers were likely to have received inadequate prenatal care. Twelve million are children for whom preventive care is unlikely, and necessary care is usually found in a hospital emergency room, not at a physician's office.

These are our children; many lack even minimum health insurance.

The fact is that with all this nation's wealth and medical expertise, we rank only 22nd among industrialized nations in infant mortality, and 29th in the percent of low birth weight babies.

Compared to normal birth weight infants, these low birth weight infants are 40 times more likely to die during their first month of life, are two to three times more likely to suffer from certain chronic conditions and face lifelong health and learning impairments. Our incident of low birth weight babies is, in large part, the cause of our high infant mortality rates.

As a nation that prides itself as leader of the free world, it is a national embarrassment that 20 other nations have a better track record in terms of the number of children who live beyond age five.

Furthermore, a recent national commission declared an "unprecedented adolescent health crisis," finding our adolescent children less healthy and less ready than their parents had been at their age to assume a productive role in society. Without adequate health care, both the education and future health status of our children are severely threatened—a double-edged threat to both our nation's productivity and to our society.

As bad as these figures are, the situation in certain urban areas is even worse. Babies born in Washington, D.C., or Detroit, Michigan, have mortality rates twice that of the already high national rates, for example. When race is factored into the statistics, the picture is bleaker yet. The gap between white and black mortality rates is wider than ever. Black children in many cities have a better chance of surviving their first year of life in some third world countries than in their own neighborhoods.

The truly shocking aspect of these facts is that there are easy solutions.

We need no new technological, treatment or diagnostic breakthroughs to improve our record. We can greatly reduce our infant mortality rate by reducing the incidence of low birth weight babies, through adequate prenatal care and identifying high risk mothers. We can lessen the incidence of childhood diseases by ensuring proper immunizations. We can prevent or cure many conditions through regular access to medical care.

These kinds of steps are easy, and they are undeniably cost-effective. For example, one dollar spent in prenatal care saves three dollars in costs in the first year of life alone.

Certainly, we cannot ignore the existing crisis on the doorstep of ignorance. We have had commission after commission analyze and make recommendations on our children's health, including the final recommendations by the Pepper Commission, of which I am a member. The solutions generally would reap a high cost savings for modest spending, but we have failed to develop them.

In defense of the Congress, some steps have been taken along the right road. Several times in the past years we have sought to improve Medicaid coverage for pregnant women and children by mandate or state options, culminating in last year's mandate that all pregnant women and children up to age six who are in families with incomes under 133 percent of the federal poverty level be eligible for Medicaid coverage. Some states have gone even further, electing to cover pregnant women and infants up to as high as 185 percent of the federal poverty level.

STATES NEED A BREAK

But since states pay about 50 percent of Medicaid costs, each new federal Medicaid mandate forces states to scramble for resources to pay the bill. We have pushed states as far as they can go fiscally, to the point where every dollar requirement for new eligibility expansions triggers deeper cuts elsewhere—from provider reimbursements, from other Medicaid populations or from other state programs. The states' share of the costs of the Medicaid program are consuming record percentages of their total budgets. We face the double bind of skyrocketing national debt and strangled State resources with a growing crisis of need.

Realistically, global reform of our health care system, including reform of our health insurance systems, will not occur soon. We cannot wait for the ultimate solution, however, to implement at least incremental im-

provements. The stakes are too high: We cannot continue to lose or handicap the next generation.

If we cannot accomplish the whole, we should start by at least protecting those most vulnerable of our children. Toward this goal, I introduced S. 2989, the Children's Health Access and Prevention ACT (CHAP). CHAP would broaden Medicaid eligibility as follows:

It would cover pregnant women and children up through age 18 in families with incomes between 100 and 200 percent of poverty.

It would cover children ages six through 18 in families under 100 percent of poverty not currently covered by Medicaid.

All of these expansions would be fully financed by the Federal Government, with no new costs to the states, through an increase in the federal cigarette tax.

This proposal contains an actual financial bonus for the states by having the Federal Government assume some costs that states are now paying—specifically, the full assumption of costs for the population between 100 and 200 percent of poverty. States could use these savings to avoid benefit or eligibility cutbacks, to pay for other recent federal Medicaid mandates (such as OBRA '87 nursing home requirements), or to improve payments to providers, particularly those who treat children.

The increase in the cigarette tax is particularly appropriate for a bill dealing with children's health. The General Accounting Office (GAO) recently estimated that 500,000 fewer teenagers would smoke with a 20-cent-per-pack increase in the cigarette tax. Moreover, maternal smoking has a definite adverse impact on the health of the child; it has been estimated that we could improve infant mortality by 10 percent if we could eliminate maternal smoking.

There are several other proposals being considered by the Senate this session. The three most significant are those offered by Senators Lloyd Bensten (D-Texas), Bill Bradley (D-New Jersey) and Jay Rockefeller (D-West Virginia).

Both Senator Bentsen's and Bradley's bills would mandate coverage of children up to age 19 who are in families with incomes under 100 percent of poverty. This mandate would be phased in over several years, increasing the eligible age a year at a time. Senator Bradley's bill would also mandate converge for pregnant women and infants up to 185 percent of poverty. Both bills also would allow states more options to broaden eligibility standards for children. Unfortunately, while a phase-in acknowledges the states' fiscal problems, it still ultimately adds to them. Even more importantly, a phase-in puts millions of our nation's poor children on hold.

PROTECT THE CHILDREN

Senator Rockefeller's approach recognizes the immediacy of the problem, and covers all children under the poverty level immediately. Moreover, it does so at full federal expense, at least for the first few years. Senator Rockefeller's approach differs from mine in where the money goes. Most of the dollars spent under this proposal go to paying providers more. Every dollar in my approach goes to protecting more children. CHAP covers children up to 200 percent of poverty, not just 100 percent, and would cover more than four million children in the first year alone. This is 2.5 million more children than the 1.6 million who could be covered under Senator Rockefeller's approach.

When the issue is covering more children versus increasing reimbursement, the choice is clear. Children without Medicaid coverage have very few options about what care they get and where. Children with Medicaid may not have access to as many medical providers as we would all like—but they have access that is simply not available to those without. This is why I believe our first goal should be to cover more children.

Providers have various laws and court decisions (such as the Boren Amendment) on their side to help them force states to pay them adequate rates. The children I seek to cover have none of these protections right now, nor do they have the medical profession's lobbying power behind them. Provider reimbursement is a complicated issue with many powerful forces pulling in different directions. It is not a problem we can easily address and solve or legislate away.

Nevertheless, it needs to be stressed that CHAP not only protects states from new costs but actually delivers tangible and significant monetary savings. The health problems facing our states are more complex than ever: Not only provider reimbursement problems, but AIDS, drugs, the homeless and the uninsured, and new federal requirements for care in nursing homes. Our states face a variety and growing list of problems daily. Each state, however, experiences them to a different degree. We should free up resources in the states to let them attack what they see as their most urgent needs, in the ways they think are best suited to their citizens. Increasing provider reimbursement in one state may be a top priority; in another it may not. What is a universal and major problem is coverage for children, and CHAP addresses that head on, on a national basis, with full federal funding.

Close readers of my legislation will note that CHAP contains a three-year sunset in its funding. My reasoning is that Congress should be forced to re-address this issue as part of, or even as a way to stimulate consideration of, a more comprehensive reform.

CHAP is not the perfect solution. In fact, my preference would be to completely reform Medicaid and not tinker once again with Medicaid eligibility. Such a comprehensive solution would answer the needs of all of the uninsured, particularly all of the poor and near poor. It would be a system that controls quality and costs better while guaranteeing access. It would coordinate health care, nutrition, education and income for children. But such is an ideal that will take time to achieve, and time is a luxury that children without health care can truly ill afford. The National Commission to Prevent Infant Mortality estimated in 1988 that, if current trends continue, by the year 2000 we will have lost more lives to infant mortality than we lost soldiers on the battlefield this century.

We are at war with our future, and it is a war we are losing. Pinching pennies on children today may help win current budget battles, but will cost us dearly later. We already pass along massive debts and obligations that our children, grandchildren and great-grandchildren will have to shoulder. We must not hamper their ability to do so. We must attack the problems now. Our failure to do so will jeopardize the health and lives of millions of our children who represent our future and our destiny.

[From the Pittsburgh Post-Gazette, Apr. 5, 1991]

THE SENATOR FROM PITTSBURGH

Asked to identify John Heinz, more than a few residents of Western Pennsylvania would reply: the senator from Pittsburgh.

No such office is mentioned in the U.S. Constitution, of course, but the title fits. Sen. Heinz, who died yesterday at the tragically young age of 52 in a plane crash, had an affinity with this part of the state that transcended his family ties to the H.J. Heinz Co. or the omnipresence of the Heinz name in the educational and cultural life of this city.

From a position of growing influence in the Senate, he assiduously looked out for the interests of this city and the region of which it is the unofficial capital. Often mentioned as a potential national candidate because of his youth, attractiveness and appeal across party lines, his strongest orientation was parochial, in the best sense of the word.

At a time of dislocation in manufacturing, he was an aggressive and attentive advocate for American steelmakers, whether the issue at hand was antidumping legislation or "transition rules" that cushioned the effect of tax reform on the industry.

The Post-Gazette didn't always agree with the senator on what he called "protection" for industry and what others called "protectionism." But there was no doubting his responsiveness to the interests of this region, and not only on trade and economic issues.

That concern for this region helps to explain Sen. Heinz's popularity even among Democrats in the western part of the state. So did his moderate voting record, which reflected a willingness to break from conservative Republican orthodoxy on social issues—though not to the extent of his colleague Arlen Specter.

As a national legislator, Sen. Heinz was ahead of his time in pressing for more federal protection for the ill elderly, a priority that put him at odds with traditional Republican ideas about the need to restrain the welfare state. An important figure in the 1983 congressional "rescue" of Social Security, he rejected—as recently as Wednesday, when he met with Post-Gazette editors—a proposal to reduce the Social Security payroll tax. He worried that it would threaten both the integrity of the Social Security system and public confidence in it.

Finally, John Heinz was a presence in Pittsburgh in ways that had nothing to do with his public office. It wasn't just that he was a member of a family that has played a pervasive, and positive, role in the local economy and culture. After the death of his father, H.J. Heinz II, in 1987, Sen. Heinz assumed the role of chairman of the Howard Heinz Endowment, one of three Heinz family foundations. Before his death the senator had indicated a desire to have the endowment involved in innovative projects of national significance.

John Heinz's future as a philanthropic leader, like his future in politics, was cut shockingly short yesterday. His death is doubly a loss for Pittsburgh.

[From the Lancaster (PA) Intelligencer Journal, Apr. 5, 1991]

SEN. JOHN HEINZ: 1938–1991

HEINZ BUILT HIS RECORD AS A DEFENDER OF THE ELDERLY, STEEL INDUSTRY

(By B. Drummond Ayres, Jr.)

WASHINGTON.—In 20 years on Capitol Hill, five of them in the House and 15 in the Senate representing Pennsylvania, John Heinz built a solid record as a persistent defender of the nation's growing elderly population and its declining steel industry.

A moderate-to-liberal Republican, one of the rarer political species in his party, he was never a major legislative figure in either the House or the Senate. Rather, he was

known for his great personal wealth as heir to the Heinz food company fortune and as one of this country's richest politicians.

Still, the 52-year-old lawmaker left a legislative mark that was discernible and important, with most of the achievement occurring while he was serving in the Senate on two major committees, Finance and Banking, Housing and Urban Affairs.

The Senator was instrumental in pushing through legislation that put the Social Security system on sounder financial footing. He played a major role in strengthening laws regulating retirement policies, pension plans, health insurance and nursing homes. And he pushed successfully for trade laws that encourage American exports and protect American products, like steel, from foreign imports.

Heinz's concentration on trade and the elderly was particularly intense and paid off handsomely for him politically in his home state, which as one of the nation's aging industrial states has an unusually large elderly population and an unusually troubled steel industry.

In six elections, he won every time, beating most opponents by a ratio of roughly 2 to 1, cutting heavily into the Democratic vote on labor and social issues.

While Heinz was an effective legislator on the issues that he concentrated on, he was never a particularly popular legislator on Capitol Hill, never a man his colleagues clapped on the back with fondness or nudged with an elbow while enjoying a good laugh.

Many found him cool, even aloof and patrician, and some were put off by the stubborn persistence with which he pursued his legislative goals.

Seemingly aware that this perception of him, whether right or wrong, might be a drawback in a setting where collegiality and camaraderie are important tools of the trade, he tried in his early days in the Senate to soften the image a bit, even dropping his full name, Henry John Heinz III, and thereafter passing as John Heinz.

But most colleagues still refused to accept him as plain folks and, in any event, he could not escape the sobriquet with which he had lived all his life—"heir to the H.J. Heinz food company fortune."

As a Heinz scion, the senator did, in fact, die a very wealthy man, the largest individual shareholder in the Pittsburgh-based company, with control of almost 6 percent of its stock, valued at roughly $350 million.

Otherwise, his involvement in the company founded by his great-grandfather in 1869 was minimal, limited mainly to a brief stint in the later 1960s as a marketing specialist before entering politics.

Born Oct. 23, 1938, in Pittsburgh, John Heinz was the only child of Henry John Heinz II and Joan Diehl Heinz. His parents divorced when he was a child and he divided his early years between his mother's home in San Francisco and his father's house in Fox Chapel Borough, a Pittsburgh suburb where the senator maintained a home at the time of his death.

He attended Phillips Exeter Academy in New Hampshire and earned a B.A. at Yale and an MBA at Harvard. After that he joined the Air Force as an enlisted man before taking the marketing job in the Heinz office at Pittsburgh.

Heinz's interest in politics developed while he was working for the family company and came face to face with the effect elected officials have on a community, its people and their businesses. He became involved in local politics, then branched out to state politics, working in several campaigns.

In 1971 Rep. Robert J. Corbett, the Republican who represented Heinz's hometown in Congress, died. Heinz, then 33, decided to seek the seat in the special election that followed. He won his party's nomination easily, then went on to defeat the Democratic candidate, John E. Connelly, a businessman, with equal ease.

Over the next five years, Heinz twice sought re-election and twice won easily, relying on his record of support for the elderly and Pennsylvania's steel industry cut deeply into the Democratic vote.

In 1976, when Sen. Hugh Scott, a Republican, retired rather than seek another term on Capitol Hill, Heinz jumped to fill that political void.

Tall and athletic, with good looks to match, Heinz enjoyed a good game of tennis or a quick downhill run on skis when he was not politicking.

He is survived by his wife, the former Maria Teresa Thierstein Simoes-Ferreira, and three children, H. John IV, 24; Andre, 21, and Christopher, 18.

[From the Hazleton (PA) Standard Speaker, Apr. 9, 1991]

JOHN HEINZ III—A GREAT SENATOR

It's a rarity when almost everyone agrees that the name of an elected public official deserves to be mentioned in the same sentence as the word "great," but in the case of U.S. Senator John Heinz III of Pennsylvania, there is no hesitation in using the word.

The life of the Republican senator was claimed, along with six others, including two children, when the airplane he was on collided with a helicopter last Thursday in Merion.

Heinz, heir to the food empire fortune that bears the family name, was one of the nation's wealthiest politicians. He didn't have to spend a day of his life being concerned about the welfare of the nation or his constituents. He could have devoted most of his time to the international family business and spent much of his time in leisure time activities.

Instead, he paid attention to the cares of the ordinary citizen and did all he could to correct the problems of his constituents and society in general.

Virtually every one who met him was impressed by the fact that his lofty status in life, both in business and government, became secondary when he dealt with the public on a one-to-one or group basis. His warmth and concern were genuine.

Republicans and Democrats alike praised the 52-year-old senator because they respected his honesty, sincerity and his willingness to work hard for the betterment of America.

"The people of Pennsylvania have lost a great leader and the nation has lost a great senator," said President George Bush, who astutely summed up the life and achievements of Senator Heinz in one sentence.

The publishers and editors of this newspaper express their sincere condolences to Mrs. Heinz, their children, and the other members of the family.

[From the Stroudsburg (PA) Pocono Record, Apr. 15, 1991]

HEINZ GAVE PRIORITY TO CONSTITUENT SERVICE

(By R.B. Swift)

HARRISBURG.—The person elected to fill John Heinz's U.S. Senate seat this November faces one daunting legacy left by the late senator.

That is Heinz's practice of appearing at countless town meetings and constituent events across Pennsylvania during his 15 years in office.

Heinz's death has undoubtedly fostered a new-found awareness and appreciation of a part of politics that often gets overshadowed by attention paid to legislation and rollcall votes: that nebulous area called "constituent service."

In eulogies given last week in Harrisburg and Pittsburgh, lawmakers told how Heinz went beyond normal expectations to spend time with his constituents, especially the senior citizens and poor.

With his great personal wealth, his status as the state's most popular politician and the cushion of the six-year Senate term, Heinz could have easily gotten with a lighter travel schedule.

He died in the line of duty when his plane crashed enroute to a town meeting in the Philadelphia area, said U.S. Sen. John Danforth, R-Mo., an Episcopal minister who officiated at the funeral service.

"He didn't need the town meetings and the fundraisers, the days on the roads, the nights in motels, the cramped hours in little airplanes," added Danforth. "It was his gift to the people he wanted to serve."

We normally don't think of a politician's appearance at some community event as a gift. Most people probably just take it for granted.

When asked about their jobs, many lawmakers like to dwell on the time they spend handling requests for constituents for help. But this doesn't get the attention accorded to bill drafting or votes on important legislation.

That's because it's difficult to objectively measure how effective lawmakers are at delivering these services.

For example, is forwarding a driver's registration card from a constituent to the state Transportation Department a valuable service or just make-work?

We are likely to hear at length from lawmakers about constituent success stories, but what about those who don't get helped?

It should also be noted that excessive attention to an influential constituent can get politicians in trouble. Witness the recent ethics investigation of five U.S. Senators for intervening on behalf of savings and loan executive Charles Keating with federal regulators.

But however you look at it, John Heinz set a standard in delivering constituent services that will be difficult to match.

[From the Wilkes-Barre (PA) Sunday Independent, Apr. 7, 1991]

TRIBUTES TO HEINZ CONTINUE FROM VALLEY PEOPLE

(By Dave Kaszuba)

His former Luzerne County campaign chairman, Ted Warkomski, says that the late U.S. Sen. John Heinz was a remarkably compassionate man who would have been president some day.

Another of the senator's friends, Henry Bartos, recalls Heinz as man whose "down to earth" style made him unique among politicians.

Still another of the Heinz's associates, Marge Matisko, remembers the Pennsylvania senator as a "person who was as comfortable sitting down and talking with a welfare mother as he was sitting down and talking with the press."

Those were among the sentiments expressed Saturday by a number of local residents who worked closely with Heinz in the

years prior to his tragic death in an airplane crash Thursday.

According to them, Heinz was "a multi-millionaire who acted like an ordinary Joe." A man who, despite his wealth, had an uncanny ability to relate to the middle class and the impoverished.

And it was because of this, they say, that Heinz gained so much admiration and respect.

"He had a deep-rooted feeling about helping people," Warkomski says. "His work with senior citizens and also the destitute is a testiment to that. He was a very decent man."

Warkomski, a Nanticoke resident who served as the Luzerne County campaign chairman for Heinz during his last re-election bid, likes to recount a story about an incident that occurred on a 1988 campaign stop in Scranton.

As Warkomski tells it, Heinz was speaking to a crowd of supporters on a rainy Saturday morning when his aide, Skip Irvine, arranged for the senator to meet with an elderly woman in the audience. She was obviously poor, Warkomski says, and she had been having problems securing a disability pension for her son, a Vietnam veteran.

"I looked at John (Heinz) as he was speaking to her and I noticed that his eyes were watering up," Warkomski says. "Then mine began to water up, too. Two weeks later, the woman's problem was taken care of.

"It just goes to show you, John may have had all kinds of money, but he certainly had all the compassion in the world, too.

Bartos, who lives in Franklin Township and used to work with Heinz through the National Conservative Political Action Committee, agrees.

"He (Heinz) never really made you feel like he was a politician," Bartos says. "He was on the side of the ordinary guy, whether that guy had money or not.

"I remember one time in Washington D.C., it was raining like cats and dogs, and Heinz, who could have easily afforded a limousine, pulled up in a taxi. He didn't even have an umbrella. I said to him, 'What, did you leave the limo home? And he said, 'No, that's not my style.'"

His style, Matisko says, was best displayed by his genuine "concern for his fellow man."

"He was very constituent-oriented," says Matisko, a resident of Wilkes-Barre who was associated with Heinz through her position as regional director of ACTION, the federal domestic volunteer agency.

Eugene Brady, whose role as executive director of the Commission on Economic Opportunity in Wilkes-Barre brought him into contact with Heinz, said Saturday, "The senator was concerned about the little guy, not just the guy who professed to be important."

Perhaps Nanticoke's Joe O'Karma, former chairman of the Luzerne County Republican Party, sums up Heinz's appeal best when he says, "John (Heinz) was a very nice, very congenial man. You just couldn't beat 'em."

A funeral service will be held for the third-term U.S. senator Wednesday at the Heinz Memorial Chapel in Pittsburgh. Also, a memorial service is scheduled to be held Friday at the Washington National Cathedral in Washington, D.C.

[From the Harrisburg (PA) Sunday Patriot News, Apr. 7, 1991]

SENATOR SLASHED RED TAPE TO HELP REUNITE FAMILY

(By Mary Klaus)

On Nov. 1, 1985, U.S. Sen. John Heinz had his picture taken with a Camp Hill couple and their young son, who he helped free from one of Thailand's Cambodian refugee camps.

This weekend, Burton McIntire and his wife, Bopha Thach McIntire, gently removed that picture from their living room wall, where it has hung surrounded by family photos.

Their tears fell as they reminisced about Heinz, who was killed Thursday when his plane and a helicopter collided over suburban Philadelphia.

"I feel like we lost a member of our family," said Mrs. McIntire of the 300 block of Beverly Road. "He spent so much time helping us get both our boys. He always was interested in our family. Now, he's gone."

In 1985, Heinz helped reunite Mrs. McIntire with her son, Malou, after a five-year separation.

"In 1980, when the Vietnamese Communists came to Cambodia, Malou and I were working on a farm," Mrs. McIntire said, referring to a farm on which families toiled like peasants. "The Vietnamese and Cambodian soldiers began fighting. I ran one way, Malou ran the other way and we lost each other."

She spent a year looking for him, then came to the United States, later learning that Malou was trapped in an overcrowded refugee detention camp that lacked beds and outhouses. Her second son, Sam, was with her mother.

Mrs. McIntire and her husband tried to bring Malou to this country, but a bureaucratic maze kept them separated. So they enlisted Heinz's help.

The senator spent several months communicating with American Embassy officials in Bangkok, who said the Thailand government did not allow other governments to contact Cambodian refugees in border camps.

Heinz argued that since the boy had an American stepfather, he was an immigrant eligible for release, not a refugee.

"We were persistent with the U.S. Embassy, but that did no good," Heinz told The Patriot-News on Nov. 1, 1985. "They moved at a snail's pace. But the Thailand ambassador to the United States responded in record time to my requests. What a wonderful, happy ending this is!"

"He was so kind and gentle," said Malou, now a sixth-grade student at Hoover Elementary School in Camp Hill. "He was special to me. It's hard to believe that this happened."

The following week, Heinz wrote to the McIntires that "it was a rare pleasure" to meet Malou. In a letter the McIntires treasure, Heinz wrote that he and his staff "will long remember the day we finally cut through the red tape and barbed wire that separated you from Malou."

When Mrs. McIntire became a U.S. citizen in 1987, Heinz sent her a letter of congratulations.

And Heinz entered the McIntire family's life again last year by helping cut through red tape when Mrs. McIntire went to Cambodia to bring home her son, Sam.

"He was very friendly and approachable," McIntire said.

[From the Altoona (PA) Mirror, Apr. 5, 1991]

HEINZ FOUGHT FOR ISSUES IMPORTANT TO AREA RESIDENTS

(By Michael Race)

Despite his privileged background—or perhaps because of it—U.S. Sen. John Heinz seemed to be most concerned with the plight of the working class.

Among Heinz's biggest concerns were railroads, labor and senior citizens—all big issues in this area.

Heinz was particularly concerned with the fate of the nation's rail system, and was an advocate of preserving and rebuilding of railroad systems and companies.

He fought against a Reagan administration plan to cut government subsidies to Conrail and sell the railroad in the early 1980s. He said such a move would be a "great mistake," claiming it could "shut down the entire railroad system and precipitate a depression in the Northeast."

He introduced an amendment to curtail the piecemeal sale of the government-owned Conrail. It was defeated, but he vowed to continue the fight.

When Allegheny Corp. offered to buy Conrail, Heinz opposed the idea. He said it would be a mistake to sell Conrail to a private company and instead called for selling public stock in Conrail. The railroad eventually was sold through a public stock offering.

Heinz also was against selling Conrail to another railroad.

"With no single group in control of the company, the chances are slim it would be sold down the river in the middle of the night for a profit," Heinz said.

He also pushed for federal funding to rebuild deteriorating railroad lines and fought to restore the benefits of about 400,000 of the nation's railroad retirees.

When the Reagan administration proposed doing away with the U.S. Railroad Retirement Board in 1982, Heinz stepped in with a budget amendment to block the plan.

Heinz also kept in touch with the needs of senior citizens, and many of his town meetings in Altoona included visits to senior citizen housing projects.

The American Association of Retired Persons credits Heinz with helping to end mandatory retirement, ensure the solvency of the Social Security system, and expand Medicare benefits.

When Heinz was still a U.S. Representative, he spearheaded the successful battle to create the House Select Committee on Aging and served on the committee until moving to the senate in 1977.

Former Blair County Commissioner Colson Jones credited Heinz with bringing many grants for the county, particularly in the area of housing.

The housing issue was one reason Heinz visited Altoona this week. He urged county officials to apply for funding under a new federal housing program and promised he would do all he could to help the county land some of the federal money.

Heinz visited Blair County several times during his three terms as senator, usually to hold town meetings designed to give people a chance to voice their opinions directly to the senator.

He took advantage of the Senate's current recess to once again traverse the state and meet with constituents, stopping in Altoona just one day before the fatal crash.

"It's always been his policy to come to Blair County at least twice a year," county Commissioner William C. Stouffer said.

[From the Pittsburgh (PA) Press, Apr. 5, 1991]

SENATOR HEINZ, FOR THE PEOPLE

Set apart from the people by family riches but drawn to them by personal warmth, Sen. John Heinz died yesterday doing just what he saw as his life's work, serving his constituents.

Along with six other people, including two schoolchildren, Sen. Heinz was killed when his small plane collided with a helicopter and crashed near a school in Lower Merion,

suburban Philadelphia. The Fox Chapel Republican had been en route to Philadelphia for meetings. He was 52.

An heir to the H.J. Heinz Co. fortune, Sen. Heinz was one of the wealthiest men in the Senate, with assets estimated by Forbes Magazine at $500 million.

But riches were not his interest. In his 15th year in the Senate (he had served five years in the House before that), he had compiled a record of compassion for people. That concern was demonstrated by his constant fight for people issues—human rights, the elderly, the environment and, most ardently of all, a national health care system.

One incident in September 1989 was indicative of his concern. Scheduled to speak to an elite group in Washington, D.C., he quickly abandoned those plans when he learned of the special need of a 2-day-old Philadelphia girl. Born with a severe lung infection, the girl needed the help of a special heart-lung bypass machine.

The only two such machines in Philadelphia were in use and the only portable unit was in San Antonio. Through Sen. Heinz's efforts the baby was on an Air Force plane the next morning, bound for Texas.

Sen. Heinz did not fit easily with the Reagan and Bush administrations. Because of his unwavering desire to serve Pennsylvanians, he was often "wrong" in the administration's eyes, voting in the conservative bent on less than half the issues that came before the Senate.

Despite the uncomfortable fit, there was a school of thought in Washington that someday Sen. Heinz would seek national office, perhaps the presidency. Of that, he said, "I've always believed that if somebody wants to be president of the United States, they ought to have a very good reason for believing they are the right person for the job."

The question of whether he was the right person for that job was rendered moot in that one tragic instant yesterday. But in nearly two decades of serving his constituents, he proved that they had not chosen the wrong man to represent them in Congress.

His death is a profound loss to the Senate, to Pennsylvania and to the nation.

[From the Phoenixville (PA) Evening Phoenix, Apr. 13, 1991]

HEINZ WAS CHAMPION OF MASS TRANSIT CAUSES

(By Robert J. Thompson)

WEST CHESTER.—Much will be written and uttered in the days and weeks ahead about the contributions made by Sen. John Heinz to the residents of Pennsylvania and the citizens of the United States during his most distinguished career of public services.

Born to wealth, with an option to follow a career in his family business, he chose a life of public service.

As someone who had few worries about living on the proceeds from a Social Security check in his later life, he spent countless hours of his Senate career championing the rights of senior citizens, chairing the task force that helped put the Social Security system back on sound financial footing and fighting proposed medicaid cuts.

Coming from a family who made its fortune in the food industry, he worked tirelessly to protect jobs of thousands of Pennsylvania steelworkers.

Cynics might say this was just good politics. Pennsylvania's population is aging. Seniors comprise a huge voting bloc in the commonwealth. There are also a large number of steelworkers—and steel companies who have active political action committees.

But the John Heinz I will remember was a champion of another constituency. This constituency is not as powerful as others. But it was heard—and heeded—by the senator. That constituency rode the buses, subways, trolleys and trains in the cities and suburbs and across the nation. They were the people who relied on public transportation.

John Heinz probably never had to take a bus to work or the subway to see a doctor. But he feverishly worked for those who did. He believed that a viable transportation system was crucial to recovery of our inner cities, vital to the economic health of this nation and essential to the protection of our environment. And he fought for those beliefs.

The last time I talked with John, it was three weeks ago, following a luncheon, when members of ACT, the Area Coalition for Transportation went to Washington to lobby against Administration cuts in federal transit subsidies.

That was a day after he pledged to the Legislative Conference of the American Public Transit Association that he would not only work to eliminate Administration-supported cuts in operating subsidies, and capital dollars, but to restore some of the transit subsidies to the level they were before cuts were made five years earlier.

His views about mass transit didn't increase his popularity rating with two of our nation's most popular chief executives. He fought Ronald Reagan's proposals for eight years. And he was in the midst of a fight with the Bush administration at the time of his death.

He was a champion. But he was not a fanatic. Last year, he and Sen. Arlen Specter saw the folly of House-passed legislation which would have cut off all federal transportation funding to Pennsylvania—highway and mass transit—if the General Assembly hadn't passed legislation providing a predictable funding source for mass transit. (Pennsylvania is the only state in the Union without one.) The two senators led a successful fight against that legislation.

Both men took a lot of flack for their stand. But both saw serious constitutional problems with the proposals. They also saw a battle between the federal government and the Pennsylvania General Assembly which might have set back nearly all of the state's already lagging highway and airport improvement programs even further.

As a member of the Transportation Steering Committee of the National Association of Counties, I testified before his Senate committee. I always had his undivided attention when I testified. When I inherited the chairmanship of SEPTA in an extremely charged atmosphere, John was one of the first to call to offer his help.

John Heinz lived and loved the life of public service. He died doing it—ironically in a transportation-related tragedy.

Pennsylvania's public transit riders had a friend in John Heinz. They will miss him, as will we all.

[From the Ellwood City (PA) Ledger, Apr. 9, 1991]

STATE WILL MISS SENATOR JOHN HEINZ

Done too soon—that in a nutshell defines the tragedy surrounding last week's premature death of Pennsylvania Sen. John Heinz.

Although we all pay lip service to the notion that nothing in life is guaranteed, the news that Sen. Heinz was killed in a fatal, mid-air plane-helicopter crash came as a shock to all of us last Thursday. "He was so young," we heard several people say. "How could this happen?"

Well, we all know the answer to that, of course. Tragedies are not reserved for any specific age group, nor do they only happen, as is evidenced by the death of John Heinz, to the unfortunate. Even those who seemingly have everything to live for are sometimes touched by misfortune.

Knowing and understanding that, though, has not changed the way people were affected by his unexpected passing last week. No matter what conversation we entered into over the weekend, invariably the subject of the John Heinz tragedy surfaced. And in an age where respect for politicians has slipped about a hundred notches, there was nothing but sincerity in the sadness expressed.

And that, beyond anything else, is a tribute to the man himself. An extremely wealthy individual, born into good fortune and bearing a name which in itself opened doors, Sen. Heinz decided to forge a path in politics and did so with a gusto few in Congress display. His motives were obvious: he certainly did not seek office for financial gain, not with a family whose name was synonymous with the business successes the Heinz company has enjoyed. No, he apparently had only one motive and that was to serve the people and his country.

We realize that whenever anyone dies prematurely, it is customary to say nice things about them. "Oh, he cared about his work," or "He put the people he represented before anything else." Yet, Sen. Heinz was someone special, we know he fought for the concerns of senior citizens and children across the state, we are aware of his devotion to Pennsylvania and have witnessed many times "the good fight" he fought on the commonwealth's behalf.

He was also a man who apparently cared very deeply about his family and about his private life, and somehow, we have always thought that the two go hand-in-hand. A caring public servant—one who places the concerns and the needs of his constituents before personal gain—is generally one who is also family-oriented.

Yes, Sen. Heinz possessed something that made the people who kept voting him back into office—on both sides of the political aisle—admire him very much. And today, with all the scandals that come out of Washington, with all the ethics commission probes and the misconducts and misdeeds, there is something to be said for having a Senator from this state who was admired by the people.

Will Pennsylvania miss John Heinz? Absolutely. There is no doubt the state benefited from his clout and his experience, his good manner and his caring demeanor. Some unfortunate twist of fate deemed his mission "done too soon." For that we are truly sorry, indeed.

[From the Honesdale (PA) Wayne Independent, Apr. 10, 1991]

SENATOR HEINZ TOUCHED THE LIVES OF MANY

Lawmakers, businessmen, and a diverse cross section of citizenry of Pennsylvania paused this morning to say a final farewell to Senator John Heinz, as he was laid to rest at the Homewood Cemetery, following services at the chapel named after the family.

Approximately 4,000 people reportedly visited the Heinz Memorial Chapel at the University of Pittsburgh Tuesday, in addition to an estimated 1,400 who passed through to pay their respects Monday.

Services for the 52-year-old Republican Senator, killed last Thursday when the small plane in which he was a passenger collided

with a helicopter, were scheduled for 10:30 a.m.

Vice President Dan Quayle was among those expected to attend the services.

From steel workers to corporate executives, a vast cross section of the populace gathered to pay final tribute to the man who held the Senate seat since 1976.

Both the Pennsylvania House and Senate on Tuesday passed "resolutions of sorrow" in tribute to the long-time public official.

Senator Heinz was noted as an advocate of the working people, the elderly, and notably, of steelworkers, but he commanded the same respect among captains of industry, and the corporate hierarchy.

A memorial service has also been planned for 10 a.m. Friday at the National Cathedral in Washington, D.C.

Senator Heinz last visited this region on August 15, 1990, when he met with local business and media representatives at an informal gathering at Nemanie Lodge, overlooking Lake Wallenpaupack in Tafton.

During that discussion, the Senator spoke of local issues, including the fight to upgrade water quality control on the Delaware River; he spoke of state issues, including the poor condition of state roads and state health care, and his views on how to resolve those problems; and he spoke on issues of international importance, including the newly-developing U.S. involvement in the Persian Gulf.

Senator Heinz noted the rapid growth taking place in northeastern Pennsylvania, stating that Wayne, Pike and Monroe counties were "being watched optimistically in Washington." He encouraged those in attendance to maintain the beauty and prestige of this area, and offered his assistance to all his constituents in the region.

The range of people who supported the Senator was evident even at that meeting, as businessmen, bankers and local merchants gathered to hear the 15-year Senate veteran speak.

Today the state mourns the loss of Senator John Heinz.

Today, a cross-section of the population of the commonwealth will pause in their daily activities to pay a final tribute to the man who did so much for the citizens of Pennsylvania.

Today, Senator John Heinz was laid to rest.

[From the Scranton (PA) Sunday Sun, Apr. 7, 1991]

A MAN OF PURPOSE

The tragic accident which took the life of John Heinz ended a career of accomplishment and promise. Born into great wealth, Heinz chose not to spend his life in a perpetual pursuit of pleasure, but rather to use it to enhance the common good. He sought and gained public office, turning his attention to alleviating problems and improving possibilities. His commitment showed in his actions.

As a senator representing Pennsylvania, Heinz was no dilettante. He worked hard at the job. The man was a frequent visitor to this area, seeking to learn about our needs and aid our prospects. One hallmark of his local trips was his willingness to listen. Heinz did not come here to tell us what he knew but to discover what he didn't. His town meetings were a clear signal that the senator was open to ideas and responsive to complaints.

In the time he served, Heinz was productive. Especially distinguished was his work for the handicapped and the elderly. In the future now denied us, he would have achieved much more. His death is not only a loss to his family, but also one for the state and the nation.

Heinz was part of a vanishing tradition. In some families of wealth, the scions were raised with an obligation of public service. It was felt that the family had a duty to repay society for the benefits it had received. Names such as Rockefeller, Harriman, Scranton, Kennedy and Roosevelt are prominent in 20th Century history. All willingly played active roles in the commonwealth. Heinz followed proudly in that tradition and fulfilled his obligation handsomely. Unlike so many in the acquisitive decade through which we have just passed, he believed serving outranked spending.

The senator by his life answered the call that John Kennedy issued when he took office: "Ask what you can do for your country." What Heinz did was his very best. He will be missed.

[From the Greensburg (PA) Tribune-Review, Apr. 7, 1991]

SENATOR JOHN HEINZ WAS GUIDED BY HIS INTEGRITY

(By Richard M. Scalfe)

Some say John Heinz was a bit standoffish with his Senate colleagues—that he didn't go in much for the backslapping and cronyism that usually goes on in the nation's "most exclusive club"—and that he was, at times, aloof and stubborn in pursuing his legislative agenda.

If this, indeed, has been the case, then we say, good! That's the way it should be with any elected official, and most especially a member of the United States Senate, where so much of the nation's—and the world's—fate perpetually hangs in the balance.

As those who have visited Capitol Hill know, it's a heady place, with its own unique magnetism of history and power that can draw even the most well-intentioned individuals away from their professed goals of goodness. It takes a special kind of discipline for a person to resist this environment, where the temptation to trade independence for political and economic privilege can, at times, be overpowering—as the American people more and more are beginning to comprehend with growing distaste.

John Heinz had that kind of discipline. And the likes of him are not to be found in the murky congressional atmosphere that has produced, among other things, the Keating Five.

If he was guarded in Washington (that's the way we would put it), it was because he was guarding the interests of the people of Pennsylvania, which they elected him to do six times at approximately two-to-one margins. So much for the notion of his being naturally aloof and cool, for even the least bright among us knows you don't win elections that way.

His words were always in harmony with his deeds. And there were deeds aplenty—having to do with the nation's banking, housing and urban affairs, touching everything from trade and domestic transportation to Social Security and nursing homes. Whether one agreed or disagreed with his stands, one could never dispute the intellectual honesty and sincerity of his convictions in all that he did.

John Heinz already had become a statesman, a gradual, evolving kind of process that may not yet have been particularly realized in his own state. But his understanding of global affairs and his serious attention to whatever was the situation of the moment already had marked him as worthy of that title.

He practiced the meaning of family by carrying out the best traditions of the Heinz heritage—so uniquely American—in tangible, useful ways that have touched the lives of millions—as, for instance, in his concern for the care of the elderly.

We offer our sincerest sympathies to his courageous family, as do so very many others.

His hallmark, it seems to us, is that he always kept his word, and in so doing kept faith with his own—the people of Pennsylvania. And since in many ways the commonwealth is, itself, kind of a cross-section of so much of what has been, and still is, American, we can say that, in truth, Sen. John Heinz represented all peoples of our nation with equal sincerity, with equal grace and with equal commitment to serve them all—whomsoever.

[From the Lehighton (PA) Times News, Apr. 5, 1991]

SEN. HEINZ: STATE LOSES A FRIEND

How many of us, placed in the same position as Sen. John Heinz, would have traveled the same path?

Think about it. Here was a man who was handed wealth beyond description. He had movie-star looks, a charming personality and keen intelligence.

John Heinz could have opted for the good life, the jet-set whirlwind of fun and games, with no pressures and no responsibilities. Life could have been a lark.

But the 52-year-old Pittsburgh native, who died yesterday in a horrifying air crash over suburban Philadelphia which also killed six others, including two small schoolchildren, chose to serve other Pennsylvanians.

He traded the easy life for the pressures and frustrations of Capitol Hill.

Heinz spent large amounts of his personal fortune to be elected to first state, then national offices. And, for more than two decades, he dedicated his life to improving the quality of life for all Pennsylvanians.

It's somewhat ironic that Heinz, he of the eternal youthful look, will best be remembered as a champion of the elderly. Here his influence, and his efforts will be missed the most in Washington circles.

Whether it was fighting for more Social Security benefits, or guarding against Medicare cuts, and fighting against mandatory retirement ages, the Senator could always be counted on.

Labor will also keep a fond place in its heart for the grandson of Henry John Heinz of "57 Varieties" fame. He fought against foreign imports that threatened Pennsylvania industrial jobs, and he campaigned for better health and retirement benefits.

Sen. Heinz's death reminds us of our own human frailties. Neither power nor wealth can keep us from the inevitable once our time has come.

And, it is consistent with the senator's dedication and work ethic that he was killed on the job, traveling from one meeting with constituents in Williamsport to another similar session in Philadelphia.

Pennsylvanians who knew the popular senator, and those who followed his career and triumphs in Washington, are in shock today over the suddenness of his death. It is our loss that he was taken when there was still so much to be done.

Pennsylvania lost a good friend yesterday. And like all good friends, he will be missed very much.

(Written by a member of the staff)

[From the Washington Post, Apr. 5, 1991]

JOHN HEINZ

What made John Heinz of Pennsylvania stand out in the Senate was not his gift of wealth but the tenacity with which he used the advantages of financial independence and political power in behalf of those of narrower means. That makes his death in a plane crash yesterday in Pennsylvania all the more tragic. Heir to a family fortune and trained for the world of business—with a Yale degree and a Harvard MBA—he chose instead the profession of politics and became a powerful advocate. On issues affecting the elderly and children, John Heinz was especially good. His civil rights record earned him the label of progressive Republican in the tradition of Sens. Jacob Javits, Edward Brooke and Charles McC. Mathias.

Sen. Heinz kept a protective arm around American industrial interests, but that didn't stop him from speaking up in behalf of working people too. He walked an independent path on arms control and international affairs, matters that greatly interested him. He was guided not by ideological abstractions but rather by the simple motion that public service is a high calling and by the conviction that he could make a difference. He was back in his state during the Easter recess making the rounds of constituent meetings when he died.

John Heinz's brand of representation agreed with the voters, who made him at age 52 the state's senior elected official. Being a Republican in a state with heavy Democratic registration didn't keep him from being twice returned to the Senate or from being elected three times earlier to the House of Representatives. He also chaired the Republican Senatorial Campaign Committee, where his fund-raising talents were fully exploited. John Heinz meant much to Pennsylvania and the United States Senate.

[From the Philadelphia Inquirer, Apr. 5, 1991]

SENATOR HEINZ: CONGRESS AND PENNSYLVANIA LOSE A REAL WORKHORSE

With his family wealth, John Heinz could have gone just about anywhere and done anything with his life. But for the last 20 years, ever since he was 32, he chose to be a public servant. And over that time, he earned the respect of his colleagues in Congress. In the parlance of Capitol Hill, he became a workhorse, not a show horse.

Thus his death yesterday, in a mid-air collision that killed seven people, is a genuine loss for Pennsylvania and for the U.S. Senate. He had become a leader on issues ranging from low-income housing to long-term care for senior citizens—and was coming to Philadelphia in part for a meeting to discuss those issues with the Inquirer Editorial Board, as he did regularly. During last year's budget melodrama he was an energetic, articulate critic of the misuse of Social Security surpluses to camouflage the magnitude of the federal deficit. During the Persian Gulf war, the senator led the effort to change military policy so that the children of military personnel would be less likely to be orphaned by war. Under his plan, which unfortunately failed, single parents could choose to stay out of a war zone, and so could one parent of a couple when both are in the service.

There was a tendency in Philadelphia to think of Mr. Heinz, who was from Pittsburgh, as the senator from Western Pennsylvania, and this visibly annoyed the senator at times. He frequently noted that he worked hard on issues that affected all areas of the state, and he did as much as any lawmaker in Congress to get new federal aid to reverse the deterioration of Independence National Historical Park. Indeed, the well-being of the park had been an area of special concern to him throughout his Senate career. In addition, every time the Department of Defense tried to take a whack at the Philadelphia Naval Shipyard, he was in the thick of the yard's defense. And so on.

Mr. Heinz, who won his last two Senate races by landslides, was probably the most popular politician in the commonwealth, but as people reacted yesterday to the shock of his death, they didn't think of that. Instead, those who knew him well spoke of a man who, in recent years, had really come into his own. Time and again, the same words came up—hard-working, mature, genuine—spoken in sadness, with respect.

[From the New York Times, Apr. 5, 1991]

JOHN HEINZ, 52, HEIR TO A FORTUNE AND SENATOR FROM PENNSYLVANIA

(By B. Drummond Ayres, Jr.)

WASHINGTON, April 4.—In 20 years on Capitol Hill, 5 of them in the House and 15 in the Senate representing Pennsylvania, John Heinz built a solid record as a persistent defender of the nation's growing elderly population and its declining steel industry.

A moderate-to-liberal Republican, one of the rarer political species in his party, he was never a major legislative figure in either the House or the Senate. Rather, he was known for his great personal wealth as heir to the Heinz food company fortune and as one of this country's richest politicians. Still, the 52-year-old lawmaker left a legislative mark that was discernible and important, with most of the achievement occurring while he was serving in the Senate on two major committees, Finance and Banking, Housing and Urban Affairs.

The Senator was instrumental in pushing through legislation that put the Social Security system on sounder financial footing. He played a major role in strengthening laws regulating retirement policies, pension plans, health insurance and nursing homes. And he pushed successfully for trade laws that encourage American exports and protect American products, like steel from foreign imports.

POLITICAL STANDS PAY OFF

Mr. Heinz's concentration on trade and the elderly was particularly intense and paid off handsomely for him politically in his home state, which as one of the nation's aging industrial states has an unusually large elderly population and an unusually troubled steel industry. In six elections, he won every time, beating most opponents by a ratio of roughly 2 to 1, cutting heavily into the Democratic vote on labor and social issues.

While Mr. Heinz was an effective legislator on the issues that he concentrated on, he was never a particularly popular legislator on Capitol Hill, never a man his colleagues clapped on the back with fondness or nudged with an elbow while enjoying a good laugh. Many found him cool, even aloof and patrician, and some were put off by the stubborn persistence with which he pursued his legislative goals.

Seemingly aware that this perception of him, whether right or wrong, might be a drawback in a setting where collegiality and camaraderie are important tools of the trade, he tried in his early days in the Senate to soften the image a bit, even dropping his full name, Henry John Heinz 3d, and thereafter passing as John Heinz. But most colleagues still refused to accept him as plain folks and, in any event, he could not escape the sobriquet with which he had lived all his life—"heir to the H.J. Heinz food company fortune."

INHERITED GREAT WEALTH

As a Heinz scion, the Senator did, in fact, die a very wealthy man, the largest individual shareholder in the Pittsburgh-based company, with control of almost 6 percent of its stock, valued as roughly $350 million. Otherwise, his involvement in the company founded by his great-grandfather in 1869 was minimal, limited mainly to a brief stint in the late 1960's as a marketing specialist before entering politics.

Born Oct. 23, 1938, in Pittsburgh, John Heniz was the only child of Henry John Heinz 2d and Joan Diehl Heinz. His parents divorced when he was a child and he divided his early years between his mother's home in San Francisco and his father's house in Fox Chapel Borough, a Pittsburgh suburb where the Senator maintained a home at the time of his death.

He attended Phillips Exeter Academy in New Hampshire and earned a B.A. at Yale and an M.B.A. at Harvard. After that he joined the Air Force as an enlisted man before taking the marketing job in the Heinz office at Pittsburgh.

Mr. Heinz's interest in politics developed while he was working for the family company and came face to face with the effect elected officials have on a community, its people and their businesses. He became involved in local politics, then branched out to state politics working in several campaigns.

SUCCESSFUL RUN FOR HOUSE

In 1971 Representative Robert J. Corbett, the Republican who represented Mr. Heinz's hometown in Congress, died. Mr. Heinz, then 33 years old, decided to seek the seat in the special election that followed. He won his party's nomination easily, then went on to defeat the Democratic candidate, John E. Connelly, a businessman, with equal ease.

Over the next five years, Mr. Heinz twice sought re-election and twice won easily, relying on his record of support for the elderly and Pennsylvania's steel industry to cut deeply into the Democratic vote.

In 1976, when Senator Hugh Scott, a Republican, retired rather than seek another term on Capitol Hill, Mr. Heinz jumped to fill that political void. The contest that followed was Mr. Heniz's toughest.

First he had to fight for his party's nomination against Arlen Specter, a former Philadelphia district attorney, and George R. Packard, a former Philadelphia newspaper editor. He squeaked by.

Then, in the general election, he faced Representative William J. Green 3d, a Philadelphia Democrat. Pouring in almost $2.5 million of his own money, Mr. Heinz again squeaked by with 52 percent of the vote.

By 1982 he was back on safe political ground, winning re-election easily with almost 60 percent of the vote, and following up in 1988 with a re-election victory in which he got 66 percent of the vote.

Tall and athletic, with good looks to match, Mr. Heinz enjoyed a good game of tennis or a quick downhill run on skis when he was not politicking. He was also a serious collector of art, with a particular liking for Dutch and Flemish still-lifes.

He is survived by his wife, the former Maria Teresa Thierstein Simoes-Ferreira, and three children, H. John 4th, 24; André, 21, and Christopher, 18.

ESTABLISHMENT OF A PROCESS TO SETTLE ROUTE NUMBERING DISPUTES BETWEEN STATES

Mr. DIXON. Mr. President, I am pleased to announce that on October 13, 1991, the American Association of State Highway and Transportation Officials [AASHTO] established a process to settle route numbering disputes between States.

The new AASHTO policy simply states that when States are unable to reach an agreement about a highway that runs between the two States, any of the affected States may request the AASHTO Special Committee on Route Numbering to undertake a mediation effort between the affected States. If the mediation fails, the special committee would review the various numbering options and make a recommendation to the AASHTO Executive Committee, which would then make a final decision.

I have long said that AASHTO and the Department of Transportation should come up with a process to settle route numbering disputes between States. Before the recent AASHTO decision, if two States could not agree on the route numbering of a highway that ran between them, nothing could be done to resolve the dispute. It did not matter if the numbering was illogical, confusing, or unsafe. Ironically, billions of dollars have been spent on highways to make them more efficient and safe, yet we could not establish a process for resolving dead-end route numbering disputes.

Because no action was being taken to resolve the problem, I introduced an amendment on June 13, 1991, to establish a process for settling disputes. The Senate eventually decided not to support my legislation and I understand the Senate's position. Technical transportation matters are best left to transportation officials to resolve.

I am glad to hear that AASHTO has finally concluded that such a route numbering process is needed and established a process by which disputes can be heard, judged, and decided. Mr. President, logic does sometimes triumph.

TRIBUTE TO URIE BRONFENBRENNER

Mr. DIXON. Mr. President, I rise today to bring to the attention of my colleagues a heartwarming story that appeared in last Sunday's Chicago Sun-Times.

The article tells the tale of a great American; Urie Bronfenbrenner. Urie, as some of my colleagues might know, was instrumental in founding the national Head Start Program over 25 years ago. A quarter of a century later, Urie, at the age of 73, is still working hard for disadvantaged children.

As Mr. Bronfenbrenner points out in the article, study after study has shown that children who participate in Head Start are less likely to need special programs when they start school. Head Start gives the disadvantaged children of America an extra boost that allows them to compete academically with their peers. Without Head Start, these needy children would fall hopelessly behind their classmates and require more expensive special education programs to catch up.

Mr. President, I have been an advocate of Head Start since coming to the Senate in 1981 and have seen it flourish due to the hard work of great Americans such as Urie Bronfenbrenner. It is truly one of the most effective and successful of all Federal programs. Head Start works, and this Senator promises to maintain his vigilance that this valuable program remain properly funded.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Oct. 20, 1991]

FATHER OF HEAD START VISITS HIS "KIDS"

(By Leslie Baldacci)

"What are you building?" the man asked the child intently snapping together "Ringa-Majigs" building circles.

"I'm building a house," the boy answered, holding out his blue, red and yellow structure. It looked like a place the Jetsons might call home.

"You're making it really fancy," said the man. "It's sort of up in the air. Do you think it will fly away?"

The child considered the question. He regarded the hawk-nosed, bald-headed white man in the pinstripe suit.

"You the grandpoppa?" he asked, wondering who the man was.

"Yeah. I'm a grandpop," said the man. "My name's Mr. B."

They went on building and talking around the low table at St. Paul Head Start, 4644 S. Dearborn. Outside the sun cast shadows among the looming towers of the Robert Taylor Homes. Inside "Mr. B" watched and listened as children sang their ABCs, named their friends and washed up for lunch.

Mr. B is Urie Bronfenbrenner, the developmental psychologist whose tea party with a president's wife 25 years ago led to Head Start, the federal government's massive preschool program for poverty-level children.

Without Mr. B and his cronies, the children at St. Paul might not be in clean classrooms with starched curtains, surrounded by toys and books, receiving two meals a day and instruction from trained professionals—all free and aimed at helping them do better later in school, in their families, in their communities, in life.

Don't be misled. It's not all hearts and rainbows—merely an oasis for children ages 3, 4, and 5. An armed guard is at the door. Warnings are posted instructing what to do in case of gang gunfire.

But Head Start teachers such as Ora Patterson believe the lessons learned will go with the children wherever life takes them. Patterson saw it happen with her own daughter, Head Start class of '76, who is now working on a master's degree.

"Head Start works," says Patterson, a Head Start teacher since 1986. Thirty-six percent of staff are parents of current or former Head Start children.

Sitting in a circle on a colorful rug, Patterson goes through "recall" with her 4- and 5-year-olds.

"Where did you work today, Nathaniel?" she asked one child.

"In the kitchen," he says softly.

"What friends did you work with?" she asks.

"Him," Nathaniel says, pointing to another boy.

"What is his name? You need to call him by his name," Patterson tells him.

The group helps Nathaniel remember his buddy's name.

Doneshia tells in a breathy voice how she glued a puzzle together at the art table. Carla and Andrea had an adventure "in the rocking boat." On goes the tale-telling, around the circle of "friends," as it has in Head Start classrooms for a quarter-century.

In that time, Head Start has provided education and social services to more than 11 million poor children and their families. In 1990, it served 548,000 children, about a third of those eligible. The program's main problems today are that it can't reach all children who qualify and can't provide enough service for the ones it does reach.

"Kids are getting one year of service—that's not enough," said Vianna Peters, director of St. Paul Head Start.

In 1990, Congress authorized a series of funding increases to allow all eligible 3- and 4-year-olds and 30 percent of eligible 5-year-olds to participate by 1994. Head Start's 1991 appropriation of $1.95 billion could climb to $7.66 billion by fiscal 1994 under legislation that would make it available to all 2 million eligible kids.

In Chicago, Head Start is a $45 million program serving 13,000 children. The City Council last month transferred 43 Head Start programs from public schools to private nonprofit agencies to erase a Board of Education deficit.

After visiting three Chicago Head Start programs last week, Bronfenbrenner said he is more convinced of its importance today than he was 25 years ago.

"I was one who said it wouldn't work. I learned something. If you have something you think might work, do it," said Bronfenbrenner, 74, Cornell University professor emeritus of human development and family studies and psychology.

In 1964, Bronfenbrenner argued in congressional hearings that the proposed anti-poverty bill be broadened to strike "at poverty where it hits first and most damagingly—in early childhood."

Not long after, he was invited to the White House for tea with Lady Bird Johnson to discuss child care programs he had studied in other countries.

"There was clearly a gleam in Mrs. Johnson's eye, and, as she told me on subsequent occasions, this was when her enthusiasm for something like Head Start was kindled," Bronfenbrenner said.

In January, 1965, a planning committee including Bronfenbrenner designed Head Start. That summer, it enrolled 500,000 children nationwide.

"I thought we'd be lucky to get 1,000 families," he said. "We had no idea it would become an American institution."

Social chances and their impact on families have been profound in Head Start's time. And while "the whole point of Head Start is to build a sense of community," Bronfenbrenner says, many Head Start parents aren't as available as they once were.

More mothers of young children are in the work force than ever.

Samuella Jackson's five children all went through Head Start, and she helped in the classroom, the kitchen, the office and at home.

"Head Start was a very important part of their lives," she said. "Once they got to the big school, they knew what to do. . . . Most of the Head Start parents become involved in some way. . . . When you're out here volunteering, you're helping kids learn their numbers, their ABCs, the difference between good and bad."

Today, Jackson is a literacy aide in a Head Start program for parents. She helps parents select children's library books and tapes.

Critics of Head Start say it doesn't last, that a few years into elementary school, children lose whatever advantage they gained.

"It is not an immunization against bad medicine afterward," acknowledged Bronfenbrenner. "Some don't make it. The reason they lose it is because there is nothing like [Head Start] later in school. It increases chances of being able to make it, however, at each successive step.

"Children who have Head Start are less likely to need special programs. If they are not in special programs, their chances of being promoted are greater at each grade."

He urges putting the Head Start model in place "for all children of every age and not just in poverty."

After his visit to St. Paul Head Start, Bronfenbrenner—father of six, grandfather of nine, guitar- and piano-playing husband of an artist—is sitting at an academic symposium with his navy blue socks crumpled around his ankles.

He told them about his visit the day before:

"The programs I saw would give you a lift for a long, long time. Seeing these lovely, healthy children, the warmth, the affection, the interesting things to do. I wanted to be a kid again. I couldn't help thinking, 'If the world outside were only like this.' But it's not. We know exactly what these boys will be doing 10 years from now. We have a challenge."

REMEMBERING TIM COOK, ADVOCATE FOR PERSONS WITH DISABILITIES

Mr. HARKIN. Mr. President, this week the disability community lost Tim Cook, one of its most effective advocates. Tim was a disability rights lawyer for over a decade. He graduated from the University of Pennsylvania Law School in 1978. At that time, he had already set his course as an advocate for persons with disability. During law school he served an externship with the Center for Law and Social Policy assisting in class action cases concerning exclusionary practices of health and social service agencies and worked for the Office for Civil Rights of the Department of Health, Education, and Welfare developing guidelines to enforce section 504 of the Rehabilitation Act and training equal opportunity specialists to investigate complaints of discrimination against persons with disabilities.

After law school, Tim was a Reginald Heber Smith community lawyer fellow in the law reform unit of the Legal Aid Society of New York City where he was responsible for class action suits involving discrimination in employment and education.

Tim served as a trial attorney with the Office of Special Litigation of the Civil Rights Division of the Department of Justice enforcing the Civil Rights of Institutionalized Persons Act of 1980 and section 504 of the Rehabilitation Act of 1973. Subsequently, Tim was director of the Western Law Center for the Handicapped in Los Angeles, a foundation-supported public interest law firm representing persons with disabilities in matters involving public benefits and civil rights and served as an attorney with the disabilities project of the Public Interest Law Center of Philadelphia where he represented disability rights organizations and their members in complex class action litigation.

Tim became director of the National Disability Action Center in Washington, DC, in 1988, and served in that capacity until his untimely death this week. The National Disability Action Center is a civil rights advocacy organization, representing persons with disabilities. Its goal is to secure meaningful and integrated community services for persons with disabilities in such areas as housing, education, and transportation.

Tim Cook was a hard-nosed, uncompromising advocate for the rights of persons with disabilities. He represented disability rights organizations and individuals with disabilities in several cases concerning recalcitrant systems and agencies that insisted on excluding persons with disabilities. He was committed to the inclusion of persons with disabilities in all aspects of American life and his unswerving dedication to this goal will be missed by everyone who believes that equal opportunities should be available for all Americans.

I will never forget the powerful statement Tim made before my Subcommittee on Disability Policy during our consideration of the Americans with Disabilities Act. In explaining to us how transportation is the linchpin for independence, he stated, "As Rosa Parks taught us, and as the Supreme Court ruled 35 years ago in Brown versus Board of Education, segregation "affects one's heart and mind in ways that may never be undone. Separate but equal is inherently unequal." What better opportunity for people without disabilities to learn about our disabilities than to ride the mainline transit system with us? Forcing those of us who are able to use life-equipped buses onto a separate transportation system stigmatizes us, demeans us, and subjects us to discrimination. The two steps up to the bus represent by far the greatest barrier to mainstreaming facing this country's citizens with disabilities."

My heartfelt condolences to Tim's family. My thoughts are with Tim's wife, Geraldine, and his son, Phillip. We will all miss Tim both personally and in the fight to integrate persons with disabilities into the mainstream of American life.

TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,412th day that Terry Anderson has been held captive in Lebanon.

In today's New York Times we have a bit more news about Jesse Turner. He is apparently well, despite his long ordeal. But has chosen to limit his public remarks to protect the hostages still held in Lebanon.

Mr. President, I ask unanimous consent that these articles detailing Mr. Turner's first day be printed in the RECORD at this time.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 23, 1991]

EX-BEIRUT CAPTIVE IS IN UNITED STATES CUSTODY

(By Chris Hedges)

DAMASCUS, SYRIA, October 22.—Jesse Turner, pale and slightly unsteady on his feet after nearly five years in captivity in Lebanon, was turned over to American officials in Damascus today.

"I am happy to be out, finally," he said in a soft voice. "I am looking forward to seeing my family and friends."

The 44-year-old Mr. Turner, who was held by a pro-Iranian group called Islamic Holy War for the Liberation of Palestine, was an assistant professor of computer science and mathematics at Beirut University College when he was kidnapped by men posing as Lebanese police officers on Jan. 24, 1987.

Mr. Turner appeared exhausted and pale. When he was leaving his brief news conference he stumbled and nearly fell before being assisted to a waiting car.

FEW PUBLIC COMMENTS

American officials who met with Mr. Turner described him as "lucid" and "chatty." But the released hostage made few public comments, they said, because of his fear that he might jeopardize the release of the remaining hostages.

There are now eight Westerners believed held hostage in Lebanon, including four Americans, two Germans, an Italian and a Briton.

When Mr. Turner was asked if he had knowledge of other hostages in Lebanon he looked toward the American Ambassador, Christopher Ross, for guidance, whispered a comment to the diplomat, and then declined to answer.

INFORMATION ON CAPTIVE

Mr. Turner was held at least part of the time with another American, Alann Steen. Asked whether he had any information to pass on from Mr. Steen, Mr. Turner said: "Not at this moment, no. I want to speak to his wife first."

Mr. Turner also refused to comment on whether he carried a statement or a message from his kidnappers.

Mr. Turner, who had a bushy moustache, neatly cropped hair and wore a double-

breasted beige jacket, was turned over to Syrian security forces in the early morning hours Tuesday in Lebanon. He was driven to the Syrian Foreign Ministry in Damascus, where he was greeted by Ambassador Ross and Nasser Qaddur, the Syrian Minister of State for Foreign Affairs, about 9 A.M.

Two hours later, he boarded a C-141 transport plane to an American military hospital in Wiesbaden, Germany. He will be joined there by his Lebanese wife, Badr, and a 4-year-old daughter, Joanne, who was born five months after his abduction. Mr. Turner will also undergo psychological and medical tests and be debriefed by State Department officials.

CONFUSION ON RELEASE

United Nations officials and Western diplomats are hopeful that further releases will soon follow as Iran, Lebanese groups and Israel continue to exchange information through the United Nations.

The United Nations announced the impending release of a Western hostage on Sunday, the first time the organization has forecast such an event.

The Lebanese group that held Mr. Turner said he would be released early Monday, but several hours elapsed before Mr. Turner was actually turned over to the Syrian authorities and brought to Damascus, creating some confusion among diplomats and Syrians who were following the event.

The delay may have been due to fighting along the transit route, Western diplomats said. Members of the Party of God, the largest Iranian-backed Shiite Muslim faction in Lebanon, battled a local Lebanese clan in the town of Baalbek in the Bekaa until close to midnight.

CLASHES CAUSE DELAY

Mr. Turner was apparently taken out of the town, which serves as the Party of God's headquarters and is where many of the remaining Westerners are believed to be held, only after Syrian troops moved in to impose a cease-fire, Western diplomats said.

Baalbek is the main town in the Bekaa, which is under Syrian military control. But Syrian troops are not allowed to enter the barracks and training centers belonging to the Party of God, which is believed to be the umbrella organization for all of the groups holding Western hostages. Its operations in Baalbek are supported by a force of several thousand Iranian Revolutionary Guards.

Mr. Qaddur said Syria would "continue to exert all its efforts" to get the remaining Western hostages out of Lebanon.

United Nations officials, seeming buoyed by the resumption of prisoner exchanges in Lebanon, say they expect to announce new releases soon.

Those officials said Mr. Turner's release was the outcome of an "intensive stage" of negotiations between Secretary General Javier Pérez de Cuéllar's special envoy, Glandomenico Picco, and a hostage negotiator identified as Abu Abdullah, described as the "special envoy of the organization that holds the hostages."

PACT ON FREEING CAPTIVES

The Israelis hold about 300 Arab prisoners, including Sheik Abdul-Karim Obeid, a Party of God leader who was kidnapped from his home in southern Lebanon by Israeli commandos on July 28, 1989.

Israel released 15 Arabs on Monday after receiving hard information about the fate of one of its missing servicemen, Pvt. Yossi Fink, who was confirmed dead.

Israel is demanding concrete information on four remaining missing servicemen.

The Lebanese kidnappers said the decision to free Mr. Turner constituted an "obligation and readiness to complete the comprehensive agreement being arranged to free all prisoners and the hostages."

Israel freed 51 Arabs and turned over the bodies of 9 guerrillas after Lebanese kidnappers freed a British hostage, John McCarthy, and an American, Edward Austin Tracy, in August and provided information on the fate of one of Israel's missing servicemen.

[From the New York Times, Oct. 23, 1991]

TURNER ARRIVES IN GERMANY

WIESBADEN, GERMANY, October 22.—An unsteady Jesse Turner was helped from a United States army helicopter by two crewmen this afternoon, but managed a broad smile at the sight of several hundred Americans at a United States military hospital here welcoming him with shouts and tiny American flags.

Mr. Turner smiled and waved repeatedly. When a reporter shouted a question about what he would do tonight, he smiled and shrugged his shoulders, then entered the hospital without making a statement.

A military spokesman, Comdr. John Woodhouse, said physicians who gave Mr. Turner a preliminary checkup aboard the C-141 military transport plane that brought him to the big American Rhine-Main air base near here from Damascus, Syria, said he "appears to be in generally good health."

The spokesman said he had no information about his psychological state.

The Wiesbaden hospital has become a kind of official reception center for Americans released from captivity in the Middle East, since the 52 American hostages held in Teheran arrived here in 1980 after 444 days of captivity. But by 1993, the sprawling medical center will be shut down under plans to cut the American military presence in Europe.

GROWTH PACKAGE

Mr. KASTEN. Mr. President, I rise today to make a few brief observations about the economy. During the 1980's, our progrowth policies of tax reduction and regulatory reform generated over 20 million new jobs, slashed the so-called misery index in half, and raised real incomes for all American families.

Over the past few years, however, the Federal Government has almost completely reversed the incentive-based policies that brought this prosperity. Taxes were raised. Federal spending growth accelerated. And the bureaucracy went on a new regulatory binge.

These antigrowth policies have pushed the economy into recession. This year, unemployment hit a high of 7 percent, the poverty rate increased for the first time since 1982, and household net worth declined for the first time in two generations.

Many economist believe that the recession is over. But without renewed incentives for saving, investing, and producing, and without a renewed commitment to entrepreneurial capitalism, I am concerned that the economy may not rebound as strongly as it has in the past.

We have an agenda to jump-start the economy and create jobs to restore confidence in the future. The President is now prepared to advance a growth package of incentives to revive the economy, including a capital gains tax cut to boost small businesses; enterprise zones to create jobs for the urban and rural poor, and expanded savings and homeownership incentives for young middle-income families.

A properly designed growth package will create millions of new jobs. In contrast, tax redistribution schemes proposed by some in the majority will not open a single new plant or small business in America, nor create a single job for American workers.

The fairest tax policy is one that expands the economic pie and creates jobs. The American people understand that growth is not a zero sum game. That's why I think we will see a rising tide of grassroots support for our growth initiatives.

Yesterday, the Task Force on Economic Growth and Job Creation held a panel discussion on the state of the U.S. economy and legislative initiatives to get our economy moving again.

We heard from several experts on economic growth including Senator PHIL GRAMM, Representative NEWT GINGRICH, HUD Secretary Jack Kemp, former OMB economist Larry Kudlow and former Treasury economist Gary Robbins. Their general message was that we must reincentivize our economy immediately, or face the prospect of an anemic recovery and lingering joblessness.

I highly recommend to the Senate the testimonies of Mr. Kudlow and Mr. Robbins. Their statements provide the intellectual and factual support on the need for a growth package. I ask unanimous consent that these statements be printed in the RECORD immediately following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY LAWRENCE A. KUDLOW, SENIOR MANAGING DIRECTOR & CHIEF ECONOMIST, BEAR, STEARNS & CO., INC.

I am pleased to testify before the Republican Conference Task Force on Economic Growth and Job Creation.

After surveying the financial markets and the economy, it is my view that we are clearly entering into recovery, but there are a number of disturbing signs which suggest a relatively weak rate of recovery by historical standards. In addition, there are very few signs of significant new business formation and job creation, or of any animal spirits or entrepreneurial juices, all of which provided the backbone of the outstanding economic recovery performance of the 1980's.

Because of a spate of Federal, state and local tax and regulatory increases in recent years, the potential of the economy to grow in the 1990s has been significantly limited. Consequently, without a redirection of economic policy, the actual level of real output in the next five years seems likely to remain below the post World War II path associated with long-term 3% real economic growth.

The numbers here are startling. Both the Office of Management and Budget (OMB) and

the Congressional Budget Office (CBO) are forecasting subpar recovery rates. Compared to the long rule 3% post war growth trendline, OMB's implied estimate is an output loss of $273 billion from the trendline in 1996 and a cumulative $1.6 trillion loss over the 1991–96 period, assuming their 2.6% real GNP growth forecast.

For CBO the numbers are even worse: a $366 billion loss in 1996 and a cumulative $1.8 trillion loss over the five year period using a 2.3% average growth path. No responsible economic policymaker should accept this subpar record. By my calculations, the loss of jobs implied by CBO's and OMB's growth projections XXX

Inflation has declined from 7% in 1990 Q4 to just 3% in the third quarter of 1991, and as a result short and long-term interest rates are approaching 20-year lows. These inflation and interest rate developments have been capitalized into higher asset values, thus providing businesses and families with a more solid resource base from which to make more aggressive spending and investment decisions. The rise of financial asset prices and the decline of inflation and interest rates are powerful recovery stimulants which have a greater extent been ignored by excessively pessimistic media reports and punditry analysts. Since 1990 Q4, real household net worth has increased by an estimated $600 billion to slightly above its pre-recession high. Never has the U.S. experienced major interest rate declines and stock market advances during recession which did not correctly signal future recovery.

Following on the tax-cutting effects of lower inflation, lower interest rates and higher financial asset values, recent statistical trends on the economy are showing a recovery pattern for consumer spending, business activity and housing. If we looked at the same variables during the last half of 1990, the trends were clearly downward. So there has been a statistical inflection point, and there is a recovery out there, although the magnitude of this recovery pattern is somewhat indecisive and lackluster in comparison with the recovery of the early 1980's. Here are some of the highlights:

DATA SCOREBOARD

Economic indicator	Percent change at annual rate from trough	Trough month
Industrial production	6.0 percent	March.
Purchasing managers' survey	17.3 basis points	37.7 percent in January. 55 percent in September.
Durable goods orders	31.6 percent	March.
Durable goods shipments	22.5 percent	Do.
Real PCE	3.9 percent	January.
Housing starts	34.7 percent	Do.
Building permits	34.9 percent	Do.
Existing home sales	21.6 percent	Do.
New home sales	57.7 percent	Do.
Leading indicators index	8.4 percent	Do.
Median existing home prices:		
Nominal	12.8 percent	February.
Real	10.3 percent	Do.

HOLES IN THE STORY

The principle factor behind the relatively sluggish recovery performance so far is the failure to reignite new business formation, which is the backbone of the entrepreneurial economy and one of the best indicators of risk-taking animal spirits. Dun & Bradstreet new business incorporations peaked in the 1986–1988 period at around 66,000 per month, or 788,000 per year, moving up from around 41,000 per month or 488,000 per year in the early 1980s. Through June of 1991 this measure remains 12% below its prior peak and shows no rebound so far. Related to this, nonfarm proprietors' income—which measures the strength of self-employed business people—is also showing virtually no sign of recovery. In real terms this measure is growing at only 1.6% over the last four quarters, following a 1987 peak of 11% and a 1983 peak of 17%.

The continuing weakness of new business formation and proprietors' income holds the key to the weak payroll employment figures reported so far this year. Since its trough in April, nonfarm payrolls have increased by only 0.5% at an annual rate, and this anemic rise can be directly traced to the lack of new business creation. When the 1982–1990 expansion generated over 18 million new jobs, more than 90% of these new jobs were created by small businesses and new businesses. People forget that the largest American companies have been downsizing and restructuring for years; it was not this established corporate sector which created the job surge of the last decade.

Not only has overall employment growth stagnated, but minority employment appears to have come to a halt. Black unemployment, for example, which dropped from 21% in 1983 to 10.6% in May 1990, stands currently at 12.1% through September 1991. For Hispanics, the unemployment rate dropped from 15.7% in 1982 all the way to 6.8% in 1989, but during this recession has increased to 11.1%. From 1982 through 1987 Hispanic new business creation rose by 80.5%, and new businesses owned by blacks increased by 37.6%. While more recent data are not yet available, the disappointing unemployment rates in these minority areas suggest that minority entrepreneurship has sagged.

SUMMING UP THE ECONOMY

Taking all this into account, my outlook for the next six quarters suggests a 3% recovery rate for real GNP.

While this is certainly an improvement over the 0.6% average annual rate of GNP growth over the past ten quarters, stretching from 1988 Q4 to 1991 Q2, it nonetheless compares quite unfavorably with historical performance over the past eight post-war cycles, where real GNP growth averaged 5.7% during the first six recovery quarters. In other words, even a relatively optimistic view suggests that the US economy will post only about one-half the rate of a normal recovery cycle.

WHAT'S WRONG HERE? IT'S NOT THE FED

While administration spokesmen continually bash the Federal Reserve for easier money, the fact remains that monetary policy has been near perfect in recent years. By modernizing Fed policy in the direction of a domestic commodity price rule, including gold, to restore a predictable standard of value, Greenspan & Co. have managed to bring interest rates down to nearly 20-year lows without reigniting inflation or inflation expectations.

Since the spring of 1989 the federal funds rate has fallen by nearly 50%, from just under 10% to just over 5%. Longer-term rates such as the Treasury ten-year note has dropped from roughly 9½% to around 7½%. Fixed rate mortgage yields have fallen below 9%, while adjustable rate mortgages have recently dipped under 7%. This has all been made possible by a substantial decline of reported inflation, with the year-to-year change in the Consumer Price Index falling from 6.4% to 3.4%, and the Producer Price Index from 7% to 0.7%. Gold prices this year have been ranging steadily between $350 and $375, while the widely followed CRB futures index has ranged between 210 and 220. Meanwhile the exchange rate of the dollar has also been steadily fluctuating in a relatively narrow range.

Going forward, it is essential that the Fed continue to target inflation sensitive market prices in order to maintain long-term credibility and confidence in the Fed's goal to achieve price stability. In particular, I believe the movement of long-term interest rates—which are subject to the financial markets' expectations of longer run inflation—are even more important than short rates with respect to future economic growth. Long-term rates are crucial to business and individual investment decisions, debt burdens and balance sheets, and of course of important housing sector. Stable or lower long-term rates can be achieved only through stable long-run price expectations.

The best part of macroeconomic policy in recent years has been the steady conduct of monetary policy. By bringing down price expectations and interest rates, the Federal Reserve has in effect generated a powerful tax cut affect to promote economic growth. This is the single largest factor in my anticipation of at least mild economic recovery. However, should the Fed be forced into an easy money position, then long-term interest rates and inflation would soon rise, creating a tax increase effect which would abort the recovery and send us back into double dip recession. Hopefully the Fed will continue its adherence to market price-level targeting, which is the only way to effectively balance money supply and money demand.

As an important sidebar, a properly crafted tax-cut program will make the Fed's counter-inflation job easier. Supply-side tax cuts will increase the output of goods and services, thereby rendering the same growth of money supply less inflationary, since it will be chasing more goods.

WHAT'S WRONG HERE? FISCAL POLICY

A series of mistaken fiscal decisions in recent years has created an atmosphere which is anti-entrepreneurial, anti-risk taking and anti-growth. A whole series of misbegotten steps helped set the recessionary stage. In 1989 a Savings and Loan bill made the problem worse, devalued the franchises and sent a chilling re-regulatory signal. Then came the breakdown of the capital gains tax relief plan. Then in 1990 came a highly burdensome and expensive Clean Air Act, along with a spate of burdensome environmental regulations or regulatory threats including the spotted owl, toxic waste, nuclear waste, disabilities, and CAFE fuel standards.

Environmental regulation has increased at a significant pace, now comprising 38% the entire regulatory budget. The EPA budget has increased by 31% in the last three years and staffing has expanded by 23%, according to a recent study sponsored by Washington University. After sharp cutbacks during the Reagan administration, Federal Register pages have increased from 55,000 towards 70,000. All this has created tall barriers and substantially higher costs for all forms of commerce and investment.

Then came the disastrous November 1990 budget deal, ending a six-month period where senior officials in the White House and the Congress continuously discussed in public various tax raising schemes, all of which had a debilitating effect on consumer and business confidence, calling a halt to the vital animal spirits and entrepreneurial juices which are so essential to the workings of a vibrant free-enterprise economy. Taking its cue from the Federal debate, more than half the states and numerous cities around the

country substantially increased taxes on income, sales and property.

If the economy is to revive and reach its full potential in the 1990s, recent fiscal policy decisions must be completely reversed. I believe this is possible, and I remain an optimist with respect to the current opportunity to take strong steps toward an across-the-board tax cut program which would encompass all income classes and business categories, and which would be financed by added revenue generation from accelerating economic growth as well as budgetary cost savings from a suitably lower U.S. defense budget profile. Some proposals from a working group in which I am participating:

Capital gains rate reduction, indexation and tax-free rollover provision.

To assist middle income taxpayers, a sizable increase in the earned income tax credit (EITC).

Increased personal exemptions and child care tax credits.

For businesses, an investment tax credit (ITC) which will effectively accelerate capital cost recovery and lower the corporate tax rate.

For commercial real estate, restoration of the active investor loss provision, which would permit full-time real estate professionals to deduct expenses against losses.

Expanded Bentsen-Roth IRAs.

Repeal of the luxury tax.

Enterprise zones.

OPTIMISM AND LEADERSHIP

I do not pretend to have all the wisdom on a comprehensive tax cutting package. Undoubtedly there are other permutations and combinations or new ideas which will make good economic and political sense. But I believe that these proposals as well as others would constitute a solid pro-growth incentivizing reform package which importantly would provide across-the-board tax relief to all segments of the population.

This is a key point. For as much as I favor capital gains tax relief, which would help new business creation, would provide enhanced capital access for the have nots, especially those in poverty-stricken urban areas, and would raise real estate asset values and thus reduce the cost of the S&L and bank bailout programs, and would lower capital costs in line with our foreign competitors, I do not believe that capital gains reform by itself constitutes a serious tax policy.

A key ingredient yes. But by itself, as a single issue standing alone, it is not a tax reform program which would clearly stimulate economic recovery throughout the nation in a way that all citizens and taxpayers can clearly and readily understand. It strikes me that many of us have forgotten that the original Kemp-Roth concept more than 10 years ago clearly provided tax rate relief to all Americans. Because of the evenhandedness of the original Kemp-Roth proposal, the more people that found out about it favored it, and this is why its early legislative defeats continue to generate wider and broader support, eventually ending in victory.

Additionally, I do not believe that an attitude of excessive economic pessimism is necessarily the cleverest way of achieving much needed tax relief to spur economic growth. Nor do I believe that permanent tax reduction should be tied to some near term numerical point estimate of the economy. We ought not to be proposing Keynesian quick fixes. Instead, we should seek tax relief because it is good tax policy which would grow the economy and create capital and jobs over the longer term. Indeed, a pro-growth tax package such as this could well push real GNP growth to 4%-5% in 1992 and 1993. The Dow could reach 4000.

Finally, I believe that optimism is an essential tool. Optimism is the very essence of leadership. We have a vision of enhanced individual creativity and inventiveness and opportunity and prosperity for all income levels, business segments and geographic locations. I firmly believe that the public at large has an innate sense of optimism that problems can be solved; but the electorate is waiting to line up and follow the right leadership and the right vision. So far, neither Republicans nor Democrats at the national level have fully opened their arms to embrace a growing anti-corruption, anti-tax and anti-government revolt which is clearly brewing at the local level. In this sense we have a unique opportunity to flesh out an optimistic vision of tax cutting and governmental reform.

HEADING OFF "MALAISE" WITH PRO-GROWTH TAX POLICIES

(By Gary Robbins, President, Fiscal Associates, Inc., and Senior Fellow, National Center for Policy Analysis)

Despite claims that the current recession has been mild and, according to some, already over, its impact on jobs and incomes has been very serious. By the end of June 1991:

The current recession had cost 1.5 million jobs relative to the prior peak employment level. Employment to date is 5.4 million below the economy's trend line.

Had the economy continued on trend those jobs would be producing another $254 billion in real GNP (expressed in 1982 dollars).

The economy has continued to deteriorate further since June. The cumulative loss in real GNP through the second quarter relative to its prior peak level now stands at $217 billion.

During the past six quarters the U.S. economy has lost 3 percent of real GNP due to the downturn. The average after tax income of U.S. families has fallen by exactly the same amount as it would have if federal taxes had increased by 15 percent. Moreover, specific individuals affected are those who can least afford the income loss—the newly unemployed, first time job seekers including new graduates, and the working poor who are generally the first to be laid off. Failure to act to restore growth has levied the cruelest kind of tax on the least fortunate in our society—those who have lost all their income, not just a portion of it.

I would like to address four points today. First, extending analysis done by Larry Hunter at the U.S. Chamber of Commerce, I will expand on the implications of continued slow growth.[1] I will then review the growth implications of "The Emergency Economic Growth Act" along with some variations that have been considered over the past year. Next, I will examine the effect of the proposal on the growing costs of financial bailouts. And last, I would like to offer some results from a forthcoming National Center for Policy Analysis paper on the impact of taxes on capital which directly bear on the question of how to stimulate growth in the near term.

THE RETURN OF MALAISE

Graph 1 illustrates how the slowdown has damaged the U.S. economy. Up until the first quarter of 1990, the economy had shown an extremely steady growth of about 3.3 percent over the prior five years. Since then there has been virtually no growth.

A number of factors have combined to slow the economy:

A substantial social security payroll tax rate increase combined with an unexpectedly large increase in covered earnings has raised the tax on working and raised the cost of hiring labor;

Increased regulations, most notably in the environmental area, have increased future costs of production;

State and local governments have increased tax rates to offset a drop in the rate of increase in their revenues;

Federal government spending and tax rates increased as a result of last year's budget summit; and

The attractiveness of home ownership and commercial real estate dropped dramatically as the real estate market absorbed the "hit" of a substantial, retroactive increase in capital gains tax rates.

The current downturn is a natural reaction of the U.S. economy to higher levels of production costs resulting from these government actions. Businesses have adjusted investment and hiring to reflect the lowered prospects for sales and profits. These responses by businesses have resulted in lower GNP, fewer jobs and less investment.

Without remedying the causes of the current downturn, the economy faces a permanent reduction in its rate of growth. There even seems to be a growing consensus that after it recovers the economy will be considerably less robust than it was during the mid- to late 1980s. With the return to higher levels of regulation, government spending and taxes, combined with a looser monetary policy, the economy is in serious danger of reverting to the slower growth "malaise" of the late 1970s.

GETTING THERE FROM HERE

To illustrate the implications of slower growth, consider the following economic scenarios. Starting from the second quarter of 1991:

If, instead of growing at the previous trend rate of growth—3.3 percent from 1985 through 1989—real GNP grew by 2.5 percent, we would lose nearly half a year's income over the next five years, or $2.3 trillion. By the end of 1996, real GNP would be $500 billion below the previous trend and the gap would be widening. (Graph 1 presents this scenario.)

[Graphs not reproducible in the Record.]

If the economy grows at 3.3 percent without the typical recovery spurt, the loss in real GNP would be $1.8 trillion over the next five years. By the end of 1996, real GNP would be $305 billion below the previous trend. (Graph 2 shows this scenario.)

Even if we return to the old trend rate of growth, we will lose more than one-third of a year's GNP and output will be permanently lower by 5 percent. This would have the same effect on aftertax family income as a 25 percent increase in federal taxes.

To attain the level of GNP projected by the old trend growth the economy would have to grow by an average of 5.4 percent over the next three years, as shown in Graph 3. Thus far, the current downturn is roughly half the GNP loss of the 1981-82 recession and equal in terms of job loss. Recovery periods generally experience very rapid rates of growth, as that for 1981-82 shown in Graph 4. This recovery, however, is expected to be much slower than others presumably because the recession is "mild." Among the real reasons for a lackluster recovery, however, is the fact that marginal tax rates are rising, unlike the early 1980s when they were falling.

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[1] Footnotes at end of article.

LOST JOBS

The most significant social concern during a downturn must be workers who are either displaced directly, discouraged from looking, or face a generally soft demand for their services. The slower economy results in lower take-home pay as well as fewer available jobs. There is literally no way to insulate the worker from a downturn in production. They are a significant part of variable costs which must be reduced during hard times. Recessions mean lost output and lost job opportunities. This is the directly visible social cost of a downturn.

To date, we have lost nearly 5.4 million jobs relative to the rate of job creation during the previous five years. By August, we were 1.9 million jobs below the prior peak employment level. The economy has lost forever nearly 5.2 million man-years of labor, and workers have lost the income they would have earned doing that work. The real outrage is not that unemployed workers have run out of benefits but that they have been deprived of job opportunities. Given a choice between unemployment benefits and the opportunity to earn significantly more through work, I believe the choice would be for the chance to work. Further, the lost labor income is many times the amount of unemployment benefits arising from a rise in the unemployment rate.

Similarly, a slower than normal GNP recovery will mean a slower than normal creation of jobs in the future. If real GNP grows at 2.5 percent, there will be 44 million man-years lost from 1990 through 1996. We are talking about a loss of 9 million jobs relative to our prior rate of job creation by the end of 1996.

GROWTH INCENTIVES

Senators Phil Gramm, Robert Kasten and Malcolm Wallop have introduced "The Emergency Economic Growth Act." The bill contains a number of work, saving and investment incentives including a reduction in the capital gains tax rate, inflation-indexing for capital gains, an IRA-Plus plan, home ownership incentives and a reduction in the penalty on work imposed by the social security earnings test.

We estimate that the proposed bill would have a positive impact on the economy.[2] Specifically, it would:

Increase GNP by $337.2 billion (expressed in nominal terms) over the next five years. By the year 2000, GNP would be over $1.4 trillion higher.

Increase employment by almost 500,000 over the next five years. By the year 2000, employment would be over 1.1 million higher.

Increase the stock of U.S. capital by over $1.2 trillion (expressed in nominal terms) over the next five years. By the year 2000, the capital stock would be almost $3 trillion higher.

Two other measures could be considered in addition to those contained in the proposed bill. They are:

Indexing tax depreciation for inflation and the time value of money as in the bill proposed by Senator Wallop and Congressman DeLay. This provision could provide the equivalent stimulus of an immediate $100 billion business tax cut—several times the stimulus of the proposed capital gains cuts—with no immediate revenue loss.

Further lowering the capital gains tax rate to 15 percent, as proposed last year by Senators Robert Kasten, Connie Mack and Richard Shelby, would raise even more revenue as people unlock their capital gains in the short term.

FINANCIAL BAILOUTS

Stimulating economic growth, particularly through a lower capital gains tax, would have an immediate beneficial effect on real estate values. This, in turn, would reduce the cost of the savings and loan bailout. We have estimated that the reduction in the capital gains tax rate proposed by President Bush last year would:[3]

Lower the S&L bailout cost by 4 percent ($5.8 billion assuming the cost is $150 billion).

Reduce potential RTC real estate value losses by $4 billion.

Adding inflation-indexing of capital gains as contained in "The Emergency Economic Growth Act" would:

Lower the S&L bailout cost by 14 percent ($20.8 billion assuming the cost is $150 billion).

Reduce potential RTC real estate value losses by $9.9 billion.

A reduction in the capital gains tax rate to 15 percent and indexation of capital gains for inflation would:

Lower the S&L bailout cost by 16 percent ($23.2 billion assuming the cost is $150 billion).

Reduce potential RTC real estate value losses by $11.9 billion.

These bailout cost estimates do not address the losses building in commercial banks which hold roughly the same level of real estate investments as savings and loans. Insurance companies hold about one-third the level of real estate investments as S&Ls.

Typically it is the real estate and financial sectors that are most influenced by attempts of the Federal Reserve to reduce interest rates. In the current circumstance, the capital gains tax increase has worked against this traditional monetary tool for boosting economic growth. In contrast with earlier periods, Fed expansion of money base has not been translated into an expansion in M2, its target. The Fed has been thwarted because, unlike the past, the risk of higher inflation and, therefore, higher capital gains taxes have offset potentially lower financing costs. The 1986 capital gains changes have directly reduced the ability of the Federal Reserve to affect economic growth.

THE BENEFITS OF CAPITAL

The wages of workers and the stock of capital are inescapably linked. The only way that the real wages, and thus the well-being, of workers can rise is if they have more capital with which to work. Furthermore, most of the benefits from capital accumulation flow to people in their role as wage earners, rather than to the owners of capital. As Graph 5 illustrates:

For every additional dollar of sales generated by an additional unit of capital, the private sector keeps 47.4 cents while governments take 43.6 cents. The remaining 9 cents goes toward replenishing the used capital.

The private sector's share goes primarily to labor which receives 43.7 cents of the additional dollar of sales. Owners of capital, on the other hand, receive only 3.7 cents.

In other words, workers get to keep $12 in aftertax wages for every $1 of additional aftertax income to owners of capital.

Similarly, federal, state and local governments receive $12 in additional tax revenues for every $1 of additional aftertax income to owners of capital.[4]

Reducing the tax rate on capital will be rapidly translated into an increase in the stock of capital sufficient to bring the temporarily higher rate of return on capital back down to its long-run level. The distribution of the increased GNP resulting from the higher level of capital will be in the proportions just outlined.

In today's political debate, it is common for some to assert or imply that taxes on income from capital only affect the well-being of the rich. For example, those who argue for a higher tax rate on capital gains frequently imply that the rest of us will be better off because the rich will bear a larger share of the burden of government. They unfortunately ignore the fact that less capital means lower wages for everyone, even those who own no capital.

Workers and governments stand to lose even more income in the near term if some growth measure is not adopted. An additional $2 trillion loss in GNP over the next five years would mean almost 40 million lost man-years of labor and $875 billion in lost compensation. Furthermore, the federal government stands to lose $520 billion in foregone revenues while state and local tax revenues will be $350 billion lower. In the face of these potential losses, it is hard to justify ignoring the need for enacting a pro-growth program.

FOOTNOTES

[1] Lawrence A. Hunter, "The Never-Ending Recession," The Wall Street Journal, September 19, 1991, p. A14.

[2] These estimates are based upon those done for a similar proposal put forth by Senator Phil Gramm and Congressman Newt Gingrich last August. See Gary and Aldona Robbins, "Responding to the Recession," Lewisville, TX: The Institute for Policy Innovation, IPI Issue Brief No. 112-1, July 31, 1991.

[3] See Gary and Aldona Robbins, "Adding to the S&L Solution: A Case for Lower Capital Gains Taxes," Washington, DC: U.S. Chamber of Commerce, September 1990 and "How Tax Policy Compounded the S&L Crisis," Lewisville, TX: The Institute for Policy Innovation, IPI Policy Report No. 109, February 1991.

[4] Gary Robbins and Aldona Robbins, "Capital, Taxes and Economic Growth," Dallas, TX: National Center for Policy Analysis, NCPA Policy Report No. 105, Forthcoming.

FRED SCHWENGEL DISCUSSES RECENT DEVELOPMENTS IN THE SOVIET AND THE PERIOD BEFORE THE BOLSHEVIK REVOLUTION

Mr. GRASSLEY. Mr. President, today, I want to take the opportunity to commend a great former Congressman from my State of Iowa, Fred Schwengel. Currently, Congressman Schwengel is the founder and president of the U.S. Capitol Historical Society. In this capacity, he has discussed with me the historical significance between recent developments in the Soviet Union and the short Russian republican period before the Bolshevik Revolution in 1917.

The parallel between these two monumental periods is clearly reflected in speeches made by Boris Bakhmeteff, the Ambassador to the United States from the Republic of Russia, in both the House and Senate in June of 1917. Bakhmeteff stated to the House:

> Russia has really lived through events of worldwide importance. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for happiness and the freedom of the world.

Later, Bakhmeteff told the Senate:

> At this moment all eyes are turned on Russia. * * * The fate of nations, the fate of the world is at stake, all dependent on the fate of Russia.

He went on to warn that

[w]e should not forget that in this immense transformation various interests will seek to assert themselves, and until the work of settlement is completed a struggle among opposing currents is inevitable and exaggerations can not be avoided. Attempts on the part of disorganizing elements to take advantage of this moment of transition must be expected and met with calmness and confidence.

Mr. President, it was certainly a great tragedy for humanity that the struggle for democracy in Russia failed in 1917. Congressman Schwengel has written a letter to President Mikhail Gorbachev to acknowledge the historical similarities and to suggest a joint historical conference to discuss the current and past situations of both countries. Leading historians of both nations would meet to recognize the growing ties between the peoples of the United States and the U.S.S.R., and to draw lessons from historical events so that similar mistakes can be avoided.

Thanks to Congressman Schwengel, the similarities of the Soviet events of 1917 and 1991 have been underscored. Now the exchange of ideas will, hopefully, take place to help reflect on the past and to gain insight into the future.

Mr. President, I ask unanimous consent that copies of Ambassador Bakhmeteff's statements to the U.S. Congress in 1917, as well as Congressman Schwengel's recent letter to President Gorbachev, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CAPITOL HISTORICAL SOCIETY,
Washington, DC, October 22, 1991.

Mr. MIKHAIL GORBACHEV,
The U.S.S.R., Moscow, Russia, The Kremlin.

DEAR PRESIDENT GORBACHEV: As President of the United States Capitol Historical Society, I write to offer our assistance in the exchange of historical scholarship between the peoples of our two great nations.

The purpose of the enclosed letter is to suggest three ways that the U.S. Capitol Historical Society, in cooperation with the appropriate bodies in the USSR, might assist the growing understanding between our two peoples. Let me summarize these three recommendations briefly:

1. We would like to call your attention to the speeches of Boris Bakhmeteff to our Congress in 1917. Copies of the speeches are attached.

2. I would welcome the opportunity to visit the USSR and to counsel with your historians. The U.S. Capitol Historical Society would be honored to welcome any of your historians who visit Washington, D.C.

3. We suggest a major scholarly conference involving the leading historians from our two nations be convened in the prestigious setting of Capitol Hill.

The letter enclosed provides greater information on these three suggestions. We hope that you will give these points serious consideration. We pledge to provide our good offices in a spirit of friendship and good will to further the cultural and educational exchanges between our two great nations.

Sincerely,

FRED SCHWENGEL,
President.

U.S. CAPITOL HISTORICAL SOCIETY,
Washington, DC, October 22, 1991.

Mr. MIKHAIL GORBACHEV,
The U.S.S.R., Moscow, Russia, The Kremlin.

DEAR PRESIDENT GORBACHEV: On behalf of the United States Capitol Historical Society, I greet you and offer you our congratulations. Your courageous leadership will have an enduring effect on posterity. In articulating and then applying the ideas of Glasnost and Perestroika, you may have presented the world with a truly breathtaking opportunity for achieving global peace, human freedom, and personal prosperity. Now the challenge is to consummate the victory, and in this endeavor, the history of our country combined with that of your own can be instructive and of enormous value. This is the purpose of my letter.

I am an historian and the founder and President of the United States Capitol Historical Society. The Society, a voluntary educational organization chartered by the United States Congress, has as its primary purpose making the history of the Capitol building and our Congress more available to our citizens and to the world. The Capitol, the home of Congress, is where the elected representatives of our nation legislate on behalf of the people. Many historical achievements have occurred within this Capitol building, and our mission is to bring them to the attention of the people. Undergirding our efforts is the dictum of a great American scholar and poet, Carl Sandburg, who said, "Whenever a people or an institution forgets its early hard beginnings, it is beginning to decay."

To fulfill our educational mission of promoting a more informed and historically aware citizenry, our Society began in 1978 to sponsor a major annual symposium devoted to the American Revolutionary and Constitutional eras, 1750–1800. Held each spring in the Senate Caucus Room of the Russell Senate Office Building on Capitol Hill, in Washington, D.C., these conferences feature leading historians of early American history from throughout the world and have won high praise from the intellectual and academic community both within the United States and abroad. The programs have been remarkable for the size and enthusiasm of the audience they have attracted and for the quality of the scholarship that has been produced. Over the past fourteen years, the United States Capitol Historical Society has hosted a cumulative audience of more than 5,000 people and provided a forum for the work of nearly 200 distinguished historians. Moreover, the eight volumes of conference proceedings now in print are hailed as an enduring achievement that has immeasurably enriched our knowledge of the American past. By bringing together the world's finest historians of early American history and making their research accessible to both academics and the general public, the United States Capitol Historical Society has insured that succeeding generations will have a rich body of literature to draw upon as they seek to understand the past, comprehend the present, and plan for the future. I am sending a set of these volumes for your library.

Consistent with our record of hosting major scholarly conferences, the United States Capitol Historical Society proposes that a symposium be convened to recognize the growing ties between the peoples of our two countries. I suggest that the meeting feature the leading historians of both nations and that they be specifically asked to address the most critical dimensions of their respective histories and national characters. Such a conference and the subsequent publication of its proceedings will foster an understanding of the varieties of historical experience that have shaped the USA and the USSR and will help to build a mutual appreciation of our distinctive cultural heritages. The exchange of ideas that can be made possible through this kind of forum can tremendously enhance the process of building a peaceful and productive future not only for the citizens of our two nations but also for all the inhabitants of the world.

In this spirit, I would welcome an opportunity to visit your country to counsel and exchange ideas with your historians and other leaders. The Society would be similarly honored to welcome any of your history scholars who may visit Washington. Both our historians and your scholars must be mindful of the historical parallels between our two great countries. I am aware that the only country in Europe that completely supported Abraham Lincoln during our Civil War was Russia. There are other historic instances when our two nations have experienced close cooperation, perhaps most significantly in working to defeat the threat presented by Adolph Hitler's Nazi Germany.

There is one important event in the history of the relationship between our two countries about which few people know, and I would like to call it to your attention. Among the 135 different officials and heads of state who have addressed the Congress of the United States, one especially stands out in the light of recent events. On June 23, 1917, Boris Bakmeteff, the ambassador to the United States from the Republic of Russia, the provisional government that had succeeded czarist rule, addressed the United States House of Representatives. His address is included in the Society's recent publication, Foreign Visitors to Congress: Speeches and History (edited by Mary Lee Kerr, 2 vols., 1989). Bakhmeteff's eloquent words, spoken to Congress almost four months before the Bolsheviks came to power, suggest why a conference of major Russian and American historians is especially timely and appropriate: "During the last few months Russia has really lived through events of world-wide importance. With a single impulse the nation has thrown down the old fetters of slavery. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for the happiness and the freedom of the world.

In 1941, President Roosevelt declared the Four Freedoms: freedom from want, from fear, of speech and the press, and of religion. I have added an important Fifth Freedom-the freedom of creation and the movement of men and goods, known as the American Free Enterprise System. With the passing of the cold war, your firm commitment to Glasnost and Perestroika, and the solidification of the reform movement throughout the USSR, both of our nations will be able to devote far greater resources to the pursuits of peace and domestic happiness. By virtue of the cooperation of our countries during the Persian Gulf crisis, the prospects for international collaboration have never been greater. The mutual reduction of tensions and atomic arms has made it possible for mankind to move out of the dark shadows of nuclear annihilation into the hopeful dawn of what President Bush has so eloquently

called the "new world order." As the citizens of our two lands begin to reach out to each other, it is absolutely vital that they deepen their understandings of our respective histories.

I am aware that for some time there has been a growing exchange between the scholars of our two countries. In a recent period over 500 students from your country have visited and done research in the Library of Congress. Two of my colleagues, Professors E.B. Smith and Ronald Hoffman of the University of Maryland, have been invited to teach in your universities, and Professor Smith is currently in St. Petersburg on such an assignment. Because these exchanges of historical scholarship will inevitably yield positive results, the Society seeks to expand and build upon them through the conference I have suggested in this letter.

I have herewith mentioned only a few examples of common interest and shared visions in the histories of our two great nations. From the richness of our countries' pasts we have much to teach and to learn from each other. I evenision a time when representatives of both nations will be able, as a matter of course, to present their views to our respective national legislative bodies just as Boris Bakhmeteff spoke to our House of Representatives in 1917.

Most immediately, I look forward to hearing from you in response to my suggestion for a joint historical conference. We pledge to lend our influence and the prestige we have built over the years to make this conference become a reality.

Sincerely,

FRED SCHWENGEL,
President.

To President Gorbachev:

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There is one important event in the history of the relationship between our two countries about which few people know, and I would like to call it to your attention. Among the 135 different officials and heads of state who have addressed the Congress of the United States, one especially stands out in the light of recent events. On June 23, 1917, Boris Bakhmeteff, the ambassador to the United States from the Republic of Russia, the provisional government that had succeeded czarist rule, addressed the United States House of Representatives. His address is included in the Society's recent publication, Foreign Visitors to Congress: Speeches and History (edited by Mary Lee Kerr, 2 vols., 1989). Bakhmeteff's eloquent words, spoken to Congress almost four months before the Bolsheviks came to power, suggest why a conference of major Russian and American historians is especially timely and appropriate: "During the last few months Russia has really lived through events of world-wide importance. With a single impulse the nation has thrown down the old fetters of slavery. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for the happiness and the freedom of the world."

In 1941, President Roosevelt declared the Four Freedoms: freedom from want, from fear, of speech and the press, and of religion. I have added an important Fifth Freedom—the freedom of creation and the movement of men and goods, known as the American Free Enterprise System. With the passing of the cold war, your firm commitment to Glasnost and Perestroika, and the solidification of the reform movement throughout the USSR, both of our nations will be able to devote far greater resources to the pursuits of peace and domestic happiness. By virtue of the cooperation of our countries during the Persian Gulf crisis, the prospects for international collaboration have never been greater. The mutual reduction of tensions and atomic arms has made it possible for mankind to move out of the dark shadows of nuclear annihilation into the hopeful dawn of what President Bush has so eloquently called the "new world order." As the citizens of our two lands begin to reach out to each other, it is absolutely vital that they deepen their understandings of our respective histories.

I am aware that for some time there has been a growing exchange between the scholars of our two countries. In a recent period over 500 students from your country have visited and done research in the Library of Congress. Two of my colleagues, Professors E.B. Smith and Ronald Hoffman of the University of Maryland, have been invited to teach in your universities, and Professor Smith is currently in St. Petersburg on such an assignment. Because these exchanges of historical scholarship will inevitably yield positive results, the Society seeks to expand and build upon them through the conference I have suggested in this letter.

I have herewith mentioned only a few examples of common interest and shared visions in the histories of our two great nations. From the richness of our countries' pasts we have much to teach and to learn from each other. I envision a time when representatives of both nations will be able, as a matter of course, to present their views to our respective national legislative bodies just as Boris Bakhmeteff spoke to our House of Representatives in 1917.

Most immediately, I look forward to hearing from you in response to my suggestion for a joint historical conference. We pledge to lend our influence and the prestige we have built over the years to make this conference become a reality.

BORIS BAKHMETEFF, AMBASSADOR TO THE UNITED STATES FROM THE REPUBLIC OF RUSSIA

(Address before the U.S. House of Representatives, June 23, 1917)

Mr. Speaker and gentlemen of the House [*applause*]. I am deeply conscious how great an honor has been conferred on me and the members of my mission by this gracious reception. I understand how unusual it is for this House to accord to foreigners the privilege of the floor. I realize that if you were moved to make such an exception it was due to the great and most extraordinary historic events which have been and are not taking place in the world.

Great indeed is the honor and the privilege to speak here, in this House, exemplifying as it does the Constitution of the United States—that wonderful document which embodies so clearly and yet so tersely the principles of free government and democracy. [*Applause.*]

Gentlemen of the House, when addressing you on behalf of the Government and the people of new Russia, when conveying to you the greetings of the new-born Russian democracy, you will conceive how impressed I am by the historical significance of this moment; you will understand why my emotions do overwhelm me.

During the last few months Russia has really lived through events of world-wide importance. With a single impulse the nation has thrown down the old fetters of slavery. Free, she is entering now the dawn of new life, joining the ranks of democracy, striving for the happiness and the freedom of the world. [*Applause.*]

Does not one feel occasionally that the very greatness and significance of events are not fully appreciated, due to the facility and spontaneity with which the great change has been completed?

Does not one always realize and conceive what it really means to humanity that a nation of 180,000,000, a country boundless in expanse, has been suddenly set free from the worst of oppression, has been given the joy and happiness of a free, self-conscious existence? [*Applause.*]

With what emotions are we inspired who have come to you as messengers of these great events, as bearers of the new principles proclaimed by the Russian Revolution.

May I be permitted to reiterate the expression of the feelings that stir our hearts and, impressed as I am by the might and grandeur of the wonderful events, welcome and greet you on behalf of free Russia? [*Applause.*]

Here at the very cradle of representative government I feel it proper to recall the very moments of birth of constitutional life in Russia which presented itself some 12 years ago at the time of the first Russian Revolution.

It was then that the Duma came into being. From the very inception of this assembly the old authority endeavored to curtail the powers that had been coffered on it. Its sole existence was an uninterrupted struggle; but in spite thereof, notwithstanding the limitations and narrowness of election laws, the Duma was bound to play a most important part in the national life of Russia.

It was the every fact of the being of a representative body which proved to be so fruitful and powerful.

It was that mysterious force of representation, force which draws everything into the whirlpool of legislative power, force the existence of which your American framers of the Constitution so deeply recognized and understood. It was that force which led the Duma, however limited, to express the feelings of Russia and frame her hopes during the world's great crisis, and made the Duma ultimately the center and the hope of national life.

It was the Duma who at the epoch when the old authority by vicious and inefficient management had disorganized the supplies of the country and brought the military operations to unprecedented reverse; it was the Duma who with energy and devotion called the people to organize national defense and appealed to the vital forces of the country to meet the German attack and save the nation from definite subjugation. Again, when it appeared that the shortsighted Government, who never took advantage of the patriotic enthusiasm and national sacrifice, was not only incapable of leading the war to a successful end but would inevitably bring Russia to military collapse and economic and social ruin, it was the Duma again who at that terrible hour proclaimed the nation in danger [*applause*]; it was at the feet of the Duma that the soldiers of the revolution deposed their banners and, giving allegiance, brought the revolution to a successful issue. It was then that from the ruins of the old regime emerged a new order embodied in the provisional government, a youthful offspring of the old Duma procreated by the forces of the revolution. [*Applause.*]

Instead of the old forms, there are now being firmly established and deeply embedded in the minds of the nation principles that power is reposed and springs from and only from the people. [*Applause.*] To effectuate these principles and to enact appropriate fundamental laws—that is going to be the main function of the constitutional assembly which is to be convoked as promptly as possible.

This assembly, elected on a democratic basis, is to represent the will and constructive power of the nation. It will inaugurate the forms of future political existence as well as establish the fundamental basis of economic structure of future Russia. Eventually all main questions of national being will be brought before and will be decided by the constitutional assembly—constitution, civil and criminal law, administration, nationalities, religion, reorganization of finance, land problem, conditionment of labor, annihilation of all restrictive legislation, encouragement of intense and fruitful development of the country. These are the tasks of the assembly, the aspirations and hopes of the nation.

Gentlemen of the House, do not you really feel that the assembly is expected to bring into life once more the grand principle which your illustrious President so aptly expressed in the sublime words, "Government by consent of the governed"? [*Applause.*]

It is the provisional government that is governing Russia at present. It is the task of the provisional government to conduct Russia safely to the constitutional assembly.

Guided by democratic precepts, the provisional government meanwhile is reorganizing the country on the basis of freedom, equality, and self-government, is rebuilding its economic financial structure.

The outstanding feature of the present government is its recognition as fundamental and all important of the principles of legality. It is manifestly understood in Russia that the law, having its origin in the people's will, is the substance of the very existence of the state. [*Applause.*]

Reposing confidence in such rule, the Russian people are rendering to the new authorities their support. The people are realizing more and more that to the very sake of further freedom law must be maintained and manifestation of anarchy suppressed.

In this respect local life has exemplified wonderful exertion of spontaneous public spirit which has contributed to the most effective process of self-organization of the nation. On many occasions, following the removal of the old authorities, a newly elected administration has naturally arisen, conscious of national interest and often developing in its spontaneity amazing examples of practical statesmanship.

It is these conditions which provide that the provisional government is gaining every day importance and power; is gaining capacity to check elements of disorder arising either from attempts of reaction or extremism. At the present time the provisional government has started to make most decisive measures in that respect, employing force when necessary, although always striving for a peaceful solution.

The last resolutions which have been framed by the Council of Workingmen, the Congress of Peasants, and other democratic organizations render the best proof of the general understanding of the necessity of creating strong power. The coalitionary character of the new cabinet, which includes eminent socialist leaders and represents all the vital elements of the nation, therefore enjoying its full support, is most effectively securing the unity and power of the central government, the lack of which was so keenly felt during the first two months after the revolution.

Realizing the grandeur and complexity of the present events and conscious of the danger which is threatening the very achievements of the revolution, the Russian people are gathering around the new government, united on a "national program." [*Applause.*]

It is this program of "national salvation" which has united the middle classes as well as the populists, the labor elements, and socialists. Deep political wisdom has been exhibited by subordinating various class interests and differences of national welfare. In this way this Government is supported by an immense majority of the nation, and, outside of reactionaries only, is being opposed by comparatively small groups of extremists and internationalists.

As to foreign policy, Russia's national program has been clearly set forth in the statement of the provisional government of March 27 and more explicitly in the declaration of the new government of May 18.

With all emphasis may I state that Russia rejects any idea of a separate peace? [*Applause.*] I am aware that rumors were circulated in this country that a separate peace seemed probable. I am happy to affirm that such rumors were wholly without foundation in fact. [*Applause.*]

What Russia is aiming for is the establishment of a firm and lasting peace between democratic nations. [*Applause.*] The triumph of German autocracy would render such peace impossible. [*Applause.*] It would be the source of the greatest misery, and, besides that, be a threatening menace to Russia's freedom.

The provisional government is laying all endeavor to reorganize and fortify the army for action in common with its allies. [*Applause.*]

Gentlemen of the House, I will close my address by saying Russia will not fail to be a worthy partner in the "league of honor." [*Applause.*]

BORIS BAKHMETEFF, AMBASSADOR TO THE UNITED STATES FROM THE REPUBLIC OF RUSSIA

(Address before the U.S. Senate, June 26, 1917)

Mr. President and gentlemen of the Senate, at the outset permit me to express to you sincere thanks and keen appreciation for the warm reception you have so graciously given to the members of the mission and to myself. Great is the honor you have bestowed by permitting me to address your distinguished body, abrogating thus a custom which has been upheld for more than a century, but still more gratifying is the expression of cordial sympathy and friendly feeling which have been so manifestly exhibited by your reception.

From the moment of our arrival in this country we have been deeply affected by the extraordinary greeting accorded us and by the constant expression of hearty welcome and sincere sympathy with which we have been hailed on all sides.

That bonds of friendship and sympathy united the people of the two nations we knew before we departed from Russia. They were amply manifested during the early days of the revolution. The act of prompt recognition of our new Government has been of incalculable value. For the brotherly encouragement which you gave us, and for the noble manner in which you so generously stretched forth a helping hand, we are here, in behalf of the new Russia, to express to you our deepest and most heartfelt gratitude. [*Applause.*]

We have come here as well to make clear the spirit and meaning of the great events taking place in our country. A thorough understanding is indispensable to enable our mission to accomplish the important task of establishing a close and effective cooperation between the two countries for common action and common cause. With the greatest of hope do I look forward to the results of such cooperation so vital to our mutual desire to form a league of honor among free nations on the smoking ruins of autocratic militarism.

At this moment all eyes are turned on Russia. Many hopes and many doubts are raised by the tide of events in the greatest of revolutions at an epoch in the world's greatest war. Justifiable is the attention, lawful the hopes, and naturally conceivable the anxiety. The fate of nations, the fate of the world is at stake, all dependent on the fate of Russia. Freedom and peace will be the blessings of the future if Russia happily emerges from the struggle a powerful democracy, sparkling with the gallantry of her army returning from fields won in common strife with her allies. [*Great applause.*]

An unprecedented epoch of spiritual depression, a new period of strenuous and anxious military depression would follow, should Russia fail to accomplish her task of political regeneration or should she collapse for economical reasons or the insufficiency of her arms. In all frankness and sincerity do I expose my cause, confident in your good will and paying tribute to the manifest feelings of sympathy, may I say affection?

I am not going to conceal the gravity of the situation that confronts the Russian Provisional Government. The revolution called for the reconstruction of the very foundations of our national life. It is not easy to comprehend what it means to reorganize all of Russia on democratic lines. Such work involves the whole of our social, economic, and political relations. The entire State structure is affected by the changes, involving village, district, county; in fact, every part from the smallest to the central State. The creation anew of a country of boundless expanse on distinctly new principles will, of course, take time, and impatience should not be shown in the consummation of so grand an event as Russia's entrance into the ranks of free nations.

We should not forget that in this immense transformation various interests will seek to assert themselves, and until the work of settlement is completed a struggle among opposing currents is inevitable and exaggerations can not be avoided. Attempts on the part of disorganizing elements to take advantage of this moment of transition must be expected and met with calmness and confidence. [*Applause.*]

In exposing to you a true picture of the situation I feel that it is my duty to present to you two considerations which make me feel that Russia has passed the stage of the world when the future appears vague and uncertain.

In the first place, it is the firm conviction of the necessity of equality, which is widely developing and firmly establishing itself throughout the country.

In the eyes of the Russian people this principle of equality is based on the fertile democratic doctrine that governments derive their just power from the consent of the governed [*prolonged applause*], and hence that a strong government must be created by the will of the people. [*Renewed applause.*]

Three days ago in the House of Representatives I stated that a strong majority of the Russian people had united around the coalition cabinet on a national program. I mentioned the confidence and powerful support which the Government is at present enjoying, and which from day to day gives it more strength and determination, not only to suppress acts of lawlessness on the part of disorganizing forces but also to carry out the constructive work of national reorganization.

Since then my latest advices give joyful confirmation of the establishment of a firm power, strong in its democratic precepts and activity, strong in the trust reposed in it by the people in its ability to enforce law and order. [*Prolonged applause.*]

In the second place, and no less important, is the growing conviction that the issues of the revolution and the future of Russia's freedom are closely connected with the fighting might of the country. It is such power, it is the force of arms, which alone can defend and make certain the achievements of the revolution against autocratic aggression. [*Applause.*]

There has been a period, closely following the revolution, of almost total suspension of all military activity, a period of what appeared to be disintegration of the army, a period which gave rise to serious doubts and to gloomy forebodings. At the same time there ensued unlimited freedom of speech and of the press, which afforded opportunities for expression of the most extreme and antinational views, from all of which resulted widespread rumors throughout the world that Russia would abandon the war and conclude a separate peace with the central powers.

With all emphasis and with the deepest conviction, may I reiterate that statement that such rumors were wholly without foundation in fact. [*Great applause.*] Russia rejects with indignation any idea of separate peace. [*Prolonged applause.*] What my country is striving for is the establishment of a firm and lasting peace between democratic nations. Russia is firmly convinced that a separate peace would mean the triumph of German autocracy, would render lasting peace impossible, create the greatest danger for democracy and liberty, and ever be a threatening menace to the new-born freedom of Russia. [*Applause.*]

These rumors were due to misapprehension of the significance and eventful processes of reorganization which the Army was to undergo as a result of the emancipation of the country. Like the Nation, the Army, an offspring of the people, had to be built on democratic lines. Such work takes time, and friction and partial disorganization must be overcome.

To adapt new principles to a body so huge, so very manifold and so self-dependent as is a modern army is no simple task. Patience is required to mold it in accordance with forms of democracy and personal liberty, preserving at the same time disciplines so essential for success on the field of battle.

One must also realize that the time has passed when the fares of nations can be decided by an irresponsible government or by a few individuals, and that the people must shed their blood for issues to them unknown. We live in a democratic epoch where people who sacrifice their lives should fully realize the reasons therefor and the principles for which they are fighting. [*Applause.*]

Just as the Russian people had to undergo a process of reorganization and political revolution so also did the Russian Army. It was necessary for it to live our illusions and deceptions, and to rally about a program of historical necessity and national truth.

The national program of the Government calls for effective organization and consolidation of the army's fighting power for offensive as well as defensive purposes. [*Applause.*] This has been the outcome of the crystallization of the will of the people. That is the program as to warfare which has rallied around the Government, Russia's democracy, giving its leaders vigor and strength.

Conscious of the enormous task, the Provisional Government is taking measures promptly to restore throughout the country conditions of life so deeply disorganized by the inefficiency of the previous rulers and to provide for whatever is necessary for military success.

In this respect exceptional and grave conditions provide for exceptional means. In close touch with the panpeasant congress the Government has taken control of stores of food supplies, and is providing for effective transportation and just distribution. Following the example of other countries at war, the Government has undertaken the regulation of the production of main products vital for the country and the army. The Government at the same time is making all endeavors to settle labor difficulties taking measures for the welfare of workmen consistent with active production necessitated by the national welfare.

As to the army, the process of crystallization of the national will is expressing itself in a growing sentiment of general and common appreciation of events and a thorough understanding of the situation.

Peaceful in its intentions, striving for a lasting peace based on democratic principles and established by democratic will, the Russia people and its army are rallying their force around the banners of freedom, strengthening their ranks to cheerful selfconsciousness; to die, but not to be slaves. [*Great applause.*]

Russia wants the world to be safe for democracy.

To make it safe means to have democracy rule the world. [*Prolonged applause.*]

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER [Mr. GORE]. If the Senator from Colorado will suspend for a moment, morning business is now closed.

THE CIVIL RIGHTS ACT OF 1991

MOTION TO PROCEED

The PRESIDING OFFICER. The Senate will now resume consideration of

the unfinished business, the motion to proceed to S. 1745, on which there remains approximately 9 hours, under cloture.

The Senate resumed consideration of the motion.

Mr. WIRTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MITCHELL. Mr. President, Members of the Senate, several Senators have called inquiring about the schedule for the remainder of today.

We remain in the same situation which I described earlier this morning upon the convening of the Senate. Under the rules of the Senate, although an overwhelming majority of Senators voted to proceed to the Civil Rights Bill by a margin of 93 to 4, the opponents are able to utilize up to 30 hours following that vote before we can actually get to the bill.

They have indicated their unwillingness to permit us to proceed to the bill, and so we have been in a situation where the time has been running since yesterday afternoon. Under the rule, if all time is utilized, we will get to the bill at about 9:10 p.m. this evening.

Negotiations are continuing. It is in my mind a virtual certainty that the negotiations will not resolve all of the pending questions on the bill, and we are going to have to take the bill up at some point, and debate and vote on several important and controversial amendments.

I hope we can do that sooner. It was my hope that we could have gotten to the bill by noon today. But that is not possible under the rules. Therefore, we have been proceeding with the time counting against the 30 hours.

At the same time, concurrently, discussions are continuing on attempting to resolve the question of the method to deal with the investigation into unauthorized disclosure of information which when reached will permit us to resolve that issue and pass the Federal Facilities Compliance Act, with respect to which all matters have now been dealt with other than the question of unauthorized disclosure of information.

Accordingly, Mr. President, so as not to impose unnecessarily on staff and other Members, I am going to momentarily ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

But Senators should be aware that we are going to start on the civil rights bill today even if it means using the full 30 hours and starting at 9:10 p.m. It just means what we will do between 9 and midnight what we could have otherwise been doing betweem 2 and 5 this afternoon.

I recognize negotiations are continuing. I hope they do continue, and I hope they produce success. As I said, there is no prospect that these negotiations are going to be limited to the need for active and possibly lengthy consideration of the bill.

So I hope that we can proceed. I will continue in my efforts to enable us to get to the bill as soon as possible. But in any event, we are going to start on this bill today, earlier if possible, but at 9:10 p.m. if necessary.

Accordingly, Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, and that the time, while the Senate is in recess, count against the 30 hours under the provisions of rule XXII with respect to cloture on the motion to proceed to the civil rights bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Thereupon, the Senate, at 12:39 p.m., recessed subject to the call of the Chair; whereupon, the Senate, at 2:25 reassembled when called to order by the Presiding Officer [Ms. MIKULSKI].

Mr. COHEN. Madam President, I ask unanimous consent I be allowed to proceed as in morning business and that the time be charged against the remaining time under the cloture motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CIVIL RIGHTS ACT OF 1991

Mr. COHEN. Madam President, the bill that we are considering has been labeled a "quota bill." And it has been given the White House hold stamp of disapproval.

It seems to me that it is back to the future in American politics today. Although the calendar may say 1991, the times are starting to remind me somewhat of George Orwell's "1984," where we are told love is hate, war is peace, ignorance is wisdom, and 2 plus 2 equals 5 or 6 or 7 or whatever our deepest fear demands.

Orwell warned us that the debasement of language will lead inevitably to the corrosion and corruption of values. And I believe that is exactly what we are seeing in the debate over civil rights today.

In the corridors and back rooms of Capitol Hill, civil rights legislation is whispered to be a politically defining issue, a so-called wedge issue that can be used to drive middle-class white voters further into the arms of the Republican Party, leaving blacks, feminists, labor unions, and vacuous liberals in the backwash of the Democratic Party.

Now it may be, as this cynical thesis might have it, that this wedge is a politically powerful and popular force that is going to repel the segments of our society into clearly defined magnetic fields.

This wedge may even be the key to political victory for the balance of this century and beyond—if you believe that winning means never having to say you're sorry.

But I believe the short-term political success is going to prove to be a long-term public policy disaster. Political success for a party and for our country ought to mean something more than he who dies holding the most votes. Just as wealth has to mean more than the number of dollars in one's bank account or the number of cars in one's garage.

When we speak of politics, we must speak of philosophy. And philosophy means the love or pursuit of wisdom and the understanding of human values.

And that is what is truly at stake here—not wedges, but values.

There are two—at least two—basic values that lie deep within the hearts and minds of the American people.

One is that every person should be given a fair chance to compete—in the classroom, on the athletic fields, and in the workplace. Every person under our Constitution should enjoy equal privileges and equal protection of the law.

The second major value—there should be no special privileges. No favoritism. No artificial or arbitrary rules that give something that has not been earned. No quotas, which are a rule of thumb and not a rule of reason.

In an ideal world, these values are not in conflict. They are complementary. They are in harmony.

But suppose the world is less than ideal. Suppose that all the people in this country are not treated equally and have not been treated equally over a long period of time. Suppose there are laws passed or practices established that discriminate against people because of their race or sex.

Suppose people are treated as slaves, pack mules, objects of hatred and violence, or simply as reproductive vessels.

Suppose people cannot buy a home or obtain a mortgage or get a job because of the color of their skin or break through that so-called glass ceiling at the workplace because of their gender.

Is there anything more un-American than to deny a human being the chance to be the best that he or she can be, as the Army says, on equal terms?

Is there anything more un-American than to isolate people in a ghetto, put up invisible barriers by denying them jobs, opportunity, and any hope of breaking out of their prison of poverty? And then sit back and watch in horror and outrage as their children go fatherless and their streets go white with

drugs and then run red with the blood from mindless violence?

Is there anything more un-American than to rob people of their equal opportunity because of the pigment in their skin, the texture of their hair, the composition of their chromosomes—all the while we sit back and proudly proclaim that our policies have to be colorblind and gender neutral?

Is there anything more hypocritical than to say that racism or sexism is a thing of the past?

Madam President, in "Native Son," Richard Wright told a story of what it means to be black in this country. There are many memorable scenes in the book, but there is one that has stayed with me over the years. In it, two young boys, Bigger and Gus, look up at a pilot who is skywriting on a lazy summer day:

"Looks like a little bird," Bigger breathed with childlike wonder.

"Them white boys sure can fly," Gus said.

"Yeah," Bigger said wistfully. "They get a chance to do everything. I could fly a plane if I had a chance."

"If you wasn't black and if you had some money and if they'd let you go to that aviation school, you could fly a plane," Gus said.

And then there is Bigger contemplating a life filled with denial and rejection, and he responds:

> Every time I think about it, I feel like somebody's poking a red-hot iron down my throat * * * It's just like living in jail. Half the time I feel I'm on the outside of the world peeping in through a knothole in the fence. * * *

That scene was memorable for me not just because it depicts a scene of innocence and whimsey perhaps in a novel filled with horror, but because it said so much about the human spirit, about the significance of hope, about the utter destructiveness of knowing in advance that the hope can never be realized.

Now, "Native Son" is fiction and it was written 50 years ago. We've made great progress since then. Michael Jordan is now skywriting in Chicago, Michael Jackson walks on the Moon, TV watchers can start their day with Bryant Gumbel or Oprah Winfrey and end it with Bill Cosby or Arsenio Hall, and Clarence Thomas sits on the Supreme Court.

There has been progress. But for every Jordan, Jackson, Gumbel, Winfrey, Cosby, Hall, or Thomas, there are millions of people treated with contempt and disdain and discrimination every single day and moment of their lives.

For every Sandra Day O'Connor or Katherine Graham, there are millions of women who run smack into harassment or invisible walls that restrict the achievement of their potential.

Recently, I watched a segment of "Prime Time" on ABC. The producers of the show took two attractive, articulate male college graduates—one white, one black—and sent them out into the world followed by a hidden camera.

You can probably guess the results of that foray into the world's experiences. The young white man was treated almost systematically with courtesy and enthusiasm and accommodation, with financial incentives to make purchases.

How was the black man treated? In a store, he was regarded with great suspicion by a salesman and followed by a security guard. He went to one auto dealership—the same dealership that his counterpart had gone to earlier—where he was thoroughly ignored. At another dealership, he went in to ask about purchasing a car and was given a higher interest rate than his counterpart. He went to look for an apartment and was told that the last apartment had just been leased, even though, of course, we all know that it hadn't been leased.

The camera never blinked. Nor did any of the unwitting participants in the film. They either denied that they had engaged in acts of racism or discrimination, or they reacted with anger to the exposure of their behavior.

And still, there are those who want to make the term "civil rights" a pejorative phrase, and use it to achieve political success on the backs of those who have been victimized by society for hundreds of years.

Justice Holmes once wrote that the hell of the old world's literature involved people being taxed beyond their abilities. We can recall all of the various myths where the individuals had their fate written well in advance. It was all preordained, and they struggled against overwhelming odds and inevitably failed.

But Holmes said there was a different type of hell in today's literature and today's life. He said a far deeper abyss existed and that's when powers conscious of themselves are denied their chance. And that, it seems to me, is at the core of what we're debating today.

The hell of millions of Americans that they must endure every day of their lives, knowing that they have the intelligence and the ability, and they're being denied their chance.

Madam President, opponents of this legislation can jump up and say they agree. Intentional discrimination is a violation of every sense of decency, every principle that we hold dear. But they would then argue this legislation goes beyond intentional discrimination—and indeed it does. They would argue it dictates employment practices and standards and is going to force employers to hire unqualified people or undesirables in order to avoid a lawsuit. And so they put the quota label on the bill.

Madam President, what this legislation does is it talks about burden of proof—the allocation of burden of proof. Who should bear the burden of proving that an employer's hiring or promotional activities result in excluding women or minorities from entering that work force or progressing within it.

Congress passed laws, which the courts determined placed the burden on those who could show that their standards or practices were driven by business necessity rather than any racial or sexual bias or discriminatory practice. And from 1971 to 1989 there seemed to be no cry of quotas. No one said this jeopardized the entire American ethic because of quotas.

But then in 1989, the nonactivist Supreme Court discarded precedent and shifted the burden to those who chose and do choose to complain.

What we are doing in this legislation, we are saying to the court and to the country, "No. The burden belongs on those who claim, "the business makes me do it."

Madam President, this legislation, so meticulously and laboriously crafted by my diligent and thoughtful colleague JACK DANFORTH, is important for what it does. But it is also important for the message that it sends. The pursuit of the American ideal or dream is as important today as it was on the day that our Constitution was drafted.

There are others who have spoken far more eloquently than I can ever possibly hope to do. There is one voice I recall reading, that of Robert G. Ingersoll, who was talking about the issue of racism in our society. He said:

> Liberty is not a social question. Civil equality is not social equality. We are equal only in rights. No two persons are of equal weight, or height. There are no two leaves in all the forests of the earth alike—no two blades of grass—no two grains of sand—no two hairs. Neither mental nor physical equality can be created by law, but law recognizes the fact that all men have been clothed with equal rights by nature, the Mother of us all.

And then he went on to say:

> The man who hates the black man because he is black has the same spirit as he who hates the poor man because he is poor. It is the spirit of caste. The proud useless despises the honest useful. The parasite idleness scorns the great oak of labor on which it feeds, and that lifts it to the light.
>
> I am the inferior of any man whose rights I trample under foot. Men are not superior by reason of the accident of race or color—

And let me here add the words "or sex."

Madam President, to oppose this legislation is to reaffirm the condemnation of those millions of Americans who conscious of their powers are being denied their chance.

I cited Justice Holmes a moment ago, and let me close with another of his observations.

He said that a catchword can hold analysis in fetters for 50 years and more. A label can attach similar chains to our minds. I would hope that my

colleagues would reject the label, tear off the label, to study the contents and, more importantly, study what has been done to the lives of so many of our citizens.

And I hope that they will conclude that fairness demands that they support this legislation.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COHEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. COHEN. Madam President, I ask unanimous consent that the Senate go into recess subject to the call of the Chair and the time be charged to each side under the previous understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate, at 2:40 p.m., recessed subject to the call of the Chair; whereupon, at 7:18 p.m., the Senate reassembled when called to order by the Presiding Officer [Mr. ADAMS].

Mr. SIMON. Mr. President, I ask unanimous consent to speak as in morning business and that the time be charged against the time running postcloture.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Illinois is recognized.

INACCURATE ARTICLE ALLEGING SOURCE OF LEAK OF CONFIDENTIAL DOCUMENTS

Mr. SIMON. Mr. President, this morning's Washington Times contains a totally inaccurate article alleging that I was the source of the leak of confidential documents in the Clarence Thomas-Anita Hill matter. There is absolutely no truth to this. I simply do not operate that way, as I think my colleagues in the Senate know.

I have questioned my staff in detail on how the documents were handled, and I can say without hesitancy that no one on my staff was responsible for leaking the documents. I strongly support an investigation into who did leak the documents, and I will cooperate fully with the FBI, GAO, or any other Federal agency looking into the matter.

But for a newspaper to run such a story without a shred of evidence is more of a commentary on the newspaper's ethics than it is on the person charged.

LA SALLE ACADEMY, 1990-91 BLUE RIBBON SCHOOL

Mr. PELL. Mr. President, as chairman of the Senate Subcommittee on Education, Arts, and Humanities, it is an honor and a privilege to offer my congratulations to La Salle Academy on being named a 1990-91 Blue Ribbon School.

This is indeed a very significant award. Only those schools which meet the most rigorous standards of achievement and excellence are named Blue Ribbon Schools. In fact, less than one-half of 1 percent of all our Nation's schools receive the Blue Ribbon Schools Award. It is the highest honor bestowed by the Department of Education, created to recognize outstanding public and private elementary and secondary schools across the United States that are unusually effective in meeting national education goals.

Mr. President, while much is learned at the La Salle, certainly, much can be learned from them.

At La Salle, Brother Fredrick Mueller has fostered an environment where students are encouraged to realize their potential both inside and outside of the classroom. La Salle's rigorous academic program sends over 90 percent of its students on to higher education, an impressive record for all our schools to reach.

Moreover, there is a tradition of public service at La Salle seen not only through the actions of the current student body but the alumni of La Salle as well. More graduates of La Salle Academy serve in the Rhode Island State Legislature than of any other school in the State. Indeed, it is the alma mater of my distinguished colleague from Rhode Island in the House of Representatives, Congressman JACK REED.

The importance of a well-trained mind can never be overstated, no matter how often we speak of education, no matter how much we do to improve our schools.

I remind the students of La Salle Academy and my colleagues here in the Senate of the eloquent words of Joseph Addison.

> Education is a companion which no misfortune can depress, no crime can destroy, no enemy can alienate, no despotism can enslave, at home a friend, abroad an introduction, in solitude solace, and in society an ornament. It chastens vice and guides virtue.

La Salle Academy exemplifies the high standard of educational excellence upon which our Nation so critically depends. They have brought honor and distinction to their community and to our State.

I have said many, many times that our real wealth as a nation is measured by the sum total of the education and character of our people.

I congratulate all the people of the La Salle community for the shining contribution they have made to our national wealth. I urge them to continue to work hard to maintain the fine standard they have set, and once again express my heartfelt congratulations for a recognition well-earned.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. SIMON. Mr. President, I ask unanimous consent that we go into recess subject to the call of the Chair, but that the time continue to run on the cloture motion.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon, at 7:21 o'clock and 15 seconds p.m., the Senate recessed subject to the call of the Chair; whereupon, at 8:08 p.m. the Senate reassembled, when called to order by the Presiding Officer [Mr. BRYAN].

UNANIMOUS-CONSENT AGREEMENT—S. 596

Mr. MITCHELL. Mr. President, I ask unanimous consent that, at 2:30 p.m. tomorrow, the Senate resume consideration of S. 596, the Federal facilities bill; that Senator SEYMOUR be recognized to offer an amendment, which will not be subject to amendment, dealing with the unauthorized release of Senate documents; that the majority leader then be recognized to offer a resolution dealing with the same subject, to which no amendment or motion would be in order; that there be 1 hour for debate, equally divided between Senators MITCHELL and SEYMOUR, on both the amendment and the resolution; that when all time is used or yielded back, the Senate vote on the Mitchell resolution; that upon the disposition of the Mitchell resolution, the Senate vote on the Seymour amendment, to be followed by third reading of the bill; that the Senate then proceed to Calendar No. 131, H.R. 2194, the House companion bill; that all after the enacting clause be stricken and the text of S. 596, as amended, be substituted in lieu thereof; that the bill be read a third time; and that the preceding all occur without any intervening action or debate.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar 337. Edward G. Lanpher, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Zimbabwe, and

Calendar 338. Richard C. Houseworth, to be U.S. Alternative Executive Direc-

tor of the Inter-American Development Bank.

I further ask unanimous consent that the nominees be confirmed, en bloc, that any statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Edward Gibson Lanpher, of the District of Columbia, a career member of the Senior Foreign Service, class of Minister—Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Zimbabwe.

INTER-AMERICAN DEVELOPMENT BANK

Richard C. Houseworth, of Arizona, to be U.S. Alternate Executive Director of the Inter-American Development Bank, vice Larry K. Mellinger.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:25 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the joint resolution (S.J. Res. 160) designating the week beginning October 20, 1991, as "World Population Awareness Week," without amendment.

The message also announced that the House has passed the bill (S. 1823) to amend the Veterans' Benefit and Services Act of 1988 to authorize the Department of Veterans Affairs to use for the operation and maintenance of the National Memorial Cemetery of Arizona funds appropriated during fiscal year 1992 for the National Cemetery System; with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 972) to make permanent the legislative reinstatement, following the decision of Duro against Reina (58 U.S.L.W. 4643, May 29, 1990), of the power of Indian tribes to exercise criminal jurisdiction over Indians.

The message also announced that the bill of the Senate (S. 1241) to control and reduce violent crime, in the opinion of the House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of the House and that such bill is respectfully returned to the Senate.

The message further announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2032. An act to amend the Act of May 15, 1965, authorizing the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes; and

H.J. Res. 327. Joint resolution designating 1992 as the "Year of the Gulf of Mexico."

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 197. Concurrent resolution providing that the President should urge the Secretary-General of the United Nations to develop plans for coordinating and expanding resources of the United Nations to respond effectively to disasters and humanitarian emergencies.

MEASURES REFERRED

The following bill and joint resolution were read the first and second times by unanimous consent, and referred as indicated:

H.R. 2032. An act to amend the Act of May 15, 1965, authorizing the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

H.J. Res. 327. Joint resolution designating 1992 as the "Year of the Gulf of Mexico"; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 197. Concurrent resolution providing that the President should urge the Secretary-General of the United Nations to develop plans for coordinating and expanding resources of the United Nations to respond effectively to disasters and humanitarian emergencies; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2054. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on U.S. Costs in the Persian Gulf Conflict and Foreign Contributions to Offset Such Costs; to the Committee on Armed Services.

EC-2055. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation; to the Committee on the Budget.

EC-2056. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on "Pay-As-You-Go Legislation Enacted as of October 11, 1991"; to the Committee on the Budget.

EC-2057. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on the activities undertaken by the U.S. Coast Guard to reach certain international agreements and on the desirability of applying selected pollution prevention requirements to all vessels which call at United States ports; to the Committee on Commerce, Science and Transportation.

EC-2058. A communication from the Commandant of the U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, a notice in the delay of the submission of a report to Congress on Alternatives to Double Hulls in Tank Vessel Design; to the Committee on Commerce, Science and Transportation.

EC-2059. A communication from the Assistant General Counsel, Department of Energy, transmitting, pursuant to law, a report entitled "Department of Energy Voluntary Agreement and Plan of Action To Implement the International Energy Program"; to the Committee on Energy and Natural Resources.

EC-2060. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2061. A communication from the Acting Deputy Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2062. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2063. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2064. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, transmitting, pursuant to law, a report on certain offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2065. A communication from the Acting Deputy Associate Director for Collection and Disbursement, Minerals Management Service, U.S. Department of the Interior, trans-

mitting, pursuant to law, a report on certain offshore lease revenues, to the Committee on Energy and Natural Resources.

EC-2066. A communication from the Assistant Secretary, U.S. Department of the Interior, transmitting, a draft of proposed legislation to amend section 2 of the Act of July 31, 1947 (61 Stat. 681); to the Committee on Energy and Natural Resources.

EC-2067. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "The 1991 Status of the Nation's Highways and Bridges: Conditions and Performance"; to the Committee on Environment and Public Works.

EC-2068. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled "Trade and Employment Effects of the Caribbean Basin Economic Recovery Act"; to the Committee on Finance.

EC-2069. A communication from the President of the United States, transmitting, pursuant to law, a report on the adherence of the United States to arms control treaty obligations and on problems related to compliance by other nations with the provisions of arms control agreements to which the United States is a party; to the Committee on Foreign Relations.

EC-2070. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a report to Congress that the United States should explore the need for the establishment of an International Criminal Court; to the Committee on Foreign Relations.

EC-2071. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, a report on drug and alcohol abuse prevention, treatment and rehabilitation programs and services for Federal civilian employees; to the Committee on Governmental Affairs.

EC-2072. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a report summarizing and analyzing executive agencies' reports showing the amount of personal property furnished to non-Federal recipients; to the Committee on Governmental Affairs.

EC-2073. A communication from the Pennsylvania Avenue Development Corporation, transmitting, pursuant to law, a report on the status of audit and investigative activities during fiscal year 1991; to the Committee on Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MACK:

S. 1859. A bill for the relief of Patricia A. McNamara; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 1860. A bill to amend part A of title IV of the Social Security Act to remove barriers and disincentives in the program of aid to families with dependent children so as to enable recipients of such aid to move toward self-sufficiency through microenterprises; to the Committee on Finance.

By Mr. DASCHLE:

S. 1861. A bill to require the Secretary of the Treasury to perform a study of the structures, operations, practices and regulation of Japan's capital and securities markets, and their implications for the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAHAM:

S. 1862. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself, Mr. DODD, Mrs. KASSEBAUM, Mr. MITCHELL, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, Mr. DASCHLE, Mr. CRANSTON, Mr. RIEGLE, Mr. KOHL, Mr. DECONCINI, Mr. FOWLER, Mr. PRYOR, and Mr. CONRAD):

S. 1863. A bill to provide for the establishment of a program that shall facilitate, on a voluntary request basis, the reunion of birth parents and adopted individuals, birth siblings, or birth grandparents of adopted individuals, through a centralized computer network, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. SPECTER:

S. 1864. A bill to authorize the Secretary of Health and Human Services to award a grant for the purpose of constructing a medical research facility at the Children's Hospital of Philadelphia, and for other purposes; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY:

S. 1860. A bill to amend part A of title IV of the Social Security Act to remove barriers and disincentives in the program of aid to families with dependent children so as to enable recipients of such aid to move toward self-sufficiency through microenterprises; to the Committee on Finance.

REMOVAL OF BARRIERS TOWARD SELF-SUFFICIENCY FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN

Mr. GRASSLEY. Mr. President, several weeks ago, I had an opportunity to introduce S. 1395. The title of that act was the Act for Microenterprise Development. At that time, I believe it would provide low-income people the opportunity for financial independence through self-employment.

The term microenterprise is defined as any unincorporated trade or business enterprise which has five or fewer employees, of which one or more is the owner. The microenterprise program makes particular sense in rural areas of the United States where employment opportunities are limited and self-ownership is often the only alternative to unemployment.

The results from microenterprising in demonstration projects are astonishing. Success in terms of personal satisfaction, self-esteem, and community pride cannot be overstated. Success in terms of loan repayment is equally impressive with levels reaching 94 percent.

Not only is microenterprise beneficial to welfare dependent persons, it is equally important to State and Federal Governments. First, there is a reduction in welfare expenditures for persons whose successful business starts enable them to become financially independent. Second, tax revenue is generated from the additional economic activity generated through the business.

Mr. President, today I am introducing another microenterprise bill that addresses not only the concerns mentioned in S. 1395, but also other concerns raised by my constituents who work in these demonstration projects in my State. Congressman TONY HALL, chairman of the House Select Committee on Hunger, has introduced this bill in the House of Representatives and I am proud to join him today.

There are several important goals to this new legislation.

First, to increase the exclusion of the net worth of the microenterprise for purposes of AFDC eligibility. Currently, the exclusion limit is only $1,000. Mr. President, this means that the cost of a personal computer would put an AFDC mom over the limit. One of the women who spoke at the House hearings on this issue was an Iowa constituent who wants to start her own medical computer billing service. Unfortunately, if she buys a computer while on AFDC, she will lose eligibility for AFDC and the important medical assistance provided to her family because of her eligibility. Certainly it is clear that this $1,000 limit is too low. My bill raises this limit to $10,000.

The reason this is important is that it allows the new entrepreneur the ability to remain on public assistance and not draw income out of the newly formed enterprise. As most new businesses are not cash rich, their owners can seldom rely on the business for their livelihood until the business is more established. Also, any income generated from the business can be reinvested back into the business without penalty to subsistence payments.

A second goal is to ensure that AFDC caseworkers make it clear to AFDC recipients that beginning a microenterprise is an option for them. They can start their own business, with the assistance of leaders in the community, and provide a better future for their children.

Similar to the second goal, this bill also includes microenterprise in the jobs program. The goal of the jobs program is to provide greater incentive to welfare moms to get off of public assistance. This bill makes microenterprise a further opinion for this mom.

Mr. President, the original goal of welfare was to provide a stop-gap to those who temporarily have a crisis and need assistance. It was never meant to be a permanent means of support. Allowing these women the opportunity to make changes for their futures is what welfare assistance is all about.

Finally, Mr. President, this bill calls on the Secretary of Health and Human Services to conduct a study to identify the administrative and bureaucratic barriers that prevent AFDC recipients from developing microenterprises.

Our desire is to make independence from public assistance a reasonable goal for those with the desire, motivation, and discipline to take this challenge. I join my colleague in the House to make this challenge accessible to those who want it. I encourage my colleagues to consider this bill and join me in its passage.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF MICROENTERPRISES UNDER PROGRAM OF AID TO FAMILIES WITH DEPENDENT CHILDREN.

(a) STATE PLAN REQUIREMENTS.—Section 402(a) of the Social Security Act (42 U.S.C. 602(a)) is amended—

(1) by striking "and" at the end of paragraph (45);

(2) by striking the period at the end of paragraph (46) and inserting "; and"; and

(3) by inserting after paragraph (46) the following:

"(47) provide that the State agency—

"(A)(i) must not include as a resource of the family of which a child referred to in paragraph (7)(A) is a member, for purposes of paragraph (7)(B), the first $10,000 of the net worth (assets reduced by liabilities with respect thereto) of all microenterprises (as defined in section 406(i)(1)) owned, in whole or in part, by the child or by a relative or other individual referred to in paragraph (7)(A); and

"(ii) must take into consideration as earned income of the family of which the child is a member, only the net profits (as defined in section 406(i)(2)) of such microenterprises; and

"(B) must ensure that caseworkers are able to properly advise recipients of aid under the State plan of the option of microenterprises as a legitimate route towards self-sufficiency, and that caseworkers encourage recipients of such aid who are interested in starting a microenterprise to participate in a program designed to assist them in such effort.".

(b) DEFINITIONS.—Section 406 of such Act (42 U.S.C. 606) is amended by adding at the end the following:

"(i)(1) The term 'microenterprise' means a commercial enterprise which has 5 or fewer employees, 1 or more of whom owns the enterprise.

"(2) The term 'net profits' means, with respect to a microenterprise, the gross receipts of the business, minus—

"(A) amounts paid as principal or interest on a loan to the microenterprise;

"(B) transportation expenses;

"(C) inventory costs;

"(D) amounts expended to purchase capital equipment;

"(E) cash retained by the microenterprise for future use by the business;

"(F) taxes paid by reason of the business;

"(G) if the business is covered under a policy of insurance against loss—

"(i) the premiums paid for such insurance; and

"(ii) the losses incurred by the business that are not reimbursed by the insurer solely by reason of the existence of a deductible with respect to the insurance policy;

"(H) the reasonable costs of obtaining 1 motor vehicle necessary for the conduct of the business; and

"(I) the other expenses of the business.".

(c) INCLUSION OF MICROENTERPRISE TRAINING AND ACTIVITIES IN THE JOBS PROGRAM.—

(1) IN GENERAL.—Section 482(d)(1) of such Act (42 U.S.C. 682(d)(1)) is amended adding at the end the following:

"(C) The services and activities referred to in subparagraph (A)—

"(i) in the case that at least 3 percent of the adult recipients of aid under the State plan approved under part A (as of the close of the immediately preceding fiscal year) elect to participate in microenterprise activities, shall include programs described in paragraph (4); or

"(ii) in the case that not more than 3 percent of the adult recipients of such aid elect to participate in microenterprise activities, may include programs described in paragraph (4).".

(2) MICROENTERPRISE PROGRAMS.—Section 482(d) of such Act (42 U.S.C. 682(d)) is amended by adding at the end the following:

"(4) The programs described in this paragraph are programs of public and private organizations, agencies, and other entities (including nonprofit and for-profit entities) to enable such entities to facilitate economic development by—

"(A) providing technical assistance, advice, and business support services (including assistance, advice, and support relating to business planning, financing, marketing, and other microenterprise development activities) to owners of microenterprises and persons developing microenterprises; and

"(B) providing general support (such as peer support and self-esteem programs) to owners of microenterprises and persons developing microenterprises.".

(d) ADJUSTMENT OF PERFORMANCE STANDARDS FOR MICROENTERPRISES TO TAKE ACCOUNT OF TIME REQUIRED FOR THEIR ESTABLISHMENT.—Section 487(a)(2) of such Act (42 U.S.C. 687(a)(2)) is amended by inserting "shall be adjusted with respect to microenterprises to reflect the time required to establish, and develop a stable income from, such an enterprise as part of a plan to move toward economic self-sufficiency," after "dependency,".

(e) STUDY TO IDENTIFY ADMINISTRATIVE BARRIERS TO DEVELOPMENT OF MICROENTERPRISES AMONG INTERESTED AFDC RECIPIENTS.—The Secretary of Health and Human Services shall conduct a study to identify the administrative and bureaucratic barriers that impede the development of microenterprises by recipients of aid to families with dependent children under the State plans approved under part A of title IV of the Social Security Act who desire to move toward self-sufficiency, and, not later than 1 year after the date of the enactment of this section, shall report the results of the study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall apply to payments under part A of title IV of the Social Security Act for calendar quarters beginning on or after October 1, 1991.

By Mr. DASCHLE:

S. 1861. A bill to require the Secretary of the Treasury to perform a study of the structures, operations, practices, and regulation of Japan's capital and securities markets, and their implications for the United States; to the Committee on Banking, Housing, and Urban Affairs.

FOREIGN CAPITAL AND SECURITIES MARKETS STUDY ACT

• Mr. DASCHLE. Mr. President, I urge my colleagues to join me in supporting legislation to address a topic with significant consequences for the United States—the structure, operation, and practices of Japan's capital and securities markets.

The Foreign Capital and Securities Markets Study Act, which I introduce today, calls on the Secretary of the Treasury to conduct a year-long study of Japan's capital and securities markets and their implications for the United States. The study will focus on how the structure and operation of these markets provide Japanese manufacturers with competitive advantages against their American counterparts. The study also will examine how these markets, in the way they are structured and operated, pose a risk to American investments, international liquidity, and the stability of international financial markets. The study will touch on several topics that have been the subject of negotiation between the United States and Japan in the structural impediments initiative, such as corporate governance an cross-shareholding, but which have never been studied in the breadth or depth proposed in this legislation.

The time is right for such a study. We have watched with interest the reports of inside dealings, loss guarantee payments, market manipulation, and other irregularities emanating this summer from Japan. We have seen allegations that Nomura Securities, the world's preeminent securities house, consorted with and manipulated stock prices for Japanese gangsters. We have seen disclosures that Japanese securities houses paid more than $1 billion to cover the market losses of favored insiders, which include the world's most powerful industrial corporations.

The Japanese stock market scandals of 1991 are reason enough for this legislation. In today's global financial markets, a scandal of this proportion has international dimensions. We must know how the scandals will affect the United States economy as a whole, as well as American investors, including United States pension funds that have invested billions in the Japanese markets.

However, what may be more important for the long-term well-being of the United States economy is what the scandals reveal about the structure and operation of the Japanese capital and securities markets. This scandal gives us a glimpse into the heart of Japan Inc. They call our attention to the much broader and fundamental con-

tributions of Japan's financial sector to that country's remarkable postwar economic success. In so doing, the Japanese financial scandal has profound consequences for the United States, reaching from Wall Street in Manhattan to Main Street in Aberdeen, SD.

The consequences are as subtle as they are profound; here are some examples of what I mean:

COST OF CAPITAL

The structure and operation of Japan's securities and capital markets have provided Japanese corporations with access to cheap capital, especially during the go-go 1980's. This advantage over their American competitors has allowed Japanese companies to pursue aggressive market and pricing strategies, modernize plant and equipment, conduct extensive research and development programs, acquire American companies, and make other investments to position themselves for global competition in the 1990's. Sony, for example, reportedly raised more than $6 billion in stock and equity-based bond issues between 1987 and 1990. Sony's reported cost of capital for these funds was estimated to be under 1 percent. In the same timeframe, Sony acquired CBS Records and Columbia Pictures for a combined total of $5.7 billion. Access to such low-cost funds, when American companies are paying 10 percent or more, can spell the difference between competitive success and failure.

BARRIERS TO TRADE

The structure and operation of Japan's securities markets also have facilitated barriers to United States exports to Japan. In the well-known keiretsu corporate structure, Japanese suppliers and their customers develop longstanding business relationships through reciprocal stable shareholding arrangements, interlocking directorates, and other mutually beneficial stock arrangements. One obligation of the arrangement is continued procurement from the supplier company, which in turn depends heavily upon and works intimately with the keiretsu customer. Such relationships, forged in Japanese securities markets, act to exclude American vendors seeking to penetrate the Japanese market.

ANOTHER FINANCIAL SCANDAL

Japanese banks, including some of the largest banks in the world, are confronting problems similar to those faced by American banks and savings and loans. Japan's real estate and securities markets, which have been marvels of long-term growth, are depressed significantly. This downturn poses a two-pronged threat to Japanese banks.

First, loan losses could soar along with surging loan defaults and bankruptcies, especially in the real estate sector. The Economist magazine projects that Japanese bankruptcies could reach into hundreds of billions of dollars over the next few years, with Japanese banks woefully unprepared. Loan loss reserves in Japanese banks are reported to amount to only 3 trillion yen on 448 trillion yen in outstanding loans.

Second, Japanese banks rely heavily upon securities in their portfolios to meet international capital standards. With the sharp downturn in the Japanese stock market, Japanese banks reportedly have encountered difficulty in meeting those capital standards, and have been forced to take remedial actions like curtailing international lending activity.

This scenario seems disturbingly similar to our banking and savings and loan debacle. But the implications of Japan's financial problems extend even further. Japanese banks and financial institutions play a critical role in providing international liquidity, including, most importantly for us, the financing of United States Government budget deficits. Serious dislocations in the Japanese financial sector could have global consequences.

In light of the magnitude of these and other questions concerning the implications for the United States of the structure and operation of Japan's securities and capital markets, this proposal is a fair, measured, even cautious response. If United States policy in this vitally important area is to rest on a solid foundation, we must have a comprehensive understanding of the Japaneses financial markets and how they affect all Americans.●

By Mr. GRAHAM:

S. 1862. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes; to the Committee on Environment and Public Works.

NATIONAL WILDLIFE REFUGE SYSTEM MANAGEMENT AND POLICY ACT

● Mr. GRAHAM. Mr. President, this Sunday marks the 133d anniversary of the birthday of one of America's first true conservationists, President Theodore Roosevelt. He left us many environmental legacies, including our wonderful system of national wildlife refuges.

PRESERVING THE LEGACY OF PRESIDENT THEODORE ROOSEVELT

In 1903 President Roosevelt established the first national wildlife refuge on tiny Pelican Island in Florida's Indian River. He sought to protect brown pelicans, egrets, herons and other impressive wading birds from hunters seeking plumes for the feathered hats that were the height of fashion in those days.

Since then our country's wildlife refuge system has grown to more than 460 refuges covering 90 million-plus acres in 50 States, from the Florida Keys to the North Slope of Alaska. This loose network of refuges provides critical habitat to more than 700 species of birds, more than 1,000 mammals, reptiles and amphibians—and an even greater variety of fish and plants. Many of these species are listed as endangered or threatened.

Our wildlife refuges comprise one of the three largest public land systems managed by the Federal Government. More important, unlike Forest Service, Bureau of Land Management properties and other public lands, it is the only system managed primarily for the benefit of wildlife and its habitat.

OUR WILDLIFE REFUGE SYSTEM IS SUFFERING AND NEEDS HELP

However, other activities unrelated to wildlife protection are not categorically banned in most instances. Two laws passed in the 1960's allow recreational and other secondary uses so long as they are compatible with the refuge's primary purpose. As a result, at least one secondary use occurs on nearly every refuge, and more than 70 percent of our refuges have at least seven such uses. Unfortunately, many of these activities are severely harming the wildlife that the refuge system was designed to protect.

A 1989 study by the General Accounting Office—the investigation arm of Congress—found that activities considered by refuge managers to be harmful to wildlife resources were occurring on nearly 60 percent of our refuges, even though many of these uses had been found to be compatible. Power boating, mining, military air exercises, off-road vehicles and air boating were cited as the most frequent harmful uses.

Oil and gas drilling, timbering, grazing, farming, commercial fishing, hunting, trapping and even hiking in some cases were also found to harm wildlife, disturb habitat or breeding, or change normal animal behavior.

A followup study by the U.S. Fish and Wildlife Service, which manages the refuge system, confirmed the findings of the GAO. The Service found 63 percent of the refuges harbored one or more harmful activities.

THE MAJOR CAUSES BEHIND THE PROBLEM

The obvious question arose: If the law only allowed compatible activities, why must the majority of refuges endure harmful ones? The GAO found two primary causes.

First, the Fish & Wildlife Service often gave in to intense political and economic pressure.

The refuge managers became susceptible to pressure because the brief and generally worded laws passed in the 1960's governing refuges did not adequately define what the refuge purposes were or how to determine whether a proposed use was compatible with the purpose. Thus, they often ended up considering nonbiological factors in evaluating whether to allow these activities.

Furthermore, these decisions were often made without adequate public

input or written records. The problem was compounded by the Service's failure to periodically reevaluate the uses allowed.

The second major cause involved the joint jurisdiction of the refuge held by other Federal agencies or other entities. In many instances, another agency shared subsurface mineral responsibilities or a navigable waterway or had the right of access to the land and airspace for military exercises. Thus, by law such harmful activities as mining, boating, or military overflights could not be prevented.

The resulting damage is evident and widespread. At one time, the Key West National Wildlife Refuge harbored the only known breeding colony of frigatebirds in the United States. The Great White Heron National Wildlife Refuge in the Florida Keys hosted numerous colonies of wading birds and waterbirds.

Within the past year, the frigate bird rookery has been abandoned, and the other nesting birds—including the great white heron—have shown signs of declining breeding success. A major cause is sharply increased back country activity by jetskiers, power boaters, water skiers, campers, fishermen, and others.

In its very title the GAO report calls on Congress to take "bold action." That is what is needed, and that is what I am here to propose today.

A PROPOSED PLAN OF ACTION

The bill I am introducing today is a comprehensive organic act for the refuge system designed to accomplish the following:

First, set forth explicit, environmentally sound purposes for the system as a whole.

Second, establish a formal process for determining what secondary uses are compatible and thus allowable.

This decision must be based on scientific factors only, made in writing, subject to public comment and appeal, and periodically reviewed.

Existing uses may continue for up to 5 years pending a review for compatibility.

Third, require the Fish and Wildlife Service to prepare a systemwide master plan as well as conservation plans for each refuge or group of related refuges.

Fourth, require Federal agencies with joint or secondary jurisdiction over a refuge to ensure that their actions do not harm refuge resources unless permitted by law or necessary for the national security.

Fifth, reaffirm the existing law that permits wildlife recreational activities, such as hunting, fishing, and hiking, where found compatible with refuge purposes.

TRADITIONAL RECREATION SUCH AS HUNTING IS NOT BANNED

On that last point let there be no mistake: traditional recreation currently allowed on many refuges—including hunting—is not automatically banned. That is the main reason why the more strident animal rights organizations are opposed to my proposal: it does not ban hunting. Rather such activities will continue to be allowed so long as the refuge manager finds they are compatible with the purposes of the refuge.

For example, if a refuge has been established to promote the migration of waterfowl, a refuge manager could find that hunting can continue in a controlled fashion so as not to deplete the stock or endanger continued reproduction and migration.

As a hunter myself, I seek to achieve a balance between traditional recreational activities and preservation of our wildlife.

ENDORSEMENTS

This legislation has the support of the Wilderness Society, the Defenders of Wildlife, the National Audubon Society, the Sierra Club, the National Wildlife Refuge Association, the Natural Resources Defense Council, and the Florida Audubon Society. It has also been endorsed in editorials by the Tampa Tribune and the Pensacola News Journal.

CONCLUSION

Threats to our environment are all around us and seem to be growing daily. Though protection and improvement of the National Wildlife Refuge System is but one part of the needed response, it is a critical component.

Our national refuge system—started nearly a century ago by conservationist and outdoorsman Theodore Roosevelt—is one of our great national treasures. In large part, it has been a great success story, protecting species coast to coast. But now our refuge system and its mission are threatened. We have a choice: to accept retreat or to salute the spirit of Roosevelt.

President Roosevelt challenged our sense of stewardship. He said:

> There are no words that can tell the hidden spirit of the wilderness, that can reveal its mystery, its melancholy and its charm. The nation behaves well if it treats the national resources as assets, which it must turn over to the next generation increased and not impaired in value.

That's exactly what we're trying to do today.

Mr. President, I ask unanimous consent that the full text of the bill and a September 21 editorial from the Tampa Tribune be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Wildlife Refuge System Management and Policy Act of 1991".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds and declares that—

(1) the National Wildlife Refuge System (hereafter in this section referred to as the "System") was established under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(2) the National Wildlife Refuge System Administration Act of 1966 consolidates the authorities related to lands, waters, and interests in such lands and waters administered by the Secretary of the Interior (hereafter in this section referred to as the "Secretary"), for the purpose of conservation of fish and wildlife;

(3) the System provides opportunities for individuals to participate in wildlife-oriented recreation, and to learn, understand, and appreciate the value of and need for conserving fish and wildlife, wild lands, and naturally productive ecological communities, types, and systems;

(4) the System is the only complex of Federal lands devoted primarily to preserving, restoring, and managing fish and wildlife and the habitats of fish and wildlife;

(5) National Wildlife Refuges provide habitat for many endangered and threatened species, and for species that may become endangered or threatened, as well for other fish, wildlife, and plants;

(6) the well-being and abundance of such fish, wildlife, and plants would be diminished without such protected habitat;

(7) activities are occurring on a significant number of National Wildlife Refuges that result in harm to the fish and wildlife resources the System was designed to conserve; and

(8) improvements are needed in the administration and management of the System to ensure that sound and effective conservation programs for the System are developed, implemented, and enforced.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To reaffirm the provisions of the Act commonly known as the Refuge Recreation Act (16 U.S.C. 460k et seq.) that authorizes the Secretary of the Interior (hereafter in this subsection referred to as the "Secretary") to permit compatible fish and wildlife-oriented public recreation, such as hunting, fishing, and wildlife observation on refuges.

(2) To improve the administration and management of the System.

(3) To establish purposes for the System.

(4) To improve the compatibility determination process for National Wildlife Refuges.

(5) To establish comprehensive planning for the System and individual wildlife refuges of the System.

(6) To provide for interagency coordination in maintaining refuge resources.

SEC. 3. DEFINITIONS.

Section 5 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. bee) is amended—

(1) by redesignating subsections (a) through (c) as subsections (g) through (i); and

(2) by inserting the following new subsections before subsection (h) (as so redesignated):

"(a) The term 'Secretary' means the Secretary of the Interior (except as the context implies otherwise).

"(b) The term 'Director' means the Director of the United States Fish and Wildlife Service.

"(c) The term 'System' means the National Wildlife Refuge System.

"(d) The term 'refuge' means a unit of the National Wildlife Refuge System, except that such term shall not include State-managed wildlife management areas (commonly known as 'coordination areas').

"(e) The terms 'fish', 'wildlife' and 'fish and wildlife' mean any native member of the animal kingdom in a wild, unconfined state, including the parts, products, or eggs of such animals.

"(f) The term 'plant' means any native member of the plant kingdom in a wild, unconfined state, including plant communities, seeds, roots, and other parts thereof.".

SEC. 4. PURPOSES AND ADMINISTRATION OF THE SYSTEM.

Subsection (a) of section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (5) and (6); and

(2) by inserting after paragraph (1) the following new paragraphs:

"(2) The purposes of the System are as follows:

"(A) To provide a national network of lands and waters with respect to which, the size, variety, and location are designed to protect the wealth of fish, wildlife, and plants of this Nation and their habitats for present and future generations.

"(B) To provide healthy, naturally productive, and enduring food, water, and shelter to fish, wildlife, and plant communities and to ensure naturally diverse, healthy, and abundant populations of fish, wildlife, and plant species in perpetuity.

"(C) To serve in the fulfillment of international treaty obligations of the United States with respect to fish, wildlife, and plants, and their habitats.

"(3) If the Secretary finds that a conflict exists between any purpose set forth in the law or order that established a refuge and any purpose set forth in paragraph (2), the Secretary shall resolve the conflict in a manner that fulfills the purpose set forth in the law or order that established the refuge, and, to the extent possible, achieves all of the purposes set forth in paragraph (2).

"(4) In the administration of the System for the purposes described in paragraph (2), the Secretary, acting through the Director, shall—

"(A) ensure that the purposes of the System described in paragraph (2) of this subsection and the purposes of each refuge are carried out;

"(B) protect the System and the components of the System from threats to the ecological integrity of such System and components;

"(C) to the extent authorized by law, ensure adequate water quantity and water quality to fulfill the purposes of the System and of each refuge; and

"(D) plan, propose, and direct expansion of the System in a manner best designed to—

"(i) accomplish the purposes of the System and of each refuge in the System;

"(ii) protect and aid recovery of any species listed as endangered or threatened (and any species that is a candidate for such listing); and

"(iii) conserve other fish, wildlife, and plants, the habitats of such fish, wildlife, and plants, and other elements of natural diversity.".

SEC. 5. COMPATIBILITY STANDARDS AND PROCEDURES.

Paragraph (1) of section 4(d) of the National Wildlife Refuge System Administration Act of 1966, (16 U.S.C. 668dd(d)(1)), is amended by adding at the end of the paragraph the following new subparagraphs:

"(C) Except as provided in subparagraph (E) of this paragraph, the Secretary shall not initiate or permit a new use of a refuge or expand, renew, or extend an existing use unless the Secretary finds, in consultation with the Director, pursuant to subsection (e) of this section, that such use is compatible with the purposes of the System and of the refuge. The Secretary shall make no determination of such compatibility, nor initiate a proposed new use or permit a proposed, continued, or expanded use, unless the Secretary does the following:

"(i) States the time, location, manner, and purpose of such use.

"(ii) Evaluates the direct, indirect, and cumulative biological, ecological, and other effects that the Secretary determines to be appropriate of such use.

"(iii) Makes a determination, on the basis of the evaluation required under clause (ii) of this subparagraph, that such use will contribute to the fulfillment of the purposes of the System and the refuge or will not have a detrimental effect upon fulfillment of the purposes of the System or the refuge.

"(iv) Makes a determination that funds are available for the development, operation, and maintenance of such use.

"(D) Unless the Secretary, in consultation with the Director, determines that there is sufficient information available to make a reasoned judgment that a proposed, continued, or expanded use of a refuge is compatible with the purposes of the System and the refuge, the Secretary shall not permit the use.

"(E)(i) Except as provided in clause (ii), uses of refuge system lands in effect on the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991 that, before such date, have been determined to be compatible under this section or the Act entitled 'An Act to assure continued fish and wildlife benefits from the national fish and wildlife conservation areas by authorizing their appropriate incidental or secondary use for public recreation to the extent that such use is compatible with the primary purposes of such areas, and for other purposes', commonly referred to as the 'Refuge Recreation Act' (16 U.S.C. 460k et seq.) may be continued pursuant to the terms and conditions of existing special use permits, and applicable law, for the period of time specified in the permit.

"(ii) Not later than 5 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, any use described in clause (i) shall cease and permits for such uses be revoked unless the Secretary, in consultation with the Director of the United States Fish and Wildlife Service, makes a determination, pursuant to the procedures established under this section, that the use is compatible with the purposes of the System and the refuge.

"(F) The Secretary shall, acting through the Director, by regulation, establish and maintain a formal process for governing determinations of whether an existing or proposed new use in a refuge is compatible or incompatible with the purposes of the System and the refuge. The regulations shall provide for the expedited consideration of uses that the Secretary considers to have little or no adverse effects on the purposes of the System or a refuge, and shall—

"(i) designate the refuge officer initially responsible for compatibility and incompatibility determinations;

"(ii) describe the biological, ecological, and other criteria to be used in making such determinations;

"(iii) require that such determinations shall be made in writing and based on the best available scientific information;

"(iv) establish procedures that ensure an opportunity for public review and comment with respect to such determinations;

"(v) designate the officer who shall hear and rule on appeals from initial determinations; and

"(vi) provide for the reevaluation of a compatibility determination on a periodic basis or whenever the conditions under which the use is permitted change.

"(G) Except as provided in subparagraph (H), the head of each Federal agency that, with respect to a refuge, has an equivalent or secondary jurisdiction with the Department of the Interior, or that conducts activities within any refuge shall, in consultation with the Secretary, ensure that any actions authorized, funded, or carried out in whole or in part by such agency will not impair the resources of the refuge or be incompatible with the purposes of either the System or the refuge (unless such action is specifically authorized by law).

"(H) The President may find, on a case-by-case basis, that, with respect to a refuge, it is in the paramount interest of the United States to exempt the head of a Federal agency described in subparagraph (G) from the carrying out the requirements of subparagraph (G) of this paragraph.

SEC. 6. SYSTEM CONSERVATION PLANNING PROGRAM.

(a) IN GENERAL.—Section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), as amended by section 3 of this Act, is further amended—

(1) by redesignating subsections (e) through (i) as subsections (g) through (k); and

(2) by inserting the following new subsections:

"(e) SYSTEM PLAN.—(1) Not later than September 30, 1994, the Secretary shall prepare, and subsequently revise, not less frequently than every 10 years thereafter, a comprehensive plan for the System.

"(2) The plan described in paragraph (1) shall include—

"(A) relevant elements of recovery plans required under section 4(f), of the Endangered Species Act of 1973 (16 U.S.C.1533(f));

"(B) relevant summaries and compilations of refuge plans developed under this section and the relevant elements of migratory bird management plans;

"(C) a strategy and standards for maintaining healthy and abundant wildlife populations in the System and in each refuge ecotype or ecosystem (including the protection of zones for dispersal, migration, and other fish and wildlife movements, and the conservation of species designated as candidates for listing pursuant to section 4 of the Endangered Species Act (16 U.S.C. 1533));

"(D) strategies, developed cooperatively with agencies administering other Federal or State land systems, to enhance wildlife protection on national wildlife refuges and other land systems which collectively form a national network of wildlife habitats; and

"(E) a plan and program for the acquisition of lands and waters, including water rights, necessary to achieve the purposes of the System and each refuge.

"(f) REFUGE CONSERVATION PLANS.—(1) Except with respect to refuge lands in Alaska (which shall be governed by refuge planning provisions of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.)), the Secretary shall prepare, and revise at least every 15 years, a comprehensive con-

servation plan (hereinafter in this subsection referred to as a 'plan') for each refuge or ecologically related complex of refuges (hereafter in this subsection referred to as a 'planning unit') in the System. The Secretary shall revise any plan at any time thereafter, upon a determination that conditions that affect a planning unit have changed significantly.

"(2) In developing each plan under this subsection, the Secretary shall identify and describe—

"(A) the purposes of the refuge and the purposes of the System applicable to the refuge or the individual refuges of the planning unit;

"(B) fish, wildlife, and plant populations and habitats of the planning unit (including at the time of the development of the plan, current, historical, and potentially restorable populations and habitats) and the seasonal (and other) dependence of migratory fish and wildlife species on the habitats and resources of interrelated units of the System;

"(C) archaeological, cultural, ecological, geological, historical, paleontological, physiographic, and wilderness values of the planning unit;

"(D) areas within the planning unit that are suitable for use as administrative sites or visitor facilities or for visitor services;

"(E) significant problems, including water quantity and quality needs (within or without the boundaries of the refuge or complex) that may adversely affect the natural diversity, communities, health, or abundance of populations or habitats of fish, wildlife, and plants;

"(F) existing boundaries of each refuge in the planning unit in relation to ecosystem boundaries and wildlife dispersal and migration patterns; and

"(G) specific strategies, developed cooperatively with the heads of agencies administering other Federal and State lands, to enhance wildlife protection in the planning unit, and, to the extent practicable, on other Federal and State lands proximate to the planning unit.

"(3) Each plan under this subsection shall—

"(A) designate each area within the planning unit according to the archeological, cultural, ecological, geological, historical, paleontological, physiographic, and wilderness values of the area;

"(B) specify the uses within each such area that may be compatible with the purposes of the refuge and the System and the funds and personnel that may be required to administer such uses;

"(C) specify programs for achieving the purposes described in paragraph (2)(A) and for conserving, restoring, and maintaining the resources and values identified and described under subparagraphs (B) and (C) of paragraph (2);

"(D) specify the approaches to be taken to avoid or overcome the problems identified in paragraph (2)(E) and estimate resource commitments required to implement such approaches;

"(E) specify opportunities that may be provided within the planning unit for compatible fish and wildlife related recreation, ecological research, environmental education, and interpretation of refuge resources and values;

"(F) except with respect to Alaska refuges studied pursuant to section 1317 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3205), review the suitability for designation as wilderness refuge lands not previously studied for designation as wilderness or designated as wilderness, and recommend to the President and Congress designation for such lands in accordance with the provisions of sections 3(c) and 3(d) of the Wilderness Act (16 U.S.C. 1132 (c) and (d), respectively), including islands and areas of 200 acres or more immediately adjacent to wilderness areas (as designated at the time of the review), lands recommended (before the time of such review) for inclusion in the Wilderness Preservation System, and proposed land acquisitions by the Department of the Interior that the Secretary determines will, over time, be of an area of 5,000 contiguous acres; and

"(G) identify the funds and personnel necessary to implement the strategies and administer the uses identified in this section.

"(4) In preparing each plan under this subsection, and any revision of the plan, the Secretary shall consult with such heads of Federal and State departments and agencies as the Secretary determines to be appropriate.

"(5) Prior to the adoption of a plan, the Secretary shall issue public notice of the draft proposed plan in the Federal Register, make copies of the plan available at each regional office of the United States Fish and Wildlife Service, and provide opportunity for public comment.

"(6)(A) Not later than 4 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall, pursuant to this subsection, prepare and submit to the appropriate committees of Congress, plans for not less than one-third of the refuges in existence on the date of the enactment of such Act.

"(B) Not later than 7 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall, pursuant to this subsection, prepare and submit to the appropriate committees of Congress, plans for not less than two-thirds of refuges in existence on the date of the enactment of such Act.

"(C) Not later than 10 years after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall, pursuant to this subsection, prepare and submit to the appropriate committees of Congress, plans for each refuge in existence on the date of the enactment of such Act.

"(D) With respect to any refuge established after the date of the enactment of the National Wildlife Refuge System Management and Policy Act of 1991, the Secretary shall prepare a plan for the refuge not later than 2 years after the date of the establishment of such refuge.".

SEC. 7. ADMINISTRATION.

The Secretary of the Interior shall manage the refuges in the National Wildlife Refuge System in a manner consistent with any refuge conservation plans developed under section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), as amended by this Act.

SEC. 8. REGULATIONS.

Except as otherwise required in this Act, the Secretary of the Interior, shall—

(1) not later than 1 year after the date of the enactment of this Act, propose regulations to carry out the provisions of this Act; and

(2) not later than 18 months after the date of the enactment of this Act, promulgate final regulations to carry out the provisions of this Act.

SEC. 9. CONFORMING AMENDMENT.

Section 4 of the National Wildlife Refuge System Administration Act of 1966, as amended by section 6 of this Act, is further amended by striking "Secretary of the Interior" each place it appears and inserting "Secretary".

SEC. 10. APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 11. EMERGENCY POWER.

The Secretary of the Interior is authorized to suspend any activity conducted in any refuge in the National Wildlife Refuge System in the event of an emergency that constitutes an imminent danger to the health and safety of any wildlife population, refuge, or to public health and safety.

SEC. 12. STATUTORY CONSTRUCTION.

Except as specifically provided in this Act, nothing in this Act shall be construed so as to alter or otherwise affect the provisions of the Refuge Recreation Act of 1962 (16 U.S.C. 460k et seq.), the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd et seq.), the Alaska National Interest Conservation Act of 1980 (16 U.S.C. 3101 et seq.), and other laws and orders establishing individual refuges in effect on the date of the enactment of this Act.

[From the Tampa Tribune, Sept. 21, 1991]

GRAHAM'S MEASURE TO PROTECT WILDLIFE REFUGES RATES PASSAGE

In 1903, President Theodore Roosevelt designated a four-acre islet in Florida's Indian River as a federal refuge. His act did more than protect the island's nesting colony of brown pelicans from plume hunters.

The preservation of Pelican Island was the start of a great American endeavor; The National Wildlife Refuge System. Today there are 471 refuges, some 21 in Florida. But the original purpose of the refuges—to provide safe haven for wildlife—has been all but lost.

In refuges, jet fighters blast over eagle nests. Dirt bikes climb deer trails. Cattle and crops squeeze out native plants.

A 1989 General Accounting Office report found that nearly two-thirds of the nation's refuges were being damaged by activities ranging from mining to off-road vehicle races. A later report by the U.S. Fish and Wildlife Service, which supervises the refuges, confirmed the crisis.

Florida's Sen. Bob Graham offers a solution. He's introduced legislation that would give refuge managers authority to halt damaging activities. The measure would re-emphasize that the refuges' primary purpose is to shelter wildlife.

The measure would not keep people from using the refuges. Hunting, hiking, biking, and other pursuits would be permitted—as long as they did not unduly harm wildlife. The Fish and Wildlife Service would be required to conduct a "compatibility" study to determine if an action was appropriate.

The measure will not affect lands in Alaska, including the Arctic National Wildlife Refuge, where oil companies hope to drill. The Alaska lands were designated refuges under special legislation that excludes them from the regulations of other refuges. Graham's bill will apply only to refuges in the other 49 states, but that's where most of the abuse occurs.

It's also important to note that Graham's legislation is not related to a congressional effort to ban hunting in refuges. That misguided effort deserved defeat. After all, the federal duck stamp, which duck hunters are

obligated to buy, helps fund the refuge system. Hunting and other outdoor pursuits should be allowed—indeed encouraged—whenever possible. But they must be properly managed.

Unfortunately, as things stand, the Fish and Wildlife Service does not have the tools to properly supervise the sanctuaries. In the Florida Keys, for instance, water scooters racing by mangrove islands terrify wading birds off their nests. Refuge managers can do nothing. Graham would give them the power to ban the scooters from sensitive areas.

The legislation also would give clarity and purpose to the National Wildlife Refuge System. Now, the system's mission is foggy, refuge decisions are usually dictated by special interests and politics. What is best for wildlife becomes secondary.

Under Graham's proposal, the Interior Secretary would be required to prepare a comprehensive plan for the refuge system and formulate a strategy for maintaining healthy wildlife populations. A plan for such refuge would have to be prepared through a process that would include public hearings and comment.

In addition, other federal agencies would be prohibited from harming the refuges. Some of the refuges' worst problems are caused by the federal government itself. The military, for instance, conducts test flights over some of the preserves. Graham's proposal would not necessarily prohibit such flights, but it would ensure that they took place in areas and at times of year where they did no harm.

Fishermen and hunters, understandably, worry that the proposal might be subverted into an outright ban on all recreational activities. Graham must make certain that does not happen. Taxpayers deserve reasonable use of the lands. But if the refuges are properly managed, wildlife will prosper and that's to the advantage of sportsmen.

Graham's legislation revives Teddy Roosevelt's vision of a network of wilderness where native American animals, not dirt bikes and water scooters, can run wild. It deserves adoption.●

By Mr. LEVIN (for himself, Mr. DODD, Mrs. KASSEBAUM, Mr. MITCHELL, Mr. JEFFORDS, Mr. HARKIN, Mr. MOYNIHAN, Mr. DASCHLE, Mr. CRANSTON, Mr. RIEGLE, Mr. KOHL, Mr. DECONCINI, Mr. FOWLER, Mr. PRYOR, and Mr. CONRAD):

S. 1863. A bill to provide for the establishment of a program that shall facilitate, on a voluntary request basis, the reunion of birth parents and adopted individuals, birth siblings, or birth grandparents of adopted individuals, through a centralized computer network, and for other purposes; to the Committee on Labor and Human Resources.

NATIONAL VOLUNTARY REUNION REGISTRY

● Mr. LEVIN. Mr. President, today I am joined by a number of my colleagues from both sides of the aisle in introducing a humane piece of legislation which creates a voluntary system to make it possible for birth relatives, separated by adoption, to be accessible to one another, should they both so desire. I am pleased to have the support of Senator DODD, Senator KASSEBAUM, Senator MITCHELL, Senator MOYNIHAN, Senator CRANSTON, Senator JEFFORDS, Senator DASCHLE, Senator HARKIN, Senator RIEGLE, Senator FOWLER, Senator KOHL, Senator DECONCINI, Senator PRYOR, and Senator CONRAD.

We are all deeply touched by the problems of adult adoptees, birthparents and separated siblings who, often for many years and at great expense, have been looking for each other. It is our hope, through this legislation, to help reduce the anguish and expense faced by birth relatives who are frustrated in attempts to find each other in situations where both want to find each other.

Mr. President, aside from the natural, human desire to know one's family roots and genetic heritage, there are other important reasons why many birth relatives seek to make contact with each other. Some are seeking a deeper sense of identity, some need vital information which may affect their own mental and physical health and some are facing momentous family decisions that require more knowledge about their heritage.

Our proposal authorizes the Secretary of the Department of Health and Human Services to create a National Voluntary Reunion Registry to facilitate voluntary, mutually requested reunions between adult adopted individuals, their birth parents, and birth siblings separated by adoption. The anticipated cost of the program is minimal—expected not to exceed 300,000 the first year—and future costs would be offset by reasonable fees paid by the applicant. The Senate has previously approved this legislation, however, the House failed to act due to the crunch of legislative business prior to adjournment of the 100th Congress.

Mr. President, this legislation is based on tested principles. It is similar to the reunion and matching registries that presently exist in 25 States.

The State-based systems are restricted, by nature, to the geographic boundaries of the State. Since we are a mobile society, that limitation reduces the utility of State-based systems. Adoptions are often started in one State but finalized in another. Additionally, the adoptee, birth parent, or sibling may be a resident of several different States during their lifetimes. States with registries report a low match success rate which is disproportionately low when compared to the number of individuals who have entered the registry. For example, in one State which has over 3,000 registrants, there have been 17 matches. That is one of the reasons many registry States have expressed support for the enactment of the National Voluntary Reunion Registry. For instance, Gov. Donald Schaefer of Maryland, wrote me:

In light of the differing, and often conflicting requirements of the existing local registries and the number of states with no registry at all, we support the legislation you propose.

Mr. President, according to a report prepared by the American Law Division of the Congressional Research Service:

It is estimated at the present time that there are five million adopted persons in the United States, of whom some 2 million are actively involved in a search for the identity of their birth parents. A lesser but still significant number of birth parents are also attempting to locate children they have given up for adoption. These figures may in fact be low, due in part to the increasing practice, widespread in some areas, of placing infants for adoption through unauthorized channels. Also, of the adoptees not seeking to learn something of their background, many have been placed with relatives or otherwise grow up with knowledge of the circumstances behind their adoptions; others are children, too young for any such effort; and still others while interested, are discouraged from trying by the realization that the present state of the law in many states makes any such effort difficult if not impossible."

Dr. Dick Brown, family therapist and coauthor of "Clinical Practice in Adoption," has had extensive clinical experience working with families who have adopted, adoptees of all ages, and birthparents who have relinquished children in adoption. In correspondence to me about the proposed National Voluntary Reunion Registry, he said:

Your legislation will contribute in a substantial way to the positive emotional and social well-being of all those involved in the adoption experience—adoptees, birth parents, and the adoptive family. Adoptees understand and acknowledge universally that their "real parents" are their adoptive parents—that bond cannot be broken by having accurate information about one's birth parents and having the opportunity, as an adult, to have contact with them if that is desired.

Another nationally known expert, Reuben Pannor, had this to say:

DEAR SENATOR LEVIN: I am in complete support of the Adoption Registry Bill you have introduced. It has overwhelming support of adoption professionals, adoptees, and birth parents, as well as adoptive parents, who realize that your bill is in the best interest of adoptees.

I have been the director of a nationally recognized adoption agency in Los Angeles, California for 35 years. After years of experience with all the parties involved in adoption, I have no question but that a National Registry is necessary . . . and will prevent that pain and suffering that thousands of adoptees and birth parents are forced to endure in a search that is often fruitless.

The mental health profession strongly supports the need for the Levin Bill. * * * The time is now to humanize adoption.

Sincerely,

REUBEN PANNOR.

I would also like to share the sentiments expressed by Linda Cannon Burges of Franklin, NH. A noted author of several books on adoption and the reunion experience and former director of two adoption agencies, in her letter to me in support of the National Voluntary Reunion Registry, she said:

FRANKLIN, NH.

Senator CARL LEVIN,
Russell Building, Washington, DC.

I support a National Volunteer Reunion Registry in which birth kin may be aided in reuniting. I am particularly concerned about the separation that comes through adoption.

During my active career as director of two adoption agencies in the District of Columbia (The Barker Foundation and The Peirce-Warwick adoption Service) I was responsible for over 900 adoptions. In the 1950s and 1960s, it was a time when the shame of having a baby out of wedlock was great, when raising a bastard child was inconceivable. I witnessed the anquish and sacrifice of these mothers in releasing their infants for adoption. These same mothers now seek their grown children. They do not ask for the privacy we think they want. Over 90% of them welcome the reunion of their adult offspring lost through adoption. Adopted adults, separated siblings, birth fathers and grandparents are also seeking each other.

Through my research in adoption I have recorded in two books, "The Art of Adoption" (1976 WW Norton) and "Adoption in Transition" about to be published the plight of adopted persons growing up without knowledge of genetic origins. I am convinced that as human beings and United States citizens, they are being denied their civil rights. A reunion registry makes it possible for these adopted adults to gain the knowledge they need, the genetic facts they must pass on to their children.

It is evident that state reunion registries cannot function effectively in our distinctly mobile society. Only a national registry can reach all searching persons. A National Volunteer Reunion Registry makes sense and can act to humanize and reconstruct our broken family trees.

Respectfully submitted,
LINDA CANNON BURGESS.

Bruce M. Clagett of the New England Historic Genealogical Society writes:

The National Voluntary Reunion Registry properly addresses the very real plight of birth parents and adopted persons, who are often deprived of the ability to learn each other's identity—even when the desire to do so is mutual. While a number of states have provided for adoption registries, many others have not. Moreover, because of the great mobility of the American population and because of wide differences among state laws and procedures, there is an urgent need for action at the national level, which would vastly enhance the effectiveness of the important registry device. In addition, the existence of state registries is often not well known, and the provision in your bill for dissemination of information is a constructive step in that respect.

Mr. President, this proposal also enjoys the support of adoptive parents. A 1988 survey conducted by my staff revealed that more and more adoptive parents support efforts of adopted sons and daughters who seek to connect with their roots. The Organization, Roots and Reunions in L'Anse, MI, reported that 75 percent of all requests for reunion assistance came from adoptive parents. Not only are these adoptive parents seeking to meet the needs of their sons and daughters, "our adoptive parents want to set at ease the hearts of their childrens' birth mothers, but are unable to do so," says Mrs. J.A. Swanson, director of the organization. Similar sentiments were expressed in a letter which I received from Carol F. Gustavson, founder of an adoptive families organization based in Long Valley, NJ. Her letter reads as follows:

LONG VALLEY, NJ,
April 18, 1988.

DEAR SENATOR LEVIN: It is with utmost sincerity and urgency that I send you this letter in support of your bill to establish an unrestrictive National Voluntary Reunion Registry through the Department of Health and Human Services.

The organization of adoptive parents is a non-profit all volunteer organization of adoptive families who seek humane adoption reform. The organization networks with other reform groups on a national level and feel strongly that our sons and daughters deserve the dignity of their heritage. We acknowledge the birth-families of our children through the shared desire to support all efforts towards reconciliation between them and their original family, should they choose to meet . . . . We need to impress upon those making legal decisions for us the importance and value of our personal knowledge, having been directly involved in adoption. Birthparents and adoptive parents share a mutual love and concern for their children. We hear our sons and daughters speaking out. A well publicized unrestricted National Voluntary Reunion Registry through the Department of Health and Human Services can provide the opportunity for a healthier approach to the adoption experience. We appreciate your continued efforts, and intend to actively participate in the efforts to gain enactment of your proposal.

Sincerely,
CAROL F. GUSTAVSON,
Founder, Organization of Adoptive Families.

Mr. President, many who have sought and succeeded in locating each other have concluded that numerous troublesome events might have been avoided had their struggle been aided at an earlier time. And yet for some, too many, the culmination of the search of a birth relative comes too late. I would like to share just a few of the hundreds that have been brought to my attention from all over the country.

One case is that of Michael Reagan, son of former President Ronald Reagan. Had this legislation been signed into law earlier, Michael might have met his birth mother before her death. These sentiments were expressed in a March 28, 1988, letter to me from Michael Reagan. It reads as follows:

LOS ANGELES, CA,
March 28, 1988.

Hon. CARL LEVIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEVIN: As you may know, I am an adoptee who has recently had the great privilege of meeting my birth brother and learning about the life-time of loving and caring by my deceased birth mother. You should also know that my adoptive father, Ronald Reagan, supported my desire for a reunion with my birth mother and helped me in my early efforts. When my father helped me, it was the greatest gift he ever gave me.

I believe wholeheartedly in your bill establishing a national registry for adoptees, birth parents and separated siblings. And I support your efforts to make this a reality. I would have used such a registry myself, and it has become apparent to me that my birth mother would have also.

I look forward to meeting you and actively assisting in your efforts to gain enactment of this compassionate legislation.

With all good wishes.

Sincerely,
MICHAEL E. REAGAN.

Mr. President, the other cases I would like to share with my colleagues are as follows:

[From the Richmond Times-Dispatch, Apr. 15, 1991]

DECADE-LONG SEARCH TURNS UP LARGE FAMILY

CHARLOTTESVILLE.—After a search that included breaking into a courthouse, poring over more than 250,000 feet of microfiche and calling strangers across the country to say, "I may be your brother," Skipp Schwartz finally met his father and 10 siblings.

Schwartz, 38, of Guilford, Conn., knew little about his natural family except that he and his brother Larry were adopted.

His natural parents decided in the early 1950s they needed to put Skipp and Larry up for adoption because his father, already struggling to support the family, was having trouble finding work.

They tried to get the boys back a few years later, but adoption confidentiality laws prevented them from finding their sons.

An old letter Schwartz found in 1980 sparked the search. The letter, written by Schwartz's grandmother, referred to his natural mother and "the girl," possibly a daughter. It carried a return address in Rutland, Vt.

Schwartz finally found four sisters and six brothers. He met his new family, including his natural father, for the first time last week at the home of his sister, Tricia Laurin Frazier, outside Barboursville.

Most of the family lives in the Charlottesville area. One brother, Michael, came from Greensboro, N.C. Another, Charlie, came from Port Charlotte, Fla.

"I had never thought I'd see them again," said Charles Laurin, father of the siblings.

Schwartz's mother, Helen, died in 1988. While in Virginia, he visited her grave in Waynesboro.

"She knows," Schwartz said. "There's something that tells me that she knows and that she's smiling right now."

Schwartz began his search in 1988 at the only hospital in Rutland, eight years after he found the letter. Finding nothing, he went to a nearby library and waded through thousands of newspaper birth notices on microfiche looking for clues—to no avail.

He then went to the city courthouse to look through files there, but was told he would have to petition the court, a process a judge said could take years.

Discouraged and dejected, Schwartz went to an Alcoholics Anonymous meeting, where members encouraged him to take control of his life. Schwartz decided to do it.

That night he broke into the Rutland courthouse, lit a cigarette and began his search. Within a matter of hours he found his adoption file and his identity: "Baby Laurin."

He said he returned to the hospital and danced through the halls after he found his parents' names and his birth certificate.

The family had left Rutland in 1953, so Schwartz began making random calls to

Laurins all over the East Coast. A week before Christmas 1990, after years of calls, he found a nephew in West Springfield, Mass.

"I need your father's telephone number," he said to the wary man who answered the phone. "I think he's my brother."

That brother was Rickie Palsa, 50, the oldest of the clan and the only sibling with a different father. It was then that Schwartz learned of his other brothers and sisters.

At the reunion, Schwartz's new family smiled, laughed and kidded each other.

"Guess what I got for Christmas," Ruthie Shifflett, one of the sisters, said. "Two brothers. Just what I need—I already got six I hate."

Schwartz works as a counselor by night and an Oldsmobile service representative by day. He has two boys by a previous marriage.

Schwartz was brought up Jewish, although his biological family is Catholic of Swedish descent.

GAITHERSBURG, MD,
September 24, 1991.

DEAR SENATOR LEVIN: My last letter to you on March 12th regarding the search for my daughter Joanne was to let you know I had, at last, located her whereabouts. I would like to close a chapter for you.

In early April, in spite of restrictive State laws, we were reunited in California the week before her 24th birthday. It was a tremendous experience and we've been in touch ever since, building on our new found relationship. But for every one like me who has some degree of sophistication to be able to circumvent the "system" with the aid of knowledgeable search assistance, there are thousands who are not so fortunate. These individuals—both adoptees and birth parents—find it difficult to come to grips with the proliferation of "registries" throughout the country and the new cottage industry of "professional searchers"—many of whom prey both emotionally and financially on those wanting to make contact with birth relatives.

A national registry, while it would not solve all problems, would be a start because it could provide a focal point. My search could have been accomplished much sooner with less aggravation had your proposed bill been in effect. My daughter had thought about trying to contact me but didn't know where to start or what steps to take.

The need for your proposal is dramatic!

Sincerely,

DAVID A. HODGSON, Ph.D.

GAITHERSBURG, MD,
September 28, 1988.

Senator CARL LEVIN,
U.S. Senate, Washington, DC.

DEAR SENATOR LEVIN: I was extremely interested to read the Washington Post article regarding your bill to establish a voluntary national clearinghouse for adopted children and their natural parents. I would like to tell you my story and express my feelings as to why I think this is so very much needed.

In 1967, I was sent on an assignment to Vietnam and let me just say I could not be contacted. Unbeknownst to me, my close friend at the time was pregnant with my child. I really think she did not tell me because of the nature of my assignment. When I "came out", I learned I had a daughter. By the time I arrived back, the mother had done the best thing she thought possible and had her adopted. I do not blame the mother for she did what she thought was best for the child at the time, given the circumstances. While I tried to fight it, it was too late and the situation was compounded because I was single at the time.

I have agonized for years. While I would never want to interrupt my child's life, the question keeps coming back to me: "What if she ever wanted to find out who her daddy was?"

The best I have been able to accomplish is that I was able to talk with a very sympathetic social worker in the California Department of Social Services who was able to tell me my daughter was adopted by a fine family and that her case record is empty since the adoption—a sign there have been no problems. The social worker was also kind enough to allow me to place a letter from me to the now young lady in the file so that should she ever want to contact me, she will know she will be welcomed with open arms. Because I am licensed with the California Board of Medical Quality Assurance, this agency will always know my address.

This approach was rather unique but, out of desperation, it has been all I have been able to do. You don't know how troubled I have been at times. How much easier it would have been to have a national mechanism that was widely publicized such as your bill proposes.

I heartly endorse your bill and if there is anything I can do to support you, please do not hesitate to have Ms. Parker contact me.

Respectfully,

D.A. HODGSON, Ph.D.

GAITHERSBURG, MD,
December 1982.

MY BELOVED DAUGHTER: I just wanted to let you know a few things about me should you ever wonder who I am and what you mean to me.

First of all, let me assure you that you were conceived and born of love. When you were born, I was in Vietnam and could not be reached because I was on a classified mission. Your mother made a decision which, under the circumstances, was probably best for you in the long run. I understand you are with a very loving family, and for this, I thank God.

When I returned, you were one month old and had been adopted. I tried desperately to stop the proceedings but lost the battle because I was single and lived in another state. Even your Grandmother in New Zealand wanted to raise you if she had the chance.

You are my first born—I have loved you all these years although I have not had the opportunity to lay my eyes upon you. I can't tell you how many times I have cried because I cannot know you.

Since you were born, I married and you have two beautiful brothers; John David and Michael. At the time of this writing, they are seven and eleven and unfortunately, they live in Seattle because their mother and I are divorced. She knows about you. As a matter of fact, while we were in Hawaii in 1970, we coincidentally met your mother. I introduced them to one another and we talked niceties. As we left, my wife said to me: "That is your daughter's mother—to which I proudly responded "yes."

Little one—let me get to the crux of the matter. I have tried for years to make some kind of contact with you. Recently, I received some assistance from the Department of Social Services. Current laws do not permit them to disclose your whereabouts—that is fair. They have been very helpful. This letter is being placed on file should you ever try to locate me.

Please remember—I have no wish to disrupt your life. I have every reason to believe your adoptive parents have given you a loving life. However, should you ever choose to seek me out—which means you get this letter—I can only assure you that you are my daughter and regardless of my personal situation at that time, my home is yours and you will be welcomed with open and loving arms.

If I move, you can always get my address from the Board of Medical Quality Assurance in Sacramento—my psychologist license is PN 003788.

Princess, it is somewhat strange. We hear all about how adopted children want to identify their mothers. I hope some day you may want to find your father. This is the reason for this letter.

Your loving father,

D.A. HODGSON, Ph.D.

TRIPLETS SEPARATED AT BIRTH REUNITED AFTER 57 YEARS

WICHITA, KS.—Nearly 40 years ago, John E. Jones discovered he strongly resembled a boy who worked in a nearby town. But it was many years before Jones found that the stranger was his brother—from a set of identical triplets.

The triplets, separated shortly after their birth in 1926, gathered for the first time Wednesday, a joyous meeting punctuated by jokes and wisecracks.

"I've seen enough," said James Hahn of Cape Girardeau, Mo. "I got off the plane and saw these two jokers and they looked so much like me, I could hardly stand it."

"I feel like I've been in an electric chair all afternoon," cracked Jones, of Santa Pablo, Calif., after meeting Hahn and John Clay Burch of Warren, Ark. "I just kept getting shocked."

Aside from the jokes and gentle ribbing, the reunion raised other emotions among the brothers.

"I've had so many feelings that are so varied and mixed," said Jones, the security director for the university of California at Berkeley. "I don't know where to start thinking about our relationship and where it's going to lead. It's going to take some time for us to be together, to sit down and really start feeling that closeness that I think is bound to follow from this meeting."

The triplets were born Feb. 2, 1926. Abandoned by her husband and struggling financially, the mother gave her three babies to a St. Louis orphanage shortly after their birth.

The mother kept her 5-year-old son, eventually remarried and had a daughter. She died in 1978 without seeing her triplets again.

None of the brothers was told by their adoptive parents they were triplets. All were raised by different families in different cities.

Once, Jones, who lived in Kennett, Mo., happened to walk into a drug store in Poplar Bluff, a Missouri town about 40 miles northwest of his home. The store's owner was struck by Jones' resemblance to a boy working for him.

Hahn, too, was surprised to find someone who looked just like him. The boys discovered they had the same birthday, but had no idea they were brothers. Thinking the resemblance was just a quirk, they never met again until Wednesday.

In 1971, Burch was reading some documents belonging to his father. He discovered at that time he was adopted, but didn't know until last year he was a triplet. The revelation came when he asked the Children's Home Society of Missouri for a birth certificate.

Burch found Hahn by using a phone number supplied by the orphanage. The brothers then found Jones by using clues provided by children's home officials who didn't have his address or phone number, but knew his adopted name and where he worked.

Two months ago they contacted each other by phone. After many long-distance calls, the brothers decided to meet in Wichita, the home of their older brother and half-sister.

"We just grabbed one another and put our arms around each other," Jones said.

[From the Daily News, June 15, 1986]

LOST MOM'S KIDNEY GIFT

BOSTON.—A 20-year-old woman given up for adoption at birth has received a life-saving kidney transplant from her natural mother, who was tracked down by the woman's adoptive parents.

Alicia Sferrino met her mother, Ruth Foisy, 37, last week for the first time. The transplant operation was performed Thursday, said Martin Bander, a spokesman at Massachusetts General Hospital. Both women were reported in good condition.

Sferrino's adoptive parents wanted to donate a kidney, but tests ruled them out, Bander said. Efforts were then made to locate her natural mother.

Darlene MacDonald, Foisy's cousin, said Sferrino's adoptive parents wrote Foisy in Florida asking if she would consider the transplant.

"Right away she decided she would do it," said MacDonald. "Ruth was very nervous about seeing her daughter. After all, it had been 20 years. But they hit it off immediately. Alicia is not shy at all. She's a very bubbly, happy person. She hit Ruth on the arm and said, Hi, how've you been?"

[From the Las Vegas Review-Journal, Nov. 27, 1987]

LONG-LOST SIBLINGS REUNITE FOR THANKSGIVING AFTER 58 YEARS

FREEMONT, CA.—A Thanksgiving reunion that brought together five children who were put up for adoption 58 years ago was "at least an 11" on a scale of one to 10, according to one sibling, Ed Maddox.

But it was far from complete. Two brothers are dead, one sister is in a nursing home suffering from Alzheimer's disease and three others are still missing.

"It was nice to be able to bring each other up to date about what's happened in our lives," Maddox said Thursday. "We hope next time, there will be three more with us."

Maddox, 62, of Sunland near Los Angeles, was put up for adoption along with his 10 siblings by their poverty-stricken parents, Agnus and Harry Bunan, in 1929.

The Bunans and their children had camped all summer on the bank of a creek in what is now Freemont, about 40 miles southeast of San Francisco, on the eve of the Great Depression.

Alameda County authorities at first refused to take responsibility for the children of transients. Unable to feed the youngsters, the couple gave 10 of them to well-wishers attracted by newspaper accounts of their plight.

The county later reconsidered, took custody and offered all the children for adoption. No one knows for sure what became of the elder Bunans, although it is believed they moved to Arizona.

Born Edward Birdsel Bunan, Maddox was adopted by an Oakland streetcar motorman and his wife.

When he decided to look into his past, The Associated Press was contacted. Less than three weeks after a story on his search appeared, seven of his 10 siblings had been accounted for.

The siblings found included:

—Agnes Durand, 69, of Citrus Heights, Calif. She told Maddox their eldest sibling, Harry, died in 1972 at the age of 56.

—Lillian Stong, 67, now lives in a Castro Valley nursing home and suffers from Alzheimer's disease. Her sister, Marie Peterson, lives in Minneapolis. From them, Maddox learned another brother, Ernest Bunan, died of appendicitis in 1931 at the age of 12.

—Walter Berman, 65, of Hamilton, Ohio.

—Lloyd Lindberg, 63, of Springfield, Mass.

Still missing are Marion Fenton, who was last known to be living in Petaluma, Calif., and had her name changed from Viola; Leonard Loftus Bunan, last seen in 1942 when he was 15 and was adopted by a family named Wilson; and Harold Bunan, adopted when he was 10 months old and his name changed to James.

A reunion was held at Holy Spirit Parish church hall in Fremont with Maddox, Berman, Lindberg, Durand, Peterson and about 44 other relatives from across the United States.

And they found they have more in common besides similar noses, mouths, smiles and eyes.

"The whole group likes jigsaw puzzles, reading and gardening," said Maddox, standing in the hall, surrounded by leftovers, half empty paper plates and a family tree on the wall.

"It was a marvelous day," said Peterson, adding they were to visit their sister, Lillian, later in the day. "I didn't believe it would ever happen. It has and I'm so glad I was alive to be here."

About the three who are still missing, she said, "We hope they'll see this in the paper or television and get in touch with us."

Berman said he always thought he would see his family again. He said he was sure of it when a fellow Pentacostal minister told him he would someday minister side-by-side with a brother. Maddox is a Christian missionary.

"It was a wonderful time," he said. "We'll be keeping in touch."

Lindberg, sitting in a wheelchair, described the reunion as "breathtaking." He said that when he worked as a service manager for a clock company and traveled around the country, he would always look for the Bunan name.

[From the Pittsburgh (PA) Press, Aug. 21, 1985]

SHE FINALLY MET MOM, BUT THEY ONLY HAD 5 HOURS

(By Douglas Heuck)

Put up for adoption moments after being born out of wedlock, Judy Van Ryn wanted to see her real mother just once:

"God, just give me five minutes of her time," she says she prayed time and time again. "Is that too much to ask?"

The 39-year-old McCandless woman received her wish. But instead of five minutes, fate allowed Mrs. Van Ryn and her mother five hours together before her mother died on the operating table during open heart surgery.

On July 31, Mrs. Van Ryn received word from an Amarillo, Texas, hospital that her biological mother, Mary Bergman, would undergo open heart surgery early the next morning.

Mrs. Van Ryn immediately drove from her McCandless home to the airport and found the last seat on the last jet with connections to Amarillo that night.

In her Amarillo hotel room that evening, Mrs. Van Ryn slowly began to realize that the long search for her mother would end in a few hours. She couldn't sleep.

"My brain was going a mile a minute. I got dressed, then changed my clothes again, I guess it was a little silly, but after 39 years, I was worried about looking good for my mother."

Mrs. Van Ryn and her twin brother, Jimmy, were adopted and raised together.

In the last letter she sent to her daughter, June 30, 1985, Mrs. Bergman, living alone, reminisced: "I got to see you and Jimmy twice, once when you were born and once on the day you left the home. I worked in the kitchen before and after you were born, and I was coming up from the kitchen one day when I saw a couple with two babies, one in blue, and one in pink.

"I remember going upstairs and finding your beds empty. I cried and cried, thinking I'd never see you again."

Although the possibility of a reunion was often present in the letters, the last letter suggested an unusual urgency. "We have so much to talk about, and I know we must meet face to face. Lately I have the feeling that it must be soon, as you never know what the future holds."

The future held an 11th-hour reunion.

When Judy walked into the hospital room at 7 a.m., her mother laughed and said "You don't look like anybody I'm related to."

Above all, Mrs. Van Ryn remembers "her eyes, I'll never forget them, real dark brown. She stared and stared, never blinking as she looked at me—and nobody had ever stared at me the way she did.

"I just let her stare." Judy recalled with a laugh "but it was driving me wild. She must have been soaking up those 39 years."

Mary Bergman was weak, and after a few sentences, she would fall asleep. Her daughter just waited for her to wake up, and conversation resumed.

By chance, the operation was postponed from 9 a.m. until 1 p.m. And by the time they wheeled Mary out of the room shortly after noon, Judy said the two "felt like we'd known each other for all those years."

After the operation, Mrs. Van Ryn walked down the hospital corridor toward the doctor and two nurses, still in their surgical gowns and gloves. But although she is a nurse of anaesthesiology at Allegheny General Hospital, she said she never expected to hear what the doctor told her.

"I'm sorry, but your Mama didn't make it offpass."

Judy listened and then cried.

"Even though I had just met her, I cried; but I wasn't crying because she died. I cried from the joy of the reunion. It meant a heaviness had left my heart.

"But for my mother, the reunion was even something more. For all those years, she lived with tremendous guilt. For her, the reunion meant inner peace at last—she died a healed woman."

HOUSTON, TX, *December 8, 1988.*

Senator CARL LEVIN,

Russell Office Building, Washington, DC.

DEAR SENATOR LEVIN: My search for birth family began in 1962 when my oldest son was diagnosed with Rheumatoid arthritis and suffered a kidney condition (nephritis) from which he bled from the kidneys for three months. At the time I was pregnant with my third child and became alert to the importance of having genetic information. Doctor after doctor asked what our past family history was—"I don't know," I answered, "I'm adopted."

My search was unorganized. There were no support groups to help. I thought I was the only one who suffered these feelings of helplessness and lack of power over my own life—it seemed no one would help me or could help me.

In 1972 I was diagnosed as having cystic kidneys. My doctor suggested I write Canton Catholic Charities and try to get medical background. Catholic Charities said I needed a lawyer—I got a lawyer. They could not release anything to the lawyer, then they said my doctor would need to write—my doctor wrote. They were not too quick to produce any files to the doctor so I wrote again and pleaded that they send him the files out of Christian Charity. They finally sent what they had, which was not much.

Even if agencies do give out old files it is a given fact that birth families develop illnesses over the decades through the years. We need more than one generation of genetic information and we require updating. My third son has a ventricle heart prolapse condition, and my fourth son (also my first-born son) have chronic upper respiratory bronchial conditions.

In January of 1985, after 23 years of searching, I found my brother, now named Pat Simon, a broadcaster for the past 25 years, living in Lynchburg, VA. Three months later I found our maternal family. I managed to contact my grandfather's second wife who was still living, and also found some cousins living in the Washington area * * * one cousin is Mary Starrs Brown who does P.R. work for Wolf Trap. Other than these few all my maternal relatives are dead.

We missed meeting our mother by a year and half. George Washington University released our mother's ashes late in 1985. I met my brother in Washington for our mother's funeral. I was literally her pallbearer. I carried her ashes to her grave. My brother, who became a minister in 1984, gave the funeral service and afterward we both took a shovel and literally buried our mother, committing her body to the earth. The death certificates I have managed to acquire of the maternal side show that a definite upper respiratory weakness runs through that branch of the Broderick family. Even though two of my sons suffer upper respiratory problems we are fortunate that the boys never smoked—this would have worsened their condition. What are the chances of having four boys and not having one pick up on smoking? This is genetic information that should have been passed on to us.

Our little granddaughter who is now three years old was diagnosed with rheumatoid arthritis before she took her first step. The story continues into the third generation.

Sincerely,

KATE PIJANOWSKI.

[From the Stars and Stripes, Aug. 23, 1987]

SIBLING SEARCH ALMOST COMPLETE

SAN JOSE, CA—A missionary separated from his 10 siblings for 58 years by adoption has found a brother in Springfield, Mass., the sixth piece of the family puzzle to fall into place.

Ed Maddox, 62, of Sunland, Calif., telephoned the brother, Lloyd Lindberg, on Thursday after officials at KGO-TV in San Francisco told him Lindberg had called to say he had seen Maddox on television.

Lindberg had been watching Cable News Network with his son, David, when news of Maddox's search for his family came on the air, Maddox said. David asked his father, "Hey, isn't that someone in your family?"

Lindberg immediately phoned CNN, and network officials contacted KGO, according to Maddox, who was also reunited last week with two of his sisters.

"It's just getting more exciting all the time," said Maddox, who vowed to continue searching for the four siblings he has not yet found.

He said it felt "great" to talk with his brother, and the two spoke for half an hour. "It was just kind of family talk," he said.

Maddox, a retired schoolteacher who works as a volunteer for Youth With A Mission, a Hawaii-based Christian church group, said he lacks the money to visit Lindberg in Massachusetts but said: "Somehow, sometime, we're going to get together. I'm sure."

In 1929, when Maddox was 4 years old, his poverty-stricken parents placed all of the children up for adoption rather than see them go hungry, according to an article published in the Oakland Tribune at the time.

After his adoptive mother died in July, Maddox said he felt free finally to begin looking for his natural family and came upon the Tribune article with a photograph of himself and two siblings.

So far, his search has determined that two of his brothers are dead. Maddox has met with two of his sisters, in Sacramento, Calif., and Minneapolis, and plans to visit another sister this week in a Castro Valley, Calif., nursing home.

FOR MANY, SEARCH HITS A DEAD END

(By Linda Hilbun)

Gladys House vividly remembers the day she, her two sisters and her brother were taken from their mother.

"They came and woke us up about 5 in the morning and took us to the jail," Mrs. House said. "I was screaming and kicking and crying. They just came and got us out of bed."

That was in 1941. Her mother was widowed and the family's sole source of income was the grandfather's government paycheck.

Welfare officials in Macon County, Tenn., separated the children from their mother and claimed the children were being neglected.

Mrs. House, now 48, has spent the last 30 years looking for her brothers and sisters.

"I've gone through every channel that I know of," she said.

Mrs. House, who lived in the Raleigh-Bartlett area, was 6 years old when her family was broken up. Her brother, Edward D. Crook, was 13 days old, and her two sisters, Lamon Elizabeth and Lorene Cora Crook, were 4 and 5. An older half-brother, Willard Coley Clanahan, was not removed from the home.

Mrs. House was placed in a foster home in McKenzie, Tenn., but that family never adopted her.

When she was 18, Mrs. House acted on the assumption that her mother and half-brother still lived in Middle Tennessee, in Macon County. She was correct. Her mother, Beadie Coley Crook, had no idea where her children were until Mrs. House found her in December 1954.

For the next 14 years, until her mother's death, Mrs. House and her mother searched for the other children. They found out all were adopted through the Tennessee Children's Home in Nashville.

In a letter from the children's home, written April 22, 1952, Mrs. House was told that her two sisters were adopted together and the younger brother separately. Edward's name had been changed to Jerry Lee and all were said to be in good health.

Although the Tennessee Legislature passed a new law in April allowing adoptees to obtain nonidentifiable information about their families, Mrs. House cannot get that information. The refusal is based on the legal point that her foster family never adopted her; so she is not considered an adoptee.

"Because I wasn't adopted, I can't find out," she said. "I've been told that the only other thing I can do is get a court order for the information. But you have to know the court of jurisdiction to do that, and they're not allowed to give that information out. So I'm barred again."

"They've barred me forever from finding out."

DEAR SENATOR LEVIN: I am a birthmother who surrendered to adoption in 1960. I was pleased and encouraged when Michigan instituted a mutual consent registry in 1980, but was disappointed that no effort was made to notify adoptive parties of its existence. After six years of searching, and the expenditure of over $3,000, I finally located my daughter shortly before her 24th birthday. Because she no longer lived in Michigan, she was unaware of the mutual consent registry, so had not filed. However, she had made a preliminary contact with a Detroit search and support group in 1981, taking the first steps toward finding me. She did not feel comfortable about conducting an all-out search for me at that time, because she feared my rejection of her. Had she attended a support group meeting, she might have learned about the Michigan registry, where I had filed a consent waiver years ago. My daughter was one of two adopted children raised in an unfortunate home situation.

The mother's alcoholism led to her death at the age of 52, leaving the two girls motherless at ages 12 and 14. My daughter left home without finishing high school at age 17, and was totally on her own thereafter. One year later, I had begun to search for her, yet we were kept apart by the current adoption system. Because of that system, I also lost my first grandchild to abortion. I have learned that, at age 20, my daughter became pregnant out of wedlock. Being her own sole means of support, and having no family to back her up, she saw abortion as the only realistic alternative open to her. It breaks my heart to realize that at the time she was going through this excruciating decision-making process, I was searching frantically for her. If only I could have found her in time, I could have offered her the loving support she needed to bring her child to term and parent it. You will be interested to know that at the present time I am helping a number of adoptive parents in search of their children's birthparents.

Sincerely,

MICHIGAN BIRTHMOTHER.

[From the Clarksville (TN) Leaf Chronicle, Feb. 19, 1991]

RESERVIST ADOPTEE FINDS BIRTH MOM BEFORE LEAVING FOR DUTY IN DESERT

(By Connie Cass)

Reservist Christy Mathews knew she might be sent soon to the Persian Gulf, leaving little time to find the mother who gave her away 19 years ago and say "I understand."

A hectic search brought only a few clues; Christy's mother was 18 when she gave up her newborn baby, had dropped out of high school, was unmarried.

Christy had almost given up hope when she left her Russiaville, Ind., home for training at Fort Campbell Ky., on Feb. 7. Her deployment was only weeks away.

The next evening, she called home to talk to the parents who raised her, Jim and Jean Mathews. "We found her," Mrs. Mathews said.

At that moment, Karen Raef sat on the Mathews' living room sofa, trembling, just hours after learning her lost daughter was alive, well and headed to war. As the phone was passed to her, Ms. Raef worried what Christy would think about the mother who gave her up.

"You did what you had to do and I love you for it," Christy told her.

Both mother and daughter struggled to speak through their sobs.

"Each year I wondered what does she look like, what is she doing?" Ms. Raef said. "I never thought I would see you again."

Going to Saudi Arabia would be easier now, Christy said, because she felt "complete." Then she told two worried mothers what they wanted to hear most, "I'm coming home, mom, you know that."

Mrs. Mathews taped the conversation. She hopes to play it for grandchildren one day.

"I never felt threatened by her need to find her birth mother," Mrs. Mathews said. "She told me once, 'I have to find her before I go to Saudi Arabia, because I might not come back.' How can you say no to that?"

Mother and daughter met for the first time this weekend during the few hours Christy could slip away from her training with the Army Reserves' 199th Supply Company at nearby Fort Campbell. For more than a minute there were no words, only a tearful embrace.

Then Christy was surrounded by 15 relatives she had never met—grandparents, aunts, half-brothers and cousins who had traveled from Indiana and Illinois to meet her. Family photographs covered the bed and were passed around the crowded Clarksville motel room.

Over and over, Christy saw her own round, brown eyes, slightly thick nose and brown hair in her mother's family pictures.

She learned she and her mother both collected ceramic cats, preferred water over any other drink, and loved the color peach. Christy said she never doubted finding her mother would be a joyous occasion.

"Deep down I knew she wouldn't turn me away," she said. "There's a special bond between adopted children and their natural mother. Nobody could break that."

Since she was 6 years old, Christy had asked about her mom. After her 18th birthday, she began searching seriously.

Indiana law would not allow her to unseal her adoption records. All she could do was put her name on a registry and hope her birth mother did the same. If the information they provided matched, they would be contacted. But Ms. Raef didn't know she could file such a request.

"They tell the birth mother you don't have the right to look for them," she said. "They really made that strong—that once you signed that paper you have no rights."

Christy searched city records and pleaded with adoption officials. Then she took her case to the media, appearing in local TV newscasts and newspaper articles.

Mrs. Mathews sent 90 letters to newspapers and TV shows across the country, asking that her daughter's story be told. She hung posters in grocery stores and gas stations. Someone somewhere might have the answer.

Ms. Raef and her father, who lived 30 miles from Christy in Lafayette, Ind., never saw the news reports or posters.

An anonymous call on Feb. 6 gave Mrs. Mathews the idea that her daughter's mother was living in central Indiana. That inspired her to make a "last-ditch, desperate" call to someone who knew Christy's birth name. Dozens of such calls had failed in the past.

But this time the person on the other end of the line, who Mrs. Mathews won't identify, gave in. Christy's mother had named her Patricia Lynn Rehberg.

With the help of directory assistance operators, Mrs. Mathews tracked down Christy's grandfather.

He tearfully confirmed that his daughter, now living in Bradley, Ill, gave up a baby for adoption in 1971 in Kokomo, Ind.

"I always said one day the phone would ring and it would be her," James Rehberg said.

Mr. President, it is my hope that the Senate will again act with speed on this much-needed legislation. I ask unanimous consent that this legislation be printed in full following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PURPOSE.

The purpose of this Act is to provide for the establishment of a program which shall facilitate on a voluntary mutual request basis, the reunion of birth parents and adopted persons, birth siblings or birth grandparents of adopted persons, through a centralized computer network.

SEC. 2. DUTIES OF THE SECRETARY.

(a) ESTABLISHMENT OF NATIONAL REGISTRY.—The Secretary of Health and Human Services (hereinafter referred to in this Act as the "Secretary") is authorized, in accordance with the provisions of this Act, to establish a National Voluntary Reunion Registry within the Department of Health and Human Services that shall be under the direction of a designee of the Secretary. The Secretary shall, in carrying out this Act, utilize, to the maximum extent practicable, existing computer capacity available to the Secretary, such as that utilized to carry out the duties of the Secretary under section 452 of the Social Security Act (42 U.S.C. 652).

(b) ANNUAL REPORT.—The Secretary shall submit to the appropriate committees of Congress an annual report of all activities carried out under this Act. Such reports shall include—

(1) the total amount of fees collected under this Act;

(2) the number of applications submitted by birth parents, adopted persons, birth siblings, or other birth grandparents under this Act; and

(3) the number of inquires under this Act ending in a successful match.

(c) DISSEMINATION OF INFORMATION.—The Secretary shall annually publicize the availability of The National Voluntary Reunion Registry, including, but not limited to, the notification to (1) appropriate public and private agencies; and (2) the dissemination of information to the general public.

SEC. 3. VOLUNTARY REUNION REGISTRY.

(a) CENTRALIZED CAPACITY.—The National Voluntary Reunion Registry established under this Act shall provide a centralized nationwide capacity, utilizing computer and data processing methods. Participation in the registry shall be voluntary by all parties involved.

(b) PROCEDURES.—

(1) MATCHING PROCESS.—The registry authorized under this Act shall provide that—

(A) a birth parent, or an adopted person over the age of 21 may initiate the matching process by submitting an application to the agency operating the system; and

(B) a birth sibling or birth grandparent of an adopted person may also initiate the matching process whenever—

(i) the birth parent of an adopted person is deceased or his or her whereabouts is unknown;

(ii) the birth parent of an adopted person has consented in writing to the initiation of the matching process; or

(iii) under such other circumstances as the Secretary may determine to be appropriate after taking into consideration the privacy rights and interest of all parties who may be affected.

(2) CONFIDENTIALITY.—The Secretary shall, to the maximum extent feasible, establish specific procedures to protect the confidentiality and privacy rights and interests of all parties participating in the program authorized by this Act.

(3) CONSENT.—Information pertaining to any individual that is maintained in connection with any activity carried out under this Act shall be confidential and not be disclosed for any purpose without the prior written informed consent of the individual with respect to whom such information applies or is maintained.

(4) FEES.—Reasonable fees, established by taking into consideration the costs of services provided for individuals under this Act and the income of such individuals, shall be collected for all services provided under this Act but may be waived if the Secretary determines appropriate.

(c) STATEWIDE COMPUTER SYSTEM.—The National Voluntary Reunion Registry may include the development and operation of a similar Statewide identification computer system in a State that chooses to participate in the voluntary reunion registry and agrees to—

(1) provide necessary coordination with the voluntary identification system provided for in subsection (a); and

(2) provide such participation as the Secretary may prescribe by the State.

(d) VIOLATIONS OF CONFIDENTIALITY PROVISIONS.—Any individual or entity found to have disclosed or used confidential information in violation of the provisions of this section shall be subject to a fine of $5,000 and imprisonment for a period not to exceed 1 year, and the provisions of section 3571 of title 18, United States Code, shall not apply to such violations.

SEC. 4. INFORMATION SERVICES.

The Secretary may, on application to the registry, provide a list of adoptee or birth parent support groups, community social service agencies, health professionals, and agencies providing family counseling and other information that the Secretary determines appropriate.

SEC. 5. REGULATIONS.

Not later than 90 days after the date of enactment of this Act, the Secretary shall issue interim regulations necessary to carry out the provisions of this Act. The Secretary shall issue final regulations not later than 180 days after the date of enactment of this Act.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act, $300,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 and 1994.•

• Mrs. KASSEBAUM. Mr. President, I am pleased to join with Senator LEVIN

and several other of my distinguished colleagues in introducing a bill to create a national voluntary reunion registry. This legislation has been crafted to facilitate the reunions of adoptees, birth parents, and siblings who are seeking to find one another, while preserving the confidentiality of those who expect their privacy to be protected.

Our bill would achieve this through the establishment of a national voluntary reunion registry within the Department of Health and Human Services. The registry would assist voluntary, mutually requested reunions between adult adoptees, birth parents, birth siblings, and birth grandparents. Although many States have established reunion registries, they are unable to provide the centralized network that is required if these linkages are to be made.

There are many reasons why birth kin may want to reunite—why adoptees search for their biological relatives; why birth parents seek their adopted children. All of us have been touched by the stories of siblings who find each other after many years of frustration and expense or of the adoptee who desperately searches for a birth parent who may be able to provide an organ needed for a lifesaving transplant. Each of these stories is usually accompanied by an account of the years of frustration and expense involved in the search. The national voluntary reunion registry can streamline the process of identifying and locating separated relatives who wish to be reunited.

For adoptees and their birth parents, adoption is a very emotional issue. Many may not wish to be reunited. There is nothing in this bill which would undermine the confidentiality of adoptee or birth parents who want and expect their privacy to be respected. Both parties must voluntarily and mutually enroll in the registry. The national voluntary reunion registry would simply match requests entered into the system, not search for one party at the request of another.

A centralized, national registry can serve as a key component to unlocking the doors for adoptee and birth parents who are seeking each other. I respectfully ask that my colleagues join with me in cosponsoring and passing this humane legislation.●

● Mr. KOHL. Mr. President, I am proud to cosponsor Senator LEVIN's legislation to create a national voluntary reunion registry to facilitate voluntary and mutually desired meetings between adult adoptees and their biological parents.

This proposal is designed to address the very real desire that many biological parents and adoptees have to know more about each other. But it does so in a reasonable way: it does not invade anyone's privacy or intrude on anyone's life. This registry is not going to make it possible for anyone to suddenly show up on someone else's door step. Nor is it going to require any records to be opened. The registry makes a match only if both the biological parents and the adoptee indicate a desire to meet or get information about each other.

Now Mr. President, Wisconsin has some experience with programs like this. Our Department of Health and Social Services operates an Adoption Search Program. Like Senator LEVIN's legislation, it works only if both the adult adoptee and the biological parents consent. Unlike Senator LEVIN's bill, however, it includes an "active search" component: if, for example, an adoptee requests information about his or her genetic and medical history and if the biological parents have not supplied that information to the system, an active search for the biological parents will be undertaken; if they are located and if they give their permission, the information will be supplied to the adoptee. The Adoption Search Program in Wisconsin receives over 1,500 inquiries a year. While the program has produced many successes, its ability to provide requested information is restricted by State boundaries and financial constraints. The type of national computer match program contained in the Levin legislation would help Wisconsin, and other States, in their efforts to fully serve the legitimate needs of biological parents and adoptees.

Mr. President, there is in all of us a desire to learn who and what we are; to find the pieces of our past and integrate them into our present so that we can have a more complete future. This search for our roots is an inherent characteristic of the human condition. It can not be constrained, it can not be curtailed, it ought not be made more complicated than it needs to be. In the absence of the sort of national registry proposed by Senator LEVIN, biological parents and adoptees engage in private searches. Those searches are not governed by any regulations—which means they often do not respect the privacy rights of others. The bill Senator LEVIN has drafted will go a long way toward reducing that problem—and a long way to making mutually desired reunions possible.

The Senate approved an earlier version of this legislation in the past, but the House did not act on it. This year I hope that we can move this bill through the Congress. It is a reasonable approach to a difficult problem. It deserves our support. And just as adoptees and biological parents want to complete their search, I am sure that Senator LEVIN and his staff want to complete what is now a 12-year quest to get this bill adopted. This, I believe and hope, is the Congress which will do that.●

By Mr. SPECTER:

S. 1864. A bill to authorize the Secretary of Health and Human Services to award a grant for the purpose of constructing a medical research facility at the Children's Hospital of Philadelphia; to the Committee on Labor and Human Resources.

THE CHILDREN'S HOSPITAL OF PHILADELPHIA MEDICAL RESEARCH FACILITY

Mr. SPECTER. Mr. President, today I am introducing legislation to authorize limited Federal participation in the construction of a new research building at the Children's Hospital of Philadelphia.

Established in 1855, the Children's Hospital of Philadelphia is one of this country's most distinguished clinical and research facilities—and the very first pediatric hospital in America. As a pediatric hospital, it specializes in treating infants and young people. As a research hospital, it specializes in understanding childhood illnesses and developing better ways to fight them. As a site of clinical care and research, it specializes in bringing the fruits of its research to its patients' bedsides in the quickest, safest, most effective manner possible.

A source of hope for children everywhere, Mr. President, the Children's Hospital of Philadelphia has an outstanding reputation as one of this Nation's leading pediatric research institutions. Over the years, work performed in the hospital's research laboratories has benefited children everywhere.

Despite the many advances of science, caring for children remains very much a medical specialty. Pediatric medicine is based on subspecialties, and for this reason, facilities devoted to the care of children are as important as ever. Children and adults experience different kinds of health problems. Adults typically suffer from chronic, degenerative diseases that appear late in life but develop over many years. Children, on the other hand, suffer from the more immediate effects of premature birth, congenital abnormalities, and viral and infectious diseases such as measles and chicken pox. Even the diseases common among both adults and children affect their victims differently.

Children also must be treated differently from adults. Medications that help adults are often too strong for children or are detrimetal to their growth and development. Diagnostic equipment is not always scaled to smaller patients. Often, children do not understand the nature of their illnesses and need special support if they are to participate in their own treatment.

The Children's Hospital of Philadelphia is committed to the medical care of children, whether their needs are basic or special. For many such children the hospital is the best hope to which they and their families turn for medical innovations and new therapies.

Time and time again, innovations in patient care first introduced at the Children's Hospital of Philadelphia have blazed a path and become the standards by which all others are measured in the field of pediatric care. Children's Hospital established the first pediatric day-surgery unit in the country. It established the first neonatal surgical intensive-care unit in the Nation under the leadership of Dr. C. Everett Koop, our former Surgeon General. The Children's Hospital of Philadelphia also established the very first pediatric bone marrow transplant program on the east coast; and as we all know, bone marrow transplantation offers an extraordinary shining hope for so many youngsters fighting blood-related ailments.

Mr. President, as much as these accomplishments stand on their own, the Children's Hospital of Philadelphia has also been recognized by others for its achievements. It ranks second nationally among pediatric hospitals for research funding, with most of these funds awarded through peer review, and it ranks eighth among hospitals of all kinds. In 1990 and again this year, the magazine U.S. News & World Report ranked the Children's Hospital of Philadelphia second among the top five pediatric hospitals in the United States.

The Children's Hospital of Philadelphia possesses all of the qualities necessary to continue and enlarge its role as a leader in linking basic medical research to improved pediatric care. Its past is marked by noteworthy, enduring achievements. Presently, the hospital enjoys significant growth in the research staff it has assembled and the support it has garnered from both its neighbors in Philadelphia and the international scientific community. Because the medical needs of children are special, the research facilities dedicated to addressing those needs must be special, too. At this time, the Children's Hospital of Philadelphia's greatest need is the space in which to turn today's research into tomorrow's care. As new researchers and new research projects have come to the hospital, attracted by the vitality of its environment, the quality of its staff, and the institution's rich history of accomplishments, research space has grown increasingly scarce. With this problem in mind, the hospital's leaders have developed a plan for a new research building, a 300,000-square-foot facility that will double the institution's current research space and be dedicated solely to research.

This new building has been designed not only to accommodate today's research needs, but also to anticipate tomorrow's needs as well. Its modular design will provide flexibility over time, with multiple laboratory modules that can be adjusted to the needs of their occupants at any given time. Such design reflects the new realities of scientific research. It is a visionary building, a fitting site for what I believe to be the truly visionary research that will take place within its walls.

Mr. President, it is important to mention a major research effort at Children's Hospital sponsored by the Human Genome Project. Earlier this year, the Children's Hospital of Philadelphia became one of just seven institutions in the entire Nation—and the only pediatric hospital, or hospital of any kind—to be selected to participate in the latest phase of this landmark project. The Human Genome Project, as you know, is a major national priority, and the Children's Hospital of Philadelphia has been chosen to study chromosome 22, known as the Philadelphia chromosome, which is associated with at least eight forms of pediatric cancer and three other often-fatal developmental disorders affecting children.

The Commonwealth of Pennsylvania has already pledged its financial support for this effort, and the hospital also plans a substantial sale of bonds. In addition, the Children's Hospital of Philadelphia will look to its charitable donors, a good many of whom either through their own personal experience or that of a relative or friend, are familiar with the hospital's level of care and commitment to the community.

The facility that we develop together will perform one additional but vital role: It will permit space originally designed for clinical care, but now used for research, to be returned to its intended use. This benefits the children of Philadelphia, to be sure, but in reality, it does much more, for over 65 percent of the patients treated at the Children's Hospital of Philadelphia come to this facility from outside the city of Philadelphia and over 20 percent come from outside the Commonwealth of Pennsylvania.

Mr. President, let me reiterate that the Children's Hospital of Philadelphia is one of the premier pediatric research institutions in the United States, one with a long, proud tradition as a pioneer in the development of new ways to address old and persistent medical problems. Through its proven ability to perform vital, ground-breaking research and to translate its findings into clinical innovations, it has proved, time and time again, its ability to make a difference in the quality of life for children everywhere. With the support of this body, it can do so for years to come. For these reasons, I respectfully request expeditious consideration of this bill by the Senate.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that—

(1) because the health care needs of children are special, the research dedicated to addressing those needs must be special as well;

(2) founded in 1855 as the Nation's first pediatric hospital, The Children's Hospital of Philadelphia has committed itself to improving the health of children through innovative and specialized research aimed at preventing and curing pediatric diseases and conditions; and

(3) American children, and children worldwide, have benefited from research conducted at The Children's Hospital of Philadelphia, including research that has led to developments in the prevention, diagnosis and treatment for childhood disease such as—

(A) vaccines against rubella, mumps and influenza;

(B) a serum for whooping cough;

(C) a simple, inexpensive, and rapid test for detecting sickle cell disease;

(D) the Isolette, the first closed incubator for newborns, which is now used worldwide; and

(E) the cardiac balloon catheter technique used to enlarge defective heart openings and fix congenital defects.

SEC. 2. GRANT FOR PEDIATRIC RESEARCH FACILITY.

(a) IN GENERAL.—The Secretary of Health and Human Services (hereafter referred to in this section as the "Secretary") may award a grant to The Children's Hospital of Philadelphia, a nonprofit, tax-exempt medical institution located in Philadelphia, Pennsylvania, for the purpose of constructing a medical research facility at such Hospital.

(b) REQUIREMENTS OF MATCHING CONTRIBUTION.—

(1) IN GENERAL.—The Secretary may not award a grant under subsection (a) unless the applicant for such grant agrees, with respect to the costs of carrying out the purpose described in such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than two-thirds of the amount of Federal funds provided under the grant.

(2) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—For purposes of paragraph (1), in determining the amount of non-Federal contributions that have been made available pursuant to such paragraph, the Secretary may not include any amounts provided by the Federal Government.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section, such sums as may be necessary for each of the fiscal years 1993 through 1995.

(2) LIMITATION.—Subject to the availability of appropriations, the total amount of the grant under subsection (a) shall not exceed $25,000,000.

ADDITIONAL COSPONSORS

S. 190

At the request of Mr. GRAHAM, the names of the Senator from South Dakota [Mr. PRESSLER] and the Senator from Alabama [Mr. HEFLIN] were added

as cosponsors of S. 190, a bill to amend 3104 of title 38, United States Code, to permit veterans who have a service-connected disability and who are retired members of the Armed Forces to receive compensation, without reduction, concurrently with retired pay reduced on the basis of the degree of the disability rating of such veteran.

S. 310

At the request of Mr. PELL, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 310, a bill to provide for full statutory wage adjustments for prevailing rate employees, and for other purposes.

S. 649

At the request of Mr. BREAUX, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 649, a bill to amend the Internal Revenue Code of 1986 to repeal the luxury tax on boats.

S. 700

At the request of Mr. DURENBERGER, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on insurance companies not meeting certain requirements with respect to health insurance provided to small employers.

S. 891

At the request of Mr. MACK, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 891, a bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests.

S. 1087

At the request of Mr. HARKIN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1087, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 100th anniversary of the Pledge of Allegiance to the Flag.

S. 1294

At the request of Mr. FOWLER, the names of the Senator from Tennessee [Mr. SASSER] and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 1294, a bill to protect individuals engaged in a lawful hunt within a national forest, to establish an administrative civil penalty for persons who intentionally obstruct, impede, or interfere with the conduct of a lawful hunt, and for other purposes.

S. 1357

At the request of Mr. BREAUX, the name of the Senator from Georgia [Mr. NUNN] was added as a cosponsor of S. 1357, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain qualified small issue bonds.

S. 1423

At the request of Mr. DODD, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 1423, a bill to amend the Securities Exchange Act of 1934 with respect to limited partnership rollups.

S. 1451

At the request of Mr. BIDEN, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 1451, a bill to provide for the minting of coins in commemoration of Benjamin Franklin and to enact a fire service bill of rights.

S. 1557

At the request of Mr. LAUTENBERG, the name of the Senator from California [Mr. SEYMOUR] was added as a cosponsor of S. 1557, a bill to improve the implementation and enforcement of the Federal cleanup program.

S. 1623

At the request of Mr. DECONCINI, the names of the Senator from South Dakota [Mr. DASCHLE] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 1623, a bill to amend title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, to prohibit certain copyright infringement actions, and for other purposes.

S. 1715

At the request of Mr. GRAMM, the name of the Senator from Alabama [Mr. HEFLIN] was added as a cosponsor of S. 1715, a bill to ensure the protection of the Gulf of Mexico by establishing in the Environmental Protection Agency a Gulf of Mexico Program Office.

S. 1729

At the request of Mr. KENNEDY, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of S. 1729, a bill to amend the Public Health Service Act to require drug manufacturers to provide affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, and for other purposes.

S. 1738

At the request of Mr. DASCHLE, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1738, a bill to prohibit imports into the United States of meat products from the European Community until certain unfair trade barriers are removed, and for other purposes.

S. 1741

At the request of Mr. ROBB, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from California [Mr. CRANSTON], and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 1741, a bill to provide for approval of a license for telephone communications between the United States and Vietnam.

S. 1789

At the request of Mr. DURENBERGER, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 1789, a bill to provide emergency unemployment compensation, and for other purposes.

S. 1810

At the request of Mr. ROCKEFELLER, the names of the Senator from South Dakota [Mr. DASCHLE] and the Senator from Ohio [Mr. GLENN] were added as cosponsors of S. 1810, a bill to amend title XVIII of the Social Security Act to provide for corrections with respect to the implementation of reform of payments to physicians under the medicare program, and for other purposes.

At the request of Mr. DURENBERGER, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 1810, supra.

S. 1821

At the request of Mr. PACKWOOD, the name of the Senator from Wisconsin [Mr. KASTEN] was added as a cosponsor of S. 1821, a bill to amend the Internal Revenue Code of 1986 to simplify the definition of dependent, to provide a uniform definition of child, and for other purposes.

S. 1851

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 1851, a bill to provide for a Management Corps that would provide the expertise of United States businesses to the Republics of the Soviet Union and the Baltic States.

SENATE JOINT RESOLUTION 64

At the request of Mr. GORE, the name of the Senator from Alaska [Mr. STEVENS] was added as a cosponsor of Senate Joint Resolution 64, a joint resolution to authorize the President to proclaim the last Friday of April as "National Arbor Day."

SENATE JOINT RESOLUTION 188

At the request of Mr. LAUTENBERG, the names of the Senator from Nebraska [Mr. EXON] and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Joint Resolution 188, a joint resolution designating November 1991, as "National Red Ribbon Month."

SENATE JOINT RESOLUTION 194

At the request of Mr. GRAMM, the names of the Senator from Idaho [Mr. SYMMS] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of Senate Joint Resolution 194, a joint resolution to designate 1992 as the "Year of the Gulf of Mexico."

SENATE JOINT RESOLUTION 200

At the request of Mr. THURMOND, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Montana [Mr. BURNS], and the Senator from Arkansas [Mr. BUMPERS] were added as cosponsors of Senate Joint Resolution 200, a joint resolution designating the week of October 27 to November 2, 1991 as "National Pornography Victims Awareness Week."

SENATE RESOLUTION 193

At the request of Mr. LEVIN, the name of the Senator from California

[Mr. CRANSTON] was added as a cosponsor of Senate Resolution 193, a resolution expressing support for a just peace in Yugoslavia.

SENATE RESOLUTION 201

At the request of Mr. DANFORTH, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from Maryland [Ms. MIKULSKI], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of Senate Resolution 201, a resolution to express the sense of the Senate regarding enforcement of the oilseeds GATT panel ruling against the European Community.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEES ON VETERANS' AFFAIRS

Mr. MITCHELL. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Veterans' Affairs Committee on the Report of the Commission on the Future Structure of Veterans Health Care. The hearing will be held on October 23, 1991, at 9 a.m. in Cannon 334.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMPLOYMENT AND PRODUCTIVITY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Productivity of the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, October 23, 1991, at 2 p.m. for a hearing on "Women and the Workplace: The Glass Ceiling."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Wednesday, October 23, 1991, at 9:30 a.m. for a hearing on the "The Glass Ceiling in Federal Agencies—Part II."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AND REGULATORY AFFAIRS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Consumer and Regulatory Affairs of the Committee on Banking, Housing, and Urban Affairs be allowed to meet during the session of the Senate, Wednesday, October 23, 1991, at 10 a.m. to conduct a hearing on restructuring the RTC, including the administration's proposal.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Wednesday, October 23, 1991, at 10 a.m., for a hearing on America's best school teachers and principals.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2 p.m., October 23, 1991, to receive testimony on S. 1618, S. 724, S. 1370, S. 1806, S. 1812, and H.R. 429.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 23, at 3:30 p.m. to hold a hearing on the Iraq experience: Lessons for the future.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 23, at 2 p.m. to hold a hearing on the start treaty and the future of nuclear arms control.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM NARCOTICS AND INTERNATIONAL OPERATIONS

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Narcotics and International Operations of the Foreign Relations Committee be authorized to meet during the session of the Senate on Wednesday, October 23, at 10 a.m. to hold a hearing on the narcotics and foreign policy implications of the BCCI affair.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

IN HONOR OF NORMAN TANZMAN

• Mr. BRADLEY. Mr. President, Norman Tanzman, a longtime friend and a man I greatly admire, is being honored on October 27 by the Central New Jersey Jewish Home for the Aged. I would like to take this opportunity to share with you and my colleagues why this public recognition of Norman's many civic contributions is so richly deserved.

Norman was in the Coast Guard during World War II, and his community involvement dates back to 1954 when he served on the Woodbridge Township Planning Board. In 1960, he was elected to the New Jersey General Assembly, became assistant majority leader, and was elected to the State senate in 1967. While serving in these legislative capacities, he was twice named "Legislator of the Year."

Norman has set an impressive example for others by showing that charity and voluntarism can be very rewarding. Briefly, he has been chairman of the board of the Woodbridge Library, vice chairman of the board of trustees of Middlesex County College, a charter member of the Woodbridge Lions Club, and has also been on the board of the Jewish Federation, the Regional YMHA, and the Central New Jersey Jewish Home for the Aged. He has received the Distinguished Citizen Award from the Thomas A. Edison Council Boy Scouts of America as well as several awards from the B'nai B'rith. Remarkably, this is but a partial list of Norman's accomplishments. Wherever his interests lie, he gives of himself tirelessly. As an attorney specializing in real estate, he received the Community Service Award as Realtor of the Year. He was named Citizen of the Year by the Perth Amboy General Hospital and served on New Jersey's Citizens for Better Schools, the Raritan Bay Health Services Corp., and the First Fidelity Bancorporation.

As Norman Tanzman is honored by the Central New Jersey Jewish Home for the Aged, I take great pride in bringing his achievements to your attention. Along with his family and many, many friends, I applaud his lifelong commitment to helping his neighbors and to making his State and community a better place in which to live.•

JOHN MORTON, SR., OF BERLIN NAMED KIWANIS INTERNATIONAL PRESIDENT

• Mr. SMITH. Mr. President, I rise today to recognize a fellow Granite Stater and friend, John Morton, Sr., of Berlin, NH. John and his wife, Jackie, have devoted their lives in service to New Hampshire and they were recently named Kiwanis international president and first lady respectively.

The Mortons grew up, married raised their children, and built businesses in the small New England town of Berlin, NH. John serves as sheriff of Coos County, a post he has held since 1980, and he owns Morneau Moving Co., managed by his son, John Jr. Jackie is a partner in the moving company and also serves as deputy sheriff.

The distinguished honor of being named international president of the Kiwanis Club, comes to John Morton after years of business experience and community service in and around Berlin. He began his first business venture with a newspaper delivery job in first grade where he made deliveries to 175 homes daily. John, along with his brother, expanded deliveries at both local Catholic churches.

In high school, John became a member of Key Club, a service organization

for students. John believes this decision is what led him to becoming a Kiwanian. During these years, John served as a class officer, played football and was an active Key Clubber. These early years of community service led him to continue his service to others throughout his life.

After working with his wife at a hotel resort in Florida, and working in a restaurant in Martha's Vineyard, John and Jackie brought their business expertise home to Berlin. They operated several businesses including a coin-operated laundry and a Montgomery Ward franchise, before opening the Morneau Moving Co. in 1976. John also held positions as a county treasurer and county chairman for the Republican Party. He is currently bank director for the City Bank of Berlin and chairman of the New Hampshire Police Standards and Training Council.

Invited by his friend Eli Isaacson, John joined the Kiwanis Club of Berlin and has since accumulated 29 years of perfect attendance. He served as president in 1965, two terms as lieutenant governor, 1968–70; governor, 1975–76; International board member, beginning in 1984; and now international president.

The Kiwanis Club, under John's devotion and leadership, is currently working on many admirable programs to encourage growth in the organization. They are also working on a major multiyear Major Emphasis Program [MEP], "Young Children: Priority One." John wants to emphasize the prevention of injury to children and support for pediatric trauma units in hospitals. The New England district is supporting this effort through the institute at the New England Medical Center in Boston, MA.

Again, I want to thank John and Jackie for their years of service to New Hampshire and now as international president of the Kiwanis Club. I wish them great success in this endeavor as they, along with their family, continue to live and work in the Granite State. It is people like John and Jackie Morton that make me proud to represent New Hampshire in the U.S. Senate.•

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participated in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee has received a request for a determination under rule 35 for Mr. Stuart Feldman, a member of the staff of Senator ORRIN G. HATCH, to participate in a program in Japan, sponsored by the Japanese Ministry of Foreign Affairs, from October 19–30, 1991.

The committee has determined that participation by Mr. Feldman in the program in Japan, at the expense of the Japanese Ministry of Foreign Affairs, is in the interest of the Senate and the United States.•

VOLUNTEER OF THE YEAR, MABEL PITTARD

• Mr. GORE. Mr. President, I want to take this opportunity to recognize Mrs. Mabel Pittard, the 1991 recipient of the William J. "Bill" Davis Award for Volunteer of the Year. This honor was announced recently by the Arts and Humanities Council of Murfreesboro and Rutherford County, TN.

Mrs. Pittard was selected for this award because of her tireless work on behalf of the Rutherford County Historical Society [RCHS], an organization dedicated to the preservation of the historical heritage of my State for the benefit of future generations. She was a charter member of that group and has remained active throughout its existence, holding a variety of offices including president.

Several members of the RCHS have told me that no organization has a volunteer who has devoted more time and energy than Mrs. Pittard has given to it. She has served outstandingly as a source of local history to the media, to any interested individual, and to the community as a whole.

A historian in her own right, Mrs. Pittard authored "A History of Rutherford County" in 1983 and "A Pictorial History of Rutherford County" in 1990. This year, she has served as editor of the first two volumes of "Annals of Rutherford County."

On two occasions, she has received the Cannonsburgh Award, presented annually for outstanding contributions to RCHS.

Mr. President, like thousands of volunteers involved in various causes throughout America, Mrs. Pittard receives no monetary benefit for her work. Her only goal has been to keep Rutherford County's history alive and accessible to the general public.

Voluntarism is an essential element in the American character. It demonstrates the pride our citizens have in their community, the compassion they have for others, and the hopes they have for a better quality of life for all our people.

With this in mind, I also want to recognize others who were nominated for Volunteer of the Year and whose contributions to community life have made Murfreesboro and Rutherford County a better place to live and work: Jack Rogers of the Children's Discovery House; Linda Lichtenberger of the Middle Tennessee Symphony Society; Liz Johnson of Friends of Linebaugh Public Library; the Reverend Dwight Ogleton of the National Association for the Advancement of Colored People; Melinda Haines of Oaklands Historic House Museum; Westie Windham of the Great American Sing-Along; Dr. Madison Dill of the Tennessee Valley Winds; Elsie Stem of the Flower Growers Garden Club; and Richard Sims of the Murfreesboro Art League.•

COMMENDING FRANCES AND BERYL WEINSTEIN

• Mr. LIEBERMAN. Mr. President, it is with great pleasure that I bring to the attention of the Senate two very special individuals from my home State of Connecticut, Frances and Beryl Weinstein.

In September, the New England chapter of the American Friends of the Hebrew University honored the Weinsteins by naming them this year's recipients of the Torch of Learning Awards. The highly regarded Torch of Learning Award is presented annually to leading men and women who have demonstrated deep concern for education, their community, the Jewish people, and Israel.

Frances and Beryl have set an unusual standard for sustained leadership and commitment as they have played a major role in a wide variety of Jewish community activities as well as in the general community. Like his father, Beryl Weinstein has been involved in the local Jewish Community throughout the years, particularly the Waterbury Jewish Federation, where he served as president and campaign chairman. He has also served as president of Temple Israel. His regional and national affiliations include the Connecticut Jewish Community Relations Council, the United States Jewish Appeal, HIAS, and the Council for Jewish Federations.

While attending the College of Pharmacy of the University of Connecticut, Beryl founded the Doctor's Diagnostic Laboratory, Inc., one of the regions first private clinical laboratories. Although the business was sold in 1987, Beryl continues his affiliation as director of the laboratory and consultant.

Beryl has also demonstrated a strong commitment to a number of important educational causes. His involvement with the Jewish Educational Service of North America and the Mattatuck Community College, where he serves as chairman of the board of that college's foundation, exemplify Beryl's dedication to improving the quality of our Nation's educational system.

Frances Weinstein has also dedicated herself to a number of organizations seeking to strengthen the Jewish community as well as the general commu-

nity of Waterbury. A lifetime member of Hadassah, Frances has served as the president of the Waterbury chapter and is presently Zionist affairs chairman of the Shoreline chapter in Connecticut. She has also served as president and campaign chairman of the Waterbury Jewish Federation as well as the president of the Temple Israel Sisterhood.

Frances' deep concern for the greater Waterbury community and helping it to meet its needs is evidenced by her work as president of the Child Guidance Clinic and by her involvement with the Council of Girl Scouts and the United Way of Central Naugatuck Valley. Frances has also worked tirelessly on behalf of the Women's Emergency Shelter of Waterbury and currently serves on the board of the Guilford Interfaith Housing Corp.

The residents of the greater Waterbury area have been touched by the efforts and presence of these great people. Mr. President, I hope that my colleagues will join me in paying tribute to the Weinsteins for their unselfish devotion to improving the lives of others.•

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, PERMITTING ACCEPTANCE OF A GIFT OF EDUCATIONAL TRAVEL FROM A FOREIGN ORGANIZATION

• Mr. SANFORD. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee has received a request for a determination under rule 35 for Steven Shimberg, a member of the staff of Senator CHAFEE, to participate in a program in Australia, sponsored by the Australian Government, in early January 1992.

The committee has determined that participation by Mr. Shimberg in the program in Australia, at the expense of the Australian Government, is in the interest of the Senate and the United States.•

NEW JERSEY BLUE RIBBON SCHOOLS—FAIR LAWN HIGH, EAST BRUNSWICK HIGH, SOUTH BRUNSWICK HIGH, AND RICHARD TEITELMAN SCHOOL

• Mr. LAUTENBERG. Mr. President, I rise today to congratulate four New Jersey schools which recently have been recognized by the U.S. Department of Education's 1990-91 Blue Ribbon Schools Program.

These schools are 4 of 222 public and private middle and secondary schools nationwide to receive this Federal distinction. The program evaluates schools on quality of leadership, curriculum, instruction, teaching environment, commitment to improvement, parent and community support, and evidence of success. There are over 36,000 middle and secondary schools in the country and I am proud to salute these four outstanding New Jersey schools and those individuals who have been instrumental in promoting superior education classes and programs.

Each of the four schools has its own special characteristics which make them each an exemplary educational institution. One of the four New Jersey schools honored, Richard Teitelman School, has been recognized as one of 19 junior high schools across the Nation to be a 1990-91 Blue Ribbon School. This school is located in Lower Township, in Cape May County. It stresses community involvement and service activities for faculty, students, and residents. Richard Teitelman School responds to change by taking new educational research into consideration, evaluating its possible effects upon the school, and then planning long-term goals. In addition to this process, the school offers various programs such as psychological counseling services, peer leadership groups and a Teacher-Mentor Program. These programs have helped the school improve its attendance record, increase student achievement levels, and decrease the need for disciplinary actions. Richard Teitelman is a school where everyone has the chance to learn and grow.

Blue Ribbon Fair Lawn High School was cited for its advanced use of technology, including a television hookup which allowed its students to participate in classes conducted at 16 other schools. It also has a renovated planetarium and a weather station and classes that include computer-assisted drafting and desktop publishing. Extracurricular programs are also provided by Fair Lawn High which promote increased involvement within the community such as an animal rights club.

South Brunswick High School was noted for its cooperative program with the University of Dentistry and Medicine of New Jersey to provide a variety of services to its students. At the age of 18, South Brunswick students with special needs have the option to be placed in the private sector. This program provides these young adults with experiences which enable them to complete their education.

East Brunswick High School is regarded by many as a renaissance school. It prides itself on creating a learning atmosphere where its students can explore many educational avenues. Its most popular elective taken is the Institute for Political and Legal Education. In this class, students debate many current issues. They take the role of Members of the U.S. Senate and House of Representatives, introducing and debating legislation. Other outstanding classes include geography and physics, where students use computers to analyze data and produce graphs. Their art program is one of the most comprehensive and highly regarded art programs in the State.

Mr. President, I am pleased to join in honoring and congratulating these schools for being recognized as four of the Nation's top notch educational institutions. Committed individuals are the key to these outstanding schools and I commend the faculty, students, parents, and the communities who have dedicated much of their time and effort into making East Brunswick High School, Fair Lawn High School, South Brunswick High School, and Richard Teitelman School shining examples for other schools to follow.•

COLUMBUS' STORY HAS A JEWISH CHAPTER

• Mr. WELLSTONE. Mr. President, the upcoming 500th anniversary of Christopher Columbus' voyage to the New World provides all of us with the opportunity to return to this chapter of world history.

Indian and Hispanic organizations have already begun to voice their view that Columbus' so-called discovery is not a cause for celebration.

I would like to call my colleagues' attention to an article by Rabbi Bernard Raskas of St. Paul, MN. Rabbi Raskas reminds us of the experience of Spanish Jews during this period. The Spanish leaders in 1492 brutally persecuted and banished Jews from Spain.

Rabbi Raskas' article, "Columbus' Story Has a Jewish Chapter," follows:

COLUMBUS' STORY HAS A JEWISH CHAPTER

(By Rabbi Bernard S. Raskas)

"In fourteen hundred and ninety-two, Columbus sailed the ocean blue" is a verse from our childhood. It prompts us to begin thinking about the Columbus quincentennial in 1992. The process of historical evaluation has already begun, and there is a fierce controversy building between those who see Columbus as a great hero and those who see him as a ruthless exploiter.

While much attention in the Western world will be focused on the 500th anniversary of the discovery (that's news to Native Americans) of America, Jews will be remembering the ferocious persecutions and banishment of their ancestors from Spain (Sepharad) in 1492. Columbus himself wrote that, as he set out on his journey he could see boatloads of Jews leaving, in peril of their lives.

The expulsion order, which culminated a series of oppressions that began in 1313, gave the Jews the choice of converting to Christianity or leaving within three months. Up to 150,000 left for the Ottoman Empire, France, Italy, Holland, North Africa and eventually North and South America.

Those who converted to Christianity to save themselves were called *conversos*. Those who were forcibly converted but maintained Judaism secretly were called *marranos*. It

was the purpose of the Inquisition, under the cruel leadership of Torquemada, to ferret out the so-called Judaizers and exterminate them.

The recent novel, "Adventures in the Land of the Inquisition 1492," by Mexican poet and philosopher Homero Aridjis, graphically and painfully depicts the suffering, the torture, the burnings, the crucifixions of thousands of Jews.

Some historians hold that confiscated and plundered Jewish property and possessions financed the expeditions of Columbus. However, there is more to Jewish involvement than this. While Spain was under Moslem rule, Jewish culture was inspired to a level of creativity unparalleled except in the biblical and rabbinic periods. Jewish poets, grammarians, biblical commentators, mystics and philosophers produced works of enormous magnitude.

In Jewish history, this time is known as "The Golden Age." In this environment the greatest Jewish mind of the past millennium, Moses Maimonides, flourished.

In Christian Spain, the Jewish mind turned to astronomy and navigation. The journey of Columbus would have been inconceivable without the work of the Crescas, a family of Jewish cartographers, who created the famous "Mapamundi," the first world map, which was also used by Marco Polo. The astrolabe that Columbus used was perfected by Abraham Zacuto, whose scientific works were first written in Hebrew and then translated into Spanish. The instrument itself was the work of Tzvi Hertz and is noted for its Hebrew inscriptions.

Remarkably enough, in Toledo in the 12th century there was established a center of learning known as the School of Translators. There, Jewish, Christian and Moslem scholars worked together to translate classic Greek and Arabic philosophic and scientific texts into Latin. Such corporate labors helped lay the foundations for humanistic thought in the Renaissance.

It was in this spirit of reconciliation that King Juan Carlos of Spain recently pledged to rescind the expulsion order on March 31, 1992, the anniversary date of the royal edict. He will also visit the synagogue in Madrid at that time, as an act of friendship.

In addition, there will be significant programs of Jewish content at the World's Fair in Seville. Shepharad '92, an organization made up of descendants of the Jews of Spain, is planning important events all over the world. These include a special exhibit at the Smithsonian; a new chair in Jewish Sephardi Civilization at the University of Paris; restoration of the old Jewish quarters of Toledo, Verona and Seville; academic convocations and conferences on Spanish Jewry in France, Jerusalem, Fez, Cairo, Istanbul and South America, as well as many other vital projects.

These commemorations have a direct tie to the voyages of Columbus. When the New World was first sighted, the cry of "Tierra! (Land!)" came from a lookout on the Pinta whose name was Rodrigo de Triana, a marrano who secretly practiced Judaism. That day was Friday, Oct. 12, 1492. It happened to be a Jewish holiday on which Jews sing praises to God and carry the Torah (Pentateuch) scrolls.

Jews all over the world are looking at the celebration of the quincentennial of Columbus reaching America with mixed feelings of painful remembrance and positive reconciliation. American Jews will have a special sense of gratitude because in Columbus' New World they have found a home and a haven. They will celebrate Jewish contributions to the arts, the sciences, the economy, and the social welfare of this blessed land.●

URGE ACTION ON S. 775

● Mr. MACK. Mr. President, I rise today as a cosponsor of S. 775, the Veterans Compensation Improvement Act of 1991. This bill includes a cost-of-living adjustment [COLA], effective December 1, 1991, for the more than 2 million American veterans who receive service-connected disability compensation. It also includes a COLA for the 340,000 disability and indemnity [DIC] beneficiaries. This bill was placed on the Legislative Calendar on August 2, 1991, yet no further action has been taken.

Let us turn back the clock to the final day of the 101st Congress. We had been in a budget battle for weeks. Members were trying desperately to reach an agreement on a number of bills, including legislation to provide a COLA for service-connected disabled veterans and DIC beneficiaries. We reached an impasse on passage of the bill due to the controversy surrounding exposure to agent orange. It was my opinion that the Senate should vote on a clean COLA bill, and agree to consider agent orange as the first issue to come before the 102d Congress. However, much to my dismay, such an agreement could not be reached. Congress adjourned, and the veterans did not receive the COLA when they were entitled to receive it.

In the weeks to follow, my office received hundreds of letters, telephone calls, and telegrams from veterans throughout Florida. I cannot tell my colleagues how many times the word "betrayed" was used to describe the feelings of our Nation's veterans toward the Congress of the United States of America.

It is now October 23, 1991, and the clock is ticking. I asked officials of the Department of Veterans Affairs how long it takes to input the data once President Bush signs a COLA bill. I was told they are nearing the zero hour in order for veterans to receive their COLA in the January benefit checks. Even with today's technology, it will take from 6 to 10 weeks to input the data, print the checks, and get them in the mail. I don't need to remind my colleagues how busy the U.S. Postal Service is during the holiday season.

Mr. President, time is of the essence. If Congress is to meet its deadline and obligation to America's service-connected disabled veterans and DIC beneficiaries, we need to move now on this important legislation. S. 775 contains controversial provisions, specifically those dealing with radiation exposure. This issue may require lengthy floor debate, and I will have more to say about it at the appropriate time. The House of Representatives recently passed a clean COLA bill. Obviously, this means the additional benefits of the Senate bill will need to be worked out in conference. This will require more time. Regardless of the position of my colleagues on radiation exposure, let's roll up our sleeves and get to work.

Over the past few months I have received thousands of letters from Florida's 200,000 service-connected disabled veterans and DIC beneficiaries. "Please," they write, "don't do it to us again. Don't put us at the end of your legislative priorities. Show us you care. Provide us with our COLA." I find it shameful that American veterans are being forced to practically beg us for a modest cost-of-living adjustment.

Mr. President, the clock is ticking. Congress has many important legislative issues to consider before we adjourn. But, let us get our priorities in order. I strongly urge the leadership to bring S. 775 to the floor now so we don't end up in the same predicament as last year. We must not let our veterans down again.●

THE NEW COVENANT

● Mr. BREAUX. Mr. President, Gov. Bill Clinton delivered a stirring speech today at the Georgetown University that clearly points out some of the problems our country is facing and offers compelling new policy ideas.

I believe this speech is thought-provoking and commend it to all Members of the Senate for their review. I ask that this speech be printed in the RECORD.

The speech follows:

THE NEW COVENANT: RESPONSIBILITY AND REBUILDING THE AMERICAN COMMUNITY

(Speech by Gov. Bill Clinton)

Thank you all for being here today. You are living in revolutionary times. When I was here, America sought to contain Communism, not roll it back. Indeed, most respected academics held that once a country "went Communist," the loss of freedom was irreversible. Yet in the last three years, we've seen the Berlin Wall come down, Germany reunified, all of Eastern Europe abandon Communism, the Soviet coup fail and the Soviet Union itself disintegrate liberating the Baltics and other republics. The Soviet Foreign Minister is trying to help our Secretary of State make peace in the Middle East. And in the space of one year, Lech Walesa and Vaclav Havel both came to this city to thank America for supporting their work for freedom. Nelson Mandela walked out of a jail in South Africa he entered before I entered Georgetown in 1964. He now wants a Bill of Rights like ours for his country.

We should be celebrating. All around the world, the American Dream—political freedom, market economics, national independence—is ascendant. Everything your parents and grandparents stood for from World War II on has been rewarded.

Yet we're not celebrating. Why? Because our people fear that while the American Dream reigns supreme abroad, it is dying here at home. We're losing jobs and wasting

opportunities. The very fiber of our nation is breaking down; families are coming apart, kids are dropping out of school, drugs and crime dominate our streets. And our leaders here in Washington are doing nothing to turn America around. Our political system rotates between being the butt of jokes and the object of scorn. Frustration produces calls for term limits from voters who think they can't vote incumbents out, resentment produces votes for David Duke—not just from racists, but from voters, so desperate for change, they'll support the most anti-establishment message, even from an ex-Klansman who was inspired by Adolf Hitler. We've got to rebuild our political life together before demagogues and racists and those who pander to the worst in us bring this country down.

People once looked to our President and Congress to bring us together, solve problems, and make progress. Now, in the face of massive challenges, our government stands discredited, our people disillusioned. There's a hole in our politics where a sense of common purpose used to be.

The Reagan-Bush years have exalted private gain over public obligations, special interests over the common good, wealth and fame over work and family. The 1980s ushered in a gilded age of greed, selfishness, irresponsibility, excess, and neglect.

S&L crooks stole billions of dollars in other people's money. Pentagon contractors and HUD consultants stole from the taxpayers. Many big corporate executives raised their own salaries when their companies were losing money or their workers were losing their jobs. Middle-class families worked longer hours for less money and spent more on health care, housing, education, and taxes. Poverty rose. Many inner-city streets were taken over by crime and drugs, welfare and despair. Family responsibility became an oxymoron for deadbeat fathers, who were more likely to make their car payments than pay their child support.

And government, which should have been setting an example, was even worse. Congress raised its pay and guarded its perks while most Americans were working harder for less money. Two Republican presidents elected on a promise of fiscal responsibility advanced budget policies that more than tripled the national debt. Congress went along with that, too. Taxes were lowered on the wealthiest people whose incomes rose, and raised on middle class people whose incomes fell.

And through it all, millions of decent, ordinary people who worked hard, played by the rules, and took responsibility for their own actions were falling behind, living a life of struggle without reward or security. For 12 years, the forgotten middle class watched their economic interests ignored and their values run into the ground. Nothing illustrates this more clearly, in the 1980s, than the fact that charitable giving by middle-class families went up as their incomes went down, while charitable giving by the wealthiest Americans went down as their incomes went up. Responsibility went unrewarded and so did hard work. It's no wonder so many kids growing up on the street think it makes more sense to join a gang and deal drugs than to stay in school and go to work. The fast buck was glorified from Wall street to Main Street to Mean Street.

To turn America around, we need a new approach founded on our most sacred principles as a nation, with a vision for the future. We need a New Covenant, a solemn agreement between the people and their government, to provide opportunity for everybody, inspire responsibility throughout our society, and restore a sense of community to this great nation. A New Covenant to take government back from the powerful interests and the bureaucracy, and give this country back to ordinary people.

More than two hundred years ago, the founders outlined our first social compact between government and the people, not just between lords and kings. More than a century ago, Abraham Lincoln gave his life to maintain the Union the compact created. Sixty years ago, Franklin Roosevelt renewed that promise with a New Deal that offered opportunity in return for hard work.

Today we need to forge a New Covenant that will repair the damaged bond between the people and their government and restore our basic values—the notion that our country has a responsibility to help people get ahead, that citizens have not only the right but a responsibility to rise as far and as high as their talents and determination can take them, and that we're all in this together. We must make good on the words of Thomas Jefferson, who said, "A debt of service is due from every man to his country proportional to the bounties which nature and fortune have measured to him."

Make no mistake—this New Covenant means change—change in our party, change in our national leadership, and change in our country. Far away from Washington, in your hometowns and mine, people have lost faith in the ability of government to change their lives for the better. Out there, you can hear the quiet, troubled voice of the forgotten middle class, lamenting that government no longer looks out for their interests or honors their values—like individual responsibility, hard work, family, community. They think their government takes more from them than it gives back, and looks the other way when special interests only take from this country and give nothing back. And they're right.

This New Covenant can't be between the politicians and the established interests. It can't be another backroom deal between the people in power and the people who keep them there. That's why the New Covenant for change must be ratified by the people in the 1992 election. And that's why I'm running for President.

Some may think it's old-fashioned, even naive, to talk about restoring the American Dream, through a covenant between the people and their government. But I believe with all my heart that a New Covenant is the only way we can hold this country together, and move boldly forward into the future.

Over 25 years ago, Professor Carroll Quigley taught in his Western Civilization class here at Georgetown that the defining idea of our culture in general and our country in particular is "future preference," the idea that the future can be better than the present, and that each of us has a personal, moral responsibility to make it so.

I hope they still teach that lesson here, and I hope you believe it, because I don't think we can save America without it.

In the week to come I will outline my plans to rebuild our economy, regain our competitive leadership in the world, restore the forgotten middle class, and reclaim the future for the next generation. I will put forth my views on how to promote our national security and foreign policy interests after the Cold War. And I will tell you what the President and the Congress owe the people in this New Covenant for change.

But there will never be a government program for every problem. Much of what holds us together and moves us ahead is the daily assumption of personal responsibility by millions of Americans from all walks of life. I can promise to do a hundred different things for you as President. But none of them will make any difference unless we all do more as citizens. And, today, I want to talk about the responsibilities we owe to ourselves, to one another, and to our nation.

It's been 30 years since a Democrat ran for President and asked something of all the American people. I intend to challenge you to do more and to do better.

We must go beyond the competing ideas of the old political establishment: beyond every man for himself on the one hand and the right to something for nothing on the other.

We need a New Covenant that will challenge all our citizens to be responsible. The New Covenant will say to our corporate leaders at the top of the ladder: We'll promote economic growth and the free market, but we're not going to help you diminish the middle class and weaken the economy. We'll support your efforts to increase profits and jobs through quality products and services, but we're going to hold you responsible to be good corporate citizens, too.

The New Covenant will say to people on welfare: We're going to provide the training and education and health care you need, but if you can work, you've got to go to work, because you can no longer stay on welfare forever.

The New Covenant will say to the hard-working middle class and those who aspire to it: We're going to guarantee you access to a college education, but if you get that help, you've got to give something back to your country.

And the New Covenant will challenge all of us in public service: We have a solemn responsibility to honor the values and promote the interests of the people who elected us, and if we don't, we don't belong in government anymore.

This New Covenant must begin here in Washington. I want to revolutionize government and fundamentally change its relationship to people. People don't want some top-down bureaucracy telling them what to do anymore. That's one reason they tore down the Berlin Wall and threw out the Communist regimes in Eastern Europe and Russia.

Now, the New Covenant will challenge our government to change its way of doing business, too. The American people need a government that works at a price they can afford. The Republicans have been in charge of the government for 12 years. They've brought the country to the brink of bankruptcy. Democrats who want the government to do more—and I'm one of them—have a heavy responsibility to show that we've going to spend the taxpayer's money wisely and with discipline.

I want to make government more efficient and more effective by eliminating unnecessary layers of bureaucracy and cutting administrative costs, and by giving people more choices in the services they get, and empowering them to make those choices. That's what we've tried to do in Arkansas—balancing our budget every year, improving services, and treating taxpayers like our customers and our bosses, giving them more choices in public schools, child care centers, and services for the elderly.

The New Covenant must challenge Congress to act responsibly. And here again, Democrats must lead the way. Because they want to use government to help people, Democrats have to put Congress in order:

Congress should live by the laws it applies to other workplaces. No more midnight pay raises. Congressional pay shouldn't go up while the pay of working Americans is going down. Let's clamp down on campaign spending and open the airwaves to encourage real political debate instead of paid political assassination. No more bounced checks. No more bad restaurant debts. No more fixed tickets. Service in Congress is privilege enough.

We can't go on like this. We have to honor, reward and reflect the work ethic, not the power grab. Responsibility is for everybody, and it begins here in the nation's capital.

The New Covenant will also challenge the private sector. The most irresponsible people in the 1980's were those in business who abused their position at the top of the totem pole. This is my message to the business community: As President, I'm going to do everything I can to make it easier for your company to compete in the world, with a better trained workforce, cooperation between labor and management, fair and strong trade policies, and incentives to invest in America's economic growth. But I want the jetsetters and the feather bedders of corporate America to know that if you sell your companies and your workers and your country down the river, you'll get called on the carpet. That's what the President's bully pulpit is for. It's simply not enough to obey the letter of the law and make as much money as you can. It's wrong for executives to raise their pay by four times the percentage their worker's pay goes up and three times the percentage their profits go up—and that's exactly what they did. It's wrong to drive a company into the ground and bail out with a golden parachute to a cushy life.

The average CEO at a major American corporation is paid about 100 times as much as the average worker—compare that to a ratio of 23 to 1 in Germany and only 17 to 1 in Japan. And our government today rewards that excess with a tax break for executive pay, no matter how high it is. That's wrong. If a company want to overpay its executives and underinvest in the future, it shouldn't get any special treatment from Uncle Sam. If a company wants to transfer jobs abroad and cut the security of working people, it shouldn't get special treatment from the Treasury. In the 1980s, we didn't do enough to help our companies to compete and win in a global economy. We did too much to transfer wealth away from hard-working middle-class people to the rich without good reason. That's got to stop. There should be no more deductibility for irresponsibility.

The New Covenant will also challenge the hard-working middle-class families of America. Their challenge centers around work and education. I know Americans worry about the quality of education in this country and want the best for their children. The Clinton Administration will set high national standards based on international competition for what everybody ought to know, and a national examination system to measure whether they're learning it. It's not enough to put money into schools. We need to challenge the schools to produce and we've got to insist on results.

The New Covenant will challenge all parents and children to believe all children can learn. And here is the biggest challenge of all: Too many American parents raise their kids to believe that how much they learn depends on the IQ that God gave them and how much money their family makes. Yet in the countries we are competing against for the future, children are raised to believe that how much they learn depends on how hard they work, and how much their parents encourage them to learn.

The New Covenant will challenge students of America to stay in school. Students who drop out of school or fail to learn as much as they can are not just letting down themselves and their families. They're failing their communities, because from that point on, chances are they're subtracting from society, not adding to it. In Arkansas, we've tried to enhance responsibility for students by saying that if they drop out for no good reason, they lose the privilege of a driver's license.

The New Covenant means new challenges for every young person. I want to establish a system of voluntary national service for all Americans. In a Clinton Administration, we'll put forth a domestic GI Bill that will say to the middle class as well as low-income people: We want you to go to college, we'll pay for it, it will be the best money we ever spent, but you've got to give something back to your country in return. As President, I'll set up a trust fund out of which any American can borrow money for a college education, so long as they pay it back either as a small percentage of their income over time or with a couple of years of national service as teachers, police officers, child care workers—doing work our country desperately needs.

And education doesn't stop in school. Adults have a responsibility to keep learning so they can stay ahead of the competition, too. All of us are going to have to work smarter in the years to come, and that will require new forms of cooperation in the workplace between management and workers, and a continuing effort to move toward high-performance work organizations.

There's a special challenge in the New Covenant for the young men and women who live in America's most troubled urban neighborhoods, the children like those I met in Chicago and Los Angeles who live in fear of being forced to join a gang or getting shot going to and from school.

Many of these young people believe this country has ignored them for too long, and they're right, many of them think America unfairly blames them for every wrong in our society—for drugs, crime, poverty, the breakup of the family and the breakdown of the schools—and they're right. They worry that because their face is of a different color, their only choice in life is jail or welfare or a dead-end job, that being a minority in an inner city is a guarantee of failure. But they're wrong—and when I'm President, I'm going to do my best to prove they're wrong.

I know these young people can overcome anything they set their mind to. I believe America needs their strength, their intelligence, and their humanity. And because I believe in them and what they can contribute to our society, they must not be let off the hook. All society can offer them is a chance to develop their God-given abilities. They have to do the rest. Anybody who tells them otherwise is lying—and they know it.

As President, I'll see that they get the same deal as everyone else: they've got to play by the rules, stay off drugs, stay in school and keep out of the streets. They've got to stop having children if they're not prepared to support them. Governments don't raise children. People do.

And for those young people who do get into trouble, we'll give them one chance to avoid prison, by setting up community boot camps for first-time non-violent offenders—where they can learn discipline, get drug treatment if necessary, continue their education, and do useful work for their community. A second chance to be a first-rate citizen.

The New Covenant must be pro-work. That means people who work shouldn't be poor. In a Clinton Administration, we'll do everything we can to break the cycle of dependency and help the poor climb out of poverty. First, we need to make work pay by expanding the Earned Income Tax Credit for the working poor, creating savings accounts that make it easier for poor people even on welfare to save, and supporting microenterprise grants for those who want to start a small business. At the same time, we need to assure all Americans that they'll have access to health care when they go to work.

The New Covenant can break the cycle of welfare. Welfare should be a second chance, not a way of life. In a Clinton Administration, we're going to put an end to welfare as we know it. I want to erase the stigma of welfare for good by restoring a simple, dignified principle: no one who can work can stay on welfare forever.

We'll still help people who can't help themselves, and those who need education and training and child care. But if people can work, they'll have to do so. We'll give them all the help they need for up to two years. But after that, if they're able to work, they'll have to take a job in the private sector, or start earning their way through community service. That way, we'll restore the covenant that welfare was first meant to be: to give temporary help to people who've fallen on hard times.

If the New Covenant is pro-work, it must also be pro-family. That means we must demand the toughest possible child support enforcement. We need an administration that will give state agencies that collect child support full law enforcement authority, and find new ways of catching deadbeats. In Arkansas, we passed a law this year that says if you owe more than a thousand dollars in child support we're going to report you to every credit agency in the state. People shouldn't be able to borrow money before they take care of their children.

Finally, the President has the greatest responsibility of all—to bring us together, not drive us apart. For 12 years, this President and his predecessor have divided us against each other—pitting rich against poor, black against white, women against men—creating a country where we no longer recognize that we're all in this together. They have profited by fostering an atmosphere of blame and denial instead of building an ethic of responsibility. They had a chance to bring out the best in us and instead they appealed to the worst in us.

I pledge to you that I'm not going to let the Republicans get away with this cynical scam anymore. A New Covenant means it's my responsibility and the responsibility of every American in this country to fight back against the politics of division and bring this country together.

After all, that is what's special about America. We want to be part of a nation that's coming together, not coming apart. We want to be part of a community where people look out for each other, not just for themselves. We want to be part of a nation that brings out the best in us, not the worst. And we believe that the only limit to what we can do is what our leaders are willing to ask of us and what we are willing to expect of ourselves.

Nearly sixty years ago, in a famous speech to the Commonwealth Club in the final

months of this 1932 campaign, Franklin Roosevelt outlined a new compact that gave hope to a nation mired in the Great Depression. The role of government, he said was to promise every American the right to make a living. The people's role was to do their best to make the most of it. He said: "Faith in America demands that we recognize the new terms of the old social contract. In the strength of great hope we must all shoulder our common load."

That's what our hope is today: A New Covenant to shoulder our common load. When people assume responsibility and shoulder that common load, they acquire a dignity they never knew before. When people go to work, they rediscover a pride that was lost. When fathers pay their child support, they restore a connection they and their children need. When students work harder, they find out they all can learn and do as well as anyone else on Earth. When corporate managers put their workers and their long-term profits ahead of their own paychecks, their companies do well, and so do they. When the privilege of serving is enough of a perk for people in Congress, and the President finally assumes responsibility for America's problems, we'll begin to do what is right to move America forward.

And that is what this election is really all about—forging a New Covenant of change that will honor middle-class values, restore the public trust, create a new sense of community, and make America work again. Thank you.•

OUTSTANDING ACHIEVEMENT AWARD TO WESTCHESTER COUNTY BEE-LINE SYSTEM

• Mr. D'AMATO. Mr. President, I rise today to honor the Westchester County Department of Transportation's Bee-Line System which has been awarded the prestigious Public Transportation System Outstanding Achievement Award.

The award, presented by the American Public Transit Association [APTA], is given annually to the North American transit system that has demonstrated extraordinary achievement in efficiency and effectiveness in its category.

A major reorganization of the department's administrative structure in 1987 provided the impetus for a refocusing and an increased emphasis on management responsibility and accountability.

Highlights of the reorganization's success include: the development and adoption of a strategic plan; the development of improved management information systems; the enhanced role of the system as a mobility manager in the service area; improved customer-responsiveness and marketing efforts in developing system identity and information dissemination; improved effectiveness in the areas of maintenance and scheduling; improvements in the service planning process, which includes detailed studies of transportation needs in localized regions, and coordination of services with neighboring bus systems and regional commuter rail services.

The Bee-Line System provides local and express service for the entire county of Westchester. It also provides service to local commuter rail stations. This system is comprised of 60 routes, 250 bus shelters, and 3,000 bus stops. It transports 110,000 New Yorkers each day.

The Bee-Line System is a public/private partnership which includes six private operators. It has been praised for its operating excellence and innovation within the transit industry. The Bee-Line has had a fare recovery ratio above 50 percent for the last 10 years. In 1990, the ratio was 54 percent. Last year, the system's passenger growth of 3.3 percent was the largest passenger increase of any bus system in New York State.

I am extremely proud to honor the Westchester County Bee-Line System for its outstanding performance and achievement of excellence.•

THE SELECTION OF IRVING GOLDSTEIN TO BE THE U.S. CANDIDATE FOR DIRECTOR GENERAL OF THE INTERNATIONAL TELECOMMUNICATIONS SATELLITE ORGANIZATION

• Mr. BREAUX. Mr. President, recently the State Department announced the selection of Irving Goldstein, Chairman and Chief Executive Officer of Communications Satellite Corporation [Comsat] to be the U.S. candidate for the post of Director General of the International Telecommunications Satellite Organization [Intelsat]. This is an outstanding nomination to a very important position in the field of global communications.

Intelsat is a consortium that owns and operates the global commercial communications satellite system. It owes its genesis to the 87th Congress which, working with the administration of John F. Kennedy, passed the landmark Communications Satellite Act of 1962. That law created Comsat and laid the groundwork for the global system. When Intelsat launched its first satellite, Early Bird, in 1965 there were 11 member countries. Today, there are 121, including the Soviet Union, which joined the organization this past July. Intelsat currently operates 15 satellites in geosynchronous orbit, providing international telecommunications services to 180 countries. As the U.S. participant in the consortium, Comsat provides services for all communications coming through the Intelsat system which originate or terminate in this country.

There is little doubt that advancement in telecommunications technology has played a pivotal role in the march of democracy throughout the world over the past 30 years. The most recent telling examples have been in Eastern Europe and the Soviet Union. We have to wonder how successful the Soviet military coup might have been without instantaneous television coverage of the event being broadcast throughout the world. Clearly, the ability of news organizations to keep the world community informed contributed substantially to the demise of the coup. Without satellite communications this would not have been possible.

The Intelsat network has brought new opportunities to countries in every corner of the globe. The global accessibility of a high-quality telecommunications network, which was unthinkable before the advent of satellites, is commonplace today. This is a testament to the leadership played first by Comsat and then by Intelsat in bringing the world together through voice, data, and facsimile communications. But Intelsat cannot rest on its stellar achievements. There is more to be done and I believe there is no one better qualified to lead Intelsat as it meets the many challenges that lie ahead than Irving Goldstein.

Mr. Goldstein has a wealth of knowledge and experience in the area of space and telecommunications. He has enjoyed a long and successful career at Comsat, beginning his service there as a lawyer in 1966. He has held a number of responsible positions within Comsat and presently serves as chairman and CEO. He was one of those responsible for the creation of our international satellite network.

Mr. Goldstein has represented Comsat on the Board of Governors of Intelsat and served as Chairman during the 1980–81 term. He is a member of the Presidentially appointed National Security telecommunications Advisory Committee, the National Aeronautics and Space Administration Commercial Programs Advisory Committee, and the U.S. Department of Commerce National Oceanic and Atmospheric Management Advisory Committee. These positions have given him a deep and broad understanding of telecommunications, trade and technology issues. He is well known and highly respected in the international communications arena. These leadership qualities are vital to Intelsat as it enters a decade of changing markets, technological advancements and increased competition.

Mr. Goldstein is also active in the community serving as a member of the Mayor's Management Advisory Committee of the Federal City Council in Washington. He is also a director of the Challenger Center for Space Science and Education and has further demonstrated his commitment to education through his leadership with the highly commended Comsat/Jefferson Junior High School Alliance.

Mr. President, I am proud to support Irving Goldstein in his bid to become the next Director General of Intelsat. His breadth of experience, dedication to excellence and record of service

make him uniquely qualified to serve in this post. I am confident he will be elected and I know he will serve with distinction.•

F/A-18E/F DEVELOPMENT

• Mr. D'AMATO. Mr. President, having not yet fully paid the bill for the disastrous development of the A-12, the C-17, and the T-45, the Navy, the Pentagon, and some in Congress, are now falling over themselves to front-load the new F/A-18E/F development program. Where I come from, it's "three strikes and you're out," but I played hardball, and I am told you cannot strike out in softball.

No matter that the aircraft proposed is an F/A-18 in name only—the fuselage, wing, tail, engines, and avionics will all be new. No matter that development is now pegged at roughly $5 billion with nowhere to go but up. No matter that the Navy cannot now afford to buy enough of the current generation of aircraft to fill the decks of the carriers we already have. All this has counted for nothing in the minds of those who are proposing this accelerated, almost desperate, ramp-up to meet a first flight deadline of the first quarter of 1995.

What is alarming about the F/A-18E/F is its suddenness. Last year's testimony by the Navy before the Defense Appropriations Subcommittee included not a word about the F/A-18E/F. Now, in the wake of a A-12 debacle, we are being asked to toss something approaching half a billion dollars at the very company responsible for the A-12 to develop a gap filler for the A-12. This would be laughable, if it were not for the fact that the joke is on the taxpayer.

And talk about a busy schedule, between now and the end of the fiscal year 1992, the F/A-18E/F program must jump the following hurdles:

First, system engineering studies to reduce risk and provide data for configuration definition;

Second, aircraft configuration definition based on the results of engineering studies;

Third, detailed specification generation;

Fourth, engine risk reduction effort or initiation of engine source competition;

Fifth, engine source selection—if competed;

Sixth, detailed specification review and approval;

Seventh, Milestone II decision;

Eighth, FSD contract award;

Ninth, contractor FSD aircraft design, analysis, and model testing;

Tenth, subsystem design and testing;

Eleventh, software preliminary design; and

Twelfth, long lead procurement.

No loitering around the water cooler for these guys.

Most amazing of all, however, is how close this plan came to being accepted. Had it not been for the Defense Appropriations Subcommittee, the F/A-18E/F would have sailed through and not even been a conference issue.

Mr. President, I ask that the language concerning the F/A-18E/F from the fiscal year 1992 Senate Defense appropriations report be inserted at this point.

The excerpt follows:

F/A-18 squadrons.—The Navy's attempts in the past year to chart an affordable, militarily justified, and cost-effective course for the future of naval aviation have, in the Committee's opinion, not yielded the intended result. In the wake of the demise of the A-12 attack aircraft and F-14D remanufacturing programs, the Navy has proposed two new, major, and costly modernization efforts—the AX aircraft and the F/A-18E/F programs.

The AX program, intended to develop a less costly successor to the A-12 and an ultimate replacement for the aging A-6E, all-weather, medium-attack fleet, is nevertheless expected to cost at least $14,000,000,000. The F/A-18E/F upgrade is projected to cost at least $4,000,000,000. It is intended to provide the Navy with a complement and successor to the Navy's primary air-to-air combat platform, the F-14, as well as to supplement the carrier's offensive ground attack capabilities.

The Committee believes it is premature to assess the overall affordability of the AX aircraft, since the specific mix of combat capabilities and airframe performance parameters is largely undefined. For example, the concept exploration phase of the AX program will begin and extend through fiscal 1992, as competing industry design teams formulate their specific proposals to meet the Navy's broad set of tentative operational requirements.

Indeed, the degree to which the AX can perform both air-to-air, as well as air-to-ground, missions, is an important consideration being defined during the next year. According to the Secretary of Defense, the AX is expected to possess a significant air-to-air and air-to-ground capability for both offensive and defensive purposes. In a decade of declining defense budgets and changing threats, the Committee thinks this is a prudent conclusion. The affordability and military utility of primarily single-missions aircraft under these conditions is very much in doubt.

Thus, based on the Defense Secretary's statement, and the designs expected to be proposed by some of the industry teams, the Committee concludes that the AX actually has the potential to fulfill some of the air-to-air missions of the proposed F/A-18 aircraft.

The Committee's fiscal year 1992 recommendation with respect to the F/A-18 program is heavily influenced by the potential for the multirole capability for the AX, and the need to review the results of the concept exploration phase of the program to establish the extent to which this potential will be fulfilled.

While the F/A-18E/F variant is proposed to cure long-standing Navy dissatisfaction with the range and payload capabilities of current F-18's, a principal justification for the program is to provide growth room for further improvements beyond the F/A-18C/D and beyond the basic E/F. The core of the E/F program is to provide the fuselage weight, space, and power to permit further extensive and expensive upgrades to the E/F shortly after the basic E/F configuration is fielded.

The costs of developing and procuring these additional capabilities are not included in the $4,000,000,000 cost so far projected for the F/A-18E/F. The true costs of the F/A-18E/F program are unknown and the ability of future defense budgets to support such upgrades is uncertain. Indeed, these costs are not included even in the later years of the Navy FYDP, which is underfunded just for planned upgrades to the F/A-18C/D's.

The Committee is uncertain what advantage lies in spending $4,000,000,000 during the next 5 years just to field an aircraft we immediately will have to spend further untold millions or billions to improve. Based on the Defense Secretary's projection and the expected contractor designs, the extent to which the F/A-18 needs to be upgraded is very hypothetical. The more the AX is capable of air-to-air combat and supersonic speeds, the more simply producing additional F/A-18C/D's is an acceptable, affordable alternative to an open-ended, costly E/F program.

Furthermore, the high cost and steep increase in F/A-18E/F funding profiles is driven by an arbitrary initial operational capability [IOC] date and large contract termination-liability requirements. The Navy has failed to justify both the IOC urgency and the termination liability financial requirements.

The Committee notes the Navy has inflated the weight projection used to claim that the F/A-18 C/D will lose too much payload in the future—thus necessitating the E/F.

Also, a major question exists with respect to the survivability improvements claimed for the E/F compared with the C/D. In the Committee's opinion, these claims should be subject to more independent review before they can be accepted with sufficient confidence to help justify a $4,000,000,000 program. Further elaboration on this issue is contained in the classified annex to the Committee's report.

Finally, the Committee observes that in making claims about the affordability of the E/F, the Navy compares the costs of the aircraft with the more expensive F-14. The service does not consider any economies from forgoing the E/F altogether, procuring multimission AX in larger quantities, and purchasing more F/A-18 C/D's in the near term to address hypothetical inventory shortfalls. The Committee thinks these considerations should be assessed and notes the unit cost of an E/F will not be inexpensive, especially when further upgrades are considered.

Taking into account all these considerations, the Committee believes it is prudent to moderate the proposed pace of the F/A-18E/F program to prevent premature commitment to a costly program which may not be necessary, and which may not deliver as advertised. This moderation also will reduce the financial burden on the Navy budget and permit further assessment of the AX and F/A-18 programs as better, more complete information becomes available. The Committee's course of action permits more time to resolve these issues and preserves Congress' options and the taxpayers' pocketbook without risking national security.

For all these reasons, it is recommended that $319,077,000 be appropriated for all F/A-18 research and development efforts in fiscal year 1992. This amount includes $250,000,000 for the F/A-18E/F, a reduction of $133,000,000 from the budget request and $153,000,000 from the House allowance, but an amount still

representing 2,908-percent growth (excluding inflation) from the program's fiscal year 1991 funding. This amount is more than sufficient to maintain program momentum in this difficult budget environment.

The Committee makes this reduction without prejudice and believes that the $250,000,000 provided demonstrates full support for maintaining Congress' option to pursue a vigorous and robust F/A-18E/F Development Program in the future.

To assist the Congress in evaluating the full benefits and costs of the F/A-18E/F program, additional information is needed. Therefore, the Committee directs the Office of the Secretary of Defense to submit the following information, no later than April 15, 1992:

An updated cost estimate for the program, including a full listing of all the upgrades contemplated for the F/A-18E/F, the total cost, and costs between fiscal years 1992 and 1998 to develop, procure, and install each upgrade, the timetable for such acquisition and installation, and whether each upgrade project is fully funded in these years.

An updated projection by the U.S. intelligence community validating in detail, by region, scenario, and potential adversary, the most likely and realistic air-to-air and surface-to-air threats the F/A-18E/F would face in the years 1998-2010, and the specific validated threat capabilities which each particular F/A-18E/F upgrade project is intended to counter.

An independent assessment of the capabilities of each F/A-18E/F upgrade to counter each specific threat.

A new cost and operational effectiveness analysis by an independent organization in no way connected with the Navy, assessing the cost and operational effectiveness of the E/F with the F/A-18C/D's configured as they are programmed to be by fiscal year 1996, and with the emerging designs for the AX.

An independent assessment by the Air Force's civilian and military experts of the proposed survivability features of the E/F and their likely effectiveness against the expected threats and their resistance to countermeasures.

For the purposes of conducting the independent survivability analysis, the Committee directs that the Air Force military and civilian experts, including those at Lincoln Laboratory, be provided access and clearances for all information they deem necessary.

Mr. D'AMATO. This is some of the most thoughtful language on naval aviation I have seen in a year that will hopefully represent the nadir of Navy aircraft development. Let me repeat the key paragraph: "The Committee makes this reduction without prejudice and believes that the $250,000,000 provided demonstrates full support for maintaining Congress' option to pursue a vigorous and robust F/A-18E/F development program in the future".

That is considerably more generous than I would have been, but it gets to the heart of the matter: Good government. Our job is not simply to rubber stamp every cockamamie scheme that is belched forth from the Navy's bilge. We are charged with oversight, with holding the services to account. This language does that.

I commend it to my colleagues, and look to both the Defense Authorization and Appropriations conferees to incorporate this reasoned approach into their final conference packages.•

A TRIBUTE TO RUSS BERRIE

• Mr. LAUTENBERG. Mr. President, I rise today to recognize, Russ Berrie, a New Jersey businessman and civic leader, for his contributions to our State and service to the community.

On December 5, 1991, Russ will be honored by the Anti-Defamation League of B'nai B'rith with its prestigious "Torch of Liberty Award" in Alpine, NJ. For his philanthropy and dedication to Jewish life, Russ Berrie is most deserving of this honor.

In 1963, Russ founded Russ Berrie and Co., Inc., a highly successful designer and distributor of stuffed animals, dolls, picture frames, candles, and other gift items. The company has grown to employ over 2,500 employees with offices in the United States, Canada, the Orient, and Great Britain. In 1986, Forbes magazine named it the 21st best run small company in the Nation and in 1987, Nikkei Press listed it as the 15th best company in the world.

Mr. President, by any measure, Russ Berrie has been an enormously successful businessman. More importantly, he has used his personal success as a tool to help ease the burdens of others. Russ has always believed his success in business carried with it an obligation to give back to the community. To this end, he has lent his support to a variety of groups and institutions which share his vision of creating opportunity and improving the quality of life for others.

As a graduate of New York University and the University of Florida, Russ has been committed to education and institutes of higher learning. He has joined the boards of numerous educational institutions including New York University, Elisabeth Morrow School of Englewood, NJ, Farleigh Dickinson University and the University of Florida where he established an Eminent Scholar Chair in Marketing in 1988.

Our children have been a focus of his philanthropic efforts and, to that end, Russ has made the holidays brighter for over a million handicapped and underprivileged children through his donations of toys and gifts to the AYUDA Toy Drive. Further, he has dedicated pediatric rooms at the Center for Child Health at Englewood Hospital in New Jersey and he contributes generously to Tomorrow's Children Fund of New Jersey, the Children's Museum of Manhattan, the March of Dimes, and the Association for Help.

His determination to make the lives of our children more fulfilling has extended overseas to Israel, where he has dedicated both a Youth Center in Natanya and an electronics projects laboratory to Boys Town Jerusalem.

Mr. President, the list of Russ Berrie's good works continues to include, among others, involvement in the United Way, the World Jewish Congress, the United Jewish Community of Bergen County, NJ, the Jewish Community Center on the Palisades, Hadassah Medical Relief Association, Development Corp. for Israel, and American Friends of the Shalom Hartman Institute.

For his effort, Russ has received numerous accolades over the years, including awards from various Native Americans for his contributions of toys to the needy children of many tribes. He was named "Man of the Year" by Catholic Community Services, received the "Gates of Jerusalem" award in 1987, the "Covenant of Peace Award" by the Synagogue Council of America and, in 1987, then-Mayor Dianne Feinstein named July 31, 1987, "Russell Berrie Day" in San Francisco.

All of these honors reflect Russ' commitment to others. On December 5, the ADL will bestow upon him the "Torch of Liberty Award" in recognition of his ongoing humanitarian efforts. For years, the ADL has worked diligently to reduce prejudice and promote harmony between groups and Russ Berrie's contributions to this end have been invaluable.

I've been proud to call Russ Berrie my friend for many years, Mr. President, and I applaud the ADL for its decision to recognize Russ for his good works. Having known him for a long time, I know it isn't awards and community recognition that drive Russ, but a deep-seated desire to be of service, to do what's right. Such qualities are too rare and individuals who possess them serve as an inspiration to us all.

Successful businessman, community leader, supporter of Israel, dedicated father of Brett, Richard, Leslie, Scott, Nicole and David Berrie, Russ Berrie has proven time and again his commitment to, not just business, but the business of making our country work for so many others. When the system falls short, as too often it does, Russ steps in to fill in the gaps.

I share my congratulations with Russ and am proud to bring them to the attention of my colleagues.•

COMMENDING TYLER GARVENS

• Mr. D'AMATO. Mr. President, I rise to day to pay tribute to Ms. Tyler Garvens who has been a member of my staff since February 2, 1988. Tyler is leaving my staff to take a position in the Legislative Affairs Office of the White House.

Tyler Garvens came to my office from the Government relations office of United Airlines. She started as a receptionist in our front office. Her friendly manner, knowledge, and gentle presence were the key ingredients to

her success in constituent relations. She was well received and greatly loved by her coworkers.

Last year Tyler was promoted to Legislative Coordinator. At this post Tyler was responsible for organizing the entire legislative office. She was also responsible for commemorative legislation, congressional statements, and constituent correspondence; among other duties. Tyler carried out her duties masterfully and professionally and has been a tremendous assistance to me.

Tyler will be missed. I offer her great success and much good fortune in all of her future endeavors. Congratulations to Tyler Garvens on her promotion, considerable regrets on our loss, and best wishes for continued success in all her future endeavors.●

THE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of Calendar Nos. 276 and 277, that the bills be deemed read three times and passed en bloc, and the motion to reconsider the passage of these items be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEMORIAL TO MARTIN LUTHER KING, JR. IN THE DISTRICT OF COLUMBIA

The bill (S. 239) to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Subject to subsection (b), the Alpha Phi Alpha Fraternity is authorized to establish a memorial to Martin Luther King, Jr., in the District of Columbia and its environs in accordance with the Act entitled "An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes", approved November 14, 1986 (40 U.S.C. 1001, et seq.), to honor Martin Luther King, Jr.

(2) DEFINITION.—For purposes of paragraph (1), the term "the District of Columbia and its environs" has the same meaning give to such term by section 2(e) of such Act.

(b) EXPENSE TO THE UNITED STATES.—The United States shall not pay any expense of the establishment of the memorial under subsection (a).

CONVEYANCE OF CERTAIN LANDS IN GARY, IN

The bill (H.R. 470) to authorize the Secretary of Transportation to release the restrictions, requirements, and conditions imposed in connection with the conveyance of certain lands to the city of Gary, IN, was considered, ordered to be read a third time, read the third time, and passed.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MITCHELL. Mr. President, for the information of Members of the Senate, there will be no further rollcall votes today. The Senate will proceed to the civil rights bill at 11 a.m. tomorrow. I will be obtaining that consent shortly. At 2:30, the Senate will temporarily set aside the civil rights bill and turn to the consideration of the Federal facilities bill for 1 hour of debate equally divided between Senator SEYMOUR and myself, following which there will be three votes: A vote on a resolution which I will offer, a vote on the Seymour amendment, and then a vote on final passage of the Federal facilities bill.

The Senate will then return to consideration of the civil rights bill thereafter.

ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Thursday, October 24; that following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that there be a period for morning business not to extend beyond 11:15 a.m., with Senators permitted to speak therein; that the following Senators be recognized to speak with the time limitation specified: Senator BOREN for up to 15 minutes; Senator ROTH for up to 30 minutes; Senator NICKLES for up to 15 minutes; Senator REID for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—S. 1745

Mr. MITCHELL. Mr. President, I now ask unanimous consent that at 11:15 a.m. on Thursday, October 24, the Senate proceed to the consideration of S. 1745, the Civil Rights Act of 1991.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 10 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 8:14 p.m., recessed until Thursday, October 24, 1991, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate October 23, 1991:

DEPARTMENT OF JUSTICE

KEVIN V. SCHIEFFER, OF SOUTH DAKOTA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF 4 YEARS VICE PHILIP N. HOGEN, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 23, 1991:

INTER-AMERICAN DEVELOPMENT BANK

RICHARD C. HOUSEWORTH, OF ARIZONA, TO BE U.S. ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK.

DEPARTMENT OF STATE

EDWARD GIBSON LANPHER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ZIMBABWE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

HOUSE OF REPRESENTATIVES—*Wednesday, October 23, 1991*

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. GEPHARDT].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 22, 1991.

I hereby designate the Honorable RICHARD A. GEPHARDT to act as Speaker pro tempore on Wednesday, October 23, 1991.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

Rabbi Paul David Kerbel, Nevey Shalom Congregation, Bowie, MD, offered the following prayer:

I consider it a great honor to offer the opening prayer in the House of Representatives. I would like to share with you a prayer that was written in 1927 by the late rabbi, Prof. Louis Ginzberg (1873–1953) of the Jewish Theological Seminary of America, considered to be one of the greatest authorities on the Talmud and Codes of Jewish Law in this century. This prayer was one of the first prayers for government and state to be found in a Jewish prayer book in America:

"A PRAYER FOR OUR COUNTRY

"Our God and God of our ancestors: We ask Your blessings for our country, for its Government, for its leaders and advisors, and for all who exercise just and rightful authority. Teach them insights of Your law, that they may administer all affairs of state fairly, that peace and security, happiness and prosperity, justice and freedom may forever abide in our midst.

"Creator of all flesh, bless all of the inhabitants of our country with Your spirit. May citizens of all races and creeds forge a common bond in true harmony to banish all hatred and bigotry and to safeguard the ideals and free institutions which are the pride and glory of our country.

"May we see the day when war and bloodshed cease; when a great peace will embrace the whole world.

"Then nation shall not threaten nation and humankind will not again know war.

"For all who live on this Earth shall realize that we have not come into being to hate or to destroy.

"We have come into being to praise, to labor and to love.

"May this land under Your providence be an influence for good throughout the world, uniting all people in peace and freedom and helping them to fulfill the vision of Your prophet: 'Let love and justice flow like a mighty stream, let peace fill the earth as the waters fill the sea. Nation shall not lift up sword against nation, neither shall they experience war any more. For all human beings, both great and small shall know the Lord. Amen.''

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will ask the gentleman from New Mexico [Mr. SCHIFF] if he would kindly come forward and lead the membership in the Pledge of Allegiance.

Mr. SCHIFF led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 340. Joint resolution to designate October 19 through 27, 1991 as "National Red Ribbon Week for a Drug-Free America."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 811. An act to require the Secretary of Transportation to lead and coordinate Federal efforts in the development of magnetic levitation transportation technology and foster implementation of magnetic levitation and other high-speed rail transportation systems, and for other purposes.

WELCOME TO RABBI PAUL D. KERBEL

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, it is my honor and pleasure to welcome today Rabbi Paul D. Kerbel of Nevey Shalom Congregation in Bowie, MD, who delivered today's opening prayer.

Rabbi Kerbel is a well-known Jewish leader in my congressional district in Prince Georges County, and the entire Washington, DC, area. He is currently vice president of the Washington Board of Rabbis, representing more than 100 rabbis in the area, and will chair the annual convention of the Rabbinical Assembly in May 1992. He is the secretary of the Rabbinical Assembly of America, the professional organization of over 1,100 conservative rabbis in North America.

Rabbi Kerbel is the youngest member of the board of directors of the United Jewish Appeal Federation of Greater Washington and serves on the executive committee of the Jewish Campus Activities Board of Greater Washington.

Finally, Mr. Speaker, Rabbi Kerbel is cochairman of the Prince Georges Jewish Alliance and chairman of the Bowie Clergy Association.

He has been with Nevey Shalom Congregation for 7 years. He is a graduate of Columbia University and the Jewish Theological Seminary of America.

As you can see, Rabbi Kerbel is a leader in his religious community and in his local community. I am proud to have a religious leader such as Rabbi Kerbel from my district lead us in prayer today.

PRESS CONFERENCES ON UNEMPLOYED DO NOT PROVIDE JOBS

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, the Democratic shovel brigade is at it again, and it is beginning to stink around here.

Our Nation's unemployed have heard a lot of speechmaking these past few days and months about what the Democrats will do for them. Unfortunately, Mr. Speaker, the speeches continue while millions of Americans remain jobless.

Remember, not one unemployed worker gets one nickel from a Democratic leadership press conference. Not a single job is created by a Democratic congressional committee attack ad.

Mr. Speaker, the Democrats are more interested in helping their candidates in the fall of 1992 than in helping the unemployed in the fall of 1991.

Extending the unemployment benefits is a good political issue, so do not

send the President a bill he can sign. Let us play the veto game and hold up the benefits to score political points. This may be good politics, but it is criminally cruel to those out of work.

As a Republican who voted three times for the unemployment bill, I am outraged. As long as the rhetoric continues to flow from the Democratic shovel brigade, we have only one choice, Mr. Speaker: We had better roll up our pant legs. It is too late to save our shoes.

FORMATION OF CONGRESSIONAL COMMITTEE TO DRAFT CUOMO FOR PRESIDENT

(Mr. DOWNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY. Mr. Speaker, last year I had the great privilege and honor of traveling to Albany to nominate Mario Cuomo as the Democratic candidate for Governor of New York.

On that occasion, I talked about Governor Cuomo as the embodiment of the American dream. As the son of immigrants, he understands that America is not just a piece of real estate. As a public official, he recognizes that this dream embraces the guiding principles of fairness, decency, and justice.

Mario Cuomo has also boldly demonstrated during his tenure as Governor that the realization of the American dream is only possible with strong leadership, leadership with the courage to make difficult choices, leadership prepared to act decisively.

What I asked that crowd in Albany was: Where is this leader? Where is the public official ready to tackle the tough problems? Where is the individual who can make the American dream come true? The answer then and the answer now is: He is in New York; he is Mario Cuomo.

Mr. Speaker, I may not get the chance to nominate Governor Cuomo for President at a national convention. But I can urge him, with all my heart, to declare his candidacy for President. That is why today I am announcing the formation of a Draft Cuomo for President Committee here in the Congress. I am asking my colleagues who share my admiration and support for Governor Cuomo to join me in this effort. The Democratic Party and America needs Mario Cuomo, now more than ever.

DOMESTIC ISSUES HELD HOSTAGE FOR POLITICAL GAIN

(Mr. GRANDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRANDY. Mr. Speaker, what have we been doing for the last 8 months? Why did it take 200 days for the Democratic leadership to finally bring a crime bill to the floor for a vote, and when it got here, we had to offer an amendment on every single plank of criminal justice reform just to justify the name "crime bill"?

It seems to me that my colleagues on the other side of the aisle have had plenty to say about President Bush and his lack of domestic agenda, but in reality the leadership has held these issues hostage in the basement of committees and delayed action on them.

This week another Democratic dog-and-pony show on unemployment compensation, round 4: "We want to help you," they say, "but it is the President who does not care."

But again, it is the President who has offered a bill that does something that America wants, one providing unemployment compensation, but does not do what America does not want; that is, increase the deficit or raise taxes.

These checks could have been cashed. The money could be flowing. The needs of the unemployed could have been met, but our proposals to allow unemployment benefits and a growth package will be denied, and justice will be delayed.

The leadership is too scared to even allow these to be voted on the floor. Mr. Speaker, it is time to stop holding the domestic agenda hostage.

□ 1010

TIME TO DRAFT MARIO CUOMO FOR PRESIDENT

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, why has the draft Mario Cuomo for President movement gathered a head of steam in recent days? The answer is obvious. For the first time, Democrats smell in the air the chance for victory in November and we want our best candidate, Mario Cuomo, to provide that challenge to President Bush.

Mr. Speaker, Governor Cuomo is the only Democratic candidate who can cut through the Republican smoke machine to show voters how George Bush has neglected the greatest challenge to America's future: our domestic agenda. We need Mario Cuomo, whose powerful words can show voters how Republicans have forsaken American jobs, American's health care, and our children's education; how they turned their back on the S&L scandal and BCCI, and how they cynically run against crime in the streets while the streets they have run for the last 12 years have only gotten meaner.

Mr. Speaker, beating George Bush will be no easy task. The President is a heavyweight when it comes to negative campaigning and the politics of diversion. The Democrats need a prizefighter in the ring. Mario Cuomo is that champion. I am asking my fellow Democrats to join me and my colleague from New York to urge Gov. Mario Cuomo to declare his candidacy for President of the United States.

CONGRESS NEEDS COURAGE, NOT THE PRESIDENT

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Speaker, I am delighted to hear that my Democratic colleagues from New York like their Governor. I will be interested to hear if any Democratic colleagues outside of New York also like their New York government.

Second, however, I have to tell you that I am pleased as well that they recognize the difficulty of running against President George Bush.

My friend, the gentleman from New York [Mr. DOWNEY], said what we need in this country is leadership, with the courage to make difficult choices. I would point out that the President sent us a domestic agenda with a whole series of difficult choices. He sent us a highway bill without a gas tax increase. He sent us a crime bill with real penalties for criminals. He sent us an unemployment compensation bill that could be passed and he sent us a growth package, not only this year, but in 1989, 1990, and 1991, 3 years in a row, that has not been passed by this Democratic Congress.

In addition, there was education reform and there was campaign reform, et cetera.

We are now 231 days after the President in victory came to this Congress and talked to us about the success of Desert Storm. He asked us to pass a crime bill and a highway bill within 100 days. Now, 231 days later we still have not done that.

Mr. Speaker, this Congress needs courage, not the President.

THE ECONOMY IS A BUST BECAUSE DEMOCRATS ARE BUSTED

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, we just saw the majority leader outline the bankrupt economic philosophy of the Democrat Party.

Now, the majority leader is talking about capital gains as a cut for the rich, a tax cut for the rich. We know that the Democrats will not allow incentives to have capital start flowing in this country again, thereby creating jobs. We know that the best way to affect middle income and the poor is by creating jobs, creating jobs, not new programs and more spending. New programs and more spending is what we

hear from the Democrats, and now all of a sudden they want to adopt a mini-Republican plan by talking about tax cuts, when all along they have been against it.

The majority leader, Mr. Speaker, was saying, "Oh, goodness gracious, the President has gone back on his promises." Yet it was the same majority leader who was on the floor praising the President for going back on his promises because they led us into the most destructive budget agreement that has ever hit this country, passing luxury taxes that cost us millions of jobs, raising taxes in the face of recession.

Mr. Speaker, the reason the economy is in a bust is because the Democrats are busted.

NATIONAL TEXTILE WEEK

(Mr. DERRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERRICK. Mr. Speaker, October 20 through 27 is "National Textile Week."

We should stop and remember that the textile industry is a symptom of what is wrong with unemployment in this country. We have passed in this House over the last decade three textile bills, every one of which has been vetoed by Republican administrations. During that time, we have lost 40,000 textile jobs in South Carolina. We have lost hundreds of thousands of textile jobs throughout the United States; yet we are continually told by the administration that the value of the dollar was too high.

Well, the value of the dollar is as low as it has ever been today and we are still losing jobs in my district. Throughout South Carolina and throughout this Nation textile plants are closing day after day, week after week, month after month, and people are out of work.

Mr. Speaker, the textile people, together with other unemployed people in this country, must have the extension of their unemployment benefits.

ELECTION AS MEMBER OF COMMITTEE ON EDUCATION AND LABOR

Mr. MICHEL. Mr. Speaker, I offer a privileged resolution (H. Res. 254) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 254

Resolved, That Representative Cunningham of California be and is hereby elected to the Committee on Education and Labor.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ALL TALK AND NO ACTION

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, for 10 months now we have heard speech after speech from the Democrats about the lack of a domestic agenda from the White House.

Those who make the speeches are given cover by their leadership because the President's domestic initiatives are being held hostage in committee.

Some are even talking about delaying adjournment of this session of Congress so that they can continue to make speeches for C-SPAN viewers.

Politics is a very big part of what we do in Congress. But it is unfortunate when the real needs of Americans are held hostage to political brinkmanship.

We are 10 months into this session and only this week is the House voting on the crime control and highway bills.

Does it really take 10 months to hold hearings, draft legislation, and allow the committee process to work its will? I do not think so.

Now the Democrats have found another group of hostages for their political games—they are our Nation's unemployed.

The Democrats continue to play games by sending the President legislation they know will be vetoed. Who is hurt by this? The unemployed. The same group the Democrats claim they want to help.

Let us put an end to political posturing and get on with the Nation's business.

THE PRESIDENT CANNOT ESCAPE REALITY

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRICELLI. Mr. Speaker, I know that it must be painful for the President, it certainly cannot be easy. A promise was made to the American people. By his own words in accepting the nomination of his party for President, George Bush accepted a mission, to create in his term as President 30 million new jobs for our people. No matter what the words, no matter what the sincerity of the promise, there is no escaping the reality.

□ 1020

Factories are closing. Our people are in danger. Families are insecure. We need no excuses.

Mr. Speaker, George Bush wanted this responsibility; he wanted to administer the affairs of our country. Blaming other parties or other people is of no count. The reality is here, and now we need a new promise to turn his attention to the affairs of this country, to sign an unemployment extension bill, to bring back security for our families.

Mr. Speaker, it is time for George Bush to come home; it is time to give attention to America, it is time to keep his promise.

BREAST CANCER AWARENESS

(Mr. SCHULZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHULZE. Mr. Speaker, today I rise in support of breast cancer awareness. While October is designated as "Breast Cancer Awareness Month," efforts to make women aware of the potential danger they face in breast cancer should continue every day of every month. The more women understand and learn about this dreadful disease, the better informed they will be to take precautions, to have mammogram screenings, and to perform self-examinations.

Cancer is the leading cause of death for women 35 to 50 years of age. However, early detection through annual or biannual mammogram screenings can increase the survival rates from breast cancer. Women who had tumors discovered in the early stages had an 82-percent survival rate for the first 5-year period.

It is especially difficult to lose a loved one to a potentially curable disease. I know what it is like. I lost my wife to breast cancer over a year ago.

Mr. Speaker, let us make breast cancer awareness a top priority, not just for the month of October, but throughout the years to come.

JOB GROWTH SLUGGISH, UNEMPLOYMENT FIGURES POINT UP WEAK ECONOMY

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, during the 1988 campaign, President Bush promised to create 30 million jobs during his Presidency. He is behind schedule. Job growth under President Bush is the slowest in half a century. There are now 300,000 fewer jobs than there were when George Bush took office. This administration is way behind the curve and is trying to play catchup.

The President has finally discovered the economy. What opened his eyes? Maybe the 9 million unemployed Americans. Or the number of businesses that declared bankruptcy this year. Or maybe the demands of middle income wage earners for some attention.

The President has been dragged—kicking and screaming—into acknowledging that we face an economic crisis. His solution, however, is the same tired idea of a capital gains tax cut for the wealthiest in the hope that, as the re-

spected economist John Kenneth Galbraith said, "if they feed enough oats to the horse, some will pass through to feed the sparrows in the road." Well, Mr. Speaker, the sparrows have not eaten in over 10 years, and they are hungry.

Our economy is in the throes of recession; the middle class is crying out for help; but the President ignores their cries and instead offers help to the richest 1 percent of Americans.

Mr. Speaker, relief must be aimed at the middle class, the people who are feeling the sharpest bite from this recession. Working middle class families need real tax relief and they need it soon.

POLITICS ASIDE, SEND AN UNEMPLOYMENT COMPENSATION BILL TO THE PRESIDENT THAT HE CAN SIGN

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, we again are hearing the charge that the President of the United States is not concerned about Americans, he is only interested in matters overseas.

Mr. Speaker, there are two problems with that charge: First, that the first part of it is not true; and, second, that the second part of it is not true.

The President has offered to sign a bill immediately that would provide extended unemployment benefits to the unemployed. The problem is the Congress refuses to send the President that bill, which the President would sign, preferring instead to argue the politics of the matter while absolutely no assistance gets to the long-term unemployed that the majority in Congress say they are really sympathetic to.

Second of all, this year, as many times in this century, men and women of the American Armed Forces have been called upon to fight a war. To fight a war where? Overseas, twice in Europe, in the Pacific, the Middle East, Vietnam, Korea, and elsewhere.

I believe that if the President of the United States can help bring about world peace and less of a chance for war, that that benefits Americans too.

WHERE IS PRESIDENT BUSH ON THE BUDGET DEFICIT?

(Mr. HOAGLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOAGLAND. Mr. Speaker, the first $1,500 the average taxpayer pays the Federal Government this year is going to interest on the national debt; $1,500 per taxpayer that could otherwise be put into private savings so it, in turn could be used for new plants, equipment, and new jobs, to create more wealth for America; $1,500 per taxpayer to bankers in the United States, Japan, and Germany.

The budget the President sent us in January 1991 had a deficit of $281 billion. With savings and loan borrowings, estimates are that in fact the deficit this fiscal year will well exceed $300 billion.

These figures are staggering.

The Congressional Budget Office estimates that after the 5-year deficit reduction agreement expires, the deficit will once again exceed $300 billion by the year 2001.

These same estimates indicate national debt will then grow to $5.1 trillion, over 50 percent of our gross national product for the first time in history.

This, from over 10 years of Republicans running the executive branch.

This, from a President who said, in February 1990, during his campaign:

> We can afford to increase spending—and will cut the deficit by almost 40 percent in one year.

Almost 40 percent in 1 year?

We need your personal leadership, Mr. President, on this critical domestic issue, because we have a long, long way to go.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). The Chair will state that Members are reminded to address their remarks to the Chair.

REPEAL THE PRESIDENTIAL ELECTION CAMPAIGN FUND

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, since 1974 the American people have conducted a decisive referendum on the taxpayer financing of Presidential campaigns. Every year since then they have been given the opportunity to check off one of their tax dollars for the Presidential election campaign fund.

Every year, in increasing numbers, they are rejecting this raid on the Treasury. Participation in the checkoff peaked at a lowly 28.7 percent in 1980, and has since declined to 19.8 percent in 1989, the last year for which we have numbers.

The declining rates have caused a projected shortfall in the fund early next year. In response, democrat campaign officials have attached a rider to the emergency supplemental appropriation bill—maybe that is apt—aimed at shoring up the fund with anticipated checkoff receipts. Mr. Speaker, what they want to do is to write rubbercheck on the overdrawn Presidential checkoff account.

Instead of using gimmicks to save the checkoff fund, Congress should represent the wishes of the American people and repeal the Presidential election campaign fund.

Mr. Speaker, my colleague, the gentleman from Arizona [Mr. KOLBE] and I will give you the opportunity to do exactly that in the next 2 days.

IS THERE A DIFFERENCE BETWEEN GEORGE BUSH AND THE DEMOCRATIC CANDIDATES?

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, before I support Mario Cuomo or any Democrat, I want to know their position on foreign aid, NATO handouts, ladies and gentlemen, and trade, because in my opinion there is not much difference between these Democratic candidates and George Bush.

It is common knowledge that we are borrowing money overseas to give away in foreign aid.

Mr. Speaker, foreign trading partners are ripping us off with illegal trade, and tell me the difference between the Democrats and the Republicans.

What is it going to take, one of our big 3 automakers having to go bankrupt?

Mr. Speaker, the litmus test between the Democrats and Republicans is not school prayer and abortion. Let us start to get down to the issues.

Before I support Mario or any Democrat, I want to make sure they are seeking a Democratic policy for my district, which has been ravaged.

CONGRESS: THE MOST UNPOPULAR IN TOWN

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I stood among hundreds of people in my district this past weekend, but one quick look at the picket signs told me I was not the most popular one in the crowd.

Why? Because I am a Member of Congress, the same institution that recently handed the American people the largest single tax increase in history.

This past weekend I visited "Rallies for Taxpayer Action Day," a nationwide event focusing attention on just how tough things really have become for the American taxpayer. At one rally site in southwest Florida, attendance was up over 50 percent compared to last year. People believe things are getting worse. I cannot blame people for being fed up. Last year's record tax increase, and predictions for a $350 billion deficit this fiscal year, illustrate just how out of control Congress' tax-and-spend tendencies are thought to be

in this country. I am sure many colleagues saw in their districts similar picket signs to the ones in Florida—"cut the pork," "cut the waste," and "throw the rascals out".

□ 1030

Mr. Speaker, our time is running out, and it should be if we continue to ignore the message of the taxpayers to stop the big spenders from their wasteful ways.

VACLAV HAVEL AWARDED THE RAOUL WALLENBERG HUMAN RIGHTS AWARD

(Mr. LANTOS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANTOS. Mr. Speaker, a few minutes ago an historic ceremony took place in this House. The distinguished President of the Czech and Slovak Federal Republic, Vaclav Havel, was awarded the Raoul Wallenberg Human Rights Award. Two years ago it was the Dalai Lama, that ultimate champion of peace and reconciliation. Last year it was the young men and women of Tiananmen Square who put their lives on the line for the values we believe in.

Mr. Speaker, this year it was the distinguished President of Czechoslovakia. His best years were spent in prison under a Communist regime, and since he was elected President of his people, he led Czechoslovakia and much of Central Europe on the path toward democracy, freedom, and our values.

At a time when there is a resurgence of totalitarianism in Europe, at a time when the skin heads are running rampant in Germany and elsewhere, at a time when extreme nationalism is destroying Yugoslavia and killing innocent thousands, the voice of Vaclav Havel is the voice of the conscience of Europe, and on behalf of all my colleagues I salute him and welcome him to the Capitol.

THE DEFICIT IS OUR PROBLEM, NOT THE PRESIDENT'S

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, I have heard Democrats today come to this lectern and blame the President for the economic malaise of this country. The fact of the matter is they led the charge last year during that budget summit agreement to raise the people's taxes in this country by $189 billion over the next 6 years. That $189-billion tax increase has led to the economic problems we have today. If the people of this country do not have $189 billion to spend, they cannot buy products. If we do not produce products, we start laying people off. Hence unemployment goes up, and for each 1 percent of unemployment, it costs the people of this country $41 billion, and that is one of the reasons why we are going to have a $400 billion deficit this year, the largest in U.S. history, and yet they continue to blame the President for that.

Mr. Speaker, the fact of the matter is all spending bills, all tax bills, originate here. It is our problem and not the President's, but I would like to just say one thing, if the President happens to be paying attention. He needs to have Jack Kemp take some leadership role in the economic problems facing this country. Jack Kemp has his thumb on the pulse of this country, and he knows economics, and we need some leadership by some men like him.

WELCOME BACK, JESSE TURNER

(Mr. STALLINGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STALLINGS. Mr. Speaker, I want to take a minute this morning to welcome Jesse Turner home. We welcome Jesse back with personal happiness for him and his family, with gratitude that his captivity is over, with anger that it took so long, and with hope that the rest of the hostages will be released without delay. I am sure that Jesse would admonish us to not let our happiness at his release lessen our concern for those still being held.

Jesse Turner is presently recovering in Germany, so I suppose, he isn't home yet in a technical sense. But all of us in Idaho—his friends and supporters, his mother, wife, and daughter—have been waiting for this day for a long time. So has Jesse Turner. And I hope he will understand if we don't let technicalities stand in the way of saying, "Welcome back."

FINANCING MEDICAID THROUGH PROVIDER TAXES

(Mr. HOBSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOBSON. Mr. Speaker, in testimony before Mr. WAXMAN's Subcommittee on Health, I requested that the Health Care Financing Administration withdraw a new regulation that will eliminate Medicaid provider tax programs—a legitimate source of Medicaid revenue for more than 30 States. As Congress works toward long-term solutions in health care, we must not sell out current programs that provide care for the uninsured.

More than 33 million Americans—mostly the working poor and children—are without any form of health-care insurance. Considering the many health-care programs that do not work, we cannot afford to abolish programs that do work.

Ohio's provider-tax program works. Without this program, which I sponsored in the Ohio Senate, 200,000 more Ohioans will be added to the list of the uninsured. HCFA's regulations, which are confusing and unclear, will eliminate legitimate programs in an attempt to abolish programs that abuse the system.

That is why I encourage my colleagues to join me in demanding that HCFA withdraw these regulations, and work with Congress to establish clear guidelines for States to follow as they continue to support our Nation's uninsured children and working poor.

FREEDOM FOR JESSE "JON" TURNER

(Mr. LAROCCO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAROCCO. Mr. Speaker, over this past weekend the Nation heard that another American hostage was about to be freed from captivity in Beirut, Lebanon. As we now know, that hostage was Jesse Jonathan Turner, a college professor from Boise, ID, who was kidnaped from the Beirut University College campus on January 24, 1987, and had been held prisoner ever since.

Last Friday, word came that Jon Turner's kidnapers were going to allow his wife and the 4-year-old daughter whom he had never seen to visit him. This was soon followed by rumors of his release. Again the hopes of all Americans were raised, as they had been so many times before. We waited and watched, hoped and prayed, and fortunately the rumors were true. Today Jon Turner is a free man and is at least reunited with his family.

While this news gives all of Idaho great cause to celebrate, our deepest admiration goes out to Jon Turner, his wife Badr, daughter Joanne, mother Estelle Ronneburg, and the entire Turner family. Their faith and courage over the last several years has been rewarded, and they will now be able to close the book on this difficult period of their lives.

We are all optimistic that the other Western hostages will soon be freed as well, and our thoughts and prayers are with them all. Jon Turner's freedom offers hope that deep-rooted Middle East disputes may be headed for peaceful resolution. Clearly lasting solutions must be reached on the bargaining table and not on the battlefield.

Mr. Speaker, Jon Turner's near 5-year struggle stands as a testament to the strength of the human character. He has heroically endured this crisis, and we anxiously await his return to Idaho.

WE SHOULD CUT TAXES AND RESTRAIN GOVERNMENT SPENDING

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, today marks the 14th day until the first anniversary of the signing of the infamous 1990 budget agreement with its burdensome tax increases. I hear much discussion from the Democrats these days about raising taxes on the rich to benefit the poor. This reasoning is flawed. The failure of last year's budget agreement is just one recent example of this faulty thinking. The facts demonstrate that, if we want to make the rich pay more in taxes, we should cut their tax rates.

Mr. Speaker, a recent Heritage Foundation study[1] shows that, when top marginal income tax rates were cut from 70 percent to 28 percent, the percentage of the total income tax burden borne by the wealthiest 1 percent of Americans increased by nearly 10 percent.

Mr. Speaker, there is a lesson here: Cut taxes and the incentive to work, save, and invest increases, and taxable income increases significantly. I say we should roll up our sleeves, and start cutting some taxes and restrain Government spending.

THE 30TH ANNIVERSARY OF WAMU

(Mr. MORAN asked and was given permission to address the House for 1 minute.)

Mr. MORAN. Mr. Speaker, this morning, like every other morning, thousands of Washington-area commuters turned on WAMU, 88.5, to make their drive a little bit more bearable and their morning a little bit more livable. It was exactly 30 years ago that WAMU broke into the great wasteland that was FM radio with a new type of programming and a commitment to public service. From the first evening's program that featured a 15-minute show on Marconi and a roundtable discussion on Berlin with Mayor Wilie Brandt, to the Swedish-by-radio language classes of the seventies, to this morning's performance of Morning Edition, WAMU has sought to raise radio to new heights while challenging and always entertaining its listeners.

Today the Diane Rehm Show, the Derek McGinty Show, Good Dirt, and Fred Fiske Saturday have become staples of Washington life while WAMU's bluegrass, classical, and jazz programming provide a refreshing break from commercial radio fare.

Mr. Speaker, I say: "Thank you, WAMU, for a great 30 years and for your dedication to serving the Washington metropolitan area. I, and hundreds of thousands of your listeners, look forward to another 30 years of artistic entertainment and intellectual stimulation on 88.5."

WAMU—THE RADIO STATION WITH STYLE

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, a Washington institution is celebrating 30 years of community service today. Conceived on this day in 1961, WAMU 88.5 FM is an invaluable asset to the Greater Washington, DC, area.

Emanating from the American University, WAMU is a very distinctive radio station. What other radio station in the Washington area can offer listeners the ability to enhance their linguistic abilities with programming such as "Dutch by Radio," while also offering 50 hours of bluegrass music, and carrying National Public Radio's "Morning Edition" and "All Things Considered"? WAMU has a loyal listening audience of 350,000 weekly, making it one of the top 10 public radio stations in the country, and the top public radio station in Washington. It is committed to providing a variety of traditional American music, covering bluegrass and jazz. WAMU, whose emphasis also has been on news, has become a major source for up-to-date information for the Nation's Capital. WAMU has also provided intellectually challenging talk-show programs hosted by personalities such as Diane Rehm, Fred Fiske, and Derek McGinty.

At a time when communication is such a vital part of everyday survival, WAMU has proven itself to be invaluable. WAMU has demonstrated that service to the listener can successfully come above service to any other interest. I urge my colleagues to join me in tribute to the 30th anniversary of our radio station with style—WAMU.

□ 1040

THE SURFACE TRANSPORTATION ACT OF 1991 MAKES GOOD ECONOMIC SENSE

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, later today the House will take up the bill H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991, which I hope passes.

That bill calls for, and let me emphasize, no new taxes. I will say it again. It calls for no new taxes. It simply uses existing taxes to pay for important programs for America's economic survival.

There is $151 billion authorized for various highway and mass transit programs. This is a lot of money, Mr. Speaker, but it is conservatively estimated that it would take $500 billion, five times that amount of money, just to repair the bridges and highways already deteriorating in this country.

There are several matters of importance in the bill. It provides flexibility to States and local government in how they spend their money. It limits, and I think this is very important, the permitting of the very long highway behemoths, these double- and triple-bottom trucks that scare most of us to death when we are on the highways.

It also contains money for the Louisville waterfront development highway improvement project, which will make much more accessible our beautiful, historic river front in Louisville and Jefferson County.

Mr. Speaker, it is a good bill. I hope it passes.

CAMBODIA LOOKS AHEAD TOWARD PEACE

(Mr. KOLBE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOLBE. Mr. Speaker, today marks a historic day for Cambodia, for Southeast Asia and, yes, for the United States and its relations with the nations of this region.

No country has suffered more than Cambodia in recent memory. It has been the victim of war, disruption, political chaos, horrific genocide, and a seemingly endless civil war. No country is more deserving of a secure and lasting peace than the gentle but troubled people of Cambodia.

Today represents a milestone on the long road to lasting peace and real democracy for Cambodia. Today, in Paris, the permanent five members of the U.N. Security Council, Indonesia, Australia, Japan, Thailand and the four Cambodian political factions, signed a comprehensive political settlement.

The agreement is a significant one for the United Nations. The United Nations will play the largest role in its history in peace keeping and governance of a nation. Until free elections can be held and a democratic government installed, the United Nations will share governing powers with a coalition of the four Cambodian factions.

But the real significance is for Cambodians, that they might at last enjoy the fruits of peace that have eluded them for so long. The real significance is for the Southeast Asian region, that they might begin the process of reconciliation with each other, and that we might being reconciliation with them. Resuming full diplomatic relations with Laos, establishing normal diplomatic relations with Cambodia

[1] "Tax Rates, Fairness and Economic Growth: Lessons from the 1980's," the Heritage Foundation, October 15, 1991

and Vietnam, lifting the embargo on trade with all three countries, allowing for the participation of international financial institutions in the rebuilding of this region—these are goals now closer than ever.

Mr. Speaker, I spent a year in Vietnam during the conflict that consumed that country, and ours. I traveled again this last August to Southeast Asia with the hope of seeing peace return to this region. Today's settlement is a giant step to bring hope and reality together.

AMERICA'S UNEMPLOYMENT PROBLEMS WORSEN

(Mr. APPLEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPLEGATE. Mr. Speaker, it is bad enough that President Bush vetoed the unemployment compensation bill, but he wants to put more Americans out of work. He wants to send more jobs to China, to Mexico, to Russia, and I hear my Republican friends say that the cure for our economic ills is jobs. Well, of course, that makes common sense, but their boss, while he promised 30 million new jobs, has been losing 9,000 jobs a month. We now have 9 million Americans out of work, and 3 million who have run out of benefits.

I think President Bush had better take a look at the latest polls. He still may be approved by 57 percent of the American people, but that is down from 80 percent just a few months ago. In 6 months, if he does not begin paying attention to the ills of the people of this country, they are going to be ready to impeach him.

To my own colleagues here, they had better start listening to the people of this country and start giving them a little bit of a break, because come next year they are all going to be running, and they are going to be out to break you.

CIA MOVE TO WEST VIRGINIA SHOULD BE RECONSIDERED

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, soon the body will have to vote on whether it favors moving a portion of the CIA to West Virginia. This will be, if it takes place, the most expensive relocation in the history of the country. The cost will be $1.2 billion or $1.3 billion.

One of the unfortunate things that I think is not very good for this body, it is rumored that the Senate Intelligence Committee has put the money for this project in what they call a classified annex. Basically, they are treating this as if it is a covert operation.

Mr. Speaker, this project, if it goes through, will not receive any awards for professionalism and integrity in procurement. Actions like this are the types of actions that bring disgrace upon this body. This should be dealt with openly and fairly, whereby the American people and all Members of this Congress can look and see what will be done.

I urge the Members on both sides, when this issue comes up, to send it back so the General Services Administration can look at it and do it in a fair, open, above-board way with procurement integrity.

Vote "no" the way it is now.

A PRESCRIPTION FOR ENDING THE RECESSION

(Mr. PANETTA asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, it is no secret now that the Nation's economy is in deep trouble. Every day the reports confirm the obvious. Yesterday the auto industry reported losses that may make this the worst year in its history.

High unemployment continues. Each day there are thousands of new layoffs. And there was disturbing evidence last week that the recovery in industrial production and in housing may very well have ended.

The President's response has been ambivalent at best. On the one hand, he says, "Don't worry, things are getting better," and then vetoes an unemployment compensation bill on the basis that recovery has already taken place. On the other hand, last week the President indicated that the economy is in trouble, so now what is needed is an economic stimulus package with capital gains as the centerpiece, which would make the rich richer and the national debt bigger.

What is needed now is leadership, clear leadership from the President, not ambivalence. What is needed now is long-term solutions, investment, and deficit reduction, not magic portions that will lead to a bidding war over taxes.

Mr. Speaker, the American people deserve a better life for themselves and for their children. It will take more than a quick tax fix for the rich to get the job done.

□ 1050

PASS COLA FOR VETERANS

(Mr. MACHTLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACHTLEY. Mr. Speaker, I rise today to remind Members that as we approach adjournment, we are still without a 1992 veterans COLA bill. We all remember the travesty that took place last year when Congress actually denied our veterans, those who were willing to make the ultimate sacrifice for our country, some of the very people who served honorably and won the war in Desert Storm, a fair and proper cost-of-living adjustment.

S. 775, which provides not only for a 1992 veterans COLA, but also increases benefits for veterans exposed to radiation during the 1950's nuclear testing, is languishing in the other body.

Mr. Speaker, I urge this body to prepare for immediate consideration of a COLA for veterans. We ought not to pick and choose which of our recipients of Federal checks are going to receive a cost-of-living adjustment.

Mr. Speaker, our veterans deserve a cost-of-living adjustment. They are going to buy groceries in today's marketplace. They ought to have a check which reflects the cost of living.

Mr. Speaker, I urge Members to vote for a COLA for our veterans.

A JUST, LASTING, AND SECURE PEACE IN THE MIDDLE EAST

(Mr. OWENS of Utah asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS of Utah. Mr. Speaker, we appear to be on the verge of an historic opportunity, to end the state of war that exists between Israel and her neighbors. With the convening of the Middle East Peace Conference, next week in Madrid, the entire world will be praying for dialog and compromise and tolerance, between parties which have been at war for over four decades.

The U.S. Congress and the American people are irrevocably committed to safeguarding Israel's security. Secure and defensible borders for Israel have been—and will continue to be—a cornerstone of U.S. Middle East Policy. At the same time, we are committed to the legitimate rights of Palestinians, which then-Prime Minister Begin agreed to in the Camp David accords.

Accordingly, Mr. Speaker, today, along with my friend from New York, Mr. GILMAN and the gentleman from California, [Mr. LEVINE] I am introducing a resolution commending the participants in the peace conference, and at this critical juncture, restating in clear and unequivocal terms, Congress' determination to seeing this process reach a successful conclusion. We restate Congress' commitment to be totally supportive of these peace negotiations. The resolution again commends Secretary of State Baker, as we have before, for his diplomatic skill and mettle in bringing about the peace conference.

It is my deepest hope that this resolution, with the bipartisan support of my colleagues, will send an important message of Congress and America's commitment to the peace process. It is

imperative that Arabs, Israelis and Palestinians know the full extent of Congress' interest in a just, lasting and secure peace.

PRESIDENT GROWING WEARY OF DRAGGING THE CONGRESS

(Mr. BAKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER. Mr. Speaker, after 10 months the House finally had the opportunity to vote on a crime package, and I understand within the next day or so we will have the opportunity to vote on a transportation plan. But it took us 10 months of legislative work to get to this point. Ten months.

In that length of time, one can build a very large house. I understand that it is possible that even a candidate for the U.S. Supreme Court could be confirmed in less than 10 months.

Why 10 months, Mr. Speaker? If one listens carefully on a quiet morning, one can hear the pounding of feet as the President's domestic initiatives are dragged up one corridor and down the next. We cannot get a vote on the President's domestic initiatives, his plan to help the Nation's unemployed, his plan to restructure the financial institutions in this country.

The President just asks one thing. Just like our constituents at home, they want us to do our work. Quit the petty political partisan bickering and finger pointing and simply do our job.

Yes, Mr. Speaker, the President is not dragging his feet, but he is growing very weary of dragging the Congress.

USE DEFENSE SAVINGS TO CUT RETIREMENT

(Mr. HUCKABY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUCKABY. Mr. Speaker, as Congress races toward its Thanksgiving adjournment, the drum beat is growing louder and louder here in Washington for a tax cut, the thought being let us reduce defense spending and reduce taxes.

Mr. Speaker, let me share some numbers with you. In 1960, we spent $215 billion on defense in 1991 dollars. In 1970, we spent $280 billion in defense. In 1980, it was back down to $215 billion. Today, we are spending almost $300 billion on defense. So I think it is clear we can reduce defense expenditures.

Mr. Speaker, let me suggest something to Members. A more prudent thing to do with those savings would be to reduce the deficit, the deficit that is more than we will expend on defense next year.

STOP PLAYING POLITICS WITH THE UNEMPLOYED

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, now that the President has vetoed the Democrats' budget-busting unemployment legislation I hope that the Democrats will now work with the minority to pass a bill which the President can sign. The sooner they do, the sooner the checks can be in the mail to the unemployed.

The Republican alternative legislation would provide 6 weeks of extended benefits in all States and 10 weeks in high-unemployment States. It would also provide much needed relief for pockets of high unemployment. This proposal is much more fair than the Democrats' bill, which would not have accounted for hard-hit areas. For example, workers in Danville, IL, would only get another 7 weeks of benefits under the Democrats' failed plan. However, that city faces a 13-percent unemployment rate, which is much higher than both the State and national average.

Most importantly, the alternative legislation is not a budget buster, does not increase taxes, and will not add more red ink to the massive Federal deficit. This additional coverage is desperately needed by workers all over America and the President is ready to sign it.

The time has come to stop playing politics with the unemployed. The time has come to pass a responsible unemployment benefits extension bill.

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1790

Mr. ERDREICH. Mr. Speaker, I ask unanimous consent to have my name deleted as cosponsor of H.R. 1790.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from Alabama?

There was no objection.

SUPPORT H.R. 1414 TO EASE RECESSION AND S&L WOES

(Mr. LEVINE of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVINE of California. Mr. Speaker, I rise today in support of H.R. 1414, legislation that would help to ease the pain of our recession and S&L woes.

While America can not afford the kind of deregulation we saw during the 1980's, we must be careful not to handicap legitimate business practices that could help to strengthen our economy.

Amending the passive loss rules would provide an important incentive for real estate entrepreneurs to hold troubled rental real estate rather than give them back to our already overwhelmed financial institutions.

After a decade of financial mismanagement by the Reagan and Bush administrations, we are now reeling from the effects of a severely distressed S&L industry.

This bill would make it easier for America to clean up the S&L mess—without placing taxpayers at greater risk.

While these rules were a critical part of the 1986 Tax Reform Act, helping to curb the abuses of tax sheltered investments, it's time to update them to meet the demands of our sluggish economy.

I believe that passage of H.R. 1414 would ultimately lighten the burden on our constituents for bailing out the troubled S&L industry. I urge my colleagues to support this measure.

THIRD UNEMPLOYMENT BILL: MEANNESS TO THE THIRD POWER

(Mr. MCEWEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCEWEN. Mr. Speaker, we are now experiencing meanness to the third power. What we are experiencing is the Democrats solely committed to breaking the agreement which they made with the President last fall, and which many of us said they would never keep.

It said this: Throughout this fiscal year, if you increase spending in one area, you must reduce it in another.

Now, with unemployment up because of the tax increases of the last 3 years, they want to help the unemployed, as we all do. Our effort is to help the unemployed by doing a very simple thing: out of a $1.5 trillion budget, take the $6 billion necessary to fund this bill.

Democrats, given an option of reducing spending, will pursue any other goal. First of all, they gave the President a bill in which he would have to break the budget agreement on his own and borrow the money. He refused to do that. All during August he refused to do it, so they came back in September and said we will write a bill that when he signs it, it immediately will break the budget agreement and fund the unemployment compensation extension with increased borrowing.

The President said I am not going to sign it. So he sent it back, and last week the Senate agreed to sustain his veto.

Now the Democrats are back again this week only this time they want to increase taxes. Now, get it straight. Anybody understands that when you are short of money, you reduce spending so that you will be able to make the expenditures elsewhere. Every person with a checkbook understands it.

The Democrats on this side are refusing to take that one option. They want to borrow it twice, they want to increase taxes once, but they refuse to cut spending to pay for it.

It is a very simple solution. If you simply will figure out that when the American people are willing to have it taken out of the vast Federal budget and abide by the agreement that you made with the President last fall, and which some said you would never keep, and you are proving it, but, nevertheless, just for entertainment purposes, why do you not agree to it. Fund the bill from current revenue, and then we can get this off of our desk and into the unemployed paychecks like we all wish would have been done long ago.

□ 1100

SETTING NEW PRIORITIES

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I am delighted to be following the gentleman from Ohio into the well. I want to say, absolutely, read my lips, no new taxes. We want no new taxes, and I want to make sure that Members know that the Democrats do not.

But let us talk about that budget agreement. The world has changed radically, radically since that budget agreement was there.

Let me tell my colleagues, if the coup in the Soviet Union had been successful, the administration would be the first one trying to break that budget agreement and double defense and double all the other things that they wanted in there.

We do not want new taxes. We want new priorities from the administration. When we are spending over $300 billion for defense, when we are spending over, I cannot tell Members how much for the Central Intelligence Agency, and we do not even know who they are spying on, when we are spending megabucks and gigabucks on foreign aid, and we just had 1 million more American children fall into poverty, we are on the wrong track.

We have a disaster at home and the disaster is we cannot get the administration to focus on the homefront and set new priorities so we do not have to raise new taxes.

PROVIDING FOR CONSIDERATION OF H.R. 2950, INTERMODAL SURFACE TRANSPORTATION INFRASTRUCTURE ACT OF 1991

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 252 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 252

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2950) to develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill are hereby waived. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed two and one-half hours, with two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of the bill H.R. 3566, as modified by the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, as an original bill for the purpose of amendment under the five-minute rule, said substitute, as modified, shall be considered as having been read, and all points of order against said substitute, as modified, are hereby waived. No amendment to said substitute, as modified, shall be in order except those printed in part 2 of the report of the Committee on Rules. Said amendments shall be considered in the order and manner specified in the report and shall be considered as having been read. Said amendments shall be debatable for the period specified in the report, equally divided and controlled by the proponent and a Member opposed thereto. Said amendments shall not be subject to amendment except as specified in the report of the Committee on Rules. Where the report of the Committee on Rules specifies consideration of amendments en bloc, then said amendments shall be so considered, and such amendments en bloc shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. It shall be in order at any time for the chairman of the Committee on Public Works and Transportation to offer amendments en bloc consisting of amendments, and modifications in the text of any amendment which are germane thereto, printed in part 2 of the report of the Committee on Rules. Such amendments en bloc, except for any modifications, shall be considered as having been read and shall be debatable for not to exceed twenty minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation. All points of order against the amendments en bloc are hereby waived. The original proponents of the amendments en bloc shall have permission to insert statements in the Congressional Record immediately before disposition of the amendments en bloc. Such amendments en bloc shall not be subject to amendment, or to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments in the report of the Committee on Rules are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

POINT OF ORDER

Mr. DELAY. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. DELAY. Mr. Speaker, I raise a point of order against this rule because several amendments were put in to admit No. 53 that were not published according to the rules of the Committee on Rules.

The SPEAKER pro tempore. Does the gentleman from Missouri [Mr. WHEAT] wish to be heard on the point of order?

Mr. WHEAT. Mr. Speaker, it is my understanding that there is, under the rules of the House, no point of order that lies against the amendment for including amendments that were not printed in the RECORD, as long as they are made in order by the rule.

The SPEAKER pro tempore. There is no requirement under House rules that the Committee on Rules have amendments preprinted, and the point of order is not well taken.

Mr. WALKER. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized.

Mr. WALKER. Mr. Speaker, if I understand the explanation of the gentleman from Missouri, his point is that the point of order should not be sustained because there is no rule of the House which requires the Committee on Rules to obey its own rules. It was the Committee on Rules itself which suggested that there was a time limit on Members' submitting amendments.

I think that most Members in good conscience believed that that was a firm time limit. The Committee on Rules then evidently violated its own rule by accepting amendments after the time of the deadline.

If in fact the Chair is not going to uphold the gentleman from Texas in his point of order, then it seems to me that there is no enforcement mechanism for the Committee on Rules' announcements with regard to time limits, and it appears as though they are going to unfairly apply different standards to different Members in the accomplishment of their duties.

It seems to me that the gentleman from Texas has raised a legitimate point of order here. It was in fact a re-

quest of the Committee on Rules before the House. The chairman of the Committee on Rules made the announcement before the House of this deadline.

The deadline was then violated by the Committee on Rules, and amendments were included in this particular rule that were not within the deadline as announced by the Committee on Rules.

If that is permitted, then there is no enforcement mechanism for any kind of time deadlines that come forward. So I would suggest that the gentleman from Texas has raised a legitimate point of order because it has to do with the total privileges of the House, not simply with the internal rules of the Committee on Rules.

The SPEAKER pro tempore. The Committee on Rules has the power to make any amendments in order. There is no publication requirement under House rules which limit the authority of the Committee on Rules.

Mr. BURTON of Indiana. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The gentleman from Indiana is recognized.

Mr. BURTON of Indiana. Mr. Speaker, I would just like on this point of order to have a little caveat. We were asked to give 70 copies of any proposed amendment that we were going to propose to this piece of legislation, and it had to be to the Committee on Rules within the timeframe set out by the Committee on Rules. So we had to work our staffs. I had seven amendments, and we had to produce 490 copies of those seven amendments for the Committee on Rules.

Now we are saying that the Committee on Rules does not have to abide by the rule that it made itself. It seems to me that that is grossly unfair, and I think that everybody in this House, everybody in this Congress and everybody in the country ought to be outraged.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Under the previous statement made by the Chair, the point of order is overruled.

The Chair recognizes the gentleman from Missouri.

Mr. WHEAT. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. MCEWEN], pending which I yield myself such time as I may consume. During consideration of this resolution all time yielded will be for the purpose of debate only.

Mr. Speaker, House Resolution 252 is a modified open rule providing for the consideration of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. The rule provides for 2½ hours of general debate—2 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and 30 minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill and makes in order an amendment in the nature of a substitute consisting of the text of H.R. 3566, as modified by the amendment in part 1 of the report accompanying the rule, to be considered as an original bill for the purpose of amendment. The rule also waives all points of order against the substitute as modified.

The resolution makes in order only those amendments printed in part 2 of the report accompanying the rule, the amendments are to be considered in the order and manner specified and for the time specified. All points of order against the amendment are waived.

Furthermore, the rule provides that the chairman of the Public Works Committee may offer en bloc amendments consisting of part 2 amendments and germane modifications. Such en bloc amendments will be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works. The original proponents of the amendments may insert statements in the CONGRESSIONAL RECORD at the appropriate place.

None of the amendments will be subject to amendment nor will en bloc amendments be subject to a demand for a division of the question. In addition, all points of order against the amendments are waived.

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2950 is one of the most important pieces of legislation to be considered by the Congress this session. The Public Works Committee has crafted a truly visionary plan for our Nation's surface transportation needs well into the next century.

In addition to authorizing funds for completion of the Interstate Highway System, the bill dramatically increases the flexibility of the States to effectively utilize Federal transportation funds with respect to urban, rural, safety, environmental and planning needs within their jurisdictions.

The measure spends down most of the highway trust fund over the 6-year authorization period, extends last year's additional 2½-cent gas tax through 1999, but does not include the additional nickel gas tax. As revised the bill would authorize a total of $151 billion over 6 years—$119 billion for highways and $32 billion for mass transit.

Mr. Speaker, passage of H.R. 2950 is vital to our economy and to each and every State in the Union. Quick action is essential to avoid any prolonged interruption of the highway program. House Resolution 252 is a fair rule which will aid the House in considering the surface transportation bill as expeditiously as possible. I urge my colleagues to support the rule and the bill.

□ 1110

Mr. MCEWEN. Mr. Speaker, I yield myself 5 minutes. Mr. Speaker, I wish to thank the gentleman from Missouri for explaining what this rule does allow. I also rise to explain what this rule does not allow and in so doing, I trust, Mr. Speaker, that it will become clear why I believe this rule should and needs to be defeated.

Allow me to establish some of the background. There has been much ado in this town of late about the unfair process that was put on display during a particular confirmation hearing. The American people did not like that process. And I doubt that they would like this one either, if they were to observe what is going on here today.

Mr. Speaker, after the first draft of a transportation bill fell under the political weight of a nickel gas tax, the Public Works Committee under the adept and capable leadership of Chairman ROE and Mr. HAMMERSCHMIDT, the ranking member and Mr. MINETA and ranking member SCHUSTER they quickly and very ably came up with a second version that was trimmed down and stripped of new taxes, and that new bill was filed with the Rules Committee.

Mr. Speaker, on this point, and I will say more during the consideration of the legislation, it is a masterful performance of the responsible Members of this House in meeting what is indeed a task that we should face concerning our Nation's infrastructure.

Mr. Speaker, the Rules Committee then received 53 different proposed amendments on how to amend this new piece of legislation; 28 came from Democrat Members of the Congress and 25 from Republicans, roughly an even split, which is a point worth noting. Mr. Speaker, the minority party in this Chamber represents half of the people in America, so one might be excused for thinking that the amendment requests of the minority would be given fair consideration. But Mr. Speaker, of the 53 amendments almost evenly divided between both sides of the aisle, once they were boiled down to allow just 12 by the Rules Committee, only about one-quarter of the amendments were allowed at all, and of those 12 amendments allowed, two-thirds of them went to one side of the aisle and only four of the amendments went to this side of the aisle.

So while there was some duplication, the raw numbers of these amendments are making it abundantly clear that one side was given significantly more consideration. That is a process that is not fair, especially in a body that prides itself on open debate.

Mr. Speaker, the American voters who might be observing the debate

probably do not understand how the deck could end up so stacked against one side as against the other. The answer is this: In the Rules Committee, the one that decides the conditions whereby bills come to the floor and decides who can offer amendments, the ratio is 9 to 4 one side against the other—Democrats 9 and Republicans 4.

First, we on the minority side wanted to bring this bill up, as we have done in the past for consideration of transportation legislation, by having an open rule. That is that anyone could offer amendments if they so choose.

But Mr. Speaker, the Rules Committee said no. Transportation is so sophisticated that the average Member of the House should not be able to play a part, and so we will deny them the right to offer amendments on the floor.

Going from that step, they then went to the next one, to pick and choose which amendments would be made in order. In other words, the Democrat majority has turned virtually a deaf ear to half of the country that is represented by Republicans. That I submit is a process that needs to be reformed. The process is not fair, and the majority just does not seem to get it.

Let me say a word or two about some of the amendments that were denied by the majority in the Rules Committee.

The gentleman from Texas [Mr. DELAY] submitted amendments to reduce funding for mass transit. The rule would not allow his amendments to be debated at all. That is especially unfortunate since the administration specifically identified the sharp increase in funding for urban mass transit as one of the reasons why the President's senior advisers would recommend a veto of the bill in its current condition.

In a similar vein, the gentleman from Indiana [Mr. BURTON] sought to offer seven different amendments aimed at lowering overall authorization levels for specific line items, yet none of those requests are going to be debated here today because he was denied that right.

Mr. Speaker, I could go on and on and fill the entire 30 minutes allotted on our side. But the point is this: We believe that the Congress of the United States, and the House of Representatives and the American people should be given an opportunity to have full and free debate. This bill denies that right. It does so unnecessarily.

A final point that I would make in this regard is that the gentleman from Texas [Mr. SARPALIUS] has an amendment which says that in the individual States if they want to adjust the speed limits in their States they should have that right. We should certainly consider such a request, and yet he has been denied the right under this rule to even consider such an amendment on the floor of the House.

Mr. Speaker, for that reason I rise in strong support of the bill and in commendation of the people who have worked to bring it here, but in opposition to the rule which unnecessarily prevents many people in this House from supporting what should be a totally bipartisan effort of the Committee on Public Works and Transportation.

Mr. Speaker, I include with my statement a statement of administration policy on this bill, as follows:

STATEMENT OF ADMINISTRATION POLICY

The Administration steadfastly supports improvements and reforms to the Federal-aid highway, transit, and highway safety programs. However, the Administration strongly opposes H.R. 3566 in its current form.

The President's senior advisors would recommend a veto of this legislation in its current form because of serious concerns including the following:

H.R. 3566 extends half of last year's gas tax increase for an additional four years. Last year's increase was intended to be temporary. Its extension would largely fund special interest projects and other programs that should be reduced or eliminated.

The authorization levels in the bill are excessive. The Administration proposed a 39 percent increase in highway funding over five years without extension of the 2½ cents tax. The highway and transit levels in the bill would be very difficult to accommodate in future-year appropriations bills, and, if they were met, funding for other important Federal programs would be imperiled.

The language in section 104 that requires CBO estimates to be used for purposes of pay-as-you-go scoring violates last year's budget agreement.

H.R. 3566 earmarks $1.2 billion for 27 projects on 20 priority corridors and $3.8 billion for over 460 other highway demonstration projects. These 460 projects could ultimately cost over $23 billion. Many of them are not the highest state priorities and would not survive the normal process of selection on their merits. Completing the 20 priority corridors identified in the bill to expressway standards could cost more than an additional $50 billion.

The bill not only reduces, but also allows temporary waivers of current State and local matching requirements for certain highway and transit programs.

These reductions and waivers would substantially reduce incentives for increased State and local investment in transportation infrastructure at a time when all levels of government and the private sector need to invest more. The Administration's proposal to raise State and local matching requirements for local and regional transportation needs permits greater use of Federal funds to meet national needs.

The bill does not adequately fund the National Highway System (NHS). It provides $37.7 billion over six years instead of the Administration's requested $43.5 billion over five years. This level is below the amount needed to ensure that the NHS can meet America's growing interstate commerce and international competitiveness needs.

The bill contains mandatory allocations of highway obligation authority to urban areas. These allocations deny States the necessary flexibility to target spending to their most pressing transportation needs.

The bill increases annual mass transit operating subsidies from $800 million in FY 1992 to almost $2.3 billion by FY 1997. An increasing share of Federal funds will be used to cover mass transit operating deficits rather than focusing Federal investment on infrastructure needs.

More than three quarters of the mass transit new start projects earmarked by the bill either fail to meet basic cost-effectiveness criteria or lack sufficient information for a meaningful evaluation. Furthermore, the total of the earmarks for new transit starts exceeds the $4.9 billion provided in the bill for this purpose.

The bill authorizes $13.7 billion in mass transit funding from the General Fund rather than from the Highway Trust Fund. All mass transit funding, as well as highway funding, can and should be derived from the Trust Fund.

The bill fails to eliminate State regulation of rates, routes, and services of interstate motor carriers, thereby retaining an unnecessary regulatory regime for the trucking industry that inhibits productivity.

The bill continues current overly prescriptive levels of Federal oversight of highway project development and construction. The Administration has proposed streamlined approval for certain projects to replace the current project-by-project reviews.

The earmarking of research and development activities curtails normal program development and undercuts the competitive process and opportunities for public/private partnerships.

The Administration will work with conferees on H.R. 3566 and S. 1204 to incorporate reforms set forth in the Administration's surface transportation reauthorization proposal (H.R. 1351).

SCORING FOR THE PURPOSE OF PAY-AS-YOU-GO AND ALLOCATION OF TRUST FUND REVENUES

As noted above, section 104 of H.R. 3566 contains a directed scorekeeping provision that violates the Omnibus Budget Reconciliation Act of 1990.

The bill would increase the allocation of revenues to the Highway Trust Fund to more than the level of net revenues collected by the Treasury. Although the allocation made by this provision is consistent with past practice, it is appropriate to consider revising the allocation to make it more consistent with the amount actually collected. If the past practice is not changed in connection with a simple tax extension, Congress should seriously consider changing the allocation method to reflect more accurately the actual revenue effects associated with any possible future increase in dedicated revenues for trust funds.

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

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

Mr. Speaker, I thank the gentleman from Ohio for his lesson to the American public. And I know he is sincere in his beliefs and in his thoughts about the process, and I will try to add to that as succinctly as I may.

It is the responsibility of the Rules Committee to provide a rule that allows a majority of the House to work its will on major issues that address this Nation. And the gentleman is correct in pointing out that a number of amendments were disallowed by the Rules Committee because we recognized that this process would grind to a halt if every Member spoke on every issue, just as surely as it would be an unfair and inequitable system if we al-

lowed no Member to speak on any amendment to major issues in the House of Representatives.

There are 12 amendments that are allowed to this bill; 8 are Democratic amendments, 4 are Republican amendments.

But I would go further and remind the gentleman that the Republicans do enjoy a right to recommit this bill, with or without instructions, so any and all amendments that are germane to this bill may be included in a motion to recommit.

Mr. Speaker, I yield 4 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise to indicate that I will be supporting the rule for a 10 percent minority business program for minorities and 5 percent for women, and why I support it.

I testified before the Rules Committee for an equal 10 percent for minorities and 10 percent for women, and I oppose the present provision in the bill for 10 percent that forces women and minorities to compete for a small part of a pie initially meant for minorities alone.

This body in 1982 allowed for a program for minorities alone that would set aside a goal of 10 percent of transportation and highway money for minority business enterprises. No one came forward for women at that time and women were excluded. That needs to be corrected.

The preferred approach, in my judgment, is 10 percent for each. There can be no valid argument against an equal apportioning.

However, in its wisdom, the Rules Committee chose a 10–5 approach out of several amendments that were offered, and at least the 10–5 approach comports with existing experience, women having achieved 5 percent in actual experience, minorities having achieved 10 percent.

The most important part of this amendment recognizes that the 10 percent approach, which squeezed both groups into an apportionment for one group only, has caused what no Federal legislation can be allowed, it seems to me, to cause without remedy, and that is polarization between minorities and women all across this country.

I have spent my entire life fighting for the rights of women and the rights of minorities. I have considered myself a peacemaker when their rights have seemed in conflict. The way to undo this conflict now is to stop a war, a war created by a 10 percent set-aside, a goal that in fact forces two large groups into one space.

□ 1120

The fact is that it is unprofessional and not in keeping with affirmative action methodology to simply throw groups together without any rationale for attaching numbers to them.

The 10–5 split does no harm, Mr. Speaker. In fact, it gives women a designated place in this program for the first time. Leaving women and minorities in the same 10-percent grouping does considerable harm. It amounts to Federal legislation that promotes war between two groups.

I ask for your support for the 10–5 amendment.

Mr. MCEWEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the ranking member on the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, on behalf of Republicans and Democrats, on that side of the aisle, I rise in opposition to the rule because of the amendments that were not allowed.

Mr. Speaker, I thank my colleague from Ohio for yielding me this time and I join with him in opposing this rule.

The gentleman from Ohio and I both served on the Public Works Committee before coming to the Rules Committee. And I do not remember ever bringing one of our bills to the floor with less than an open rule.

And yet, here we are with a rule that makes in order just 12 amendments out of some 53 that were filed with the Rules Committee.

And even though Republican amendments comprised about half of those filed, only one-third of the amendments under this rule are Republican amendments.

So this rule is truly unprecedented, unjustified, and unfair.

What is even more outrageous, in my opinion, is the Rules Committee's denial even of motions to strike parts of the existing bill. The gentleman from Indiana [Mr. BURTON] had seven amendments to strike various special projects, not one of which was made in order.

And the gentleman from Texas [Mr. DELAY] had four amendments to strike various mass transit provisons—not one of which was made in order.

Mr. Speaker, what is this House coming to when a committee's bill is treated as almost sacrosanct—beyond the reach of Members on this floor? Have we not somehow turned democracy on its head around here without even noticing?

And, as if it is not enough that the committee's bill is protected from most amendments, this rule goes one step further and makes in order a further en bloc amendment from the committee.

It contains amendments that were not properly filed with the Rules Committee and were never explained to us. From what we can make out, this en bloc amendment consists of more special projects and sweetheart deals.

Add to all this the fact that the rule waives all points of order against the bill, the committee amendment in the nature of a substitute, and every amendment made in order by the rule, and we have effectively thrown our rules and regular parliamentary procedure out the window.

I would, therefore, appeal to my colleagues to vote down this rule and restore your own rights in this house to fully debate and amend important legislation like this. It may not matter to you specifically in this instance, but you are only cutting your own throat in the future if you let this kind of unprecedented rule stand.

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the ranking member on the Permanent Select Committee on Intelligence.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman for yielding me this time.

I wish there would have been more amendments made in order. I had two amendments which I sent up to the Committee on Rules which are not in order.

But I support this rule, and I urge my colleagues to vigorously support this rule. It is the best we could get.

We have a crisis in America. We have run out of money for our highway system. States are without money, and construction projects are going to stop. Thousands of construction workers are going to be put out of work.

It is absolutely essential that we pass this rule and pass this bill and get to conference with the Senate and send the bill to the President and have it signed into law so we can keep America working and can continue to build our transportation system.

I urge my colleagues, in spite of the defects in this rule which I acknowledge, support this rule. It is good for America.

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

Mr. Speaker, I thank the gentleman for his support of the rule. We do believe it is a good rule to give consideration to a vitally important piece of legislation.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Speaker, I rise in strong support of the rule on H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

Our committee, along with the Rules Committee has provided a rule that allows Members to debate several issues, and offer several amendments. It is my view that this rule is fair, and consistent with the legislative process.

I ask my colleagues to keep in mind the complexity of the bill, and the amount of time that has been spent crafting it. The committee could not have supported a rule that would have opened this bill up for massive amendments and changes on the House floor. Such a rule would jeopardize the many years of work that has gone into this bill. When members are asked to vote on amendments to this bill, I ask you to keep this in mind.

I ask Members to join with me, and members of this committee in supporting this rule and in support of this bill.

Mr. MCEWEN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I rise in opposition to the rule. Many of us who

represent donor States had high hopes of going into this year's reauthorization of our national transportation policy. After all, things could not have gotten much worse for donor States like Florida who have historically been shortchanged by the formula used to disburse Federal transportation monies.

Last year, for example, Florida received only 53 cents for every dollar contributed to the system, the lowest in the Nation, I understand.

In other words, Floridians gave to the tune of $1 million every 24 hours to pay for transportation projects in other States. Now, Florida does not mind paying its fair share, but we have been paying our fair share and much more for a great number of years.

There is an overwhelming need now to put money to work in our own borders. Extraordinary growth in the sunshine States and other growth States is straining our road and bridge systems dramatically.

We understand that the present formula is going to increase returns somewhat this year, but it is still far short of what is needed, and the numbers, I do think, speak for themselves in the new bill. We get 86 cents back on the dollar. This will translate into hundreds of millions in lost transportation dollars to Florida over the 6-year life of this bill.

Many of my respected colleagues from Florida support the bill because they think it is the best we are going to get, but I cannot help but think that locking our constituents into 6 more years of high-cost, low-service treatment is really acceptable.

It is really a mystery to me. Why do the donor States be thankful receiving 86 cents back on the dollar when our States are, in fact, growing the most? Indeed, if you do the simple math for Florida and other growth areas, we should be getting more than the dollar back to build the roads and bridge systems that we need.

We could do better, and I and many of my colleagues are left shaking our heads and explaining to our constituents why they will pay more to get less even though the committee miraculously found enough revenue to grant over $5 billion in demonstration projects earmarked for Members' districts. Is this Congress' October surprise for the citizens of Florida and other donor States? No. It is not; it is just business as usual except this is especially bad business that should not be enacted by this Congress.

The rule does not allow amendments necessary to repair the unfairness that is in this bill, and despite the good work of the committee and the hard efforts and the difficultness of this task, and I admire their efforts, and I respect their deliberations, we have not now got a method before us to correct the unfairness that does exist in this bill for donor States.

Therefore, I urge my colleagues to defeat the rule.

Mr. McEWEN. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, well, we have all heard that statement, "The arrogance of power," and I think the Committee on Rules showed us what that means yesterday.

One of my predecessors here at the microphone said this was the best rule that we could possibly get, and that is kind of like, and I have been around here, what, 10 years now, I guess, and I have not been around here long enough to accept the fact that if you are mugged, you should accept that, because that is the best you are going to get. That is the way I feel. I feel like I was mugged by the Committee on Rules yesterday.

I hear that this is the best we are going to get. That does not follow. Maybe after I have been around here for 20 years, I will say, after I have staggered around this place that long, I will say that that is the best we can get, and I will not fight anymore, but until I have been here so long that I am exhausted, I am going to continue to fight this kind of a rule.

The fact of the matter is there are 455 pet projects in this bill. Now, not all of them could be considered pork-barrel projects, but much of it, much of it is.

To the credit of the committee on jurisdiction, they did cut about $2 billion out of special projects from about $7 billion, down to $5 billion, but there is still $5 billion in special projects.

I only picked out seven of them, seven of the most flagrant examples of wasteful spending and pork-barrel projects to bring to the attention of this body and to ask for a vote on, and the Committee on Rules would not allow me to bring that to the floor.

Let me just give you an example of some of the things I wanted the taxpayers of this country and my colleagues to pay attention to. There is $1.1 million in there for a bicycle path in Davis and Williamson Counties, TN. If they want a bicycle path in Tennessee, that is fine, but let them pay for it, not the people of California, New York, or Indiana. Let the people of Tennessee pay for it. There is a $1.4 million bicycle path for the Arlington-Cambridge-Boston, MA, bicycle path. Now, if they want one in Boston, let them pay for it. Why should the people in the other parts of the country pay $1.4 million for a bicycle path? And then in Chicago, IL, there is a historic street improvement, WPA historic street improvement, $4.4 million. When I talked to the Department of Transportation, they did not even know what this one was even about, and yet that is in the bill.

In Baltimore, MD, there is $5.9 million in there for garbage removal, associated with Project Vision. Since when did the Federal Government start being requested to pay for garbage removal for any city in this country?

□ 1130

That is a local issue, and yet they are asking for $5.9 million in Federal money and you guys put it n there for garbage removal and other things for the city of Baltimore, MD, $35 million for something called intermodal facilities.

There is $35 million for Chicago, IL, for various intermodal facilities, and nobody knows over at the DOT what that is about, and I would like to have an explanation about that.

The Chicago, IL, historic 28-mile boulevard, $9.1 million.

Philadelphia, PA, traffic flow projects in the vicinity of the Pennsylvania Convention Center, total cost $10.2 million.

And none of these have been approved or accepted by the DOT and yet they were stuck in this bill. That is a total of $68 million.

Now, granted this bill contains billions and billions of dollars of short- and long-term spending, and I only attack $68 million, but $68 million to a lot of Americans is a lot of money, and they are tired of their taxpayer dollars being wasted.

The deficit this year is going to be $400 billion. The national debt has gone from $1 trillion to $4 trillion in just 10 years and we are digging ourselves into one helluva hole for the future generations of this Nation, and yet we do not do anything about it but go on our merry way spending and spending.

We cannot even get a rule to fight this stuff on the floor, and I think it is a tragedy.

Mr. WHEAT. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. Mr. Speaker, will the gentleman from Indiana join me in a colloquy.

The gentleman made reference to a project in Chicago and the gentleman just slips over this stuff. The gentleman said something about historic streets. Does the gentleman understand what that project is?

Mr. BURTON of Indiana. I cannot hear the gentleman, I cannot understand the gentleman.

Mr. SAVAGE. The gentleman talked about historic streets. Does the gentleman understand what that project in Chicago is?

Mr. BURTON of Indiana. That is what I want someone to explain to me.

Mr. SAVAGE. First of all, the gentleman indicated that he talked to someone in Illinois. Who did the gentleman talk to? The gentleman did not talk to the Secretary of the Department of Transportation of Illinois, because he suggested the project.

Mr. BURTON of Indiana. Tell me how much the project is going to cost may

I ask the gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. Do not ask me what it is. The gentleman has it right there.

Mr. BURTON of Indiana. Why does the gentleman not tell me how much it is going to cost, and I did talk with the DOT and the DOT said it was not authorized.

Mr. SAVAGE. The gentleman is avoiding what I am trying to ask. Now, just hold still and answer what I am asking.

The gentleman said two things. One is that the gentleman said he talked to someone in Illinois. The Secretary of the Department of Transportation in Illinois personally suggested that project to me.

Mr. BURTON of Indiana. Then let Illinois pay for it.

Mr. SAVAGE. To whom did the gentleman talk? The gentleman said he talked to someone.

Mr. BURTON of Indiana. I talked to the people in the DOT here in Washington.

Mr. SAVAGE. Does the gentleman know a name?

Mr. BURTON of Indiana. Of course, I have got the name.

Mr. SAVAGE. The gentleman said the project is for Illinois. How about the DOT in Illinois?

Mr. BURTON of Indiana. then let Illinois pay for it. I am not arguing with the project. It is just who is going to pay for it?

Mr. SAVAGE. Just a minute. Illinois is paying for that project to the same extent that every State is paying for projects, and the gentleman knows it.

Does the gentleman know what the project is? They are WPA streets. Back in the thirties my father worked on the WPA and he helped build those streets, but they did not build them properly. They do not have sewage or drainage and they were not properly constructed to last, so as a consequence you have streets without proper drainage or sewage and the top surface has eroded and because they are WPA streets, the city is not responsible to repair them nor is the State.

Now, if the Federal Government does not repair or clean up its own mess, which is what it is, to come up to the standards of a State, there is nothing wrong with that. That project is a necessary project. Without Federal assistance it will not be done. Those streets are some 50 years old. They are polluting good residential communities, and if the gentleman just took the time to ask the secretary of state of the department of transportation in Illinois, the gentleman would have gotten his answer.

Mr. Speaker, this is pure demagoguery.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. The gentleman has time on his side. The gentleman has some time. Take the time, as the gentleman asked me to do.

Mr. BURTON of Indiana. Well, the gentleman raises the issues and asks me questions and will not yield. I do not understand that.

Mr. SAVAGE. I asked the gentleman to yield time and the gentleman told me I had time. The gentleman has time, too. Get some time on the gentleman's side and get the answer.

Mr. MCEWEN. Mr. Speaker, I can see our country is in good hands.

Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I rise to oppose the rule and probably to oppose the bill.

I just cannot imagine that we would bring a 500-page bill to the floor of this House and only allow 19 amendments. If you count the en bloc amendment, there were 53 amendments presented to the Rules Committee, 15 Democrat amendments and 4 Republican amendments. It is ridiculous to thwart the will of Members when debating a very comprehensive piece of legislation that is going to change transportation in this country for the next 6 years.

This bill represents a major shift from highways to mass transit, make no mistake about it. It is a $151 billion bill, $48 billion above what the President has requested. We had all these comments from the Democrats about fiscal responsibility, to pay for a bill that is going to shift highway funds to major mass transit projects. And for what?

We are talking about almost doubling the amount of money that we are going to put into mass transit alone, but there is more. Out of the Federal aid to highways program, there is roughly $77 billion and of that $77 billion, $49 billion of this total can be transferred by States into mass transit programs and is eligible to be spent on mass transit projects; so if you take the total that can be spent on mass transit in this bill, it is really about $81 billion, or a 367-percent increase over current authorization levels for mass transit, for mass transit that has failed in this country. Let me give you some examples:

Transit ridership from 1945 to 1989 has gone down from a high of 23½ billion passenger miles in 1945 to a meager 7½ billion passenger miles in 1989. Public use of mass transit has fallen by 2 billion passengers since 1960, despite a taxpayers investment of more than $100 billion during that same period of time.

Transit subsidies have not reduced road congestion. In fact, most new ridership has come from more flexible, less expensive buses and car and van pools, and because of the fact that ridership numbers have dropped it is obvious that transit subsidies have not reduced pollution problems, and contrary to popular belief public transit is not energy efficient. For example, because of the low number of passengers per bus today, energy consumption per passenger mile on public transit buses is greater than that of private automobiles and far exceeds that of car and van pools.

Reforms have come in mass transit systems in Europe that have saved money and improved transit. I am not against transit. What I am for is efficient transit, paid for by the communities that are served by these transit programs.

What we are doing in this bill, and Members ought to really look at this, besides raising taxes by extending the 2½-cent gas tax to 1991, make no mistake about it, you will be accused of raising taxes, to pay for a mass transit system that is not working because people's lifestyles and demographics are changing today.

It is well known by public transit officials that the core cities are no longer viable. People are moving out of the core cities. Most transportation, most trips today, are taken from suburb to suburb, not from suburb to central core. That is why these rail projects cannot stand up under scouting. These rail projects are failures.

Even right here in the blossom of all mass transit rail systems, the Washington, DC, rail system, it has not lived up to its cost expectations.

No rail system has been able to live up to its cost projection or its ridership projections. Even here in Washington, we opened a new line to Maryland, it is carrying a little over half of the riders that they projected it to carry.

What are we doing? We have a rule on the floor of the House that will not allow this House to debate the issue of moving from highways to mass transit in a significant way.

□ 1140

I ask that you defeat this rule, send this bill back, or at least allow us to debate the issue.

The material referred to is as follows:

[From the CATO Institute, Oct. 17, 1991]

POLICY ANALYSIS: FALSE DREAMS AND BROKEN PROMISES: THE WASTEFUL FEDERAL INVESTMENT IN URBAN MASS TRANSIT

(By Jean Love and Wendell Cox)

Over the past quarter century, U.S. taxpayers have pumped more than $100 billion in subsidies into the nation's urban mass transit systems. That massive taxpayer investment has paid for urban public transportation systems that fewer and fewer Americans are using. Incredibly, mass transit ridership is lower today—not only as a percentage of commuter trips taken but also in absolute numbers of riders—than it was in the early 1960s. Despite the low and declining use of bus and rail systems, federal grants for urban transit now appear to be as popular as ever: bills before both houses of Congress would provide increases of up to 20 percent in public aid for municipal bus and rail systems.

The considerable support within Congress for expanded transit aid is not surprising.

Since the federal government credited the Urban Mass Transportation Administration during Lyndon Johnson's administration, public transit has been a fertile field of dreams and promises. Tax-supported transit lobbyists[1] supply Congress and state houses with visions of magic carpets that whisk commuters around gleaming cities.

The alleged virtues of public transit are by now familiar. For weary motorists, public transit systems promise less automobile-generated traffic congestion; for environmentalists, less air pollution; for city planners, a first step toward urban revitalization; for the poor, inexpensive access to efficient transportation; for conservationists, less wasteful use of energy; and for the business community, a way to lure suburbanites back to central business districts.

Regrettably, more than two decades of experience with publicly supported bus and rail systems have exposed each of those dreams as a costly illusion. Public transit systems have failed to deliver any of the promised benefits.

Transit subsidies are not increasing ridership. Transit ridership is lower today than it was 30 years ago—before the billion-dollar subsidies began. People, including transit executives[2] and elected officials, tend to ride public transit only when they have no other reasonable choice.

Transit subsidies have not reduced road congestion. The shiny new multi-billion-dollar rail systems have not diverted meaningful numbers of drivers from their cars; most new patronage has been of less expensive, more flexible bus lines and energy-efficient car and van pools.[3]

Transit subsidies do not reduce air pollution. Because public transit has not increased ridership, transit has had no discernible impact on air quality in cities. Mass transit patronage is so low that even doubling it would have a negligible effect on air quality.

Public transit is not energy efficient. The average public transit vehicle in the United States operates with more than 80 percent of its seats empty.[4] Because of the low average number of passengers per bus, energy consumption per passenger mile for public transit buses now is greater than that for private automobiles and far exceeds that for car and van pools.[5]

Transit subsidies have not helped revitalize cities. Cities, such as Buffalo, with new multi-billion-dollar rail systems have not reduced flight from their central business districts. Even with ever-greater subsidies for public transit, the exodus of businesses and residents from downtown areas is accelerating.[6]

Urban transit does not benefit the poor. Ridership studies show that the poor are not heavy users of federally subsidized transit systems. Transit provides only 7 percent of trips made by low-income people.[7]

The cold, hard lesson of the last 25 years is that instead of promoting increased efficiency in bus and rail service, higher taxpayer subsidies have paid higher-than-inflationary transit costs. Subsidies have financed excessive compensation for transit employees, declines in transit productivity, and swollen bureaucracies—not increased services. If public transit costs had risen only at the same rate as private bus industry costs, service levels now could be more than double the 1989 level.[8]

Worst of all, taxpayer subsidies, particularly federal grants, have actually impeded the development of efficient and cost-effective urban transit programs in U.S. cities. The experience of other industrialized nations and some selected systems in the United States demonstrates that by tearing down the significant regulatory barriers, which prevent private, unsubsidized transit systems from developing, and by encouraging competitive contracting by private providers for subsidized systems, the mobility needs of urban residents can be met at lower cost and greater convenience to customers. Conversely, if Congress approves further large increases in transit subsidies, they will fuel further increases in transit costs. Those funding increases will ill-serve the interests of urban commuters, and they will certainly ill-serve the interests of American taxpayers.

THE DESTRUCTIVE FEDERAL ROLE IN URBAN MASS TRANSIT

Before 1960 most transit systems in the United States were privately owned and operated. That situation was reversed when Congress created the Urban Mass Transportation Administration (UMTA) in 1964.[9] Indeed, during the mid and late 1960s, public aid was used to help finance the conversion of transit from private to public monopoly. From an initial $435 million over three years,[10] UMTA's funding level grew over the next 20 years to $3 billion per year by 1989.

As a result of the poor performance and waste of many of the transit systems receiving federal support, the Reagan administration, under David Stockman and James C. Miller III at the Office of management and Budget, succeeded in cutting transit grants by roughly 25 percent in the mid and late 1980s. In 1985 former senator William Proxmire (D-Wis.) presented his celebrated Golden Fleece Award for wasteful use of tax money to UMTA. Proxmire said that UMTA had "played Santa Claus to the nation's cities," and that the results of the program were "a spectacular flop, the Edsel of federal programs. Taxpayers were taken for a ride." Ralph Stanley, at that time the administrator of UMTA, accepted the award in person stating, "I embrace Senator Proxmire's Golden Fleece Award and totally agree with his criticism."[11]

Despite the obvious problems of mass transit, higher levels of federal subsidies have been proposed. This year funding for mass transit may rise by as much as 20 percent to nearly $4 billion annually.[12]

THE MYTH AND REALITY OF PUBLIC TRANSIT SYSTEMS

The conventional wisdom in Washington is that the manifold social benefits of efficient public transit systems justify high taxpayer subsidies. A massive commitment of taxpayers' money to public transit is purportedly essential to solving a variety of national problems—including urban decay, traffic congestion, U.S. dependence on foreign oil, and the transportation problems of the poor. For those and other reasons, strong special interest groups support increasing subsidies to bus and rail systems.[13] Yet upon closer inspection, the evidence convincingly demonstrates that each supposed benefit of transit is more myth than reality.

Myth No. 1: Federal transit subsidies have improved transit service

Federal dollars for urban transit have not bought improvements in service levels for commuters; rather, they have generated rapid inflation of costs in the industry. Between 1970 and 1985 public transit operating costs per vehicle mile increased an incredible 393 percent or roughly twice the rate of general inflation during the same time period and roughly 2.5 times the operating cost increase for similar service in the private bus industry.[14] Public transit costs have increased at a faster rate than costs in any other sector of the economy—even health care. From 1970 to 1989 public transit costs per vehicle mile increased approximately 20 percent more than health care costs.[15]

The cost inflation in the public transit industry has corresponded almost precisely with mushrooming levels of federal assistance. Annual subsidies rose from less than $300 million in 1970 to more than $12 billion in 1989[16]—a 10-fold increase after adjusting for inflation. Those subsidies represented 14 percent of transit revenues in 1970 and nearly two-thirds of transit revenues in 1989. Public transit has consumed more than $100 billion in public aid in the last two decades. Although federal funding for public transit declined in the 1980s, state and local assistance has more than made up for the loss so that aid to public transit continues to grow faster than inflation.[17]

Regrettably, service has improved little in response to the increased federal commitment to local transit. For each new inflation-adjusted dollar of revenue, transit has produced less than 25 cents of new service—75 cents of each dollar has financed cost increases that exceed the rate of inflation. A 1986 study by UMTA found that of the $8 billion spent by the federal government on operating subsidies, $2 billion went for higher real wages, $1.5 billion went for lower employee productivity, and $1 billion went to reduce real fares. Only $1 billion went to extend or improve transit service.[18] As a result, today it costs an estimated $4.20 to generate a dollar's worth of new transit service.[19]

In sum, federal subsidies to urban transit have not purchased additional or improved levels of service. The funds have contributed to a largely inefficient and overcompensated industry that is failing consumers.

Myth No. 2: Increasing Federal subsidies will attract more transit riders

Gross public transit ridership has been consistently falling since World War II. In 1945 ridership was 23.5 billion passengers, whereas in 1989 it was 7.5 billion—or less than one-third the 1945 level and less than half the 1950 level. The drop in ridership occurred despite huge increases in the number of urban commuters between 1945 and 1989.

Since 1970 urban ridership has risen by roughly 5 percent, which could be taken as a sign that public transit is on the rebound. Unfortunately, even the small reported increase in ridership is probably vastly exaggerated as a result of the way trips on public transit are counted. Each segment of a public transit journey is counted separately, so a passenger transferring from one bus to another or from a bus to a rail car is counted as two passenger trips. Studies have shown that up to two-thirds of new rail ridership represents transfers from buses. Hence, many bus riders are double-counted because they must use both a bus and a rail line or two buses to make a trip that they previously made on a single bus.

Because the population has increased 25 percent and the labor force has increased 50 percent since 1970, the minuscule increase (if it exists at all) in ridership claimed by the transit industry translates into a shrinking market share captured by public transit. Transit's share of trips to and from work—transit's biggest market—declined by nearly 30 percent during the 1970s in large metropolitan areas. Total public transit rides per capita plunged an additional 15 percent from

[1] Footnotes at end of article.

1980 to 1989 in metropolitan areas with populations of more than 1 million.[20] In 1980 public transits' urban market share[21] (6.4 percent of work trips) just exceeded the market share for walking to work; car and van pools, which do not receive any direct federal subsidies, provided nearly three times the number of trips to work that public transit did. Nationwide, only 2.2 percent of all personal trips were made by transit, and just over 5 percent of work trips were provided by transit.[22]

Even the development of expensive new rail systems did not reverse the trend in ridership loss; per capita transit ridership dropped in all urban areas that opened or expanded rail systems in the 1980s: Atlanta, Baltimore, Buffalo, Miami, Portland, Sacramento, San Diego, San Francisco, and Washington, D.C. Consider these examples:

Portland's light rail line, which opened in 1987, attracted only one-third of its riders from the automobile;[23] most other riders were diverted from buses.

Buffalo spent more than $600 million, most of which was federal money, to construct a rail line, but combined bus and rail ridership in 1989 was 20 percent below the bus-only ridership figure for 1980.[24]

Miami's Metrorail, which was built in the 1980s with massive federal assistance and carried a final price tag in excess of $1 billion, is ridden by only 1 percent of Dade County residents.[25]

Most cities that have constructed expensive new rail systems during the past 15 years have dramatically overestimated ridership. Ridership fell below projections in every one of the cities, and only one achieved even half the predicted ridership levels.

Myth No. 3: Public transit can meet the transportation needs of urban commuters in the 1990's

Transit use in the United States has been declining for at least the past five decades as a result of changing lifestyles and economic conditions, including low-density land use patterns inside and outside of cities, suburbanization, the increase in female employment outside the home, the 40-hour work week, the steadily growing affluence of workers, and most important, the emergence of the automobile. Some argue, however, that public transit will experience a revival in the 1990s as public investment in buses and rail systems rises.

The evidence suggests that many of the changing commuter travel patterns that began to emerge in the 1970s and 1980s will continue in the 1990s, thus accelerating the exodus from subways and buses to automobiles and other forms of non-fixed-route transportation services such as minivans. Even if increasing government transit dollars are able to purchase increases in the level of transit service, those programs will become increasingly incidental to America's travel patterns.

As has been well established, the dominant commuting pattern is no longer from the suburbs to downtown but from low-density suburb to low-density suburb. Today the number of suburb-to-suburb commuter trips is roughly double the number of commuter trips from suburb to center city.[26] Yet public transit's conventional forms—buses and trains—can be effective only in high-density corridors where a large number of riders begin or end their trips in a concentrated area such as a densely developed central business district. While many large downtown areas have grown, their relative importance in metropolitan areas has diminished—most commercial and office development has occurred in the suburbs. And the emerging suburban employment and retail centers do not have densities sufficient to justify expanded transit service—particularly rail service. The cost in subsidies, vehicles, and transit personnel to duplicate the radial networks that serve downtown areas would be prohibitive.

The unavoidable truth for the transit industry is that today's metropolitan area is tailor made for cars, not for fixed-route public transit. Conventional transit cannot serve suburban areas with speeds and total travel times comparable to those of private transportation. Further investments in modes of transportation to accommodate travel patterns that predominated more than 40 years ago will not meet commuters' needs in the 1990s.

Myth 4: Public transit can be successful in the United States because it is successful in other industrialized countries

Advocates of higher taxes for transit constantly point to the far higher levels of transit ridership in Western Europe, Canada, Australia, New Zealand, and Japan to suggest that substantial increases in U.S. transit ridership would occur if only there were much higher levels of public support for public transit.

But there are inconsistencies in that line of reasoning. First, public transit subsidies already are higher in the United States than they are in other developed nations. The extremely high operating costs of public transit in the United States suggest that, with the possible exception of the former communist countries, U.S. public subsidies per passenger may be the highest in the world. Subsidies account for approximately two-thirds of operating costs in the United States, substantially more than they do in nations where ridership is higher. In Europe and Canada subsidies are less than 50 percent, and in Japan subsidies are less than 15 percent.[27]

The higher ridership in other developed nations is not the result of more generous subsidies. The average resident of a Western European urban area takes nearly five times as many public transit trips annually as a U.S. urban resident, despite the fact that a lower level of service (vehicle miles) per rider is provided in Europe. There are at least two fundamental causes of Europeans' more intensive use of public transit—density and concentration of destinations. Western European urban areas have a far larger percentage of their commercial development and employment in their urban cores, and their population densities are much greater—more than three times those of their U.S. counterparts.

Even in an urban environment that favors use of bus and rail service, public transit's market share is stable or declining, and automobile usage is increasing in Western Europe, just as it is in the United States.[28] Europe did not create higher transit ridership by attracting passengers from the automobile, although many transit supporters insist that can happen in the United States. Indeed, in Europe today, as income levels rise, the automobile is diverting passengers from transit. Moreover, even though subsidies are generally lower than they are in the United States, concern about rising public transit costs has induced Western European governments to take various actions to limit the growth of subsidies even further, such as competitive contracting, reduced reliance on national government subsidies, and overall limitations on subsidies.[29]

Myth No. 5: Increased public investment in transit will increase U.S. productivity and competitiveness

Economists agree that there is a correlation between a nation's capital infrastructure and its productivity and competitiveness. But productivity is improved by a new capital project only when its benefits equal or exceed its costs and when the rate of return at least equals that of alternative investments. Infrastructure may be productive or unproductive—money expended to build a bridge to nowhere or an underutilized rail facility erodes productivity. On the whole, public investment in new transit infrastructure has diminished, not increased, the nation's total productivity.[30]

Transportation planners routinely overstate the projected economic rate of return on new public transit investments by systematically overestimating ridership and underestimating construction costs. For example, a U.S. Department of Transportation study of 10 urban rail projects showed that only one project came in under the estimated cost; construction costs for the remainder ranged from 33 to 106 percent over initial estimates.[31]

Proper tallying of the total public investment in cities' transit systems and calculation of the per passenger subsidy makes it clear that the costs of those projects far exceed any possible benefits to national productivity or competitiveness. Total costs of capital and operation range from $5.58 to $16.44 per rail passenger ride, yet most riders pay a base fare of roughly $1.00.

Many of the expensive transit projects funded in the 1980s turned out to be white elephants. Detroit, for example, built a three-mile downtown people mover (that operates in only one direction) largely with federal funding. Construction costs were 50 percent over budget and ridership 80 percent below projection.[32] To pay for the construction deficit, funding was siphoned from needed bus improvements in a city whose low-income population represents a substantial market for bus service expansion. Detroit proposed reduction of its police force as it increased its expenditures for the higher-than-anticipated operating deficit[33]—and Detroit has one of the nation's highest crime rates. Similarly, in Miami per passenger expenses are so great that it would have been cheaper for taxpayers to provide limousine service for public transit users than to build and operate an extravagantly expensive rail system. Such rail systems are anything but an efficient investment in America's infrastructure.

Undaunted by the evidence, cities throughout the country are now duplicating those expensive mistakes. Dallas, Minneapolis, Salt Lake City, and Tucson are all planning expensive rail systems that would be suitable only for the high-density cities of Europe. Those systems are not expected to cover their operating expenses let alone recapture the multi-billion-dollar federal, state, and local investment of taxpayers' money.

Unquestionably, the major explanation of the inability of the public transit industry to contain costs has been the inflated salaries and benefits of public transit workers. Public transit employees are paid as much as twice the amount received by the average nonsupervisory worker in the United States and 65 percent more than the average U.S. worker. Although the education requirement for transit drivers is less than a high school diploma, they receive nearly 11 percent more in total compensation than do private-sector

employees with four or more years of college education. The average compensation for all transit employees exceeds the average salary for U.S. employees with college degrees by more than 30 percent.[34] Public transit fringe benefits average 50 percent of employee pay—nearly double the fringe benefits of the average private-sector worker.[35] Hence, when fringe benefits are added to the equation, the average transit employee receives 70 percent more in compensation than the average U.S. employee.[36]

Worse yet, the pay premium enjoyed by transit workers appears to be widening. Philadelphia's fiscally troubled Southeastern Pennsylvania Transit Authority, for example, has developed in 1992 budget that includes a 5.5 percent wage increase (more than one-third more than the national average wage increase in 1991) for employees. Yet SEPTA is planning service cutbacks, demanding additional subsidies, and threatening to shut down the system if a new, dedicated tax is not provided for the deficit-plagued transit system.[37] San Francisco's Bay Area Rapid Transit system reports that unionized employees have rejected an offer of a 4 percent wage increase for each of the next three years. The BART offer would bring drivers' salaries to $48,000, janitors' to $36,000, and mechanics' to $53,000 per year; benefits, which add to the total compensation, would remain at 51 percent of wages and salaries, so that drivers would be compensated at more than $70,000, janitors at more than $50,000, and mechanics at $80,000 annually.[38]

Public transit has suffered declining labor productivity over the past two decades. Productivity as measured by hours of bus service produced per constant dollar fell an average of 43 percent from 1964 to 1985; the productivity decline for large transit agencies was 55 percent. About one-third of the cost increases over inflation in urban transit since 1970 can be attributed directly to the decline in productivity.[39]

Let us put the dismal record of transit worker productivity and performance into perspective. The unsubsidized private taxi industry employs about the same number of workers as transit but provides three times as many vehicle miles of service.[40] Yet transit is heavily subsidized by government and taxis receive virtually no public assistance.

One explanation for transit's steep productivity decline is that transit employees are working less. Average annual service hours worked by each public transit employee (for buses) fell from 1,228 in 1964 to 1,028 in 1985. The decrease in productivity was worse for the largest transit agencies—from 1,205 hours in 1964 to 929 hours per employee in 1985.[41] Meanwhile, public transit driver absenteeism, which is epidemic in the industry, averaged 34 days a year in Miami, 32 days in Los Angeles, and 27 days in Pittsburgh, exclusive of vacations and holidays.[42]

Another cause of the anemic productivity levels in the transit industry is a provision of the Urban Mass Transportation Act of 1964, section 13(c),[43] which is administered by the U.S. Department of Labor. That provision has secured for transit workers a degree of bargaining power that is not shared by employees or labor unions in other U.S. industries.[44] It sounds innocent enough, requiring that adequate labor arrangements be made to ensure that employees are not harmed as a result of federal funding. In practice, however, section 13(c) has been interpreted to require negotiation of generous labor agreements between transit agencies and their unions. Failure of a transit agency to make concessions to labor can result in loss of federal funding, thus giving transit labor unions de facto veto power over the coveted capital (and operating) grants.[45]

Section 13(c) has impeded efforts to improve productivity and efficiency in the transit industry. It requires up to six years' pay for an employee whose job is eliminated as a result of economies or efficiencies. Assuming the 1988 annual compensation level of $41,000 for the average public transit bus driver, legally mandated severance pay could be as much as $250,000 per worker, compared with mandated severance pay (unemployment insurance benefits) of less than $5,000 for typical American workers.

Section 13(c) also has so skewed collective bargaining in favor of transit unions that they have negotiated not only higher-than-market compensation in the industry but absurd work rules that extract pay for not working. For example, the use of part-time labor is severely restricted or prohibited outright, even though part-time labor is ideal for public transit, because a large percentage of public transit service is consumed during rush hour periods in the morning and evening. Under current operating practices, to cover both morning and evening rush hours, drivers are paid for time not worked during midday. Most public transit labor contracts also require the full-time employment of substitute drivers. Sometimes substitute drivers operate buses and are paid for driving; other times substitute drivers are paid to sit and wait. Substitute public transit drivers, who have skills that can be learned in a month or less, are paid whether or not they work; substitute public school teachers, who must have at least four years of college, are paid only when they work.

The net effect of those restrictive work rules is that public transit bus drivers work as few as 36 minutes of each hour for which they are paid on some services, and the average is less than 50 minutes of work for each hour's pay. Practices such as those would bankrupt a company in the competitive marketplace.

The combination of federal subsidies, excessive pay rates, routine cost overruns, and archaic work rules in the transit industry has prevented implementation of economical investment and operating procedures in public bus and rail service. That combination has been a major factor in transit's cost escalation. The annual excess of transit costs over inflation (from 1970) is now more than four times the total amount of federal operating subsidies. Pumping billions of additional federal tax dollars into such a system does not contribute to the development of America's infrastructure and ultimately makes the nation less, not more, competitive.

Myth No. 6: The Washington Metro Has been a stunning public transit success that can be duplicated in many other cities

The most comprehensive federally supported rail system in the nation is Washington, D.C.'s Metro. It is typically regarded as a transit showcase that can be duplicated in other cities.

Although the Washington Metro carries more riders than another new rail facility, it has fallen far short of reaching its ridership projections.[46] Part of the reason is that employment in the central business district has grown at a much lower rate than projected before the system was built, while suburban employment has grown at a greater rate. Not only did public transit ridership per capita decline in the 1980s in the Washington area, but planners projected that public transit's work trip market share would decline another 9 percent from 1986 to 2000—despite a planned $3 billion, or 70 percent, expansion of the rail system.[47] Even the most recently opened Metro stations are drawing far fewer passengers than predicted. Two new suburban Maryland stations, which cost approximately $300 million to construct and opened in 1990, are attracting only 7,300 passengers a week-slightly more than half the 13,100 expected.[48]

The taxpayers of the Washington area could not have afforded to build the $8 billion Metrorail system. It has been built primarily by funding from taxpayers across the country. Indeed, the taxpayers of the Washington area can barely afford to pay for operating the system as local and state budgets strain to keep up with rising costs.[49] And the American taxpayers cannot afford the tens of billions of dollars it would cost to replicate the Washington system in other cities.

Myth No. 7: Public transit conserves energy and improves air quality

With its continually declining work trip market share, public transit does not and cannot reduce energy consumption or air pollution. Some transit vehicles are overcrowded during peak hours in high-demand corridors. Yet, most of the time, there is excess capacity. The average public transit vehicle in the United States operates with more than 80 percent of its seats empty.[50] Because of the low average number of passengers per bus, the energy consumption per passenger mile of public transit buses is now greater than that of private automobiles, and it far exceeds that of car and van pools.[51] And unlike automobiles, public buses are becoming less, not more, energy efficient. In 1985 public transit used nearly 55 percent more transit vehicles to provide approximately the same number of rides provided in 1965. Over the same period of time the number of vehicle miles increased by 22 percent even though ridership remained static.[52]

Rail, also because of its low ridership, has not contributed to energy conservation. Rail systems require large amounts of energy for the construction of roadbeds, tunnels, and rolling stock. For example, one study estimated that San Francisco's BART system, which is highly patronized, will never save enough energy to recoup its initial energy investment.[53] That is apparently the case for most urban rail systems. A 1982 Congressional Budget Office study concluded that "under typical conditions rapid rail systems actually waste energy rather than save it."[54]

Boosters of rail and advocates of higher transit taxes contend that air quality will improve as transit subsidies increase. Portland's light rail line is often cited as an example of how transit has produced substantial improvements in air quality since 1972.[55] Other factors are responsible for the improvement in Portland's air quality. Since 1972 automobiles, which account for the overwhelming percentage of travel in Portland (and virtually all other U.S. metropolitan areas), have become 48 percent more energy efficient on average, and the average new car has become 100 percent more energy efficient.[56] Further, the average automobile produces less pollution per gallon of gasoline today than it did in 1972. In addition, the percentage of urban trips taken by public transit in Portland was lower in 1989 than in 1980.

Public buses have, on balance, had no favorable effect on air pollution in U.S. cities. Because of low average ridership, buses, on a per passenger basis, often contribute to air pollution because bus emissions are much greater than those of cars or taxis.

Even minute improvements in the fuel efficiency and emission standards of automobiles, which are expected in coming years, or an increase in the number of riders per car would have much more effect on the environment than would massive increases in expensive public transit service.[57] Increased energy efficiency and decreased air pollution could be more efficiently and effectively achieved by the use of high-occupancy-vehicle lanes, the automation of toll collection to speed traffic, and other such reforms.

Myth No. 8: Urban transit reduces traffic congestion

Automobile users are said to benefit from public transit because it reduces congestion on roads and highways. Indeed, that supposed external benefit to drivers is the justification for using 1 cent of the federal gasoline tax to pay for transit. (One proposal before the House of Representatives would increase the gas tax to fund transit. A portion of last year's federal gas tax is also to be appropriated for transit.) Yet the reduction in traffic congestion resulting from increased transit subsidies is trivial, even under a best-case scenario. For instance, if transit ridership were doubled and the ridership gain came entirely from drivers who left their cars to ride transit, the number of vehicle miles traveled by car would decline by less than 3 percent.[58]

Again Portland serves as an example. The number of automobile commuters who switched to light rail in Portland was less than 0.5 percent of daily commuters in the metropolitan area,[59] a percentage quickly nullified by the rate of growth in employment. New light rail riders account for less than two months' natural growth in total travel in the metropolitan area.[60]

Winning over even small numbers of riders from the roads and highways to transit has proven to be prohibitively expensive. It cost $9.22 to attract each new passenger ride to Portland's light rail line and $28.23 per passenger ride on the Atlanta system. Translated into cost per commuter per year, the expense of diverting each commuter from an automobile was $4,702 for the Portland line and $14,397 for the Atlanta system.[61]

Myth No. 9: Transit subsidies are essential to the mobility of the poor

Transit provides essential mobility to many of the poor, but transit accounted for less than 7 percent of trips made by low-income people in 1983.[62] The most pressing need of the inner-city poor is transportation from the city to suburban jobs for which they are qualified. Yet only 5 percent of the total "reverse commute" market is served by public transit. From 1970 to 1980 transit's reverse commute market share declined by 50 percent. [A federal program to encourage entrepreneurs to provide reverse commute services to the inner-city poor has encountered resistance and delay as a result of transit unions' using their power under section 13(c). Many proposals have been abandoned; new proposals have been discouraged; and the poor continue to go unserved.] The increasingly dispersed nature of inner-city-to-suburb trips renders conventional mass transit service (large buses) unsuitable for that market in terms of both travel time and financial feasibility.[63]

If public transit subsidies benefit anyone, they benefit affluent suburbanites, not the poor. A Los Angeles study determined that inner-city service, patronized largely by the poor, received less than 22 cents in total operating subsidy per passenger boarding, while express service, patronized largely by the affluent, received more than $1.18 per boarding.[64] A 1986 study showed that riders with incomes exceeding $50,000 per year received 50 percent more in federal operating subsidies per transit trip than did low-income users of transit.[65] The difference would have been greater if capital figures had been included.

Some rail systems bypass areas with low-income residents. The Washington Metro, for example, does not go to many high-density poor areas of the city, but it does service the affluent surrounding suburbs. Most Metrorail riders—some 73 percent—earn $25,000 or more; 19 percent earn $75,000 or more.[66]

IMPROVING TRANSIT THROUGH COMPETITION AND PRIVATIZATION

Clearly, inefficient, highly subsidized public transit systems cannot deliver the socioeconomic benefits that have been promised and hoped for. Federal subsidies have rewarded inefficiency and wasteful capital investment, while propping up transit monopolies that actually impede effective alternatives to public transit. The unique patterns of American urban and suburban development and our particular social problems do not lend themselves to old European solutions, which are being abandoned. To meet America's needs, the following reforms are needed.

Eliminate Federal subsidies

Federal transit subsidies have resulted in higher costs than they have covered. Subsidies have resulted primarily in a transfer of wealth from the taxpayers and the productive private sector to well-paid transit employees. At a minimum, in the interest of equity and efficiency, section 13(c) should be eliminated; transit workers should not continue to receive extraordinary compensation.

Federal subsidies increase the cost of transit. Federal capital grants have generated a mad scramble among cities to secure federal transit dollars to pay for new buses and rail service. Often as little as 5 to 10 percent of the investment is local money,[67] yet mayors and local transit authorities have demonstrated repeatedly that to attract "free" federal dollars, they will undertake massive capital investments, even when ridership does not justify construction or purchase. The federal contribution to capital assistance can be as high as 80 percent; nationally, the federal government funds 62 percent of total capital cost.[68] That federal contribution has had an undue influence on the escalation of transit costs.

Many countries have recognized the cost distortion that results from national subsidies and are reducing or eliminating them. Examples include Norway, New Zealand, the United Kingdom, and the Soviet Union.[69] Canada and Australia, with much higher per capita transit ridership, have neither federal operating nor federal capital subsidies. Costs are lower and investments are more effective when subsidies are eliminated altogether, or at least are drawn from a level of government closer to home.[70]

Eliminate barriers to unsubsidized private service

In most cities only the transit monopoly is permitted by law to provide public transit service. Where the private market can operate without subsidy, it should be allowed to do so. Turning to the private market does not require returning to private monopolies and franchise, which are only slightly better than public monopolies. It simply means allowing the free market to provide unsubsidized service where it can.

Private unsubsidized buses and vans currently are providing transit for people in New York and Miami.[71] A 1991 *Wall Street Journal* report found that private (sometimes outlawed) vans are increasing their market share rapidly.

Transit officials estimate that more than 2,500 private transit vans now patrol New York City. They seem to be everywhere in the boroughs of Brooklyn and Queens, bearing names like "Knight-Rider," "Island Boy" and "Leo the People's Friend." The phenomenon seems to be spreading to other cities with large Caribbean immigrant populations. In Miami, transit officials count 300 private vans, some even offering video tapes of Spanish-language soap operas to entertain riders.[72]

Vans and minibuses, which many people prefer to large buses and which have been shown to expand ridership in some areas,[73] could provide unsubsidized services in many high-density areas, freeing subsidies to expand service in other areas. Yet such service is outlawed in many cities, and the public transit agencies jealously guard their monopoly status. Express service is also provided by the private sector in some areas, but generally it too is prohibited.

Public transit spokesmen argue that private vehicles "skim the cream" from profitable routes and increase the deficits of transit agencies. But public transit costs are so high that few if any routes cover their capital and operating costs. In other words, there is no cream to skim. Moreover, the private sector pays taxes, not paid by the public sector, that can exceed the net revenue public transit can obtain from its best routes.

Opening the transit market to private vans and minibuses can provide an opportunity for the poor or near poor to become entrepreneurs as it has done in South Africa.[74] The cost of capital is relatively low. In time those private operators could expand to multiple vehicles, or the experience and profits earned could lead to other profitable ventures. Meanwhile, those entrepreneurs would be positive role models for the entire community, provide employment and a valuable service, and contribute to the tax base.

Adopt competitive contracting for subsidized transit

If political considerations mandate continued taxpayer subsidies, public transit service should at least be purchased through competitive contracting. Under that system the public authority awards service contracts to responsive and responsible operators who demonstrate an ability to provide the specified quality and quantity of service for the lowest price. The public authority retains policy control over the service, while the competitive market produces the service under public scrutiny.

Public transit services are being converted to competitive contracting in Sweden, Denmark, the United Kingdom, New Zealand, Norway, and Finland. Competitively contracted services in London carry as many passengers as the entire Philadelphia rail and bus transit system. Competitive contracting is used in the United States for most paratransit (dial-a-ride) service and almost 8 percent of the bus service. Metropolitan areas such as Dallas, Los Angeles, Denver, St. Louis, Cincinnati, San Diego, San Francisco, Seattle, Minneapolis, and Atlanta have achieved large cost savings through competitive contracting of bus service. The extraordinarily high costs of public transit in the United States have made possible average cost savings of 30 percent.[75] There is little reason, except vested public transit in-

terests, not to competitively contract for subsidized transit service.

CONCLUSION

The realities of public transit fall woefully short of the myths. Transit is needed, but we can no longer afford to imagine that conventional public transit can address the complex problems of the changing American city. And we can no longer support a monopoly system of public mass transit, which has proven to be ineffective, inequitable, and unaffordable. Through incorporation of competition, America can have efficient transit systems in every city—that do improve the environment, lessen traffic congestion, reduce fuel consumption, and help the poor. And improved transit can be provided at much less cost to the American taxpayer.

NOTES

[1] Most larger public transit agencies pay for full-time lobbyists in Washington as well as in the state capital, and transit management also spends time lobbying. Most large transit agencies have fully developed public affairs departmetns. In addition, the American Public Transit Association, which is financially supported by most of the nation's transit agencies, is involved in lobbying activity. Federal law prohibits lobbying with federal moneys, so transit agencies use state and local moneys and fares to finance lobbyists.

[2] Like private-sector businesses, many public transit agencies provide free parking for their employees. And large transit agencies keep large fleets of cars for nonemergency and nonsupervisory use by staff. Transit boards and executives also use single-occupancy vehicles. According to the *New York Daily News* (June 2, 1991), New York City's Metropolitan Transportation Authority board members spent $200,000 in the past 12 months for chauffeured limousines to travel to and from the MTA Madison Avenue offices. The newspaper quoted the MTA first vice chairman, who generated $22,000 in overtime in the previous 16 months for his personal driver: "public transportation can be slower and more inconvenient than a car." It should be noted that New York City is the nation's most extensive transit system.

[3] Alan E. Pisarski, *Commuting in America: A National Report on Commuting Patterns and Trends* (Westport Conn.: Eno Foundation for Transportation, 1987).

[4] *National Urban Mass Transportation Statistics: Section 15 Annual Report* (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, 1987).

[5] Calculated from *National Urban Mass Transportation Statistics: Section 15 Annual Report* (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, 1986); and *National Transportation Statistics*, (Washington: U.S. Department of Transportation, Transportation Systems Center, 1988).

[6] For an analysis of America's changing cities, see Joel Garreau, *Edge City: Life on the New Frontier* (New York: Doubleday, 1991).

[7] Dieter Klinger and J. Richard Kuzmyak, *Personal Travel in the U.S.*, vol. 1, *1983-84: Nationwide Personal Transportation Study* (Washington: U.S. Department of Transportation, Federal Highway Administration, 1986).

[8] Data from *National Urban Mass Transportation Statistics: Section 15 Annual Report*, various years; and *Transit Operating and Financial Statistics* (Washington: American Public Transit Association, various years).

[9] Urban Mass Transportation Act of 1964, 49 U.S.C. 1601 et seq. A prior act, the Housing Act of 1961, authorized $75 million in aid to urban transit over three years.

[10] Paul N. Tramontozzi and Kenneth Chilton, "The Federal Free Ride: The Economics and Politics of U.S. Transit Policy," Center for the Study of American Business, Washington University, St. Louis, October 1987.

[11] Randall Fitzgerald, *When Government Goes Private* (New York: Universe Books, 1988), p. 153.

[12] "Transit Wins Big in House Bill," *Congressional Quarterly*, July 13, 1991, p. 1889.

[13] For a discussion of the various interest groups lining up in favor of increased federal transit aid, see Kirk Victor, "Transit Turnaround," *National Journal*, August 31, 1991, pp. 17-20.

[14] Calculated from Interstate Commerce Commission and American Bus Association data.

[15] Calculated from Consumer Price Index Medical Care Component.

[16] Data from *National Urban Mass Transportation Statistics: Section 15 Annual Report*, various years; and *Transit Operating and Financial Statistics*, various years.

[17] Data from *National Urban Mass Transportation Statistics: Section 15 Annual Report*, various years.

[18] Ralph L. Stanley, administrator, Urban Mass Transportation Administration, Statement before the Subcommittee on Appropriations, U.S. House of Representatives, April 9, 1986, pp. 3-4.

[19] Data from *National urban Mass Transportation Statistics: Section 15 Annual Report*, various years; and *Transit Operating and Financial Statistics*, various years.

[20] Based on data from all public transit systems located within the 39 metropolitan areas that reported both in 1980 and 1989 and all new systems reporting in 1989 (102 public transit systems included in analysis).

[21] Public transit figures are overstated—the figures include taxis, limousines, privately owned buses and vans, and other unsubsidized services.

[22] Klinger and Kuzmyak.

[23] *The Renaissance of Rail Transit in America* (New York: Regional Plan Association, 1991).

[24] Data from *National Urban Mass Transportation Statistics: Section 15 Annual Report*, various years.

[25] Stephen Moore, "Rx for Urban Mass Transit: A Dose of Competition," Heritage Foundation Backgrounder no. 542, October 1986.

[26] Pisarski.

[27] Analysis of data from *Jane's Urban Transport Systems*, ed. Chris Bushell (Coulsdon, Surrey, U.K.: Jane's Information Group, 1991). Sample included 139 foreign systems.

[28] European Conference of Ministers of Transport, *Promoting Regional Transport: Report of the Eighty-Second Round Table on Transport Economics* (Paris: ECMT, 1990).

[29] See Wendell Cox and Jean Love, "International Experience in Competitive Tendering," paper presented at Second International Conference on Privatization and Deregulation in Passenger Transport, Tampere, Finland, June 1991.

[30] Perhaps the most successful investment in new transit rail infrastructure has been in San Diego. Fares cover more than 90 percent of the costs of operation for the first line of the "San Diego Trolley." Constructed without federal funding, that line was completed for a fraction of the costs of comparable rail lines built with federal funding. That performance far surpasses that of any other new rail investment.

[31] *Urban Rail in America: Forecast versus Actual Ridership and Costs* (Cambridge, Mass.: U.S. Department of Transportation, Transportation Services Center, 1989).

[32] Ibid.

[33] "Police vs. the People Mover," *Detroit News*, April 15, 1988.

[34] The Chicago Transit Authority provides a stark example of the excessive compensation paid public transit workers. The executive director of the CTA, who is not the most highly paid transit administrator in the nation (the executive directors of the Southeastern Pennsylvania Transit Authority in Philadelphia and the Washington Metropolitan Area Transit Authority that serves the nation's capital are rapid roughly $50,000 more per year), receives more pay than elected officials such as the governor of Illinois, the mayor of Chicago, and U.S. senators and representatives or appointed officials such as the Chicago police superintendent and fire commissioner. The American Public Transit Association, *Transit Fact Book* (Washington: APTA, 1988); Kim Nauer, "Pay for City's Brass Matches Up with Peers," *Chicago Tribune*, October 15, 1990; Gary Washburn, "Gung-ho Chief Has CTA Jumping," *Chicago Tribune*, August 5, 1990; *Statistical Abstract of the United States* (Washington: U.S. Government Printing Office, 1990).

[35] Data from *National Urban Mass Transportation Statistics, Section 15 Annual Report* (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, 1988), and *Statistical Abstract of the United States* (Washington: Government Printing Office, 1990).

[36] Ibid.

[37] Kimberly J. McLarin, "SEPTA Approves Budget," *Philadelphia Inquirer*, June 27, 1991.

[38] Benny Evangelista, "BART Ad Incenses Unions," *Oakland Tribune*, July 18, 1991; and BART full-page ad: "Labor Negotiations Status Report No. 1," *Oakland Tribune*, July 18, 1991.

[39] Don Pickrell, *The Causes of Rising Transit Operating Deficits* (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, 1983).

[40] *The Status of the Nation's Local Mass Transportation: Performance and Conditions*, report to Congress (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, 1988).

[41] Calculated from data in Charles Lave, *Measuring the Decline in Transit Productivity in the U.S.* (Thredbo, NSW, Australia: International Conference on Competition and Ownership of Bus and Coach Services, 1989).

[41] The transit industry dismisses declining public transit labor productivity as a necessary consequence of increases in rush hour service. See, for example, Elliott D. Sclar, K. H. Schaeffer, and Robert Brandwein, *The Emperor's New Clothes: Transit Privatization and Public Policy* (Washington: Economic Policy Institute, 1989). Lave, however, found that rush hour service has not increased; it has declined by 15 percent in recent decades. Lave also reports that public transit operating speeds have increased by 13 percent over the same period. The drop in rush hour service and the increase in operating speeds, of themselves, would have a positive effect on labor productivity. Lave's findings suggest that public transit productivity may have declined even more than is suggested by the raw numbers.

[42] Subhash R. Mundle, "Impact of Work Rules on Transit Productivity and Costs," paper presented at the Urban Mass Transportation Administration's Fourth Annual Symposium: The Private Sector and Public Transit, March 1988.

[43] Urban Mass Transportation Act of 1964, as amended, 49 U.S.C. 1601 et seq. Amendments include an extension of section 13(c) labor protection to cover federal operational funding in addition to original provisions covering federal capital funding.

[44] Simon Rottenberg, "Protection of Employees in the Public Acquisition and Operation of Urban Mass Transit," in *Government Protection of Employees Involved in Mergers and Acquisitions*, ed. Herbert R. Northrup and Philip A. Miscimarra (Philadelphia: University of Pennsylvania, Wharton School, 1989) provides the most comprehensive examination of the effects of section 13(c).

[45] Federal legislation created and enforces section 13(c). However, many transit agencies have signed a local version of 13(c) that is more stringent than the federal law. The model 13(c) agreement, developed jointly by the transit unions and the American Public Transit Association in 1975, specifies that disputes be settled by binding arbitration—something not federally required. Although individual agencies were not required to adopt that contract or its provisions, many did to avoid lengthy contract negotiations.

[46] *Urban Rail in America: Forecast versus Actual Ridership and Costs.*

[47] Federal City Council, *Transit in the Nation's Capital: What Lies Ahead?* (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, Technology Sharing Program, 1986), p. 2.

[48] "2 New Md. Stations Draw Fewer Riders Than Metro Expected," *Washington Post*, September 16, 1991, p. C1.

[49] Metrobus and rail operating costs exceeded $509 million in 1989; states and localities paid 90 percent of the total subsidies of $240 million. The Washington system currently is cutting service for lack of "adequate" subsidies.

[50] *National Urban Mass Transportation Statistics: Section 15 Annual Report*, 1987.

[51] Calculated from *National Urban Mass Transportation Statistics: Section 15 Annual Report*, 1986; and *National Transportation Statistics*, 1988.

[52] Data from the *National Urban Mass Transportation Statistics: Section 15 Annual Report*, various years; and *Transit Operating and Financial Statistics*, various years.

[53] Data from *National Urban Mass Transportation Statistics: Section 15 Annual Report*, various years.

[54] Congressional Budget Office "Urban Transportation and Energy: The Potential Savings from Different Modes," 1982, p. 1.

[55] *The Renaissance of Rail Transit in America.*

[56] In 1972 the average automobile got 13.4 miles per gallon; by 1988 that figure had improved to 20.0 miles per gallon. The average new car achieved 14.4 miles per gallon in 1972 and 28.8 miles per gallon in 1988. Data from National Transportation Statistics Annual Report (Washington: U.S. Department of Transportation, Research and Special Programs Administration, Transportation Systems Center, 1990).

[57] Lave.

[58] Alan Altshuler, *The Urban Transportation System* (Cambridge, Mass.: MIT Press, 1979).

[59] Ibid.

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[71] E. S. Savas, Sigurd Grava, Jeffrey A. Parker, and Roy Sparrow, *The Private Sector in Public Transportation in New York City* (New York: City University of New York, Institute for Transportation Systems, 1991), prepared for the U.S. Department of Transportation, Urban Mass Transportation Administration; Daniel Machalaba, "Opportunistic Vans Are Running Circles around City Buses," *Wall Street Journal*, July 24, 1991; Dan Holly, "It's Metro vs Minis in the Battle of Buses," *Miami Herald*, May 4, 1991.

In Miami last year minibuses began to operate several transit routes for a lower fare when a change in the law created a loophole. The minibuses garnered 20,000 passengers a month according to the transit agency. The law has since been changed—as a result of pressure from the public transit agency—to prohibit the entry of new private companies and expansion of routes, but companies already operating were "grandfathered in." Metro, the public transit agency, recently has reduced its fares (incurring huge deficits) on one of its routes to drive the unsubsidized company from the market.

In New York private vans illegally divert nearly $30 million a year from the transit agency. Private vans operate their unsubsidized service for a lower fare than the transit agency.

[72] Machalaba.

[73] H. D. Blundred, "Barriers to Market Entry: Practical Experience of the UK Bus Market," paper presented at Second International Conference on Privatization and Deregulation in Passenger Transport, Tampere, Finland, June 1991.

[74] "Congress Bucks Privatization Trend."

[75] Roger F. Teal, "Transit Service Contracting: Experiences and Issues," paper presented at the Annual Meeting of the Transportation Research Board, Washington, January 1985, p. 3. See also Cox and Love, "International Experience"; *Private Sector Briefs: Private Sector Involvement in Public Transportation* (Washington: U.S. Department of Transportation, Urban Mass Transportation Administration, Office of Private Sector Initiatives, July 30, 1988 and 1990); Wendell Cox and Jean Love, *Designing Competitive Tendering Systems for the Public Good: A Review of the US Experience* (Thredbo, NSW, Australia: International Conference on Competition and Ownership of Bus and Coach Services, May 1989).

Mr. WHEAT. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the rule.

I also rise in support of the transportation bill.

Mr. Speaker, the leadership, every member of the Committee on Public Works and Transportation, has spent untold hours dedicating themselves to rebuilding America. That is what we are doing. We are talking about $151 billion over the next 6 years. I do not think any of us have to point out the deterioration of our roads, the conditions of our bridges in this country.

Mr. Speaker, I know the comment was made by the gentleman from Texas [Mr. DELAY] about mass transit. We have spent more money on foreign aid in the last decade than we have on mass transit. It is time in this country, it is time in this country, to rebuild America.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. CLEMENT. I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I thank the gentleman for yielding.

Mr. Speaker, I just submit to the gentleman that foreign aid has failed as well as mass transit has failed.

Mr. CLEMENT. But the fact is the gentleman made the comment concerning the transportation bill.

There really was not anything of real substance there. And I contend, after going over for many months, realizing that we have come down to the final hour now, that we cannot afford any more delays. We need to pass this legislation and pass it now. We have got a lot of opportunities for new economic growth and development in this transportation bill. That is what is wrong with America now. We are at the status quo, we are not moving forward.

Many people do not have jobs, do not have economic opportunity. We need to rebuild America, we need to rebuild America now, and the place to start is in the transportation bill.

We are already in the new fiscal year, and we still do not have a transportation bill. We realize it has to go to the conference committee. Let us do what is right for America; let us rebuild America and let us do it now.

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I rise in opposition to the rule.

More and more, we see important measures brought before this Congress with little or no opportunity for fair amendment. This bill, H.R. 3566, authorizes over $151 billion in spending. That is more than $600 for every man, woman, and child in this country. Sometimes I believe this Congress forgets that real people work hard to pay these bills. My colleague from Texas [Mr. DELAY] clearly makes the argument that mass transit has not met expectations and in fact is failing.

I offered an amendment yesterday to delete a small amount of funding from this bill in the mass transit funding to allow for a repeal of the boat user fee tax. On July 18, 416 Members of this Congress—including 12 of the 13 members of the Rules Committee—voted to support repeal of this tax. Yet, Members of Congress now have been denied the right to make a straightforward choice between slightly lower spending on mass transit and repealing the boat tax.

This tax was called the Coast Guard user fee, but the money never was intended to go to the Coast Guard. It has produced only a small fraction of what Congress pretended it would when it passed the budget agreement last year. Everyone agrees in public that this tax should be repealed. Many Members of this Congress will tell their constituents they have voted for repeal, but when the opportunity came to do something concrete to remove this unfair tax, the Democratic leadership of the Committee on Rules would not even let it be considered. The Democratic majority would not allow Congress to repeal the boat user fee.

No wonder Americans feel that Congress no longer represents them, but only represents the special interests who can get in the closed doors of the powers that be.

We are in danger of becoming a Congress of taxation, authorization, and appropriation without representation. That's not why any of our constituents sent us here.

Mr. WHEAT. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would like to recognize the superb leadership, foresight, and patience of the committee's chairman, the gentleman from New Jersey [Mr. ROE], the subcommittee chairman, the gentleman from California [Mr. MINETA], and the ranking minority members, the gentleman from Arkansas [Mr. HAMMERSCHMIDT], and the gentleman from Pennsylvania [Mr. SHUSTER].

The legislation before us today will provide the single largest investment in America that this Congress will consider.

For decades, as we have heard in committee hearings we have underinvested in our infrastructure in America.

This bill helps correct that. Public investment in roads, bridges, and transit systems means greater productivity for America, a more competitive America in the global economy, and more jobs for Americans.

This bill recognizes the great diversity of transportation needs that exist in our country.

It recognizes the differences between rural and urban needs, as well as the diverse geography and the different building conditions that exist in this country.

This bill accommodates this diversity by creating the mechanism to fund both a strong national highway system and a strong mass transit system.

And it goes much further by providing flexibility for State and local officials to decide how best to meet the transportation needs in their individual States and cities.

This bill also recognizes the need for equity and fairness in its formula for distributing money from the Federal highway trust fund.

The formula is fair and equitable. Moreover, each State is guaranteed a 90-percent minimum allocation of the money it puts into the highway trust fund.

This is an extremely important part of this bill for donor States such as mine, and I thank the committee leadership for working with those of us on the committee on these important provisions.

This bill is a very thoughtful, far-reaching blue print for investing in our transportation infrastructure.

I believe the impact of this legislation will be realized well into the next century.

It is a good bill for each of our States. It is a good bill for America.

I strongly urge my colleagues to support this important legislation.

Mr. MCEWEN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. I thank the gentleman for yielding.

Mr. Speaker, I am disappointed that the Committee on Rules did not approve my amendment last night, an amendment that involves a fundamental philosophical dispute and debate about what decisions are best left to State capitals.

Mr. Speaker, the Federal Government is now setting speed limits across the country, it has already set drinking ages. Once again it is going to get itself involved in requiring every motorcycle rider in this country to wear a helmet.

Back in 1966 we already passed a helmet law in the United States as part of the transportation bill, which threatens States with a loss of funds if they do not pass a rule requiring helmets to be worn in those States. Forty-seven States adopted such a rule. In 1975 we reversed course and 29 States, including my home State of Wisconsin, now no longer have helmet laws on the books.

The facts of the matter are that fatality rates are higher in States with helmet laws and accident rates are higher in States with helmet laws.

In fact, the real solution is an education program, which is what my amendment would have put in place in States across this country.

When California did that in 1989, they found fatalities dropped by 28 percent, and they found that their injuries dropped by 34 percent. Now if we are going to use the same twisted logic from here on out, we have another 50 percent of the head traumas in this country that we are going to have to require potential victims to wear helmets.

My 7-year-old will soon have to wear a helmet if he is riding a bike, skiiers will have to wear helmets; people who ride horses will have to wear helmets, and eventually even the lady on TV who falls and says, "I can't get up," will have to wear a helmet.

And in fact, next time I go to the Committee on Rules, it is very clear to me I will have to wear a helmet because every time I have an amendment brought up it seems mysteriously it results in a major crash.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DURBIN). The rules of the House preclude signs of approbation and disapprobation from the Gallery.

Mr. WHEAT. Mr. Speaker, I have no further requests for time at this point, and I reserve the balance of my time.

Mr. MCEWEN. Mr. Speaker, the opposition to this rule continues to mount, and it is becoming so great that I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yeilding.

You know, Mr. Speaker, there has been a lot of criticism of Congress recently. This rule is a pretty good example of why Congress needs to be criticized.

One of the things that often does not get indicated in that criticism is that it is the Democrats who run this Congress. This rule is a pretty good example of why the Democrats have gone far afield of what is needed to run the Congress well.

□ 1150

In this rule, Mr. Speaker, the gentleman from Missouri [Mr. CLAY] has told us that the Democrats on the Committee on Rules had to make some decisions about priorities. Well, let us understand what their priorities were. They decided it was important to consider the use of racial quotas in highway construction, but it was not important to consider wasteful spending in highway construction, and so, therefore, they made a racial quota amendment in order, but they decided not to make any amendments in order to strike out wasteful and irresponsible spending that is in the bill.

Mr. Speaker, that tells my colleagues something about the direction that they decided to go. That was their decision. The majority of the Democrats on the committee voted that way. Some Members got the privilege of violating the rules.

This Committee on Rules said early on, "One of the things you have to have is: Submit your amendments by 5 o'clock on a day." What the Committee on Rules then decided was some Members who obeyed the rules would not get their amendments, but Members who did not necessarily obey the rules would be able to have their amendments offered. This is fair? This is the party of fairness we keep hearing about? No way. This is absolutely a scandal, the way we behave behind closed doors, and that is exactly what happened when this rule was crafted.

Now, understand we will try to defeat the previous question, and the reason why we are going to try to defeat the previous question is to eliminate all the amendments that are in the rule that were submitted after the time deadline, and I do not know who they are, and I do not know what they are, but we think the previous question ought to be defeated so that we can at least change the rule and make it fair, and say that to those Members who submitted their amendments on time they should have had an equal chance with those who submitted their amendments not on time, and strike all the amendments that were submitted after the deadline.

I must say that the Committee on Rules gave me my amendment. I am one of the privileged few. I got my amendment. It was the only amendment that was granted that cuts any money. It cuts $11.5 million if it is adopted. I have my doubts it will be adopted, but understand that, if my amendment was adopted, that would be two-tenths of 1 percent of what we regard as pork and waste in the bill. We actually, actually have an amendment on the floor to cut two-tenths of 1 percent.

Now, if my colleagues look at the overall bill, it is less than one one-hundredth of 1 percent that the Members of the House are actually going to get to vote on as a spending cut. Now that tells my colleagues something about where the Democrats have gone in this Congress.

When we talk about spending on this House floor, and when we talk about taxing, they are interrelated. The reason why we need to raise taxes in this country is because people want to spend money. Here is an example of where the rules process is staked in favor of spending and where there was no effort at all given to the job of eliminating spending.

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

Mr. MCEWEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Ohio [Mr. MCEWEN] for yielding this time to me.

Mr. Speaker, I am, of course, opposed to this rule for the same reasons so often we end up being opposed to a rule. The fact of the matter is the Democrats give greater credence to requests that come before them and the Committee on Rules than to Republicans. This is a Democrat bill, and it has a Democrat tax increase in it, and this is what I would like to talk about for a moment.

Mr. Speaker, last year, when we had this ill-fated, fiscally flimflammed budget agreement, we had a 5-cent-a-gallon gas tax. That was supposed to be enough to carry us through the year 1995. Now in this bill, when Democrats all over the country are talking about the need for tax reductions that are fair and tax reductions that will spur the economy, we have this bill bringing forward an expansion of the gas tax for 4 more years. Four more years at 2½ cents a gallon.

Mr. Speaker, this is a regressive tax that falls four times as heavily on lower income earners as higher income earners. This is an economically repressive tax that results in the loss of jobs, the loss of employment, the loss

of production and the loss of other tax revenue to the Government. This is an inflationary tax because we use energy in the production of everything in this country.

Now the Congressional Budget Office is very obliging, as usual, to the Democrats. They project that they will raise $14 billion in this tax despite the fact that the projections they had for the 5-year 5-cent tax have not been fulfilled because they do not take into account for the revenue lost offset from the unemployment that is created by the imposition of these repressive taxes. We are going to find that the revenue will not come in as it is projected, but the spending will go forward.

Now what is wrong with the spending? I happen to believe we need to spend on infrastructure where it is needed in the public's general interest. This bill again spends first on where it is needed in the parochial interests, in the special interests, in the local interests, what they call pork barrel spending. We cannot afford a regressive, repressive tax for 4 more yeas that harms the economy, harms the employment opportunities for the American people, hurts the low-income family four times as much as it hurts the high income families in order to build pork-barrel projects in favored congressional districts.

Mr. Speaker, this is a bad bill, it is bad legislation, it is bad tax policy, and should be shown as such for those people who want to go around the country talking about the need to cut taxes to get this economy out of the recession. This tax will push this economy, worsen the recession, and risk the creation of stagflation, the simultaneous creation of inflation with recession.

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

Mr. Speaker, I was very pleased yesterday in testimony before the Committee on Rules when both the chairman and the ranking member of the committee testified as to the advisability of this rule, and we have the bipartisan support of both of those Members. In fact, we have the support of the chairman and the ranking minority member of the subcommittee that put this bill together also. I think they have done an excellent job putting together what we perceive as a bipartisan bill.

Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Committee on Public Works and Transportation, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Speaker, I thank the distinguished gentleman from Missouri [Mr. CLAY] for yielding to me.

Mr. Speaker, I had not planned on speaking on the rule, but I think it is very necessary to get it clear right at the very beginning. This is not, I repeat: this is not, a Democratic bill. This is a bipartisan bill.

In the vote in the full committee, of which there are 57 Members of this body, the vote was 53 in favor and 3 opposed.

Mr. Speaker, I think we have to stop the nonsense around here and start talking about facts. This is an all-American bill. It is probably the most important bill that we could bring forth today where domestic policy is involved in this country, the transportation facilities of this country, and, yes, jobs for this country, real jobs for this country.

There are no racial quotas in this bill, and it is about time that when Members got up on the floor that they speak the facts, as the facts are, and not manufacture things that are not true to dissuade people on issues that are not correct.

So, Mr. Speaker, I want to make it very, very clear that the leadership of this committee, 53 Members on a bipartisan basis, brought this bill to the floor, and that is the direction this whole bill has gone. It has been totally bipartisan, and it will continue to be bipartisan before this bill is voted on today.

Mr. Speaker, I thank the gentleman from Missouri [Mr. CLAY] for yielding me the time.

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

Mr. Speaker, I deeply regret that the Committee on Public Works and Transportation bill that has been worked on so diligently by such capable Members of this House was bushwhacked by this rule. Last night efforts were made to make amendments, and they were strictly party line, and I think that, as we come to vote now on this rule, we make a clear distinction, and that is that on a party-line vote we were denied the right to have an open rule.

Now what does that mean? That means in the 1970's about 15 percent of the rules had some limitation on them. The rest of them were that, if one was elected to the Congress, and if it is going to be their highway, and their taxes, and their citizens that were paying for it, and their bridge, and all the rest, the speed limits, that they have a right to vote. That moved up to when I came here in the 1980's to about 25, or one rule in four which began to limit us. Now the Committee on Rules, almost pro forma, in the neighborhood of 60 percent, nearly two out of three, is saying, "We'll decide what's going to be decided on the floor of the House. We'll decide who's allowed to make the amendments. We'll decide who's allowed to say and do what." And, as a result, they are creating unnecessary conflict on the floor.

This bill, which as I said yesterday in the Committee on Rules, was completely amended and changed in less than 30 days, totally reworked, because of the diligence of the people on the Committee on Public Works and Transportation. The fairness of the chairman, the gentleman from New Jersey [Mr. ROE], the ranking member, the gentleman from Arkansas [Mr. HAMMERSCHMIDT], the chairman of the subcommittee, the gentleman from California [Mr. MINETA], the ranking member, the gentleman from Pennsylvania [Mr. SHUSTER]; they have done a marvelous job for a vital, vital concern for our Nation's infrastructure. We have abandoned it. We are far behind where we should be in our Nation's infrastructure.

Mr. Speaker, this bill needs to be passed, and there was no reason for us to be put in this position of having completely partisan vote in the Committee on Rules.

Now I stand here to ask the support of those who respect my opinion at all to say that this rule is unnecessary in this manner, and to oppose it and to leave the marker on the table as we leave here, that when good, quality legislation comes to the floor, regardless of whether or not one is on the committee, they should have a say as a Member of Congress, and these closed rules are unnecessary.

□ 1200

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

Mr. Speaker, I thank the gentleman from Ohio [Mr. MCEWEN] for his very sincere and passionate statements, both in regard to the rule and his support for the legislation. It is true, Mr. Speaker, that H.R. 2950 is one of the most important pieces of legislation that will be considered by this Congress. It is unfortunate that not every Member of Congress will be able to speak on this legislation, but I am sure the gentleman recognizes that the mere existence of a Rules Committee is a necessary evil to allow the House to move forward in an expeditious way to consider vital legislation of this type.

This legislation is vital to each and every State in our Union, and quick action is essential to avoid any prolonged interruption of the highway program.

H.R. 252 is a fair and equitable rule which will aid the House in considering the surface transportation bill as expeditiously as possible.

Mr. MINETA. Mr. Speaker, I rise in support of the recommended rule for H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

The committee has been very responsive to the many requests and amendments received from our House colleagues. This bill has been 2½ years in the making. The Subcommittee on Surface Transportation conducted an extensive series of hearings nationwide. We met with House colleagues, businesses—both big and small, industry representatives, State groups, local groups, unions, environmental groups—just about anyone and everyone who was interested, during the development of our proposal.

Additionally, during the committee markup process, we made every effort to work with

Members to accommodate their local and national policy concerns, amendments, and project changes.

This legislation is a genuine new transportation policy for America, and a tremendous investment in our future. It will build our roads and bridges and transit systems into a comprehensive network that will in turn build our economy, enhance safety, and improve our quality of life.

I believe that the rule is fair. It accommodates the controversial issues. And, it is important to note that several of these issues were brought before the committee for a vote and were defeated.

It is true that there were several amendments submitted that were not made in order. However, many of those amendments were antisafety amendments. There were also several inappropriate amendments offered to delete individual Member projects. The project requests were carefully scrutinized by the Public Works and Transportation Committee and overall project totals were painstakingly reviewed for equity.

Mr. Speaker, I urge my colleagues to support this rule.

Mr. WHEAT. Mr. Speaker, I urge my colleagues to support the rule and the bill, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. DURBIN). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 319, nays 104, not voting 10, as follows:

[Roll No. 331]

YEAS—319

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Inhofe
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Manton
Markey
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCurdy
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Schaefer
Scheuer
Schulze
Schumer
Serrano
Sharp
Shuster
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NAYS—104

Allard
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bilirakis
Bliley
Boehner
Broomfield
Bunning
Burton
Camp
Campbell (CA)
Chandler
Coble
Coleman (MO)
Combest
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Fawell
Fields
Franks (CT)
Gallegly
Gilchrest
Gillmor
Gingrich
Goss
Gradison
Gunderson
Hancock
Hansen
Hefley
Herger
Holloway
Hunter
Hyde
Ireland
Jacobs
James
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Lightfoot
Livingston
Machtley
Marlenee
Martin
McCandless
McCrery
McEwen
McMillan (NC)
Meyers
Miller (OH)
Mink
Moorhead
Morrison
Paxon
Porter
Ramstad
Ravenel
Rhodes
Roberts
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Saxton
Schiff
Schroeder
Sensenbrenner
Shays
Skeen
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Thomas (CA)
Thomas (WY)
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Zeliff
Zimmer

NOT VOTING—10

Callahan
Hopkins
Jefferson
Martinez
Michel
Neal (NC)
Shaw
Slaughter (VA)
Washington
Waters

□ 1220

Mr. IRELAND changed his vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the resolution.

The question is taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 323, nays 102, not voting 8, as follows:

[Roll No. 332]

YEAS—323

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Callahan
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Horton

Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Inhofe
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCrery
McCurdy
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Scheuer
Schulze
Schumer
Serrano
Sharp
Shaw
Shuster
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thornton
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)

NAYS—102

Allard
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bilirakis
Bliley
Boehner
Broomfield
Bunning
Burton
Camp
Campbell (CA)
Chandler
Coble
Coleman (MO)
Combest
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Evans
Fawell
Fields
Franks (CT)
Gallegly
Gilchrest
Gingrich
Goss
Gradison
Gunderson
Hancock
Hansen
Hefley
Herger
Holloway
Hunter
Ireland
Jacobs
James
Johnson (TX)
Klug
Kolbe
Kyl
Lagomarsino
Lightfoot
Livingston
Marlenee
Martin
Martinez
McCollum
McEwen
McMillan (NC)
Meyers
Miller (OH)
Miller (WA)
Moorhead
Morrison
Paxon
Porter
Ramstad
Ravenel
Rhodes
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Sanders
Saxton
Schaefer
Schiff
Schroeder
Sensenbrenner
Shays
Skeen
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (WY)
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Downey
Hopkins
Michel
Neal (NC)
Slaughter (VA)
Torres
Washington
Waters

□ 1240

Mr. MARTINEZ changed his vote from "yea" to "nay."

Mrs. ROUKEMA changed her vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection, a motion to reconsider is laid on the table.

Mr. BURTON of Indiana. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. MONTGOMERY). Objection is heard.

MOTION OFFERED BY MR. WHEAT

Mr. WHEAT. Mr. Speaker, I move to reconsider the vote by which the House has passed House Resolution 252.

MOTION OFFERED BY MR. MOAKLEY

Mr. MOAKLEY. Mr. Speaker, I move to lay the motion to reconsider on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts [Mr. MOAKLEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURTON of Indiana. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

Mr. SHUSTER. Mr. Speaker, a quorum is present, I believe.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 319, nays 89, not voting 25, as follows:

[Roll No. 333]

YEAS—319

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Bruce
Bryant
Bustamante
Byron
Callahan
Campbell (CO)
Cardin
Carper
Carr
Clay
Clement
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Goodling
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Inhofe
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Matsui
Mavroules
Mazzoli
McCloskey
McCrery
McCurdy
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Owens (NY)
Oxley
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schulze
Schumer
Serrano
Sharp
Shaw
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
Staggers
Stark
Stenholm
Stokes
Studds
Sundquist
Swift
Synar
Tallon
Tanner
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)

NAYS—89

Allard
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bliley
Boehner
Broomfield
Bunning
Burton
Camp
Campbell (CA)
Chandler
Coble
Combest
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Dornan (CA)
Dreier

Duncan	Lagomarsino	Schiff
Edwards (OK)	Lent	Sensenbrenner
Fawell	Lewis (CA)	Shays
Fields	Livingston	Smith (OR)
Franks (CT)	Marlenee	Smith (TX)
Gallegly	Martinez	Snowe
Gilchrest	McCandless	Solomon
Gingrich	McCollum	Spence
Goss	McEwen	Stearns
Gradison	McMillan (NC)	Stump
Hancock	Meyers	Taylor (NC)
Hansen	Miller (OH)	Thomas (CA)
Hefley	Moorhead	Thomas (WY)
Holloway	Paxon	Vucanovich
Hunter	Porter	Walker
Ireland	Ramstad	Walsh
James	Rhodes	Weber
Johnson (TX)	Roberts	Weldon
Kasich	Rohrabacher	Wolf
Klug	Ros-Lehtinen	Zeliff
Kolbe	Saxton	Zimmer
Kyl	Schaefer	

NOT VOTING—25

Anthony	Herger	Slaughter (VA)
Brown	Hertel	Stallings
Chapman	Hopkins	Swett
Davis	Martin	Tauzin
Doolittle	Michel	Traxler
Eckart	Neal (NC)	Washington
Gillmor	Orton	Waters
Gordon	Owens (UT)	
Hatcher	Packard	

□ 1301

Mr. MARLENNE changed his vote from "yea" to "nay."

Mrs. BENTLEY and Mr. CONYERS changed their vote from "nay" to "yea."

So the motion to lay the motion to reconsider on the table was agreed to.

The result of the vote was announced as above recorded.

REPORT ON HOUSE JOINT RESOLUTION 360, FURTHER CONTINUING APPROPRIATIONS, 1992

Mr. WHITTEN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 102-266) on the joint resolution (H.J. Res. 360) making further continuing appropriations for the fiscal year 1992, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

PARLIAMENTARY INQUIRIES

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman will state it.

Mr. WALKER. Mr. Speaker, could the Chair tell us what was just filed?

The SPEAKER pro tempore. It was a report on the joint resolution continuing appropriations, that was just filed.

Mr. WALKER. Mr. Speaker, I have a further parliamentary inquiry: Is that the continuing resolution that has the foreign operations money in it?

The SPEAKER pro tempore. The Chair is not aware of the contents in the resolution. The gentleman could ask the chairman of the Committee on Appropriations.

Mr. WALKER. Mr. Speaker, under my parliamentary inquiry, I guess I would ask whether or not the Chair can inquire whether or not that is the content of the resolution that was just filed. I am just trying to determine what is going on.

The SPEAKER pro tempore. The Chair believes he has answered the gentleman's inquiry. It was referred to the Union Calendar, and the gentleman can follow it there.

Mr. WALKER. I thank the Chair.

MOTION TO ADJOURN

Mr. BURTON of Indiana. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BURTON of Indiana moves that the House do now adjourn.

The SPEAKER pro tempore. The motion to adjourn is a privileged motion.

The question is on the motion offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were ayes 30, noes 385, not voting 18, as follows:

[Roll No. 334]

AYES—30

Allard	Fawell	Livingston
Burton	Franks (CT)	Marlenee
Campbell (CA)	Gilchrest	Rohrabacher
Cox (CA)	Hancock	Ros-Lehtinen
Crane	Herger	Smith (TX)
Cunningham	Holloway	Stearns
Dannemeyer	Hunter	Stump
DeLay	Hyde	Thomas (WY)
Doolittle	Jacobs	Weber
Dornan (CA)	Klug	Young (AK)

NOES—385

Abercrombie	Boucher	Darden
Ackerman	Boxer	de la Garza
Alexander	Brewster	DeFazio
Anderson	Broomfield	DeLauro
Andrews (ME)	Browder	Dellums
Andrews (NJ)	Bruce	Derrick
Andrews (TX)	Bryant	Dickinson
Annunzio	Bunning	Dicks
Anthony	Bustamante	Dingell
Applegate	Byron	Dixon
Archer	Callahan	Donnelly
Armey	Camp	Dooley
Aspin	Campbell (CO)	Dorgan (ND)
Atkins	Cardin	Downey
AuCoin	Carper	Dreier
Bacchus	Carr	Duncan
Baker	Chandler	Durbin
Ballenger	Clay	Dwyer
Barnard	Clement	Dymally
Barrett	Clinger	Early
Barton	Coble	Edwards (CA)
Bateman	Coleman (MO)	Edwards (OK)
Beilenson	Coleman (TX)	Edwards (TX)
Bennett	Collins (IL)	Emerson
Bentley	Collins (MI)	Engel
Bereuter	Combest	English
Berman	Condit	Espy
Bevill	Conyers	Evans
Bilbray	Cooper	Ewing
Bilirakis	Costello	Fascell
Bliley	Coughlin	Fazio
Boehlert	Cox (IL)	Feighan
Boehner	Coyne	Fields
Borski	Cramer	Fish
Flake	Manton	Rogers
Foglietta	Markey	Rose
Ford (MI)	Martin	Rostenkowski
Ford (TN)	Martinez	Roth
Frank (MA)	Matsui	Roukema
Frost	Mavroules	Rowland
Gallegly	Mazzoli	Roybal
Gallo	McCandless	Russo
Gaydos	McCloskey	Sabo
Gejdenson	McCollum	Sanders
Gekas	McCrery	Sangmeister
Gephardt	McCurdy	Santorum
Geren	McDade	Sarpalius
Gibbons	McDermott	Savage
Gilman	McEwen	Sawyer
Gingrich	McGrath	Saxton
Glickman	McHugh	Schaefer
Gonzalez	McMillan (NC)	Scheuer
Goodling	McMillen (MD)	Schiff
Goss	McNulty	Schroeder
Gradison	Meyers	Schulze
Grandy	Mfume	Schumer
Green	Miller (CA)	Sensenbrenner
Guarini	Miller (OH)	Serrano
Gunderson	Miller (WA)	Sharp
Hall (OH)	Mineta	Shaw
Hall (TX)	Mink	Shays
Hamilton	Moakley	Shuster
Hammerschmidt	Molinari	Sikorski
Hansen	Mollohan	Sisisky
Harris	Montgomery	Skaggs
Hastert	Moody	Skeen
Hayes (IL)	Moorhead	Skelton
Hayes (LA)	Moran	Slattery
Hefley	Morella	Slaughter (NY)
Hefner	Morrison	Smith (FL)
Henry	Mrazek	Smith (IA)
Hertel	Murphy	Smith (NJ)
Hoagland	Murtha	Smith (OR)
Hobson	Myers	Snowe
Hochbrueckner	Nagle	Solarz
Horn	Natcher	Solomon
Horton	Neal (MA)	Spence
Houghton	Nichols	Spratt
Hoyer	Nowak	Staggers
Hubbard	Nussle	Stallings
Huckaby	Oakar	Stark
Hughes	Oberstar	Stenholm
Hutto	Obey	Stokes
Inhofe	Olin	Studds
Ireland	Olver	Sundquist
James	Ortiz	Swett
Jefferson	Orton	Swift
Jenkins	Owens (NY)	Synar
Johnson (CT)	Owens (UT)	Tallon
Johnson (SD)	Oxley	Tanner
Johnson (TX)	Packard	Tauzin
Johnston	Pallone	Taylor (MS)
Jones (GA)	Panetta	Taylor (NC)
Jones (NC)	Parker	Thomas (CA)
Jontz	Pastor	Thomas (GA)
Kanjorski	Patterson	Thornton
Kaptur	Paxon	Torres
Kasich	Payne (NJ)	Torricelli
Kennedy	Payne (VA)	Towns
Kennelly	Pease	Traficant
Kildee	Pelosi	Traxler
Kleczka	Penny	Unsoeld
Kolbe	Perkins	Upton
Kolter	Peterson (FL)	Vander Jagt
Kopetski	Peterson (MN)	Vento
Kostmayer	Petri	Visclosky
Kyl	Pickett	Volkmer
LaFalce	Pickle	Vucanovich
Lagomarsino	Porter	Walker
Lancaster	Poshard	Walsh
Lantos	Price	Waxman
LaRocco	Pursell	Weiss
Laughlin	Quillen	Weldon
Leach	Rahall	Wheat
Lehman (CA)	Ramstad	Whitten
Lehman (FL)	Rangel	Williams
Levin (MI)	Ravenel	Wilson
Levine (CA)	Ray	Wise
Lewis (CA)	Reed	Wolf
Lewis (FL)	Regula	Wolpe
Lewis (GA)	Rhodes	Wyden
Lightfoot	Richardson	Wylie
Lipinski	Ridge	Yates
Lloyd	Riggs	Yatron
Long	Rinaldo	Young (FL)
Lowery (CA)	Ritter	Zeliff
Lowey (NY)	Roberts	Zimmer
Luken	Roe	
Machtley	Roemer	

NOT VOTING—18

Bonior	Erdreich	Michel
Brooks	Gillmor	Neal (NC)
Brown	Gordon	Slaughter (VA)
Chapman	Hatcher	Valentine
Davis	Hopkins	Washington
Eckart	Lent	Waters

□ 1323

So the motion was rejected.

The result of the vote was announced as above recorded.

INTERMODAL SURFACE TRANSPORTATION INFRASTRUCTURE ACT OF 1991

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to House Resolution 252 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2950.

□ 1325

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2950) to develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

The gentleman from New Jersey [Mr. ROE] will be recognized for 1 hour; the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 1 hour; the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 15 minutes; and the gentleman from Texas [Mr. ARCHER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want at the outset to thank the Members of the House who voted overwhelmingly not to adjourn and to go ahead with what we consider to be an all-American bill.

Mr. Chairman, the bill we are taking up today is a revolutionary redirection of our Nation's surface transportation policies, an economic blueprint for the future, with major implications for our ability to substantively improve our competitiveness in the world economy, for future environmental policy, and energy conservation strategy.

Our goal must be to develop a national intermodal transportation system that moves people and goods in an energy-efficient manner. This blueprint for the Nation's future economic direction must confront head on the enormous challenges of the global economy, our declining productivity growth, energy vulnerability, air pollution, and the need to rebuild the American infrastructure. America's leadership in the world economy, the expanding wealth of the country, the competitiveness of our industry, the very standard of living and the quality of life are at stake.

I wish to pay my compliments and highest regards to the committee's ranking Republican member, JOHN PAUL HAMMERSCHMIDT of Arkansas, for his outstanding work on the bill, as well as to NORMAN MINETA, the Surface Transportation Subcommittee Chair, and BUD SHUSTER, the ranking Republican member. This has been a total bipartisan team effort that has produced outstanding work over the past year with 2 years of hearings before that.

I wish to offer my appreciation to Chairman ROSTENKOWSKI, ranking Republican member ARCHER, and the members of the Ways and Means Committee for their outstanding and essential contribution to the formulation of this bill. I also want to take this opportunity to express my high regard to our distinguished colleague, CHARLIE BENNETT of Florida, and his colleagues, who so ably helped us resolve the equity concerns expressed by the donor States.

We have consulted with all the members, reviewed every letter and communication we have received and attempted with hundreds of hours of work to substantively address every one of the equity issues that has been raised. We have consulted directly with the Members of Congress, Governors, mayors, transportation commissioners, local and county representatives, literally everyone involved in transportation. Every concern that was called to our attention through these consultations has been thoroughly and totally evaluated. This bill received an overwhelming 52 to 3 bipartisan endorsement vote in the full committee last week.

Our Nation requires a new approach to surface transportation policy that reflects the realities of the 1990's and the future direction our country must go. The Public Works and Transportation Committee has recognized these new realities:

The economic realities in which America's preeminence in the global economy faces severe challenges. Half of our Nation's economic activity will involve foreign commerce within 15 years. The American economy as a separate entity no longer exists. Our industry's ability to compete has been hamstrung by inadequate and decaying infrastructure, and our productivity growth has lagged behind that of our foreign rivals;

The environmental reality that the Clean Air Act passed overwhelmingly by Congress last year demands significant changes in transportation policy to reduce air pollution in the many ozone and carbon monoxide nonattainment areas throughout the Nation; and

The energy reality that 63 percent of our oil resources are used for transportation and that the Nation will remain vulnerable to foreign oil imports unless oil consumption is reduced.

We have an opportunity to shape the economic future of our Nation, to develop a strong and dynamic economic foundation for American industry to increase its productivity growth for competition in the global economy. It is no coincidence that American productivity growth started a steep decline two decades ago when capital investment in the infrastructure of our Nation was significantly and continually reduced.

The Public Works and Transportation Committee has produced a bill, which we bring to you today, for the future of America based on four overriding principles:

First, intermodality: The optimum and most efficient use of our transportation resources and interconnections of all modes of transportation—highways, transit, airports, harbors and others—to improve productivity and to reduce air pollution and energy consumption;

Second, flexibility: State and local decisionmakers should have the option of how to invest transportation resources in their areas. It should not be up to the Federal Government to tell the State and local officials how to invest their transportation infrastructure funds;

Third, equity: Some States had legitimate complaints about their fair return from the highway and transit trust funds. We have to the maximum extent possible addressed these concerns in this legislation; and

Fourth, financial investment resources: We have provided a substantial investment policy in the transportation infrastructure that will pay immediate and long-term economic dividends which are absolutely essential if we are going to meet the enormous needs of our Nation for road and bridge construction and rehabilitation, expanded mass transit capacity, and implementation of new technologies.

In the past 20 years, we have seriously fallen behind our foreign rivals in capital investment, in productivity growth and in our ability to compete abroad. Germany, France, Italy, Great Britain, Canada, and even Taiwan have been investing more of their fiscal resources in their infrastructures and have shown greater productivity growth. Now, Japan has embarked on a 10-year, $3.2 trillion infrastructure investment program.

Can we expect to be a major economic force in this world when in the past decade we sent $46 billion abroad in foreign aid but invested only $34 billion for our own mass transit systems? Isn't it time we started investing in America?

We on the Public Works and Transportation Committee are asking you to consider what kind of America you want for the 1990's and the 21st century. We must not continue the course that has led to economic decline of the past two decades, the continued decline in real wages and the slide toward a service-oriented economy which will force us to be economically dependent on our foreign rivals.

The time has come for us to raise our horizons and look to a dynamic, competitive, strong manufacturing-based economy. We must choose bold and audacious new directions for our Nations future which we believe this intermodal transportation policy accomplishes.

This national transportation policy will be a major step forward and, yes, the centerpiece of our Nation's new domestic economic policy. The heart and foundation of our economy is how we efficiently move people and goods throughout our country.

As we complete the dream and vision of President Eisenhower, who established the interstate transportation program which united the Nation with the largest public works project and engineering achievement of all time, certainly we can have the courage and wisdom to forge an intermodal transportation system to compete in the global economy of the 21st century.

It is estimated that each $1 expended in transportation infrastructure investment returns fully $10 to the economy. Why should we be hesitant about investing in the future? That's good business and that's good government. The fact remains that infrastructure investment is the means, and, yes, the only means, to create the new wealth of the Nation that is essential to pay for our people's needs, such as education, health care, housing, and the other necessities of life.

Our bill would invest $151 billion in the transportation infrastructure of this Nation—$119 billion for highways, $32 billion for transit—during the next 6 years to create a national intermodal transportation system.

The key to our $151 billion national transportation plan is that we will be putting trust back in the trust fund by spending down the existing balance in the highway account of the highway trust fund. We will be investing the most we possibly can in the highway system of this Nation, given the existing taxes and surplus in the trust fund.

In addition, although we are virtually doubling the Nation's commitment to mass transit, it is outrageous that the budget resolution will not allow us to invest all the funds in the transit account. At the end of the 6-year bill, the balance in the transit account will still exceed $13 billion. These are financial resources that are essential and desperately needed throughout the Nation to begin to meet the requirements of the Clean Air Act, which was approved overwhelmingly by Congress.

The infrastructure needs of our Nation are well documented. The Nation loses more than $120 billion a year in wasted time and fuel because of the inadequate quality and inefficiency of our transportation systems. It is time for us not only to recapture that $120 billion but to rebuild the infrastructure to promote economic growth for the coming decades.

Our bill creates a new national highway system but also provides State and local officials with significantly increased authority to make funding decisions in their own areas, including the transfer of highway funds to mass transit projects. In our $79 billion core program, State and local officials would have the option to transfer up to two-thirds of the funds to transit to meet the requirements of air pollution reduction, energy conservation, and congestion relief.

At the same time, up to two-thirds of the funds could be transferred to the National Highway System if officials in the area determine that is where the Federal transportation dollars are needed. We provide urban area officials with unprecedented local authority to make decisions affecting the use of funds targeted to their areas.

Our bill meets the needs of every part of this country of 250 million people—rural, suburban, and urban. It promotes the development of a national intermodal transportation system to obtain the optimum yield of our transportation resources. It redirects our transportation policy in bold, new directions.

H.R. 2950 is an all-American bill that is fundamental for the economic, environmental, and energy future of our Nation. Our Nation is at an economic crossroads and this bill will be the centerpiece of domestic policy for years to come. This bill is essential to the quality of life of every American. I urge my colleagues to join the overwhelming, bipartisan majority of the Public Works and Transportation Committee and support this investment in the future of America.

Because of the time sensitivity of bringing this bill forward, sequential referrals were not permitted. Therefore, committee staff has been in contact with other committees having relevant subject matter jurisdiction over a number of provisions.

In particular, the committee amendment to H.R. 2950 reflects understandings reached in conferring with the Judiciary Committee with respect to section 409 dealing with the International Fuel Tax Agreement and the international registration plan. The Judiciary Committee has relevant subject matter jurisdiction over interstate taxation. The committee amendment reflects the changes that grew out of discussions with the committee.

I want to point out that the bill provides funding for a transit cooperative research program in section 317(a). It is our intention, as specified under an understanding between UMTA and the transit industry, that the Transit Development Corporation be designated as the independent governing board that determines what research and related activities are carried out. The bill language also reflects the committee's view that this independent governing board have the authority to provide its own staffing and that UMTA pay for such staff expenses. Finally, while the committee bill envisions that the Transportation Research Board, under the National Academy of Sciences, will conduct the research projects designated by the Transit Development Corporation, we fully intend that the Transit Development Corporation and the American Public Transit Association have the opportunity to disseminate the results of such research to the industry and that UMTA support such dissemination costs.

H.R. 2950 requires the urban planning process to cover existing urbanized areas, except for the preparation of long-range plans, which must cover urbanized areas as well as areas expected to become urbanized within the planning forecast period. This requirement will likely result in long-range plans, which may cover a period 10 to 20 years in the future, being prepared cooperatively by metropolitan planning organizations, known as MPO's, States, and affected units of general purpose local government for areas which are not yet urbanized but which are included in the plans since they are expected to become urbanized in the future.

In these cases, as the bill provides in all cases, the metropolitan planning process, including institutional responsibilities or arrangements which currently exist or are established, must proceed within the framework of agreement between MPO's, States, and affected units of general purpose local government, or as the bill further provides, in accordance with procedures established by applicable State or local law.

□ 1340

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. This is the most visionary, comprehensive surface transportation bill brought to the House floor since the legislation creating the Interstate System in 1956, and one of the most important bills we will consider in this Congress.

I want to thank Chairman BOB ROE, Surface Transportation Subcommittee chairman, NORM MINETA, and the subcommittee ranking member, BUD SHUSTER, for their hard work and aggres-

sive pursuit of a sound highway and transit bill. They have put in many, many long hours considering how the major highway, transit, and safety programs should be shaped to be responsive to the realities of the 1990's and the century that lies beyond.

I also want to thank Chairman DAN ROSTENKOWSKI and ranking minority member BILL ARCHER, of the Ways and Means Committee, for their cooperation in working out a revenue title to support the transportation programs authorized by this bill.

For 2 years, the Public Works and Transportation Committee held extensive hearings all across the country to look at the Nation's surface transportation systems in preparation for this bill. In State after State, we found enormous transportation needs.

We have responded with a bill that will provide the resources to help meet those needs, a bill that will devote over $119 billion to highway programs over the next 6 years and $32 billion to transit.

Mr. Chairman, the core structure of the revised surface transportation reauthorization bill that we bring to you today is virtually unchanged from the one the committee reported in July. The bill's strengths remain intact. In my view, this bill represents the best course for the future of our Federal surface transportation programs.

Under H.R. 2950, highway funding will increase from $14.5 billion in fiscal year 1991 to $17 billion in fiscal year 1992. In each of fiscal years 1993 through 1997, the funding total will be $20.4 billion. This means that there will be a 50-percent increase in funding by fiscal year 1993.

That will also translate into a significant increase in jobs. By 1993, the Federal-aid highway program will be generating over 1.1 million jobs annually on a national scale, and more than 14,000 jobs annually in Arkansas alone. Of course, these are just construction and construction-related jobs and not the jobs associated with economic growth that can be expected. So, the numbers will actually be much higher over time.

The single most important programmatic element of this bill is the creation of a national highway system; a network of major roads throughout the country that deserve the greatest share of Federal support in order to move people and goods across our country in a safe and efficient manner.

The proposed National Highway System will include major transportation corridors that provide the highest level of service and carry the greatest portion of traffic. They will connect our major population centers, our ports, airports, and rail heads, meet our national defense needs, and enhance our international competitiveness.

We have achieved another great victory in the bill before us. This committee has been fighting for years to draw down the trust fund balances.

Under this bill, at the end of fiscal year 1997, the cash balance in the highway account of the trust fund will be about $2.5 billion, roughly the amount it needs to maintain in order to keep the program in the black. The bill will permit a drawdown of unobligated balances as well, permitting States to use funds authorized to them but which they have been prohibited from applying toward their transportation needs. In doing this, we have taken a giant step toward restoring America's trust in the trust fund.

Another of the benefits of the program restructuring achieved by this bill is the flexibility it will provide to State and local governments—flexibility that will allow them to use their Federal money in the way that best fits their particular needs.

This bill will ensure that both rural and urban needs are adequately addressed. It funds the rural mobility program with 13 percent of core highway program money and the urban mobility program, with 17 percent of core funds. Both highways and transit projects are eligible for funding under these programs.

This legislation also provides greater equity in the apportionment of funds by raising from 85 to 90 percent the return States receive relative to their contributions to the trust fund. The bill also includes more up-to-date distribution formulas for major programs to make sure States receive funds in accordance with their current needs and system use. Arkansas is one of the States that will benefit significantly from these changes.

We support UMTA's efforts now underway to work with the Transit Development Corporation, which would serve as an independent governing board to select research projects to be funded under the UMTA Act. We further understand that the Transit Development Corporation will work with the Transportation Research Board or some other entity the Corporation deems appropriate to assist in the research selection process. The resulting research information will be disseminated as appropriate by the Transit Development Corporation. No other legislative direction in this regard is intended or necessary.

This bill also contains important safety provisions. A freeze on longer combination vehicle operations under this legislation will prevent States from permitting these very large vehicles to run where they are not currently allowed. We also continue and strengthen the section 402 safety grant programs.

This bill is a strong response to our Nation's infrastructure dilemma. Its provisions will improve our national competitiveness, improve productivity, and help us achieve a better quality of life for all Americans.

I urge my colleagues to vote in support of this legislation.

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

Mr. ROE. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. MINETA], the distinguished chairman of the Subcommittee on Surface Transportation, who has done an extraordinarily effective job in helping to weld this bill together and bring it before the House today.

Mr. MINETA. Mr. Chairman, I rise today in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

I would like to first commend the members of the Committee on Public Works and Transportation for their work in developing this landmark transportation bill. I believe that the committee-reported bill is superior and I am proud of the work done by our members and staff.

I would also like to commend the chairman of the full committee, our colleague from New Jersey, BOB ROE, and the ranking minority members of the full committee and subcommittee, JOHN PAUL HAMMERSCHMIDT, and BUD SHUSTER, for their leadership and dedication to achieving desperately needed improvement in our Nation's infrastructure.

I introduced H.R. 2950, the Intermodal Surface Transportation Infrastructure Act on July 18 of this year. However, we have spent more than 2 years developing this ground-breaking transportation legislation.

This legislation is a genuine new transportation policy for America, and a tremendous investment in our future. It will build our roads and bridges and transit systems into a comprehensive network that will in turn build our economy, enhance safety and improve our quality of life.

The flexibility and fair funding designed into this law is unprecedented, and of particular importance to States like my home of California which will grow enormously in the balance of this century.

Mr. Chairman, we are faced with a challenge to try and stop the decay in our national transportation network.

Every motorist and straphanger knows what I mean.

Half our bridges are in disrepair.

Traffic congestion has risen by 50 percent in the last 10 years.

More than a million miles of roads will have to be repaved by the end of the century.

Transit funding has not kept pace with inflation, which has meant that transit riders and transit systems have suffered.

America needs to do more than reverse the collapse of our annual transportation investment from 2.3 percent of our gross national product in the 1960's and 1970's to four-tenths of 1 percent in the 1980's.

Studies call for transportation investments of up to $3 trillion during the next 20 years. We can differ about the final cost, but to me there are no more universal truths than these;

First, the needs are there.

Second, how we spend the money we have its at least as important as how much money we spend.

In the 1990's, the challenges and responsibilities will be:

To maintain the Federal investment in the Federal-aid highway system;

To continue broad Federal support for mass transit; and,

To create transportation partnerships that include Federal, local, State governments, metropolitan planning organizations, and the private sector.

The only way our transportation network will truly improve in the years ahead is if we put our increasingly scarce Federal dollars where the needs are today, and where they must be in the future.

That foresight demands not a single strategy, but a series of policies that will be responsive to State, regional, and local needs well into the next century.

Our world is changing—rapidly.

If American businesses cannot get their products to market because our goods are tied up on inadequate roads, America loses.

If the American people cannot move around cities and regions because there's no alternative to solo commuting, valuable work time and quality family time is lost. Again, America loses.

Mr. Chairman, our legislation will begin to reverse these dangerous trends.

I would like to take this opportunity to highlight some of the provisions of the Intermodal Surface Transportation Act.

We will finish the interstates.

We will build more roads.

We will build more mass transit.

We will provide greater safety.

We will increase intermodality and bring together our highways and mass transit systems.

We will increase transferability by eliminating the penalties for converting highway money for mass transit use.

And we will increase flexibility by allowing States and cities and regions to determine more of their transportation priorities without being second-guessed by Washington.

Our legislation includes an authorization of a 6-year $119 billion program for highway construction and repairs;

In our legislation, we dedicate 49 percent of our core surface transportation program to designating, building and maintaining a National Highway System.

The NHS would be composed of no less than 130,000 and no more than 180,000 miles of Interstate, primary and strategic roads.

States would have 2 years to submit their proposals to the Department of Transportation before the system is finalized.

But as important as the system itself is the funding program we have devised to fuel it.

If a State Governor wants to earmark up to quarter of this money for an urban program or a rural program that falls outside of the NHS, the Federal Government will not stand in the way.

We also provide another 10-percent leeway if a State's interstate highways are maintained adequately.

In addition, we dedicate 19 percent of core spending for urban America.

Urban programs would be crafted and implemented by cities and metropolitan planning organizations.

Those cities and MPO's would no longer have to go hat in hand to the statehouse for Federal transportation dollars, as many cities must now do.

For rural America, we dedicate another 11 percent to States for rural-specific programs.

But beyond the National Highway System, the Urban Program, and the Rural Program our legislation provides a revolutionary degree of flexibility: 17 percent of total core spending.

Flexibility to enhance urban programs.

Flexibility to boost rural programs.

Flexibility that could go to the National Highway System, or for cleaner air programs, or for projects that bring highways and mass transit together.

Finally, we dedicate perhaps the most important 4 percent of all to increased safety.

We must improve our railroad crossings, bridge maintenance, and hazard elimination program for every American who entrusts themselves to our roads and bridges.

Our legislation builds our mass transit systems by including an authorization for a 6-year $32 billion program for mass transit construction and expansion;

Additionally, we make the urban Program, Rural Program and State-Flexible Program I just described fully eligible to build more transit systems.

Mass transit is neither an evil nor a legacy of poverty.

Mass transit is an innovation that the House bill will boost by more than doubling the President's proposed spending during the next 6 years, to $32 billion.

Also important, Federal policy will no longer effectively dictate what gets built in this country by manipulating matching formulas.

We will create instead a level playing field.

Many States and localities have made extraordinary commitments of their resources. My own State of California just doubled its gasoline tax.

What that means to me is that transportation decisions should be based on merit and local consensus rather than on whims of bureaucratic matching shares here in Washington.

That's why I am proposing a minimum 80-percent Federal share for all qualifying projects—regardless of whether those projects are road-based, bridge-based, or mass transit-based.

The exception would be our continuing 90 percent commitment to the interstates.

Our ultimate goal must be to improve and rebuild our transportation network to boost our international competitiveness and our domestic economy.

How we spend the Federal money we have is more important than how much money we spend.

And how we go about deciding to spend that money is no less important.

That is why a cornerstone of our legislation is the transportation planning process itself.

Our proposal will require metropolitan planning organizations to be established for urban areas with populations of 50,000 or more, with stronger requirements for regions with 200,000 or more people.

Anything less will fail to promote a working partnership between localities and State government, and between that partnership and the Federal Government.

Among other things, those MPO's would be charged with:

Managing traffic congestion;

Modernizing existing roads and bridges;

Seeking transit options;

Meeting Clean Air Act requirements; and

Determining the impact of transportation on the use, and potential abuse, of adjacent lands.

We have also tried to encourage research and development. The United States must regain its prominence as an international leader in this important area. Technologies like corrugated web beams, different consistencies of asphalts, and as well as any and all others should be studied for possible implementation.

And as with all of our programs, the Federal Government would not dictate requirements without providing the money to meet these new responsibilities.

Results must become the name of the game.

Results means management.

The days of waste and neglect must come to an end.

Under our legislation, States will be required to implement management systems to protect the Federal investment in pavement, bridges, congestion management, and our safety programs.

I believe you get what you pay for, and what you plan for.

That's why I say that we need a new transportation policy in this country, but legislation is only part of the picture.

We must be smarter in the future than we have been in the recent past.

We need common sense and innovation, and, most of all, fairness.

Our legislation is all of that.

Americans are frustrated with the gridlock that today jams our roads.

We don't need legislative gridlock here in Washington.

Taken as an entire package, our legislation will improve how all Americans get from here to there, as well as the air we breathe, our quality of life, and the future of our economy.

I hope and expect to work with the Senate, the administration and my colleagues in the House of Representatives to get the best transportation legislation possible enacted into law as soon as possible.

America needs nothing less.

Mr. Chairman, I urge my colleagues to support this legislation.

□ 1350

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the distinguished ranking member of the subcommittee, a member who is about as knowledgeable about title XXIII as anybody in the House.

Mr. SHUSTER. Mr. Chairman, today in this House we have an opportunity to make history, just as today in America people talk about the Interstate System and President Eisenhower and the Congress, and it in fact being President Eisenhower's greatest legacy to the future of our country, just as people talk of that today, by what we do here today, we have the opportunity to create a situation where about 40 years from now, people can look back and properly say that they created something worthwhile in their time for us.

Because, for the first time in 40 years, we are not simply coming to the fore with another highway bill that reauthorizes an existing program but, rather, we are coming to the floor with a historic new idea, the creation of a national highway system and, indeed, increased emphasis on a more flexible transit system for America. That is the idea that counts, and that is what this bill is all about.

I do not agree with everything that is in that bill, but I surely support it vigorously, because it is a balanced bipartisan compromise, and if it were not for the chairman, the gentleman from New Jersey [Mr. ROE], and the chairman, the gentleman from California [Mr. MINETA], and the gentleman from Arkansas [Mr. HAMMERSCHMIDT], we would not be able to be here today to bring before you this bipartisan product of literally thousands upon thousands of hours of work on the part of many people and, yes, not only the gentleman I have mentioned but our entire Committee on Public Works and Transportation.

This bill passed our committee 52 to 3, an overwhelming bipartisan endorsement.

What is at stake here today? Well, let me tell you a little story. There was a highway running through Pennsylvania, old Route 22, which was called a killer highway. Just in Blair County, a 35-mile stretch, an average of six people were killed every year on that highway. But in the past few years, we have been able to modernize it as a result of previous legislation from this Congress, and today, for the past 2 years, fatalities have dropped to only two per year, so four people's lives are saved every year in just this one county of America.

But that is not the whole story. In this same area, in just the past 2 years, 52 new businesses have sprung up along that new highway, investing $45 million in capital, creating 4,500 new jobs and, yes, by the way, people are able to travel more safely and more conveniently on this highway, and goods are able to be produced more productively.

□ 1400

But the importance of this little story is not that 35-mile stretch of road in Pennsylvania. The importance is that there is nothing unique about this story. No matter where you go across America, when you provide the investment to create modern transportation you save lives, you increase productivity, you create a better quality of life.

So we are here today to do just that for the years ahead, for the future of America. That is what this $151 billion is all about. It is important to emphasize that this $151 billion comes primarily out of the highway trust fund on a pay-as-you-go basis, not through deficit financing.

Now, I confess transportation is not nearly so politically sexy as some of the other issues we deal with around here, certainly supporting covert action halfway around the world or a space shuttle shot or high technology weapons energizes some around here much more; but there is very little we do around here which has a greater effect on the daily lives of every American citizen than the transportation legislation that we pass. Few things affect America's daily life and the daily quality of our life as transportation does.

Now, I know some of my colleagues and the media have had a lot of fun with the projects. We understand that, but I would urge you to look beyond the fun and the simplistic shots and look at the substance of what is happening here. If you look at these projects that are in this bill, you will see first that the total cost of the projects represents only 3.3 percent of the cost of the bill, so that means that the elected Representatives of the American people are going to say how 3.3 percent of this bill gets spent; 96.7 percent of the bill, how the money gets spent, is going to be determined by the faceless, nameless, bureaucrats around these United States, unelected by anybody.

So we think we should not in any fashion be timid in talking about the value of having elected Representatives have something to say about the tax money that is spent, the taxes which are raised as a result of the vote of the Members of this House.

Further and of extreme importance, this time on the committee we have been very careful to go back to the 50-State departments of transportation and the vast majority of the projects in this bill have the strong written support of the secretary of transportation from the State from which the project comes, and beyond that, these projects are only 80 percent funded, so 20 percent of the money has got to be put up by the State, and therefore the State has the final say as to whether the project is built or not.

Mr. Chairman, together today I believe we can take pride in what we are doing. We are acting as responsible stewards of the transportation public trust fund in America, and we are acting not only for our generation, but for future generations as well. When we are long gone, far into the next century, our children's children may well be able to look back and say that this is what our forefathers and our foremothers did for us.

We support the committee scenic byways provisions contained in H.R. 2950. We have not changed the overall structure of the Highway Beautification Act and all requirements for effective control under subsections 131 (c) and (d) in the current law which govern where signs may be constructed in conformance with the act would apply to the enforcement of section 122(c) including the construction and location standards in subsection 131(d).

We have also tried to allow a liberal definition of "scenic byways." However, the committee intends this provision to prevent the construction of signs on highway segments that pass through bona fide areas in which there is no commercial or industrial activity and which have particularly unique scenic attributes. This section cannot simply be used as a subterfuge to preclude signs which otherwise comply with the act but rather is intended to preserve pristine areas of unique beauty along controlled highways where commercial development has not occurred.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I thank the committee chairman for allowing me the opportunity to speak in support of such an outstanding piece of legislation, H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

Having gone through the process of drafting this bill, members of the Public Works Committee have endured

years of work, hundreds of pages of testimony; and most recently, thousands of allocation formula numbers, compiled at wee hours of the morning by the Federal Highway Administration.

As Chairman ROE has alluded, and I will reiterate, our main goal in working to craft this legislation, was to make a substantial investment in America's future. Am I convinced that the $151 billion level of investment included in this 6-year bill will completely solve this country's infrastructure needs and guide us into the future? Was I satisfied with the originally proposed $151 billion, 5-year bill, including a 5-cent increase in the gas tax? Not absolutely. However, this committee had the courage and the wisdom to recognize the importance of increasing infrastructure investment, even if it meant a tax increase.

The fact is, according to the Department of Transportation figures, H.R. 2950 as now written, and as originally written with a 5-cent gas tax increase, falls well below the estimated funding level needed to maintain highways and bridges at 1989 levels. Unfortunately, we were prohibited from funding the programs at their needed levels.

However, in spite of this, this committee has developed the greatest piece of highway legislation since the 1956 Federal Aid Highway Act, the act that created our modern interstate system. From a California and donor State perspective, H.R. 2950 is far superior to current law. Those States that pay more into the highway trust fund than they get back, will now recapture 90 percent of the money that is paid in to the fund. For a State like California, the leading contributor to the highway trust fund, this is the most crucial provision in the bill.

Like President Eisenhower recognized in 1956, the Public Works Committee recognized over the past several years, and I trust the other Members of this body will recognize today, America's economic prosperity and high quality of life is directly dependent on the financing of our Nation's transportation infrastructure.

You have before you the opportunity to move this country forward in new and exciting directions. The hard part is over, this innovative bill has been developed and is now before you. I urge my colleagues to support this bill to make the much needed investment in America's future.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from North Dakota [Mr. DORGAN] for the purpose of engaging in a colloquy.

Mr. DORGAN of North Dakota. Mr. Chairman, I appreciate the gentleman's yielding this time to me.

Mr. Chairman, through the existing University Transportation Center Program, North Dakota State University is designated as a lead university with a special focus on rural and agricultural issues.

NDSU has conducted rural and agricultural transportation research for over 20 years and is a national leader in providing solutions to rural transportation problems.

I would like to clarify that the National Rural Transportation Study Center at the University of Arkansas established in this legislation is not intended to compete with activities at North Dakota State University, but to complement them.

Mr. HAMMERSCHMIDT. Mr. Chairman, if the gentleman will yield, the gentleman is correct. The University of Arkansas is authorized by this legislation to conduct research and activities relating to intermodal transportation systems in rural areas. We envision the two universities designing their transportation research, teaching, and extension programs to complement each other.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, in all the media attention and some of the debate on the floor leading up to this moment, there has unfortunately been a lot of misinformation, and I would suggest far too much emphasis has been placed on whether or not there was going to be an increase in the gas tax, and, as we have heard, too much discussion of the demonstration projects which I think my colleague, the gentleman from Pennsylvania [Mr. SHUSTER] has certainly more than adequately addressed and indicated why these projects are important, but what has been overlooked are the really creative, innovative, and exciting developments that are included in this bill, things that are going to move this country forward in infrastructure development over the next 30 years.

This is indeed the most far-reaching bill that we have had in highway construction since authorizing the Interstate System 40 years ago.

I want, also, to point out that this bill is very, very close to the bill that was sent up here by President Bush, by Secretary Skinner, and by my good friend and constituent, Tom Larson, head of the Federal Highway Administration. It is very similar in that it contemplates a highway system that we have never had before.

I want to just concentrate on one element which I feel is very important, and that is the emphasis that is given in this bill to allowing private investment. It would, for the first time, remove a prohibition that exists in current law that prevents private sector involvement in infrastructure development. This is clearly an idea whose time has come. We are obviously in a situation where Federal, State and local governments, no longer have the resources to adequately meet all the demands that are being placed on them for infrastructure and highway development.

Presently you cannot have private sector involvement. This bill will allow private capital to get into infrastructure development specifically highways, and it will allow those projects that are funded by private sector investment to include also Federal financing up to 30 percent.

□ 1410

This is far different, ladies and gentlemen, than the Senate bill. The Senate bill obviously allows tolls, but it allows tolls that would be used by State and local governments as a cash cow. Nobody likes tolls, but tolls are clearly going to be a part of the way we develop infrastructure in the future. This will allow a private company to involve itself in infrastructure development, to receive an adequate return on its investment and also finance additional infrastructure development.

This really is an innovative, creative, and exciting idea that I think is going to enable us to accomplish a great deal more in turns of highway development and construction than we would otherwise be able to do using solely tax revenues.

So I am very pleased to rise in the strongest possible support of this overall bill because I do think it contains some exciting, innovative ideas, one of which is to permit municipalities to engage the private sector in infrastructure development.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Chairman, I rise in order to engage in a colloquy with the gentleman from New Jersey, the distinguished chairman of the Committee on Public Works and Transportation, Mr. ROE.

Would the chairman agree that the Secretary should include on the National Highway System those routes—including but not necessarily limited to Routes 54, 97, 10, 16, and 83—which provide access between Beckley, WV, and the West Virginia-Virginia State line. These routes represent the corridor for a project known as the Coalfield Expressway.

Mr. ROE. If the gentleman would yield, I would say to the gentleman from West Virginia that it is certainly our intention that the routes he has described should be made part of the National Highway System.

Mr. RAHALL. It is generally accepted that the trans-America high-priority corridor listed in this legislation would cross Kentucky and enter southern West Virginia in the vicinity of Williamson. At this point, it could intersect with the I-73 corridor, also listed in the legislation.

At some point along the I-73 corridor, however, the trans-America would need to be routed northward to Beckley, where it could intersect with I-64.

Would the chairman agree that the most feasible routing of the trans-America to Beckley would be at a point on the I-73 corridor immediately north of Welch utilizing the proposed Coalfield Expressway?

Mr. ROE. Let me say to the gentleman from West Virginia that I would most certainly agree that the trans-America corridor would generally follow those routes into Beckley.

Mr. RAHALL. I thank the distinguished chairman of the Public Works and Transportation Committee.

Mr. Chairman, let me say we all know our Government's investment in public works, creating a truly intermodal transportation system, has fallen in recent years. Today's efforts represent only four-tenths of 1 percent of the gross national product. Our infrastructure is falling apart. This bill is not all things that every Member of this House would like to see, but it is indeed a true beginning in our effort to not only put more trust in the highway trust fund, as the gentleman from New Jersey [Mr. ROE], has already described, but also to provide jobs and new business opportunities, new economic opportunities for many parts of this Nation.

To those of my colleagues who earlier tried to offer amendments to delete certain infrastructure projects, I say I only wish one fraction of their effort would be put into being so economically conscious when it comes to foreign aid and foreign loan guarantees to other countries around the world as their efforts are here at home.

Mr. Chairman, I am pleased to rise in support of H.R. 2950, the 6-year reauthorization of Federal aid for highways, bridges, transit, safety, and transportation research programs.

That we are here today is timely and appropriate—timely because the current Federal-aid highway legislation expired on September 30, 1991, and appropriate because our national system of defense and interstate highways is nearly complete, and it is high time to begin to make new investments in the Nation's transportation infrastructure.

Mr. Chairman, in a report issued early this year from the Federal Highway Administration, it was pointed out that the overall annual cost to improve 1989 conditions and performance of the highways and bridges in this country is $74.9 billion. The need, then, clearly exists for the overall $151 billion in expenditures called for in H.R. 2950, which allows $119.1 billion for highways and bridges, and $32 billion for transit.

Through this legislation, Mr. Chairman, we not only provide ways in which to rebuild America's highways, byways, bridges, and transit services, but we also will generate 2 million direct and indirect jobs.

The bill requires a 20-percent match by the States, with 80 percent of highway and transit needs coming from the Federal Government, rather than the 75–25 and 60–40 Federal-State matching requirement recommended by the administration. Interstate construction and repair matching shares remain at 90–10.

The bill provides for a National Highway System [NHS], and a State flexible fund that can be spent for either highways or transit projects at the discretion of the Governor. There is a provision that NHS moneys, too, can be transferred for use in transit. On the other hand, the funds made available to the states for mass transit projects can also be transferred to highway use, at the discretion of the Governors.

While I must say that I object to the so-called transferability clauses in H.R. 2950, particularly the transfer of scarce transit funds for highway construction use, I am pleased to note that $32 billion will be spent on transit over the next 6 years, a great boost in transit funding. I objected to the transferability provisions from transit accounts to highway accounts because, in my view, it applies only to rural and small urban transit moneys—the two programs that, under the bill, get only 15 percent of the funds appropriated for transit, with 85 percent going to large urban areas—yet large urban transit funds are not subject to the transferability provision. I objected also to the use of $20 million off the top of section 18 rural transit funds for something called intercity bus services, before any State apportionments are made. This $20 million comes only out of the rural transit program, which receives only 5 percent of transit funds to begin with. I worked hard, and am proud that the committee adopted my recommendation to increase section 18 rural transit funds from its current 2.9 percent to 5 percent. But once we got the increase in the bill, others came along and began to dilute the intended increase by allowing 35 percent of section 18 rural funds to be used for highways, and on top of that to take $20 million off the top of every annual appropriation for use by something called intercity bus service. I am going to be watching closely to see just how much and to what extent that $20 million is spent putting intercity Greyhound- or Trailways-type bus services back into rural West Virginia where such bus service has been discontinued for a very long time.

H.R. 2950 creates two new programs—the urban mobility and the rural mobility programs, with local officials [MPO's] making decisions on how urban funds are used, and rural mobility funds spent at the discretion of the Governors. Again, any and all of these highway funds may be spent on transit if the State and local officials agree.

The bill contains $14.9 billion to rehabilitate and replace obsolete and deficient bridges, and for the first time allows 35 percent Federal funding of toll facilities, either highways, bridges, or tunnels.

The bill designates corridors of national significance in order to construct needed multi-State connectors, and provides $9.8 billion for transit new starts and rail modernization projects.

For section 3, section 9, section 9B and section 18, under the transit title—title III—and for other transit programs, the bill will spend $32 billion over 6 years. I only wish we could obtain permission to spend down the transit account in the highway trust fund, as we are being allowed to spend down the balance in the highway account. But permission to do so was not forthcoming.

Early this year I was pleased to introduce the Mobility Assistance Act, H.R. 1079, calling for increases in the apportionments for small urban and rural transit services, and I am even more pleased to note that those increases were agreed to and appear in H.R. 2950. For example, as alluded to above, the current apportionment of transit funds for small urbanized areas is 8.6 percent. Under this bill, as I had recommended, small urbans are funded at 10 percent. For rural transit, I had hoped to increase its apportionment from 2.9 to 7.5 percent, but H.R. 2950 contains an increase to only 5 percent. It is, however modest, reflective of the committee's recognition of the growing needs of transit dependent individuals and families residing in small urban and rural areas, particularly the poor, the disabled, the elderly, and those working in low-income jobs.

While my Mobility Assistance Act would have created a new, State initiative block grant for its discretionary use, the bill before us does not. H.R. 2950 does contain, however, its version of a block grant in the form of a new minimum apportionment program guaranteeing each State a return of at least one-third of 1 percent of its contributions to the mass transit account of the highway trust fund. Since States have never received a guaranteed minimum return on MTA contributions, this is a big plus. It will greatly serve West Virginia, which now contributes up to $10 million a year to the mass transit account in the trust fund, but receives only $765,000—less than $1 million—back each year.

The bill further freezes current law on allowing States to use longer combination vehicles [LCV's] on our Nation's highways and bridges. I support this provision, which disallows LCV use in all but those States already permitting their use—only about 20 States now allow LCV's. This is not only going to keep down the wear and tear on our highways and bridges, it will make automobile drivers feel a lot safer, too.

I have recently read with interest Pat Choate's "Magic Highway," and in it he says:

> The roads which connect the corners of our nation took decades to plan, to finance and to build. Their impact on the country's demographic distribution, its economic productivity, its national defense, and the lifestyles of its people has been both deep and profound.

In other words, to paraphrase Mr. Choate, every action we have taken since 1956, at the inception of the Interstate Highway System, we have altered the course of history—for the betterment of mankind.

Also, Mr. Chairman, again quoting from the "Magic Highway":

> It (the interstate highway system) represents the vision and sacrifice by a generation of Americans who overcame obstacles in finance and imagination—and fought off the natural urge to rob from the future for their own advantage—and build this vast network of highways that connect our country, lend efficiency to our economy, strengthen our nation's defense, and increase the safety of our travelers.

We all know that our country's highways and bridges are in such a state of disrepair that they are crumbling. We also know that despite the investment represented in the completion of the interstates, there are still communities so remote and so isolated from their neighboring States, that they are trapped in a time warp when compared with the relative mobility taken for granted in other parts of the country.

We all know that the Government's investment in public works—in creating a truly intermodal transportation system—has fallen in recent years, and today represents only fourtenths of 1 percent of GNP. Our infrastructure is falling apart. If we are to address our need to develop a highway system that will meet our economic development needs, as well as meet our energy needs, we must begin to reinvest in roads, bridges, and mass transit projects. To do so takes money—more, even, than the $151 billion contained in H.R. 2950.

While H.R. 2950 falls short of meeting our real needs on a truly national scale, it is indeed a bill which takes a giant step toward meeting our infrastructure needs for the next 6 years, and it sets the pace for years to come as we redirect our energies and rededicate ourselves to an intermodal transportation system.

I commend, and take this opportunity to give thanks and high praise to my chairman, Mr. ROE of New Jersey, whose leadership of the Committee on Public Works has brought a fine bill—a bill that assures equity to all Members of this House—to the floor for our consideration. My appreciation also extends to the able ranking Republican member of our committee, JOHN PAUL HAMMERSCHMIDT, and to the chairman of the Subcommittee on Surface Transportation, and my good friend, NORM MINETA, and to the subcommittee's ranking Republican member, BUD SHUSTER of Pennsylvania.

I am proud of the fact that the Committee on Public Works and Transportation was able to carefully craft a bill that is fair and equitable, above all else, to each and every Member of this House, and to do so without imposing a new gasoline tax. The leadership of our committee demanded, and finally got, access to moneys to which the highway users in our respective States are entitled—and so we will be able to spend 2½ cents of last year's gasoline tax which, until now, has been held hostage in the trust fund without any hope or expectation of spending it, while the other 2½ cents were diverted for deficit reduction purposes. Also, we are now enabled to spend down, for the first time, the balance or surplus in the highway trust fund over the next 6 years, leaving a cushion in the fund of $2.3 billion—enough to take care of any emergency that might arise. This is a tremendous achievement for the Public Works and Transportation Committee and indeed, for the whole House.

Today, each and every one of us can take on the mantle of responsibility of our generation to overcome all obstacles of imagination, finance, and self-interest in order to begin to build and rebuild our vast network of superhighways.

Today all Members of the House of Representatives can join in that monumental effort the Committee on Public Works has begun, and receive in return the reward of being able to pass on to future generations a better America. I recommend H.R. 2950 to my colleagues and hope that it passes.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. PACKARD], a member of the committee.

Mr. PACKARD. Mr. Chairman, today on the floor of the House, we will be considering the Intermodal Surface Transportation Infrastructure Act of 1991. As my colleagues know, a great deal of work has gone into this bill. I appreciate the time the chairman and other members of the committee have spent on this bill. May I also mention my appreciation for the dedication and expertise the committee staff brought to this process.

The Intermodal Surface Transportation Infrastructure Act of 1991 was produced through a painstaking and arduous process. The legislation we have before us today is the result of careful and deliberate policy decisions. The importance and complexity of our transportation system requires this. We must remember that our primary objective is a safe, efficient infrastructure system. Reliable infrastructure is the key to this country's economic competitiveness in the last decade of the 20th century, and beyond. I believe that this bill will enable us to satisfy the future transportation needs of our Nation.

There are many important sections in the bill. We will finish the Interstate Highway System and move on to new and more advanced programs. We struck a balance between funding for transit and highways. The bill gives unprecedented flexibility to State and local governments in directing apportionments according to the individual needs of the area. The concerns of donor States with regard to fair allocation of funds have been addressed. We have set forth policies for highway safety and the cohesive construction of roads and other modes of transportation. Finally, we have funded this bill without the 5 cents gas tax increase.

The fact is, this bill incorporates state-of-the-art technology, allocates funds in a fair and flexible manner, and effectively reorients the direction of this country's transportation policy into the 21st century. Also incorporated into this bill are specific projects which individually have been singled out as pork. I find this criticism to be shortsighted.

The completion of the Interstate System of Highways was certainly not accomplished in one fell swoop. It was methodically pieced together, incorporating existing technology and current demands upon infrastructure, over a period of several decades. The funding of individual projects in this bill does not reflect Members' desires to bring home the bacon, as critics have charged. Bridges are in a sorry state of disrepair, our highways are jammed because the amount of people and therefore the demand upon highways and transit has increased. This legislation aims to fix these pressure points in our infrastructure. This is simply the logical extension of providing a reliable system of transportation to increase America's competitiveness in the global marketplace. Certainly, these individual projects benefit the specific areas where they are located; but they benefit the overall system of highways, bridges, and mass transit as well.

Three projects have been included in the legislation which are of great benefit to southern California. The construction of several segments of Route 76 in Oceanside will provide access from the easterly communities of Vista, Fallbrook, and Bonsall to I-5 and the coast. The Palomar Airport Road and I-5 interchange in Carlsbad will alleviate congestion and provide access to a major regional airport. In addition, the Los Angeles-San Diego Rail Corridor Agency [LOSSAN] will develop a high-frequency, reliable, cost-effective rail service between Los Angeles and San Diego. This will ease traffic congestion which is of vital importance to enhance the air quality in an area of nonattainment.

I fully support the inclusion in the bill of language allowing for the construction of certain toll roads in Orange County. These roads will be a major element in relieving traffic congestion in southern California. This language has the support of the Orange County Transportation Agency, and the Transportation Corridor Agency, and the Orange County Board of Supervisors.

I wish to thank the committee leadership for their attentiveness to the needs of my district and in my State. Good transportation infrastructure is essential for the continued competitiveness of our country. We must make the investment to insure that our industries can successfully compete in the global marketplace. I believe this bill provides the much-needed impetus for that continued economic growth.

I particularly want my State to know that this bill corrects virtually all the current inequities in the distribution of the highway funds. I urge my colleagues to vote for this bill.

Mr. Chairman, we need new direction for our transportation policy, and I believe the Intermodal Surface Transportation Infrastructure Act provides that new direction.

Mr. ROE. Mr. Chairman, I yield 4 minutes to the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Chairman, I want to begin by thanking the members of the Transportation and Public Works Committee on both sides of the aisle for doing a good job, taking a lot

of guff, writing an excellent bill, and bringing it to the floor.

This was not easy, but they bring to us something this country cannot function without: A plan to restore and modernize the transportation system of this country so that we can have jobs and products for sale in America and abroad.

In the short term, this legislation will ensure that money keeps flowing to the public works projects already underway in the various States.

And as we keep this spending and consumption and investment flowing, we hope the confidence and economic activity so lagging today in this recession will be given a shot in the arm.

But this legislation must be understood and supported because of its long-term economic benefits.

We know from our history that America has enjoyed sustained economic growth only when we invested a substantial percentage of our national wealth in transportation and public works.

We know too that America has lagged, and our strength has become depleted, when we shifted our investments away from highways, bridges, tunnels, and ports, and moved them into tax cuts for the rich and completing our victory in the cold war.

The defense funds, in large part, were well spent. But this investment produced an unfair result. While we defended Europe, while we defended Japan, while we defended Korea, while we extended the umbrella of our defense to shield our allies from communism, our competitors built themselves up economically.

The committee tells us that Japan alone is spending $3.2 trillion over the next decade, an investment that we should be making but now cannot afford.

This bill says: Now it is our turn. Now it is time to take care of America. Now it is time to give our people, weary from their victory over communism, new roads, new transit systems, new opportunities to save energy, and the environment so that they can enjoy the benefits of capitalism.

During the debate, it may be difficult to distinguish the players without a scorecard. I must express some surprise at the comments made by some of our colleagues who oppose this bill.

They want to keep the trust fund money in Washington.

They want to give the people in the bureaucracy all the decisions on projects.

They call highways in their districts infrastructure, but they call projects in our hometowns pork.

They want to hang on to the gas tax money to make the deficit look smaller.

They want us to obey the President's deadlines for passing the bill.

I don't believe that is what the American people sent us here to do, but these are the arguments of the people who oppose the legislation.

The supporters of the bill take a very different approach.

We believe that Government investment in highways will create jobs, increase economic growth, and improve the lives of working Americans who need to commute by car and mass transit.

We believe that publicly elected officials have the right and the duty to respond to their community's transportation needs. We believe gasoline taxes paid by Americans should be returned to them in the form of transportation improvements.

And we believe that writing a better bill than the administration submitted justifies taking as much time as Congress needs to get the job done right.

And the Public Works Committee has gotten this job done right.

I wish I could hand out this bill to every citizen I have met who has registered a strong complaint about Government. This bill is the other side of the story.

Citizens want a decent return for their hard-earned tax dollars; this bill does that. Citizens want Government to change with the times; this bill does that.

Citizens want a program that balances the needs of transit versus highways, energy versus the environment, rural versus urban, safety versus efficiency, State's rights versus Federal responsibility; and this bill balances all of those interests about as well as they can be balanced.

I wish we were doing more. We should be doing more. But we are doing the best we can with what we have.

My thanks to Chairman ROE, Congressman HAMMERSCHMIDT, Chairman MINETA, and Congressman SHUSTER for their stewardship and patience, and I also want to thank each of the members of the committee for their hard work.

Their roads to heaven will be paved not just with good intentions but with a great result.

□ 1420

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. PETRI], a distinguished member of the Committee on Public Works and Transportation.

Mr. PETRI. Mr. Chairman, the legislation before us today, H.R. 2950, represents a new era in our Federal transportation program. As we began the reauthorization process many months ago, a major goal of the donor States, those which have contributed much more in Federal gas taxes than they have received back, was to ensure that new and equitable allocation formulas for our highway programs be included in this reauthorization legislation.

Historically, my own State of Wisconsin has received back 74 cents in Federal highway funds for every dollar sent to Washington. There was some understanding that there would necessarily have to be an uneven distribution while the Interstate Highway System was being constructed. Now that we are reaching the completion of the Interstate, it is time to enact new distribution formulas that are fair to all States.

H.R. 2950 does just that, Mr. Chairman, I want to thank Chairman BOB ROE, ranking Republican JOHN PAUL HAMMERSCHMIDT, Surface Transportation Subcommittee Chairman NORM MINETA, and subcommittee ranking Republican BUD SHUSTER for their responsiveness to Members representing donor States and their understanding and sensitivity to our concerns while this bill was being drafted. Congressman L.F. PAYNE and Congressman TIM VALENTINE also deserve credit for their tireless efforts in this process.

In addition, to the equitable funding allocation formulas, H.R. 2950 contains several other worthy provisions, including a National Highway System and granting increased flexibility to States so that they can respond to their particular transportation needs and I urge its passage.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. NOWAK], the distinguished chairman of our Subcommittee on Water Resources.

Mr. NOWAK. Mr. Chairman, I rise in strong support of H.R. 2950 and I request great broad support from this Congress.

Mr. Chairman, I rise to engage the chairman of the Committee on Public Works and Transportation in a colloquy concerning an important provision in the bill related to wetland mitigation banking.

Section 108 of the bill, project eligibility, applicable to both the National Highway System and urban mobility systems, makes the Federal highway trust fund available for participation in wetland mitigation banks and statewide programs to create, conserve, or enhance wetland habitat.

Mr. ROE. Mr. Chairman, will the gentleman yield?

Mr. NOWAK. I yield to the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, the gentleman points out a provision which is very valuable both in our Surface Transportation Program and in our Wetlands Preservation and Enhancement Program.

The gentleman from New York is currently conducting extensive, in-depth hearings on reauthorization of the Clean Water Act and wetlands specifically. These hearings have provided significant information not only on the need for wetlands preservation, but also on the need to adequately compensate for unavoidable losses. The provision in section 108 is intended to

make funding available for efforts to create, conserve, or enhance wetland habitat, including development of statewide mitigation plans—important efforts in improving our Nation's wetlands resources.

Mr. NOWAK. I would like the chairman's clarification of an issue of great importance. This provision specifically does not exempt any highway construction project from any applicable requirement of Federal law. Is that correct?

Mr. ROE. The gentleman is correct.

Mr. NOWAK. The requirements of section 404 of the Clean Water Act regulating the discharge of dredged or fill material into the waters of the United States remain unchanged?

Mr. ROE. The gentleman is correct. The provisions specifically deny any exemption. If the law requires that a proposed highway avoid any impact on a wetland, this provision does nothing to change that. In those instances where the law allows for compensatory mitigation for impacts on wetlands, this provision authorizes a source of funding for efforts to adequately compensate for impacts on wetlands, and, hopefully, to enhance and improve our wetlands base. This provision makes no substantive changes to wetlands law—whatever changes may be made to wetlands law will be made within the Clean Water Act reauthorization process.

Mr. NOWAK. Mr. Chairman, I thank the gentleman for this clarification, and look forward to working with him on wetlands issues in the Clean Water Act.

Mr. Chairman, I would like to take this opportunity to discuss with the gentleman from California [Mr. MINETA] a provision of the bill which has caused some concern.

Section 605 provides $2 million to the National Center for Earthquake Engineering Research [NCEER] to study the seismic vulnerability of the National Highway System's highways, tunnels, and bridges and develop cost-effective methods to retrofit these structures to reduce their vulnerability.

I want to stress that this research will be conducted on elements of the entire Federal-aid-system, not one specific region.

Finally, let me emphasize that NCEER will continue its policy of supporting planned, structured research programs on other campuses, including those in California.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from California [Mr. MINETA].

Section 605 provides $2 million to the National Center for Earthquake Engineering Research to study the seismic vulnerability of national highway systems, tunnels, and bridges and develop cost-effective methods to retrofit these structures to reduce their vulnerability. This research will be conducted on elements of the entire Federal aid system, and then we will continue its policy of supporting planned structured research programs on other campuses, including those in California.

Is that correct?

Mr. MINETA. Mr. Chairman, if the gentleman will yield, the gentleman from New York [Mr. NOWAK] is correct. I thank the gentleman for the clarification.

Mr. NOWAK. Mr. Chairman, I also thank the gentleman from California.

Mr. Chairman, I rise today in strong support of H.R. 2950, the Intermodal Surface Transportation Assistance Act of 1991.

At the start, I would like to commend the bipartisan leadership of the Committee on Public Works and Transportation for their boldness in crafting this new master plan for meeting our Nation's transportation infrastructure needs.

Chairman ROE, Subcommittee Chairman MINETA, and the ranking minority members, Mr. HAMMERSCHMIDT and Mr. SHUSTER, also should be saluted for the doggedness and the determination they exerted in bringing this vital bill to the floor today.

Political and budgetary realities required the Public Works Committee to make compromises and scale down some funding levels in developing H.R. 2950.

But the committee did not compromise the principle that we need to dramatically, in a historic fashion, reshape the Federal Government's role in meeting our Nation's unmet infrastructure needs so we can be competitive in the new global economy.

H.R. 2950 lays the foundation for meaningful change.

Clearly the country needs the levels of spending established in H.R. 2950.

This summer, the Department of Transportation documented some of our infrastructure needs in a report to Congress, noting that "total investment has not kept pace with all system demands."

DOT pointed out that in 1989:

> About 265,000 miles of pavement (were) at or below accepted engineering standards, about 134,000 bridges were rated as structurally deficient, over 5,000 bridges were closed, congestion introduced over 8 billion hours of delay on the Interstate System, adding billions in cost to interstate commerce.

H.R. 2950 will begin the process of erasing those negative statistics.

It will accomplish this not only by increasing highway construction funding by 40 percent but also by spending down the surplus accumulated in the highway trust fund from $11.4 billion to $2.3 billion by 1997.

As Chairman ROE has put it: "We are restoring trust to the trust fund."

H.R. 2950 offers a balanced intermodal approach to our transportation system.

Its restructured Federal aid programs recognize the different needs of urban, suburban and rural areas plus the need for efficient bus and rail systems and safe bridges and highways.

Recognizing the differences of different regions, H.R. 2950 also attacks the rigidity of existing Federal aid programs by giving States long-needed flexibility.

Most importantly, in my opinion, the Committee on Public Works through H.R. 2950 recognizes the importance of our transportation network to job creation and economic development.

H.R. 2950 is not only a package of transportation projects designed to move people and products.

H.R. 2950 is most importantly a long overdue investment in the future of the United States.

I urge my colleagues to support that investment and vote for H.R. 2950.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. INHOFE].

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. INHOFE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Chairman, we support UMTA's efforts now underway to work with the Transit Development Corporation, which would serve as an independent governing board to select research projects to be funded under the UMTA Act. We further understand that the Transit Development Corporation will work with the Transportation Research Board or some other entity the corporation deems appropriate to assist in the research selection process. The resulting research information will be disseminated as appropriate by the Transit Development Corporation. No other legislative direction in this regard is intended or necessary.

Mr. INHOFE. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. Chairman, I rise today in support of the Transportation reauthorization bill that is before us. But I do so for a different reason than most of my colleagues, particularly those over on this side of the aisle.

Mr. Chairman, I rise as a conservative Republican supporting this bill, and I will put my conservative credentials against any Member of this House of Representatives.

A few months ago I was one of seven individuals on the Committee on Public Works and Transportation who voted against this bill. At that time I felt that the 5-cent-a-gallon gas tax increase was something that was not in keeping with my philosophy and not in the best interests of the country in spite of the motivations, the very fine motivations, of the leadership of the committee. I also was not satisfied with the rate at which we were spending down the highway trust fund. A lot of people have forgotten the origin of this trust fund. It goes back to 1965 and 1966, the Great Society days, when they were looking for ways and for new smoke and mirrors to hide the enormous deficits. So, they decided to let these trust funds grow and not spend out of the trust funds, and consequently we ended up with billions and billions of dollars of unspent money in those trust funds to make the deficit look smaller.

Mr. Chairman, since I was elected in 1986, I have been trying to find some way to get a program in, not just this trust fund, but also the air, space, and aviation trust fund, to spend those moneys that are in there in surplus for the designed purpose. This bill not only does not provide a 5-cent-a-gallon gas tax increase, which was somewhat offensive to many of our conservatives, but also spends that down to $2.3 billion in the trust fund of the balance, and I think that is a major accomplishment for conservatives.

So, as a conservative, I rise in favor of this bill and urge my conservative colleagues to do the same.

□ 1430

Mr. ROE. Mr. Chairman, I yield 2 minutes and 30 seconds to the distinguished gentleman from Ohio [Mr. APPLEGATE], a member of our committee.

Mr. APPLEGATE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, first of all, I just want to commend our great chairman, the gentleman from New Jersey [Mr. ROE], the subcommittee chairman, the gentleman from California [Mr. MINETA], and the gentleman from Arkansas [Mr. HAMMERSCHMIDT], as well as the gentleman from Pennsylvania [Mr. SHUSTER], for doing an outstanding job and bringing forth on this floor the best highway bill that has ever been presented to the House of Representatives.

President Bush said what he wanted was a Transportation bill with no increase in taxes. Well, let me say that he has got one, and this is it. Yet he is talking about vetoing it. For a President who has promised 30 million new jobs and is in the process of losing 9 million per month, he should embrace this, because this bill is going to create 2 million good blue collar construction jobs. And this is only a byproduct of the whole bill. Since the interstates have really been mostly completed, this bill will zero in on the secondary and primary roads which will be tying smaller communities to most of our infrastructures in major areas of the country, to help them bring themselves out of the economic gloom they are in.

With a growing population in this country of 1.5 million per year, America's infrastructure needs improvement. It is a shame, because the United States lags behind all the great industrial powers of the world in fixing its infrastructure. As has been stated before, Japan spends six times more on their infrastructure than we do. We are great in protecting other nations of the world with our military power, sending our bucks over there to help them improve their infrastructure and their economy, and yet failing to take care of our own infrastructure.

Let me say this bill is going to help the donor States. For those of us who live in States where we send more money to Washington than we are getting back, this is going to help to reduce that. To at least some degree, we are raising the amount of moneys that we are going to be getting back from the dollars we spend. Now our States are the ones that need help because we are the ones that took care of the rest of them throughout the Nation.

I hope it is not going to be all politics in the White House now with this, because Americans cannot afford any more politics on this basis. They need help with their local communities. I do not want to be like the guy who got up one morning and put his shoes on backwards, and who walked forward into the past.

We have to be through with that kind of politics. We have to be moving forward, because we are moving into the 21st century and we need the infrastructure, we need the highways, and we need the improvements to meet that new century.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Chairman, first, I want to commend my distinguished colleagues, Mr. ROE, chairman of the Public Works and Transportation Committee, Mr. HAMMERSCHMIDT, the ranking minority member of the full committee, along with Mr. MINETA, chairman of the Surface Transportation Subcommittee, and the subcommittee's ranking minority member, Mr. SHUSTER, for their outstanding work in developing this comprehensive legislation, which we are taking up today.

Without question, H.R. 2950 will serve as the blueprint for the rebuilding of this Nation's failing highway and transit systems. This bill will stimulate our economy, which despite rosy pronouncements to the contrary, remains in a serious state of decline.

Twenty-one States, along with hundreds of cities, small towns, and rural communities, are coping with a serious decline in revenue and budget deficits. They, along with major U.S. national and international companies, and businesses of all size, continue to experience major layoffs of their work force.

The America people continue to see their standard of living slide downward.

This bill will help to rejuvenate our economy.

From coast to coast, our transportation systems are deteriorating, annually costing Americans untold billions of dollars in lost productivity, notwithstanding the inconvenience and hardship the gridlocked systems impose on the public simply seeking to commute between home and the workplace, or getting goods from one location to another.

Mr. Chairman, it has been purported that demonstrations projects are pork-barrel projects, with little, if any, merit. Nothing could be further from the truth.

For example, each Maryland project included in this bill was done so with the advice and consent of the Maryland Department of Transportation which will be sharing in the cost. Each project is a legitimate project, and all contribute to the State's overall transportation needs.

Pork barrel? No. Those who paint all of these projects with a broad brush simply don't travel around this country and speak to Americans who suffer daily, trying to cope with a seriously deteriorating system.

Let those who allege pork barrel ask Baltimore County and Harford County residents if the $28 million earmarked in this bill for improvements to the Baltimore Beltway is pork barrel.

The answer will be a resounding "no." The 156,000 motorists, who daily travel the Baltimore Beltway, must add 30 to 45 minutes to each leg of their commute to and from work simply because the system is inadequate to accommodate their needs. Similar waste of time and energy is repeated throughout all communities and urban areas in our great country.

Let those who allege pork barrel ask my constituents if the $14 million in improvements to U.S. Route 1—a major north-south corridor experiencing rapid residential and commercial growth—is pork barrel. The answer will be a resounding "no."

Currently, 34,000 motorists travel this outdated section of roadway and it is projected that that number will escalate to 62,000 daily by the year 2000.

Reconstruction of U.S. Route 1, providing median barriers and other safety features are improvements which are long overdue.

Improvements to both the Baltimore Beltway and U.S. Route 1 will help reduce air pollution pumped into the atmosphere as vehicles sit idle, bumper to bumper, for long periods of time and, at the same time, reduce wasteful fuel consumption. Similar stories are reported nationally every day. Think of the wasted time and energy.

Let those who allege pork barrel ask my constituents if the $10 million for the reconstruction of six obsolete and marginally safe bridges is pork barrel. The answer will be a resounding "no."

Like too many of the bridges throughout the United States, each of these Maryland bridges has been repaired time and time again in a Band-Aid approach to extending their lives, which, in the end, costs more than replacement.

Mr. Chairman, no one in this body is more cognizant of the need to control Federal spending than I.

As a member of the Budget Committee, I fully understand the seriousness of our national budget problems, but, as a member of the Public Works and Transportation Committee, as a person very concerned about our Nation's competitiveness and industrial

strength, and as a daily commuter between Capitol Hill and my home in Timonium, MD—58 miles away, I also fully understand the absolute need to make improvements to our highway and transit system.

That is why I carefully weighed and deliberated over each and every project for my congressional district and for the State of Maryland before I requested and supported their inclusion in this bill.

Special demonstration projects are essential to local, regional and national transportation requirements. Their identification and designation is merely a method to prioritize their completion—again, with the advice and consent of the local transportation and public works officials, who must share in their costs.

Mr. Chairman, I urge my colleagues to support this bill, which is so essential to America—to its productivity, to its economy, and to the safety of the American people.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. BORSKI] chairman of the Subcommittee on Investigations and Oversight.

Mr. BORSKI. Mr. Chairman, I rise in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

I want to commend Chairmen BOB ROE and NORM MINETA, and the ranking Republicans JOHN HAMMERSCHMIDT and BUD SHUSTER, for their hard work and strong leadership in putting together this bill.

Dependable travel is something every American has a right to expect and through my work on the Public Works Committee I have made a commitment to see that our transportation system is the best it can be.

I am convinced passage of this legislation will help do just that.

H.R. 2950 represents a major commitment toward increased Federal spending for public transit. It provides $32 billion for public transit.

That virtually doubles Federal support for the transit programs currently in operation across the country.

This past spring the Public Works Investigations and Oversight Subcommittee, which I chair, held a hearing to look closely at the impact made by a decade of cutbacks in public transit.

Over the past 10 years, Federal investment in the Nation's public transit system has been cut by 50 percent.

Transit officials from all over the country told us very discouraging news about the impact those cuts have had on their systems.

It's meant higher fares, a drastic reduction in services, and a system that in many ways is on the brink of collapse.

In my own city of Philadelphia, the transit system has had a difficult time simply trying to make ends meet.

Commuters there have the dubious satisfaction of knowing they pay the highest base fare in the country for a ride on public transit.

We must reverse 10 long and difficult years of disastrous cuts in Federal transit spending. This legislation will do that.

A strong public transit system is essential to cutting the growing problems of traffic congestion and air pollution. It will also help us reduce our dependence on foreign oil.

A strong commitment to expand public transit also makes sense when you look at the latest census figures.

Over three-fourths of all Americans now live in metropolitan areas. That means a greater need to move large groups of people on a daily basis.

H.R. 2950 will meet that need.

It will almost double the size of the current transit program from $3.2 billion in fiscal year 1991 to $4.1 billion in fiscal 1992 and more than $5 billion per year after that. By 1997, Federal transit spending would reach $7.2 billion.

Philadelphia's transit system would receive more than $200 million in extra funding from this legislation. This is beside the additional funding which is available for transit under the bill's unprecedented flexibility and transferability provisions.

Initial reports from Philadelphia's transit experts say more Federal money, combined with State funding, would allow them to replace or overhaul 1,500 buses and 1,000 subway, regional rail, and trolley cars.

Almost 700 miles of tracks and 500 bridges could also be rehabilitated. In addition, SEPTA could upgrade signals, power and communications systems, and support facilities.

It goes without saying that our Nation is turning more to metropolitan areas for work and recreation and that means a growing need for transportation that will move people quicker, easier, and safer than ever before.

It also means that a financial commitment to public transportation is not only needed but is crucial to the lives of many Americans.

H.R. 2950 would also, for the first time, include a $76.7 billion flexible highway program in which up to two-thirds of the funds could be transferred to mass transit, at the discretion of State and local governments.

Imagine what this innovative flexible highway program will mean to cities who have turned to their State governments only to find out their hands were tied?

Under the flexible highway program, States will be able to transfer highway funds to mass transit.

This would serve a twofold purpose: Improving transit in general and improving it with an eye toward meeting new clean air guidelines.

Nonattainment areas, like Philadelphia, for example, would be able to use additional Federal money to meet new stringent pollution guidelines.

It's obvious that the American, fast-paced way of life forces us to travel more than ever before, making us more dependent on mass transit to move us to work and to play and home again.

We need to renew our commitment to mass transit agencies. We need to say that we will do all we can to make public transit efficient, effective, and at all costs, safe every hour of the day.

I believe the increased spending in this bill for public transit will help us meet our goal.

I am also pleased that the bill contains legislation which I introduced last spring along with my good friend and colleague, from New York, Congressman BOEHLERT, freezing the operation of longer combination vehicles on the Nation's Interstate Highway System.

Because of a legal loophole big enough to drive a triple trailer truck through, expansion of double and triple trailer trucks has become a major public safety concern.

Congress never intended to sanction a State-by-State expansion of double and triple trailer trucks. But that is exactly what has happened.

In 1956, Congress established the Interstate System and limited the size of trucks on those highways. It included a so-called grandfather clause to grant exceptions to a few States which were already permitting larger trucks.

But the situation changed dramatically in 1982 when Congress passed the Surface Transportation Act. That's when it gave States the authority to decide grandfather rights.

Today, 15 States permit triple trailer trucks and an additional 5 States allow doubles over 56 feet in length.

This bill freezes LCV lengths and weights as of June 1, 1991.

Proponents say LCV's are safe. And they may be in low-populated regions of the country where straight paths of highway stretches on for miles.

But what about in congested areas?

Shouldn't we listen to the people who drive these giant vehicles?

I agree with R.V. Durham, director of the freight division of the International Brotherhood of Teamsters, who told Congress that they have "very serious highway safety concerns about triple trailer trucks and turnpike doubles."

Mr. Durham testified that while "LCV's operate in the Western United States on routes where there is relatively light traffic, the same safety record would not be possible in other States that are more densely populated."

Three-quarters of the American people oppose more giant trucks on our highways because of safety concerns.

Many existing highway systems don't have adequate ramps and merge lanes

to accommodate the over-sized vehicles.

And unless we freeze the expansion of double and triple trailer trucks, States which do not want them might be forced to accept them because of economic pressures.

Last, this bill significantly increases the Federal investment to upgrade the Nation's bridges.

Bridge safety is one of the most important transportation concerns facing this Nation.

During recent hearings before my oversight subcommittee, experts testified that 40 percent of the Nation's bridges are deficient.

The bill directly addresses this problem by increasing bridge funding to a total of $14.9 billion over the next 6 years.

Under the bill, funding to repair and replace obsolete bridges will grow steadily, from the current level of $2.1 billion in fiscal year 1992 to $2.9 billion in fiscal year 1997.

This is absolutely vital to ensure public safety and to increase efficient movement of goods and people.

Mr. Chairman, I hope that my colleagues agree that this bill is not only needed but vital to the continued growth of the surface transportation system in our country.

I urge you to vote for H.R. 2950 and keep America safely on the move.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute and 40 seconds to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I, too, rise to commend the big four, the chairman of the committee, the gentleman from New Jersey [Mr. ROE], the gentleman from California [Mr. MINETA], and my good friends, the gentleman from Arkansas [Mr. HAMMERSCHMIDT] and the gentleman from Pennsylvania [Mr. SHUSTER]. For 5 years I have served on this committee, and I must say in every instance it has been very bipartisan and fair, and I have enjoyed my tenure tremendously.

Let me say that I rise in strong support of this bill. It is a good bill for Michigan. Many of us in our State delegation have frankly been embarrassed that our fair share of Federal funds over the last couple of decades has put our State on the wrong track. Our State has been a donor State. That means we have not gotten a fair share back on every dollar we sent to Washington. Under the old law, States received a minimum of 85 cents for every dollar they sent to Washington, and in fact I am told that under the administration's plan they submitted earlier this year that 85 cents was going to drop to 78 cents.

That is not fair, and I commend the chairman and the leadership of this committee for taking the proposal that was developed by a bipartisan group of us, including legislation I introduced just last winter to raise that to 90 cents. That is part of the bill now, and I offer my sincere thanks for it because it is fair.

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Mr. Chairman, a lot has been said about special projects here by a lot of different folks today. I must say that Michigan did fairly well with the special projects, but these were not done in the dark of night. Every single one was justified in writing by our Department of Transportation. None of them waived the 80–20 requirement. So if for any reason the State decides not to spend money on their particular project, the project is not funded and the Federal Government will not stick its neck out.

Mr. Chairman, as I looked a projects across our State, U.S. 31 in Berrien, Portage, Grand Rapids, these are cities that are growing and are using the systems that were designed 35 years ago.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for purposes of clarifying section 203.

First I would like to commend the gentleman who has done an outstanding job in working with Chairman ROE to craft a comprehensive and forward-looking surface transportation bill.

Section 203 of the surface transportation bill prohibits a State from receiving a supplemental grant unless that State "makes unlawful the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle * * *" Furthermore, section 203 goes on to define an open alcoholic beverage container as "* * * any can or bottle which contains any amount of alcoholic beverage * * *"

I support efforts to reduce drunk driving and I believe open container laws are beneficial in helping to meet this goal. I am concerned, however, that section 203 may unintentionally and unfairly harm my home State of Michigan along with the other States which have adopted policies to encourage people to recycle old beer cans and bottles and also have effective open container laws in place.

Consequently I would like to ask the gentleman from Arkansas if he agrees that it is not the intent of section 203 to apply to bottles and cans which are being transported to a collection center for recycling.

Mr. HAMMERSCHMIDT. The gentleman from Michigan is correct. The definition of an open alcoholic beverage container is intended to cover those containers from which alcohol may be consumed and not cans or bottles that are being returned to a collection facility for recycling.

Mr. UPTON. I thank the gentleman from Arkansas and I urge Members to support the bill.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. LEHMAN], the chairman of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. LEHMAN of Florida. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

I want first of all to commend the gentleman from New Jersey, the chairman of the Public Works and Transportation Committee [Mr. ROE], and the gentleman from California, the chairman of the Surface Transportation Subcommittee [Mr. MINETA], and their ranking Republicans, the gentleman from Arkansas [Mr. HAMMERSCHMIDT] and the gentleman from Pennsylvania [Mr. SHUSTER], for their very hard work in developing this comprehensive legislation. This will be the foundation for our highway and transit programs for the rest of this decade and into the next century.

H.R. 2950 provides the funding to complete the Interstate System and, for the first time in 35 years, builds a new structure for our Nation's highway program.

The bill includes important initiatives in highway safety, particularly in encouraging States to require use of motorcycle helmets and safety belts.

I also strongly support the increases in authorizations for our mass transit program. I believe these increased funding levels are essential to improving urban mobility and air quality as well as to reducing our dependence on imported oil.

Mr. Chairman, this is a 6-year authorization bill. As chairman of the Transportation Appropriations Subcommittee, I look forward to working with the leadership of the Public Works Committee, through 1997, within the framework created by the bill, to preserve and enhance the Nation's vital transportation infrastructure.

Mr. Chairman, I believe every Member concerned about the country's future should support this bill.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. BOEHLERT], a member of the Committee on Public Works and Transportation.

Mr. BOEHLERT. Mr. Chairman, It is with great pride that I take the floor to discuss the Intermodal Surface Transportation Infrastructure Act of 1991. This landmark legislation will usher in a new era of transportation history. An era whose defining characteristics will be energy efficiency, environmental sensibility, and intermodality. The legislation before us today is exactly what its title says; its an intermodal, surface transportation, infrastructure bill. It is not a highway bill. We are not seeking to pave America, but rather to get America moving.

The transportation policies contained within the pages of this document, reflect the challenges our Nation will face as we move toward the 21st century. Our Nation's transportation policy must address two of the most pressing issues of our time, energy conservation and air quality. This bill takes aggressive steps to meet these energy and environmental challenges, steps for which the leadership of the Public Works and Transportation Committee must be commended.

Today, half of America's energy needs are met through foreign sources, and if we continue our present course, that proportion will only grow. This dependence is a strategic and economic liability of which we are all painfully aware and cannot overlook.

Some 70 percent of present U.S. oil consumption is related to transportation, and we know that more efficient transportation policies can and will lead to substantial energy savings. Transportation options for the public must be enthusiastically encouraged so that there are acceptable alternatives to the single occupant vehicle. Forty persons on a bus making a daily commute of 10 miles round trip, instead of individually in an auto, will save 4,250 gallons of gasoline a year.

A decade long slide in public transit assistance will end with the enactment of this bill. A renewed focus on public transit may prove to be the single most important aspect of our Nation's transportation policy.

Policies that encourage commuters to use van and car pools, buses, trolleys, and trains and discourage driving alone to and from work will yield enormous benefits. Such actions cut emissions responsible for global warming and urban smog, break up traffic gridlock, and reduce the number of highway injuries and fatalities.

Mr. Chairman, the automobile and the highways on which it travels are as American as baseball, and will continue to play a pivotal role in transportation planning and function. The legislation which the Public Works and Transportation Committee has crafted acknowledges this reality in a meaningful way.

America's roads and bridges are at a level of disrepair that not only threatens the future of our economy but the lives of every American who ventures on to them; 60 percent of our Nation's highways and 40 percent of our Nation's bridges are either in disrepair or are structurally deficient. On April 5, 1987, a bridge—the bridge over Schoharie Creek—collapsed in my district leading to the tragic death of 10 motorists. This bridge was part of one of the most widely used transportation arteries in our country, the New York State Thruway.

The importance of the bridge repair provisions contained in the bill before us cannot be overstated. This is a life or death matter in congressional districts across this land. I implore my colleagues to resist any and all efforts to divert funds earmarked for the repair of America's bridges.

Efficient transportation and reliable infrastructure are the cornerstones of economic growth. We have only to look to our toughest competitors in the global market place for evidence of the nexus between economic viability and investment in transportation. Over the last decade the governments of both Germany and Japan have spent proportionally far more than the United States on improving the transportation and infrastructure of their nations. Last time I checked, their economies were doing better than ours.

Transportation policy stands as the single best tool for enhancing America's productivity, reducing America's dependence on foreign oil, and above all protecting the air we breathe. I commend the leadership of this committee for crafting a transportation bill with the flexibility and vision necessary to meet our nation's efficiency, energy, and environmental goals. I ask all my colleagues to join with me in endorsing this landmark legislation.

It is a repair our crumbling infrastructure bill; it is a global competitiveness bill; and environment sensitive bill; a jobs bill; an energy conservation bill. It accomplishes all of the above in a fiscally responsible way deserving of our support.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. LIPINSKI].

Mr. LIPINSKI. Mr. Chairman, today I rise with the distinguished chairmen of the Committee on Public Works and the Subcommittee on Surface Transportation to urge my colleagues in the House to join us in supporting H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. This bill begins a new era of Federal involvement in the infrastructure of this Nation. It puts the word "trust" back into the highway trust fund. It uses almost every means available to interlink the various transportation systems into one powerful system of intermodality. It embarks on a new direction by addressing the fundamental question of how best to use our limited resources now that the Interstate Highway System is complete.

I could spend much more time discussing the positive aspects of H.R. 2950 and others following me certainly will do so. Instead, I want to remind any members who oppose this bill or the method of funding contained within this bill—and the committee leadership will certainly agree with me on this—that H.R. 2950 is by no means perfect. It is not the solution to all of this Nation's infrastructure problems. It certainly contains some provisions which may even hamper the efforts by individual States to make infrastructure repairs. Take the I–4R discretionary program for instance.

If this bill were perfect, then all programs I–4R included, would be funded at a high enough level that all the individual States could carry out their most vital projects.

In fact, H.R. 2950 reduces I–4R from $200 million annually to only $95 million in fiscal year 1992 and $114 million in each fiscal year thereafter. In the past, this program has proved its value as a provider of funding for high-cost, high-priority projects; however, H.R. 2950 reduces the I–4R program in such a drastic manner that in many States major projects will have to be put on hold. In this bill with $119 billion for highway programs, there is no doubt that some additional money will now be available to the States. Never-the-less, there will still not be enough funding for the repair and rehabilitation of some of the most critical sections of our aging interstate system.

In my opinion, the way the Federal highway and transit programs are structured, by their very nature, dictate which projects will be funded by the individual States' programs. In other words, when funding levels for some Federal programs are given priority at the expense of others, then States are forced to alter their priorities and long-range plans as well. We then find ourselves in a situation where the Federal program no longer serves the needs of the individual States but instead determines those States future priorities.

We all would agree it is critically important to maintain our interstate system. I think all would agree that we would agree that massive interstate rehabilitation in our metropolitan areas must occur within a short period of time. Our goal should be to minimize the disruption of traffic and help to preserve both the mobility of individuals and commerce. Well my friends, the I–4R program was designed to serve this purpose and now can no longer.

In Chicago, where I have the privilege of representing the Fifth Congressional District, the reconstruction of the 29-year-old Kennedy Expressway may not be completed for lack of Federal funds. I have with me a copy of an article from the Chicago Tribune explaining this situation. Mr. Chairman, I ask for unanimous consent to have this article inserted in the CONGRESSIONAL RECORD. Let me just say that the proposed improvements to the Kennedy will greatly enhance the mobility of over 650,000 workers in central Chicago, 1.4 million residents of the north and northwest suburbs, and millions of passengers at O'Hare, one of the largest airports in the world.

The Kennedy project will not be completed because I–4R has been reduced. Plain and simple. The bottom line is that Illinois will not receive enough Federal funds in its normal apportionment to carry out the necessary rehabilitation work.

The present I–4R provisions will force the Illinois Department of Transportation to gut its statewide I–4R programs in the next several years just to set aside funds for work on one project, the Kennedy.

I stated before that H.R. 2950 is not a perfect bill. It is however, a very good attempt to restructure this Nation's transportation programs. It takes into account the fact that alternative methods of transportation, especially mass transit, are important and deserve as equitable a share of Federal funds as do highways. H.R. 2950 is a pledge to continue the necessary investment in our national infrastructure. Our roads, highways, bridges, and mass transit systems form the infrastructure backbone of all communities, both large and

small. I urge my colleagues to join me in supporting H.R. 2950.

[From the Chicago Tribune, Oct. 22, 1991]

BUDGET THREATENS WORK ON KENNEDY

(By Gary Washburn)

The long-awaited rehabilitation of the Kennedy Expressway could be postponed, or work stretched out over more than the three years already planned, under spending cuts proposed in the U.S. House, worried Illinois officials said Monday.

A measure that would dramatically shrink the pot of money available nationwide for interstate highway improvement projects was approved last week by the House Public Works and Transportation Committee, threatening Illinois' chances of getting the cash it needs to complete the Kennedy in a timely fashion, they said.

The so-called "discretionary" pot originally had been pegged at $200 million a year, but when House leaders several weeks ago dropped a proposal for a five-cent-a-gallon federal gasoline tax increase, it was scaled back to $95 million for fiscal 1992, and to $114 million annually through fiscal 1996.

IDOT has in hand about half of the money it needs to cover the Kennedy's $450 million cost, but "we were counting on the feds, through the discretionary process, for the other half," said Illinois Transportation Secretary Kirk Brown.

"We're told by both IDOT and the city that they need at least $70 million a year for the next several years to complete the Kennedy reconstruction, so clearly we have a problem," said Jerry McDermott, legislative director for U.S. Rep. Dan Rostenkowski (D-Ill.). "The question is whether anything can be done."

Brown said he remains hopeful the discretionary funds will be restored before a final measure becomes law.

The bill approved by the committee goes next to the full House for consideration. Then it will go to a conference committee where differences between it and a Senate version will be hammered out. The Senate bill contains no provision for any discretionary funds.

If, in the end, there is only about $100 million a year in discretionary money available for all 50 states, it is doubtful that Illinois will be able to secure more than half of it for three consecutive years, said one federal source who asked not to be identified.

Besides considering a delay in the Kennedy project or a lengthened construction timetable if adequate funding cannot be obtained, Brown said IDOT also will study the postponement of other state highway projects, funneling those dollars into the Kennedy.

But any of the approaches would be painful, officials said.

Stretching construction over more than three years would increase inconvenience for motorists and could produce higher costs. And delaying the Kennedy job, or any other project that might have to wait for the Kennedy's completion, also would push up expenses.

"As we delay projects, we find their costs tend to escalate * * * with inflation in the construction industry," said James Slifer, IDOT's Chicago area chief.

The Kennedy project calls for the reconstruction of all lanes between downtown and the highway's junction with the Edens Expressway. Reconfigurations at the south end would produce smoother traffic flows between the Kennedy and the Ohio-Ontario feeder, and revamping at the north end would improve connections between the Kennedy and the Edens.

Under the existing schedule, crews are to begin work early next year, completing the project in late 1994.

Preliminary Kennedy work has been under way for the last two years. In recent months, crews have upgraded the expressway's shoulders so they can carry cars and trucks when regular lanes are closed. And last summer's resurfacing of Lake Shore Drive was done to prepare that major arterial as a Kennedy alternate route.

The states historically have received money to maintain their portions of the interstate highway system based on a formula that takes into account total miles of highway and population. Discretionary grants have been doled out to help finance exceptionally big projects.

Discretionary funds played a major role a few years ago in the reconstruction of the Dan Ryan Expressway between 31st Street and the Eisenhower Expressway, a project that cost more than $200 million.

Planning for major expressway reconstruction projects is so complex that it must begin long before the amount of money that will be available is known, Slifer said.

For the Kennedy, "We're probably talking about seven or eight years ago," he said.

IDOT already is mapping plans for a reconstruction of the Stevenson Expressway, slated to begin after the Kennedy is completed.

"We're talking about a project that's at least five or six years away, and we've already been working on it for two years," Slifer said. "The facilities are complex, and to handle traffic, figuring out all the staging, trying to minimize delay to motorists, looking at alternate routes and at advance work * * * all takes a tremendous amount of time."

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DYMALLY].

Mr. DYMALLY. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Assistance Act of 1991. This is a much needed piece of legislation long overdue to fix our deteriorating transportation infrastructure. The Department of Transportation's latest report on the status of the Nation's highways and bridges, shows that the cost of major highway repairs as of the end of 1989 is at least $400 billion, and the cost of repairing bridge deficiencies is at least $91 billion.

I would like to commend the gentleman from New Jersey, Chairman ROE and Subcommittee Chairman MINETA together with the ranking Republican members of the committee and the subcommittee, Mr. HAMMERSCHMIDT, and Mr. SHUSTER for their diligent work and leadership in bringing this bill to the floor, and in the level of bipartisanship exhibited. As a supporter of the 5-cent gas tax, I truly commend these gentlemen for showing leadership irrespective of political pressure. My admiration for them has increased for their hard work in revising this authorization bill despite the threat of a Presidential veto.

This bill is an excellent legislative package that is supported by mayors and Governors, including the State of California. The bill provides, among other things:

Greater flexibility to States to use Federal funds for either highways or mass transit:

A new focus on urban congestion, air quality and intermodal efficiency;

Within this revised bill congressional earmarks were reduced to only 3.3 percent.

Mr. Speaker, as one Member whose congressional district is in dire need for one of those demonstration projects partially funded in this bill, I want to emphasize my firm support for the Chairman ROE and MINETA for their responsiveness on this issue. As duly elected Members of Congress it is our responsibility to know and advocate the needs of the districts we represent. Decisions on which projects should be funded should not be limited to unelected bureaucrats who are susceptible to all kinds of political special interest pressures but without the benefit of representing our citizens. I believe that all this undue criticism of the chairman's responsiveness to the Members is an unwarranted attack. Certainly, those orchestrating the criticism can not pretend to have a more objective or a less political project selection process on the State level.

Let me explain the need for the West Alameda Street Underpass/Meely Street Rail connector which is currently funded at $7.8 million in this bill. This project is sorely needed ever since light and freight rail passed through Compton. Ninety-nine percent of the city of Compton are minorities, 75 percent are low- or middle-income earners. Recently, the city and the chamber of commerce developed the downtown area including shopping malls and retail outlets to stimulate commerce. However, the tremendous amount of rail traffic which passes through every day interrupts the flow of automobile traffic and is causing commuters to avoid the developed part of town altogether. This underpass project will redirect the train traffic under the street level allowing a normal flow of traffic. More important, there is currently only one fire station in the eastern part of Compton, should more than one emergency situation take place, then the potential for the loss of life and property is great until this underpass is built.

Mr. Chairman, I am indebted to both chairmen and their ranking minority members for agreeing to the importance of this demonstration project, I urge my colleagues to vote for passage of this bill.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. BENNETT] who has been extremely cooperative in helping us craft the program we have before us.

Mr. BENNETT. Mr. Chairman, some months ago the media, particularly the press, editorialized about the fact that the donor States in this country were making tremendous contributions to the highway system which are perhaps outmoded from when this legislation was originally passed in 1956, perhaps the greatest thing that the Eisenhower administration accomplished. States like Florida, fast growing States, made a tremendous contribution to the fund in order to get the highways through the country in States that were not able to pay for those highways.

Mr. Chairman, three decades and more have gone by. It is now fair to make a readjustment in the formula so that the fast growing States would have better attention to their needs which are so great at this time in history.

Mr. Chairman, therefore I would like to have a colloquy with the chairman of the Committee on Public Works and Transportation, the gentleman from New Jersey [Mr. ROE], to get the assurance of the chairman that the committee will do everything it can possibly do within the conference to see to it that these formulas, which are now by this new legislation fair to the donor States, are perpetuated.

Mr. ROE. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, I would suggest that the committee in great faith and fidelity has manifested their sincerity of purpose because they have included these matters in the existing legislation, and we intend to pursue that vigorously.

Mr. BENNETT. Mr. Chairman, reclaiming my time, I wish to thank the gentleman from New Jersey [Mr. ROE], as well as the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, will the gentleman yield?

Mr. BENNETT. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. Mr. Chairman, I wish to give the same assurance that the gentleman from New Jersey [Mr. ROE] gave with regard to the conference.

Mr. MINETA. Mr. Chairman, will gentleman yield?

Mr. BENNETT. I yield to the gentleman from California.

Mr. MINETA. Mr. Chairman, I wish to commend the gentleman from Florida [Mr. BENNETT] for his effort in helping us fashion this bill, and concur with the statements of the gentleman from New Jersey [Mr. ROE] and the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. BENNETT. Mr. Chairman, reclaiming my time, I have been in Congress for 40-some years, and have never been treated more fairly by a committee through the years in the discussions that we have had than I have in this particular instance. I want to thank all Members concerned sincerely for it.

In January 1956, I was in this Chamber when President Dwight D. Eisenhower said in his State of the Union Address that he was committed to "a great plan for a properly articulated system that solves the problems of speedy, safe transcontinental travel; intercity communications; access highways and farm-to-market movements and metropolitan congestion." That speech was followed 5 months later by the overwhelming passage of the Federal Aid Highway Act of 1956—legislation I voted for and which allowed for the construction of the Interstate System which is, today, 99 percent complete. This measure is said by many to be the most important legislation of the Eisenhower administration.

This Nation's Interstate System was completed by utilizing the great American spirit of cooperation. Each State contributed gas tax revenue to the highway trust fund and received from it according to need. States with large, growing populations like Florida, Texas, and California contributed more to the trust fund than they received in order to help construct the system in expansive States like Montana which did not have the population to generate enough revenue to complete their system without assistance. Although this meant that some States would become donor States, contributing more to the trust fund than was received, the process was viewed as vital in meeting national transportation goals. We have met that goal and States, like Florida, have contributed more than their fair share in getting us where we are today. However, with the Interstate System now virtually complete, it is time to change the way in which this country doles out its transportation funds. In fact, it is this very issue which has generated so much publicity and interest over the past several months. I, and the rest of the Florida congressional delegation were assailed in newspaper editorials for not doing enough to secure a fair return for our State from the Federal highway trust fund. In light of the criticism and the fact that Florida and other donor States do deserve a more fair and equitable return from the trust fund, I asked the Florida Department of Transportation for a bill that would solve the equity issue relative to transportation. In doing so, the Florida DOT provided me with a bill which was the outgrowth of over 2 years of work between many State departments of transportation and the American Association of State Highway and Transportation Officials.

On June 6, I introduced that legislation, the Federal Aid Surface Transportation Act of 1991, and quickly became the leader of a 135-member coalition focused on passing legislation which distributes funds fairly and equitably. You see, the majority of this body represents States that are no longer able to adequately meet their own needs and those of other States too. Last year, 29 States received less than a dollar from the trust fund for every dollar they contributed. In the case of Florida, we received 53 cents for every dollar contributed—while some other States received double what they contributed. A system that allows that to happen is unfair and in need of great change.

Helping me most significantly were Congressmen DAVID DREIER, JIM BACCHUS, and PETE PETERSON and my trusted legislative assistant Adam Hollingsworth. Also the 24 original cosponsors helped immensely—but particularly Congressman DREIER.

That brings us to the legislation before us—legislation which I had hoped would do two things; apportion all trust fund money through a formula which truly addresses a State's transportation needs and which does not spend money unnecessarily on special projects of uncertain merit. While the bill before us does not do all of that, it does go a long way in providing equity to States which have sacrificed for too long. I want to thank Chairman ROE, Chairman MINETA, ranking members HAMMERSCHMIDT and SHUSTER, and the entire Public Works and Transportation Committee for their hard work and intensive effort they have devoted to this legislation. They have all worked long and hard to evaluate my proposal and include major portions of it in the bill we are considering today. The incorporation of the formula I proposed into the committee bill will mean that the new dollars for transportation will go fairly to States where the needs are greatest—States that currently have hundreds of miles of new roads to be built, interstates to be repaired, and bridges to be replaced.

Our country faces mammoth infrastructure needs—it is time that we step up and face the challenges those needs present. This legislation is the vehicle to do that, but nothing short of that will suffice. I appreciate the chairman, and his colleagues on the conference, giving their strong support to the needs of donor States. The committee has achieved a level of equity that will move us forward, but no one representing a donor State is willing to move backward. We have all worked long and hard to get where we are and with the thoughtful leadership of Chairman ROE and his fine committee this country will enter the 21st century with the resources needed to meet new transportation challenges as ably as we met those faced in 1956.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON], a very able member of the Committee on Public Works and Transportation.

Mr. EMERSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in very strong support of the bill before the House. I want to take this opportunity, as others have before me, to commend the chairman and ranking member both of the committee and the subcommittee for the outstanding statesmanlike work and leadership that they have provided in committee throughout the entire process. It has been a very impressive exercise, and I think that the finest spirit that motivates Members of this House has been joined in this bill.

Mr. Chairman, this is a good bill. It is a strong capital investment bill. I get a little perturbed when I hear the national media and others, including some Republican Members, referring to this bill as a pork barrel bill or a boondoggle bill.

Mr. Chairman, this bill is a measure that authorizes a major capital investment in the infrastructure of this country. This is an investment in our future. This is a capital improvement measure.

□ 1450

I want to take this opportunity to remind my Republican colleagues of the proud heritage that we have as a party in the infrastructure arena going back to our Whig antecendents.

Henry Clay, the leader of the Whigs, had the nickname, a former Speaker of this House, they called him Old Capital Improvements Harry, because he spent a good part of his career building post roads to the West. Abraham Lincoln spent much of his career in the Illinois Legislature worrying about the infra-

structure of Illinois. Of course, he went on to be the father of the transcontinental railroad.

Theodore Roosevelt had his vision with the Panama Canal, and Dwight Eisenhower, the father of the Interstate Highway System, provided us with what I think is the finest example of his domestic achievements, with the Interstate Highway Act of 1957. I hope President Bush will join these illustrious Republican leaders and sign this bill into law and claim the mantle of being the President who set the infrastructure stage to move us into the new century.

This is a capital investments bill to be sure, but it is a lot more.

It is a jobs bill. A real jobs bill. Not some elusive bill with some illusory end result, but a bill which, when it becomes law, will result in surveyors surveying, gravel, asphalt, and concrete trucks hauling, carpenters building forms, and tens of thousands of workers doing all of those real jobs at real pay, building highways and bridges, developing our infrastructure to move our goods, commerce, and services, enhance economic development, move our people with greater ease and move them more safely.

This is an equitable bill. A fair bill. The funding formula will be fairer to every State in this country. The 35-year-old formulas currently applied are simply outdated.

This bill will utilize the highway trust fund in the manner it was envisioned to be utilized, earmarking taxes committed to the purposes for which they were and are intended, being spent on those purposes.

This bill will result in many Federal highways being upgraded to the status of national highways of significance. Basically, this improves them, many of them currently two-lane highways, upgrades them significantly—less than interstate but vastly improved over their current status.

And finally, I want to speak to the flexibility provisions that allow States broad authority to address their priorities in a way that they may, pursuant to appropriate procedures, maximize their benefits.

This is a good bill and deserves the support of the House.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. GAYDOS].

Mr. GAYDOS. Mr. Chairman, I rise to give strong support to this excellent legislation. It is needed in my district and going to be welcomed by many, many citizens.

Mr. Chairman, I rise today to voice my strong support for H.R. 3566, the Intermodal Surface Transportation Act of 1991. Not only does this legislation address the surface transportation dilemma confronting our Nation, it also strives to provide for specific road projects in the many rural and urban areas throughout the United States.

Many of you are aware of the enormous amount of suffering the manufacturing areas incurred during the economic recession of the 1980's. Even as we debate this bill today, the number of unemployed in this country continues to rise with no help in sight. For example, the 20th Congressional District of Pennsylvania, which I proudly represent, endured considerable job loss, but still remains poised for economic recovery if it can only receive the proper incentive. The Intermodal Surface Transportation Act can provide that incentive and give many Pennsylvanians, and Americans, a brighter future to look forward to.

Strategic transportation investments linking workers with job opportunities in western Pennsylvania are critical to the recovery effort in the region, if not the entire Nation. Many of the demonstration projects contained in this bill focus on creating new roadways, expanding existing busways, and completing light rail rehabilitation projects in western Pennsylvania.

One project that is vital to both the Commonwealth of Pennsylvania and the State of West Virginia is the Monongahela Valley Expressway. This roadway is a 70-mile, four-lane, limited access highway extending from U.S. 68, near Morgantown, WV, to the Penn-Lincoln Highway near Pittsburgh. Once this project is completed, the Mon Valley Expressway will be the first direct link between Pittsburgh and Morgantown. Furthermore, the planned expressway will support much-needed economic revitalization efforts in the Mon Valley communities between Pittsburgh and Morgantown.

Older industrial sites, rich industrial heritage, and abundant natural resources offer great promise for new activity in the region. With the completion of the Mon Valley Expressway, the region can capitalize upon this potential by encouraging further development of natural resources such as coal and petroleum, which are extremely vital to the area's economy. In addition, it is anticipated that the expressway will result in greater tourism to the region and will encourage new industry to relocate there.

Tourism, natural resource development, new industry in the Monongahela Valley combined with Federal, local, and State financing for roadways and transportation will assist Monesson, Belle Vernon, Point Marion, McKeesport, Brownsville, Duquesne, and countless other communities between Morgantown and Pittsburgh. Given this valley's unique environmental structure, the Mon Valley Expressway will serve as a catalyst to encourage economic growth in an area that has barely survived the Reagan-Bush era in the White House.

Aside from the Mon Valley Expressway, there are a number of other projects that will enhance the growth of the many western Pennsylvania communities that have suffered economic downturns over the past number of years. The economic stimulus provided by the construction of the new Greater Pittsburgh International Airport, scheduled to open in 1992, offers significant opportunities but the existing transportation network in and around the airport limits them. Unless a significant investment is made to expand the transportation modes in the area, many potential workers will not be able to access the rising opportunities in the greater Pittsburgh metropolitan area and western Pennsylvania.

Many of my fellow colleagues may not know that Allegheny County is the proud home of the world's first truly exclusive busway—the South Busway—which opened in 1977 between downtown Pittsburgh and the county's South Hills communities. In 1983, the Martin Luther King, Jr. East Busway opened between downtown Pittsburgh and suburban Wilkinsburg.

The East Busway serves over 30,000 riders each day, and has generated significant private investment and economic development. The proposed extension of the Martin Luther King, Jr. East Busway into my district, along with the proposed construction of the Airport Busway, will provide an important, much needed transportation link to my constituents and provide quick and extremely efficient service each day to many current and potential public transportation users.

Allocating appropriations on projects such as this is not a waste of money, it is a surefire method to help America grow and prosper. Many Members will voice their opposition to the demonstration projects and label them as "pork-barrel spending projects" or some other colorful phrase, but I, for one, will not oppose this legislation. This bill is indeed a true investment in America. We are making a promise to ourselves, our children, and our grandchildren that we will strive to improve the transportation infrastructure in this country and create more efficient, smoother highways; more efficient, timely busway systems; and develop alternative modes of transportation that can be utilized years from now.

We, the Members of the House of Representatives, must take the lead on this issue and make sure private and public transportation will be better further on down the road.

In closing, I urge all of my colleagues to support the Intermodal Surface Transportation Act so they can stand up and tell their constituents that they made an investment in the future infrastructure of America.

Mr. ROE. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. KOLTER], the distinguished chairman of our Subcommittee on Economic Development.

Mr. KOLTER. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to take this opportunity to thank our distinguished committee chairman, Mr. BOB ROE, and the chairman of the Subcommittee on Surface Transportation, Mr. NORMAN MINETA, along with ranking minority members, Mr. JOHN PAUL HAMMERSCHMIDT and Mr. BUD SHUSTER—aided by our very dedicated committee staffers—who have expended a great deal of time and energy in crafting a bill which will assure that the infrastructure needs of the American people will be met. These are needs which must be addressed to provide people in this great country of ours with a foundation for improving economic growth and stability and allowing them a level playing field on which to compete in the global marketplace.

In order to compete in this world, we must improve our infrastructure system in our country. We have failed to

invest in maintaining our standards for so long that our roads and bridges are disintegrating and we cannot effectively compete economically with other countries.

Japan, a country smaller than California recently introduced a plan to invest $3.2 trillion in infrastructure over the next 10 years. We are proposing here today, with our Intermodal Surface Transportation Infrastructure Act, a request for less than one-tenth of that expenditure for the fourth largest Nation in the world. We must make these dollars available for advancements in infrastructure which will increase our efficiency and production.

Mr. Chairman, the people of my Fourth Congressional District in Pennsylvania have been watching their once booming industrial towns crumble. They, along with many others like them throughout our Nation, must have help with infrastructure priorities which will allow them the opportunities to be proud, productive citizens.

With the passage of H.R. 2950, we can begin to offset the loss of competitive advantage for these Americans by improving our infrastructure. We can put highway tax dollars to work to help rebuild our ailing economy. Our bill, which includes expenditures for all modes of transportation, provides the framework in which we can and will rebuild our Nation's economic stability.

Every segment of this Nation will benefit by this legislation. It will provide the necessary means for meeting infrastructure needs by spending down the highway trust fund and extending the existing gas tax so that the American taxpayers do not need to face still another increase in taxes. Let me emphasize here today that with this bill there will be no new taxes. The projects for Pennsylvania have been discussed with our secretary of transportation who has confirmed the need for these priorities for our State.

It is time for us to attend to our infrastructure needs in order to maintain an economic growth pattern which will allow us to remain the greatest Nation in all the world and permit our people to maintain the quality of life they so richly deserve. I ask my colleagues to join with me in support of H.R. 2950 and the future of our great Nation.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I rise in support of the bill and join in commending the chairman of the committee, Mr. ROE, and Mr. HAMMERSCHMIDT, Mr. SHUSTER, Mr. MINETA, Mr. ANDERSON, and Mr. PACKARD.

Mr. Chairman, I understand the concern many of my colleagues have about the number of special projects in this bill, and I agree that the committee and the House should be careful to insure that projects funded in this measure are in fact deserving of special attention.

However, some would have the public believe that if a project is earmarked for funding by this bill, then it is, by necessity, unworthy of funding under our national transportation priorities.

Mr. Chairman, that is simply not the case. There are important regional transportation needs which can and should be addressed by this legislation. That's why we have a transportation bill. As elected representatives, our constituents sent us to Washington to represent and defend our district before this body.

This bill contains a provision which would provide much needed funding for the Port Hueneme Access Road in Ventura County, CA.

Port Hueneme is a rapidly expanding port serving southern and central California. The port is our window to the Pacific and the economically vital countries of Southeast Asia. Underscoring the growing importance of this port, is the recent decision by Sunkist growers to transfer its entire export activities from Long Beach to Port Hueneme. In addition, Hueneme is scheduled to receive its own port of entry designation in the very near future.

The port access road improvements would also serve the Naval Construction Battalion Center at Port Hueneme—which is the main Seabee base for the Pacific—along with the Naval Ship Weapon Systems Engineering Station, the Naval Air Station, Pacific Missile Test Center, and Air National Guard base at Point Mugu. Each of these bases played critical roles in Operation Desert Shield/Desert Storm and the port played an important role in the demobilization. All the traffic generated by the port and these related naval bases currently travels on local roads through three cities to reach the major transportation corridor in Ventura County, Highway 101.

This project was initially studied by the Southern California Association of Governments in 1986, and it enjoys the support of the port, the cities of Oxnard, Port Hueneme, and Ventura. The Ventura County Transportation Commission supports the conclusions of the report and agrees on the priorities for constructing and improving critical transportation corridors in the plan.

In addition, I have testified before the committee on two separate occasions on behalf of the Port Hueneme Access Road. It has important regional and national benefits.

Mr. Chairman, this project has been scrutinized by the regional Association of Governments, all of the affected cities, the county transportation commission and the Public Works Committee. It stands on its own merits, and I believe it deserves the support of the House.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. NICHOLS], a distinguished member of the committee.

Mr. NICHOLS. Mr. Chairman, last week I came before this body urging people to vote against a bill to build a national park in my district. This was a very difficult position to take, knowing the benefits such a park would reap. However, because I felt it was an unwise use of tax dollars, I urged this body to oppose it.

Now, I find myself back before this body having to defend a vitally necessary project from false claims that it is pork.

The highway bill includes $15.5 million for a project running from Riverton in the corner of my district to I-44 in Missouri. It is of vital importance to Kansas and to the rest of the Nation as a part of a route which has been included by the Federal Highway Administration as part of the National Highway System.

This is not a case of a State government standing by motionlessly, waiting for handouts from the Federal Government. In 1989, the State of Kansas passed a comprehensive highway program, which by the way included the largest single tax increase in the history of the State, so that projects such as the southeast Kansas corridor could become a reality.

That State highway program will provide $223 million for priority construction of the southeast Kansas corridor. However, because of a number of complications this one 5-mile stretch remains unfunded.

It will cost nearly $28 million to complete this final link. It is tremendously costly, because it poses a number of special problems. Wetlands, vegetative regions, streams and recreational areas, hazardous waste sites, mined lands, and historic and archaeological sites all complicate the completion of the southeast Kansas corridor. Because of these problems—64 percent of the people here, in one count are on welfare.

This is a project that will one day be part of our National Highway System carrying travelers from coast to coast. But first it must be built. This project is as logical as it is necessary.

The people of Kansas are proud—they don't want handouts and they prefer responsible government spending to pork. This $15.5 million is only just over one-half of the total cost of this project. It is not pork, it is a vital investment. Kansas needs this Congress' help in completing the southeast Kansas corridor. Help make it a reality.

Mr. Chairman, I include a letter from the Kansas Department of Transportation explaining the Riverton to I-44 project.

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The Riverton to I-44 project which you have recommended as a demonstration project, is a portion of a larger project within the State of Kansas. The Riverton to I-44 project would extend by five miles a series of projects which form an approximate 150 mile corridor which the State of Kansas has established as a high priority. With the addition of this demonstration project, a high standard two-lane facility will be provided between Wichita, Kansas, and Joplin, Missouri, two regional commercial and shopping areas.

The State of Kansas passed a comprehensive Highway Program in 1989. That program

provides approximately $223 million for the construction of the Southeast Kansas Corridor. It will fund the construction of the corridor to Riverton, Kansas, leaving approximately a five mile, costly section still to be completed. The Kansas Department of Transportation has committed to funding the design necessary to make the Riverton to I-44 section a reality, but at this time the Department does not have funds available to carry out the construction of the project.

The project falls on a route which the State of Kansas has asked to have designated a part of the National Highway System (NHS). The route has been included to date by the Federal Highway Administration in the illustrative map which they have prepared and distributed to the state.

As the last five miles necessary to complete this important corridor, the Riverton to I-44 project would make a very useful and logical project to be funded as a demonstration project.

MIKE JOHNSTON,
Secretary of Transportation.

Mr. ROE. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mr. VALENTINE], a distinguished member of our committee.

Mr. VALENTINE. Mr. Chairman, I do not think I will consume the full minute. I do want to say to the chairman of the committee, the gentleman from New Jersey [Mr. ROE], the gentleman from California [Mr. MINETA], the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from Arkansas [Mr. HAMMERSCHMIDT], and the gentleman from Virginia [Mr. PAYNE] that we are all indebted to them for the hours and days of hard work that went into this. We have been down a long road together.

Mr. Chairman, I rise in support of this legislation, which would mark the beginning of a sorely needed effort to rebuild, modernize, and expand our Nation's surface transportation infrastructure.

We have heard much in recent months about the need to improve American competitiveness and revitalize American industry. But that effort cannot succeed unless we also provide a transportation system that can serve a 21st-century economy.

We can invest heavily in new plant and equipment, but modern manufacturing facilities will be wasted if raw materials and finished products cannot be moved quickly and efficiently.

We can provide a better climate for international trade, but our trade deficit will not be eliminated if we cannot transport our products from plant to airport or seaport.

We can develop new living areas and working environments, but our quality of life will not improve if traffic congestion and gridlock make our daily commute unbearable.

In short, Mr. Chairman, a modern transportation system is absolutely critical if we are to reach our national goals. We cannot solve our other problems without addressing our transportation needs.

The legislation we are considering today is not perfect. Like most of my colleagues, I could improve it from the perspective of the district and State I represent.

This bill, however, is fair. States that have traditionally sent more transportation dollars to Washington than they receive back, the so-called donor States, are treated more equitably than ever before. North Carolina falls into this category, and transportation officials in my State have confirmed that the funding formula would provide North Carolinians a fairer return on their transportation dollars.

This bill is also improved over both the current program and the original bill that was reported by the Public Works and Transportation Committee in early August. The proposed increase in the Federal gasoline tax has been dropped, and the new, fairer funding formula has been expanded to apply to more of the total program.

Mr. Chairman, with the gas tax increase eliminated, one of the objections to this bill heard most frequently relates to the demonstration projects that are specified individually in the bill. I understand the philosophical concerns about this practice, but it seems to me that this issue has been magnified far beyond its actual importance to this bill.

First, the total amount of special projects in this legislation is only about 3.5 percent of the total authorization. In my view, this is an extremely modest percentage of the program to be directed by the Congress.

Second, despite the claims of critics to the contrary, most of the projects are not unwanted or low priorities for the States. In my own case, I coordinated closely with State transportation officials and then requested projects that were already part of the State's long-range transportation plan.

Third, the States are required to put up 20 percent of the cost of these projects. If States are truly opposed to individual projects, State officials can refuse to match the Federal dollars. No State is forced to construct projects against its will.

The demonstration projects have been dismissed by some, including administration officials, as mere pork for the States and districts of House Members. I disagree. It seems to me that the large number of requests for individual projects reflects the sorry state of our transportation infrastructure. Virtually every district has serious transportation needs that are not being met—and this bill provides a way to meet them.

Mr. Chairman, this legislation includes important provisions and initiatives that will benefit the entire Nation. The new surface transportation program will improve safety, provide much greater flexibility for the States to use transportation funds to meet their individual needs, and support the growth and development of public transit systems.

In addition, this bill creates a stronger research and development program in the Department of Transportation. This is a critical provision. We need a vigorous research and development program if we are to develop and put into operation a transportation system that can meet our needs in the coming decades.

Mr. Chairman, our past transportation policies and programs will not meet our future needs. A timid approach can only produce a system that continues to lag far behind our requirements.

Americans who lived between 1800 and 1850 witnessed a transportation revolution that forever changed our Nation and the world. An explosion of road and canal building and the development of steamboats and railroads allowed Americans to settle the vast lands of the West and fueled a sustained burst of economic growth and development that eventually made the United States the dominant economic power in the world.

It is no exaggeration to say that we need another transportation revolution if our national economy is to keep pace with the technological revolution sweeping the world. Without a transportation program for the 21st century, we will lose an opportunity to fulfill our economic potential.

Mr. Chairman, this bill marks the first step on the road to creating the transportation system that will be absolutely essential if we are to compete in the world market. I urge my colleagues to support it.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman for his generosity. There is going to be, I think, two of us that are going to take issue with any part of the bill. We each get 1 minute of 2½ hours. So I thank the gentleman for his generosity.

I just want to say that there is $5 billion in special projects in this bill, $5 billion. The administration has 13 reasons why they may veto this bill, and I will find some time later on in the debate to discuss these issues.

The fact of the matter is, we do have to do something about the infrastructure in this country, the bridges, the highways, and everything else. But we have to set priorities on spending. And this bill did not set all of the priorities that are necessary.

We have $400 billion deficit staring us in the face, the largest in U.S. history in this year alone. The national debt is $4 trillion, and yet we still allow many, many, many pork-barrel projects to be added to a very important highway bill. That is my problem. Not that we do not need to do something about the infrastructure of this country, but we still have pork in here. And we need to get the pork out in order to control the deficit.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, this is an unusual day. Congress is debating a bill that will return some of this massive tax levied on the American people back to the American people. This is unusual because we usually on this floor are debating who is going to get money everywhere all over the world.

I want to thank the committee for finally recognizing that my 100-percent funding for highway safety improvements is a good initiative and for having included them now in the en bloc amendments, which will include guard rails, concrete median barriers, bridge impact attenuators, breakaway utility poles, markings on the roads.

This bill will help to go to cut down on the carnage on highways, and it is a safety incentive that was placed in with the help of the former chairman, the gentleman from New Jersey, Mr. Howard. And I am very glad to see that our new chairman, who has done a great job, has agreed with that philosophy as well.

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I also want to extend my congratulations to the chairmen on the minority side, who have done a good job.

One other thing before I close: I am glad to see the committee has expanded the buy-American section and put in my language dealing with "Made in America" labels and has a provision for fraudulent inscriptions on imports coming in that are being listed as "Made in America." That is a good legislative initiative.

Finally, let me say one last thing: My district needs bridges, and anybody who calls an improvement in my district to bridges that actually threaten lives pork barrel, in my opinion, is so misdirected they could throw their policies at the ground and miss.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. SCHULZE].

Mr. SCHULZE. Mr. Chairman. I rise in strong support of the Intermodal Surface Transportation Act. This measure is vitally needed across America, and its financing is the most responsible and economical method available.

I commend my Public Works Committee colleagues on a job well done.

This year's highway bill is a vital step in rebuilding America's infrastructure. America's roads and bridges are crumbling as our investment in them has dwindled.

This bill will reverse the decline in our highway transportation system. In particular, my State of Pennsylvania's share of funds will increase substantially. This is vital because surveys show that some of the worst highways in America cross our Commonwealth. Citizens in southeastern Pennsylvania will finally be relieved from gridlock in Exton, in West Chester and throughout my district.

The funding of this measure, an extension of the 2½-cent gas tax through 1999, is fair, clear cut, and in the long term is beneficial to our Nation.

This vital transportation measure is good for America. It is also good for the environment. There is more money for mass transit, and it will reduce fossil fuels consumption.

It is good for competitiveness. Our transportation infrastructure needs vital improvement and repair. This bill will enhance our ability to move goods, services, and labor faster and more efficiently.

Mr. Chairman, the Intermodal Surface Transportation Act deserves our strong support. I urge my colleagues to move this compromise forward. Our roads and mass transit systems are in desperate shape and are awaiting responsible action.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon [Mr. DEFAZIO], a distinguished member of the committee.

Mr. DEFAZIO. Mr. Chairman, this bill is exactly what we need to get Americans back to work and get our economy moving again.

This legislation will generate tens of thousands of jobs that President Bush, with unfortunate distaste for domestic policy, cannot.

Economists say that a program of spending $10 billion per year for 10 years will bring a cumulative productivity increase of $920 billion. Our Nation will get $4 in growth in the GNP for every $1 invested in infrastructure.

Anyone who owns a business understands the importance of investment. Businesses that do not continually invest in updated equipment or new plant space usually fall behind. America is falling behind.

The cold war is over. We won. It is time to bring the peace dividend home. It is time to turn inward and invest in the future of America. We must ready ourselves and our children to compete in the cutthroat world economy of the 21st century.

The President should set aside his fantasies of more trickle-down tax cuts for the rich. He should stop his threatened veto of this essential bill, work with us to immediately enact and implement this crucial transportation and infrastructure bill.

This is a real growth package.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DIXON].

Mr. DIXON. Mr. Chairman, this is a bill that is very important to the citizens of Los Angeles. Mr. Chairman, I rise in support of the surface transportation authorization bill, H.R. 2950.

The bill provides critically needed investments in our Nation's transportation system and provides solutions to many problems that have plagued our transportation system for years.

Much-needed money will be authorized to States to rebuild and maintain our transportation system, and to cities like Los Angeles, to construct mass transit projects.

Mr. Chairman, there are numerous provisions in this bill that are important and that I support, but none are more important to me than the funds provided for mass transit, specifically, the Los Angeles Metro Rail Project.

California has one of the fastest growing populations in the country. It is anticipated that by the end of this decade, more than 13 million people will have relocated to the State with the majority of those relocating in and around the Los Angeles area.

Clearly, there is no doubt that this growth will bring increased burdens and pressures on public infrastructure and government services.

In response to this projected growth and to comply with provisions of the Clean Air Act, Los Angeles has embarked upon one of the Nation's largest public works projects—building an integrated 150-mile rail transit system. This legislation will enable the city to construct the third segment of the system.

This represents a major investment in improving the economic vitality and mobility from downtown Los Angeles to Long Beach, the San Fernando Valley area and west Los Angeles.

Just last November, Los Angeles County voters approved its second one-half cent sales tax, so that we generate over $850 million annually for transportation purposes and construction of our rail system. It is important to note that more than three-fourths of the funds for the development of the metro rail system are from non-Federal sources.

Every dollar authorized for the construction of the third segment of the metro system will be matched by at least a dollar from non-Federal sources. This is the highest local match of any new start project in the country.

It is also one of the reasons, along with ridership, that the Urban Mass Transportation Administration cited the Los Angeles metro rail system as among the country's best proposed new systems.

The metro rail project also fulfills Congress' commitment to clean air and energy and fuel efficiency standards. Residents of Los Angeles will be able to rely less on their automobiles and more on the public transit system.

When the metro rail system is completed by the end of the decade, it is projected that over 350,000 passengers daily will ride the metro red line alone. This system will provide the hub or backbone to an entire system of light, heavy, and commuter rail providing

connections to the blue and green lines, the east-west San Fernando Valley line, the Pasadena light rail line and Metrolink commuter rail service.

Mr. Chairman, as a member of the House Appropriations Committee, I recognize the challenge and difficulty with which the Public Works and Transportation Committee were faced in allocating spending priorities which are consistent with the budget resolution and the deficit reduction agreement.

I commend Chairman ROE, subcommittee chairman MINETA, and the ranking members, Mr. HAMMERSCHMIDT and Mr. SHUSTER and members of the committee, for their diligent and unwavering efforts to bring this bill to the floor.

Mr. Chairman, we are proud of the progress which is being made in Los Angeles to build the type of transportation infrastructure which will lead us to cleaner air, less congestion, and a better quality of life. I commend the Public Works and Transportation Committee, not just for its support of Los Angeles, but for its vision and leadership in supporting transportation improvements nationwide.

I strongly urge my colleagues to support this bill.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, there are some real problems in this bill that go way beyond just the question of the spending.

I bring one to question, and I have no idea where this is, but in Passaic County and Bergen County in New Jersey, there is a provision in this bill that says, and I quote from the bill itself:

> In so doing in carrying out these projects, the Governor is authorized to waive any and all Federal requirements, the waiver of which the Governor determines to be in the public interest.

Now, understand, what that means is, and I have done some checking on this, that means that the Governor on his own could wave the OSHA requirements, could waive the civil rights requirements, could waive the child-labor requirements, could waive the environmental requirements, could waive the Federal contracting requirements, and there are no protections whatsoever under that language.

The bottom line is that this is an environmentally sensitive area where all of the environmental problems could be wiped out if the Governor decided that he wanted to hand this project to a group of his cronies and violate all Federal contracting procedures under this language. He can do it. And this is absolutely unconscionable to put language in a bill which basically gives the Governor of the State the chance to override virtually all Federal law.

Mr. ROE. Mr. Chairman, the chairman of the Committee on Public Works and Transportation yields himself such time as he may consume of what is left.

I resent any other Members of this body coming and telling me about my district. The difference is the gentleman from Pennsylvania was not elected from that district. I was. And the day that you can come to my district and tell what is important to our district, and I will not yield to the gentleman. That is No. 1.

No. 2, this amendment does not waive any Federal laws whatsoever. That is inaccurate, incorrect. I do not yield to the gentleman. As you have been so kind to everybody else around here, I am not yielding to you. You have had your time. I am sorry, that is the gentleman's fault.

So, therefore, where we are coming from, this is a project that has been going on for 14 years, and the gentleman knows it, First, it was designated in the 1987 law, and the gentleman knows it, second.

And, third, the whole program was devised under the 1987 law to be able to revive the resources for a State to move a project that has been waiting 14 years in an urban center.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. ROE. I am happy to yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I will tell my good friend from Pennsylvania it is just not accurate, in my judgment, that the Governor would be able to waive the various laws that he refers to, because this clearly says that the Governor must act in the public interest, and if he waived any one of those laws, he would be hauled into court so fast, faster than you can blink an eye, the first point.

The second point I would make, Mr. Chairman, is that there have been several examples which go much further than this provision. This provision does not eliminate anything. It delegates.

We have, in fact, in previous law actually eliminated provisions, for example, the Highway 3 in Hawaii which was statutorily exempted from certain Federal standards. In fact, just recently, the Federal appellate court upheld that exemption. So that goes much farther than what my good friend from California is trying to do here today, simply delegate to the Governor in order to expedite a project that should have been built many, many years ago.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I rise in strong support of H.R. 2950.

Mr. Chairman, I would like to enter into a colloquy on rail link. May I ask the gentleman from New Jersey, the distinguished chairman of the committee, a question regarding this bill?

Mr. ROE. Mr. Chairman, will the gentleman yield?

Mr. PAYNE of Virginia. I am happy to yield to the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, I would be delighted to answer a question for the gentleman from Virginia.

Mr. PAYNE of Virginia. I thank the distinguished chairman.

Section 322(tt) of H.R. 2950 authorizes expenditures of up to $6 million for preliminary engineering and planning studies for a rail link between the west Falls Church metro station and Washington Dulles Airport. This funding will aid the Commonwealth of Virginia in the planning process it has initiated to make rail in the Tysons/Dulles corridor a reality at the earliest practical moment.

Mr. Chairman, I wish to clarify whether it is the committee's intention in section 322(tt) of H.R. 2950 to encourage the rapid development of a rail link to Dulles Airport, and whether the committee intends to consider Federal participation in the construction of such a rail link upon completion of the study authorized in this bill?

Mr. ROE. I thank the gentleman from Virginia for his question. Yes, it is the intention of the committee to encourage the development of rail access to Dulles Airport. The committee will consider Federal support for the construction of a rail link to Dulles after a comprehensive plan for such a facility is presented to the committee.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. MCEWEN].

Mr. MCEWEN. Mr. Chairman, I will insert in the RECORD a statement in support of the legislation.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. I want to commend the chairman of the Public Works Committee, Mr. ROE, the ranking member, Mr. HAMMERSCHMIDT, the chairman of the Surface Transportation Subcommittee, Mr. MINETA, and the gentleman from Pennsylvania [Mr. SHUSTER] for a job well done. As a former member of the Public Works Committee, I know how important this bill is to our country.

In a 500-page bill, you can't please everyone. I certainly have reservations about a few provisions in the bill, but by and large, this is a good bill. It has vision, new direction and represents a good faith effort to rebuild our Nation's crumbling infrastructure.

Let me go directly to some concerns that have been raised by this House.

The first concerns the Public Works Committee's help with local transportation projects. I deeply appreciate the committee's help. The request that I made to the committee did not arise

out of some congressional whim but by requests for help by my State, county, and local governments.

Let me give my colleagues some idea of the so-called dangerous pork barreling going on in this bill. One project will remove a blind curve which squeezes a two-lane road between a creek and concrete railroad abutment. This road is the main access road in the only direction which geography allows this town to expand. It would take the local municipality years to raise the funds to do it themselves. Yet this safety problem would be allowed to linger.

A second project will allow a number of communities trying to attract new industry direct access to the interstate system. The current link takes considerable commercial and truck traffic out of its way on a road that is of narrow width and shoulders, steep slopes and a 50 mph speed limit. The unique geography of the area makes this project more expensive than the State could handle right away.

I also commend the managers for designating the "Avenue of the Saints" as one of the 16 corridors of national significance. This project is the No. 1 transportation project in the State of Iowa and several Midwestern States. I support construction of the avenue and I thank the committee for recognizing its national contribution.

I cannot speak with authority for every project in this bill, but I can assure my colleagues the Public Works Committee took a long hard look at my requests, the need, the amounts, and the State and local support. I am confident the committee handled every request in a similar manner.

Our constituents don't send us here just to vote on national issues. They also expect us to cut through the red tape. I believe this bill helps us cut through and help people.

The second issue I would like to address is the extension of the 2.5-cent gas tax, due to expire in 1995, to 1999.

While I am glad the committee eliminated a new, 5-cent gas tax from the bill, I realize even this bill, with a 6-year, $151 billion price tag, will, by the Department of Transportation's own admission, leave us further behind where we are today.

I believe it is naive to think in 1995 we will allow the 2½-cent tax to expire. I would far rather see this money put to good use, rather than allowed to go toward whatever fiscal emergency will arise in 1995.

It is my understanding that some Members and public interest groups favor the other body's version of the highway bill because they think the 2½-cents will not be needed.

The fact is the Senate bill cannot pay for everything it promises without also extending the existing 2½-cent tax. This is not a fact I made up; it comes straight from the Federal Highway Administration.

I think our bill is an honest assessment of our Nation's infrastructure needs. I would rather know up front the real costs than buy the other body's pig in a poke.

However, there is one aspect of the Senate bill that I hope the House conferees will give serious consideration. The Senate bill includes provisions to give State governments the authority to waive Federal commercial drivers license requirements for certain agribusinesses.

Now when it comes to mass transit I will defer to Mr. ROE and Mr. MINETA; they live with the problem every day. But I come from a rural district and a commercial drivers license for people making farm deliveries is ridiculous. The work is largely seasonal, often performed by retirees and college students and there is not one bit of evidence to support the conclusion that there is a safety crisis in delivering seed to farms.

A Department of Transportation official called my staff on Monday and suggested that a person who wants to deliver feed should get a commercial drivers license just like they had to get a realtors license for their sideline job; what a fundamental failure to understand the problems of rural America. The DOT is forcing agribusiness to hire a fleet of full-time drivers, and guess who gets to pick up the added cost—the consumer.

Over 110 of my colleagues in the House have cosponsored legislation similar to this provision in the other body's bill. I urge House conferees to give this provision serious consideration.

Mr. Chairman, I am concerned about the balances in our Nation's transportation trust funds. The leadership of the Public Works Committee assures me this bill spend the funds on our most pressing needs and reduces the trust fund balances to a manageable level.

I urge my colleagues to support the bill.

□ 1520

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. PACKARD] for purposes of a colloquy.

Mr. PACKARD. Mr. Chairman, my colloquy is with the committee chairman, the gentleman from New Jersey [Mr. ROE].

Mr. Chairman, H.R. 3566 makes certain revisions to sections 134 and 135 of title XXIII regarding metropolitan and statewide transportation plans and programs. I note that H.R. 3566 refers to conformity of transportation projects with the applicable State implementation plan developed in the Clean Air Act. My understanding is that the language in H.R. 3566 does not impose any new or different requirements on transportation projects with regard to air quality conformity than exists in the Clean Air Act.

Mr. ROE. Mr. Chairman, if the gentleman will yield, the gentleman is correct, H.R. 3566 does not impose any new or different air quality conformity requirements on transportation projects than what is provided for under the Clean Air Act, and in particular does not change or alter in any way the so-called transition period provisions of the Clean Air Act.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. Mr. Chairman, I rise in support of the Intermodal Surface Transportation Infrastructure Act, H.R. 2950.

Today marks an important day for the future of transportation policy in America and I am pleased to offer my support for the committee's bill.

This bill authorizes many programs and initiatives that will provide the flexibility to meet changes that have been occurring within our society. As a nation we have set a number of important priorities in order to cleanup the air, to relieve traffic congestion, to promote mass transit, and to develop basic ways of providing for a healthier environment.

Last year, Congress passed the Clean Air Act which put in place new air quality standards that States must begin to meet by 1995. This will not be easy unless the Federal Government provides some type of guidance. It is my belief that H.R. 2950 will do just that.

Specifically, the House surface transportation bill includes $32 billion for mass transit construction and expansion programs—which is $11 billion more than the other body's bill. This increased funding will not only relieve traffic congestion that has become so prevalent in the Northeast corridor, it will promote cleaner air by offering alternative modes of transportation.

Mr. Chairman, this bill contains a number of demonstration projects designed to alleviate traffic problems. In my State of New Jersey we must concentrate on mass-transit programs, but we must also find ways to relieve traffic bottlenecks. These projects will provide such relief and allow traffic to move easier.

In addition to providing increased mass-transit funding, this bill also stimulates our economy by creating jobs. At a time when our economy is in need of a jump start, it is reassuring to support legislation that will help us to revitalize our Nation.

I urge my colleagues to vote in favor of H.R. 2950.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, I thank the gentleman for yielding time to me. I rise in strong opposition to this measure. While I obviously recognize the importance of reauthorizing our Nation's surface transportation programs, I cannot support this version of reauthorization because it contains 455 highway demonstration projects, totaling $5 billion. These projects are given contractual authority for the next 6

years, creating what amounts to a pork entitlement program. These projects will not have to go before the Appropriations Committee for the next 6 years; rather they will automatically get the money approved today every year.

Secretary of Transportation, Samuel Skinner, has recommended a veto of the bill because of these demonstration projects. While many of the projects may provide needed infrastructure improvements, funding them in this way distorts the equitable distribution of highway funds to the States through formula apportionment projects. It also inhibits States' authority to prioritize their transportation needs. An article in a July issue of Congressional Quarterly stated that:

> As much as state and federal officials want a highway bill, they are continually frustrated by demonstration projects, which allow lawmakers to push a project to the head of priority lists and distort the formulas Congress uses to fairly distribute highway funding.

In addition to the $5 billion pork entitlement program, the bill, in section 169, also provides $706 million in budget authority for highway demonstration projects. These projects will have to go through the appropriations process every year because they have budget, rather than contractual, authority. Many Members will undoubtedly be surprised at my opposition to this section. While I am delighted that it appears my longstanding argument about enforcing House rules which require projects to be authorized before they receive appropriations is, in this case, being followed, I am still aghast at where the money is coming from to fund these projects.

Of the $706 million authorized in section 169, approximately $500 million will come from the general fund of the Treasury. Just last week we passed the Transportation appropriations bill, which funded 105 such demonstration projects, totaling $516 million—all of which came from the general fund. While I certainly was concerned that these projects, by definition, were distorting the fair distribution of funds to the States and were not authorized, my primary argument had been that we ought not to spend money from the general fund for demonstration projects when we have a $3.5 trillion national debt. We ought not to be doing that.

Now, 1 week later, we are about to add insult to injury by authorizing another $500 million to be taken from the general fund for highway demonstration projects. In 2 weeks time we will have arranged it so that $1 billion may be taken from the general fund to finance demonstration projects.

I am opposed to all demonstration projects because, as noted above, they distort the equitable distribution of highway funds to the States and usurp States' authority to determine their transportation priorities. But, if we're going to have demonstration projects, at the very least, they should be funded by the highway trust fund, rather than adding to the deficit by spending money from the general fund. From 1970 to 1991, we spent $838.9 million from the general fund for highway demonstration projects. If this measure passes, we will have paved the way for the expenditure of an additional $1 billion. In 2 weeks we will have exceeded the amount spent from the general fund over the last 21 years by $161.1 million. This is an unbelievable rate of increase which is completely untenable when the deficit is going to be 348 billion this fiscal year and the amount of new debt added will be in excess of one-half trillion dollars.

Many people argue that infrastructure improvements are needed if this country is going to maintain its global competitiveness. I agree. But, not with a $5-billion pork entitlement program. And I submit to my colleagues that priority infrastructure improvements can be undertaken without spending money from the general fund and adding to the deficit, which most definitely undermines our competitive position. The other body was able to pass such a proposal without demonstration projects. All we're doing here is giving the other body the incentive to add billions of demos when the bill goes to the conference committee—demos financed by extending the gas tax or from money taken from the general fund. I believe we have a responsibility to the American taxpayer to pass a measure free of these demonstration projects.

Mr. Chairman, this bill demonstrates one thing. It answers the question of why so many intelligent men and women who make up this Congress can produce untoward results. The answer is the fervor to "bring home the bacon for my district" and forget what is best for the Nation and for the beleaguered taxpayer.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I would like to engage the distinguished chairman of the House Committee on Public Works and Transportation in a brief colloquy.

Subsection C of section 143 of the act requires the Secretary of Transportation to conduct a 2-year study on asphalt containing recycled rubber. It is my understanding that, notwithstanding subsection C of section 143, the committee's intent is that a State or any local government, including counties or cities, can immediately—upon enactment of this act—use asphalt containing rubber, with Federal assistance.

Mr. ROE. Mr. Chairman, if the gentlewoman will yield, the gentlewoman is correct. It is the committee's intent that nothing contained in subsection C of section 143 shall prevent a State, municipality, or county from immediately using asphalt containing rubber, with Federal assistance beginning on the date of enactment of this act.

Mrs. VUCANOVICH. I thank the committee chairman for his clarification of this language.

Mr. Chairman, I rise in support of H.R. 3566 and to commend Chairmen ROE and MINETA and ranking members HAMMERSCHMIDT and SHUSTER for including language which permanently extends the authority of about 15 States, of which my State of Nevada is one, to set 65 mile-per-hour speed limits on certain four-lane, rural, noninterstate highways. As you know, authority to raise speed limits on these highways expired on September 30, with the rest of the Federal Highway Program.

The fiscal year 1992 Transportation appropriations bill, which is awaiting the President's signature, would extend this authority through fiscal year 1992. I commend the members of the Public Works Committee for taking this a step further and making the extension permanent.

Recently I joined with our minority leader, BOB MICHEL, in introducing H.R. 3474 which would authorize these Federal highway programs. I am pleased that this committee has taken similar action.

In addition, Mr. Chairman, there are many good projects included in this bill for the State of Nevada. In the case of my State these are important projects which need to be built and which have been approved by the Nevada Department of Transportation in consultation with the Nevada delegation. I appreciate the help of the committee in including these projects.

Mr. Chairman, I urge support of H.R. 3566.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Chairman, I urge an aye vote on H.R. 2950.

Among other worthwhile projects, it would authorize $12.1 million to widen I–270's outerbelt between Dublin and Westerville in Franklin County, OH. I strongly support this provision of the bill because this stretch of highway is one of the most heavily traveled in the State of Ohio. Many use this highway as an access route to Port Columbus International Airport. And not a day goes by that there is not an extensive delay—often 6 or 7 miles—due to the heavy volume of traffic or accidents. During rush hour, the road is literally a parking lot.

When this section of I–270 was built in 1967, it was designed to accommodate 65,000 cars a day. Today there is a tremendous amount of traffic funneled onto I–270 as an east-west connector because of the explosive growth in northern Franklin and adjacent counties. This area is the fastest growing section of metropolitan Columbus, and I might point out that Columbus is the fastest growth area in the entire State of Ohio and is located in one of only 50 growth counties in America. The Mid-Ohio Regional Planning Commission advises me that 115,000 cars now use the road between Dublin and Westerville each day, and

by the year 2010 it is estimated there will be nearly 170,000 cars traveling this highway daily—nearly three times what it was originally designed to accommodate.

Funding for this project is necessary to help improve the quality of life for central Ohioans and bring them badly needed relief from the nightmarish congestion that they must contend with every day. I feel that overall the committee has done a good job and I will vote aye.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. Mr. Chairman, I would like to show you the front page of the New York Daily News and I want to tell you that the only thing wrong with this May 3 front page of the New York Daily News is the use of the words "may be." Bridges may be dangerous to your health. The fact is New York City bridges are dangerous to your health.

The American people know the facts about our transportation infrastructure, and I hope my colleagues from around this country are listening. The American people know better than all of us in this Chamber today that we can no longer afford to sacrifice our Nation's productivity, which is directly tied to the condition of our transportation network. The commuters, travelers, and truckers that traverse the roads and the rails of this country every day pay a heavy price for our past neglect. In New York alone, it is estimated that traffic jams result in the loss of 350,000 work hours each day. You might be able to convince yourself, Mr. Chairman and my colleagues, that this is a fairy tale, but I assure you the American people will applaud our work if we commit to the measures necessary to bring our infrastructure into the 20th century.

I do not think we can say time and time again clearly to the American people, not a penny is coming from the general fund. All the money to repair our infrastructure is coming from the trust fund.

What I find most disturbing is that our effort to direct Federal funds to the most needy projects throughout the country is being attacked by some in our administration as "the alltime record on pork." I did not know that addressing America's most pressing transportation problems was considered pork barrel politics. In fact, ensuring that needed transit and highway projects will be awarded Federal funding I believe is good politics and good for America.

I invite my colleagues who oppose these projects to New York City where they can see where some of this pork is going to be roasted. We could visit the Manhattan Bridge and you could tell the 360,000 people who cross, that bridge every day that the money directed at returning the bridge to a safe state is pork. Maybe at that time we can discuss the flawed Federal funding formulas that have pushed all of New York City's bridges to this point, and why the administration-sponsored bill failed to address any one of them.

If you are afraid of crossing one of our East River Bridges, and I would not blame you, perhaps we could take you for a ride on the Staten Island Ferry, with 40,000 of my constituents who commute to work every day. While admiring the early morning halo of smog from cars over downtown Manhattan, you could tell these commuters that this country does not need H.R. 3566.

No, we do not need subway upgrades. We do not need new buses. Forget about mass transit. Forget about the Clean Air Act. Forget about operating assistance. Drive to work, America.

Mr. Chairman, there are a lot of services America cannot afford, but America cannot afford any more excuses. The Intermodal Transportation Act of 1991 is a bill that deals properly and efficiently with our pressing transportation needs. The next 5 years hold the key to the ability of this country to compete in the next century. Let us take the initiative now and give the American people an industry the transportation facilities they need to compete at home or abroad.

For the future of transportation, clean air, productivity, and for the sake of headlines that never again have to scare 8 million people in the city of New York, I urge my colleagues to join and vote with this new bill.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Minnesota [Mr. OBERSTAR], our subcommittee chairman.

Mr. OBERSTAR. Mr. Chairman, I rise in support of H.R. 2950, the Intermodel Surface Transportation Infrastructure Act of 1991.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Chairman, I rise in support of the bill.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Georgia [Mr. JONES], a member of the Committee on Public Works and Transportation.

Mr. JONES of Georgia. Mr. Chairman, I rise in unequivocal support of this bill. It is comprehensive. It is visionary. It is a bipartisan commitment to America's future. It establishes a national highway system which is an investment in middle America. It rebuilds America's infrastructure, guaranteeing American commerce the ability to compete in the 21st century. It gives local and State officials the flexibility they want to address their transportation needs. It promotes safety, addresses environmental concerns. It boosts local economies and it creates jobs, hundreds of thousands of badly needed jobs.

There are those here playing the same old demagogic game about pork barrel, but Americans are smart enough to know that spending their gas tax money the way they want it spent on local projects that directly benefit their communities is not pork. It is roads. It is bridges and it is jobs. So I do not know where the pork is. It is certainly not in Georgia's badly needed projects, but I know where the bull is, because I have been hearing it from some of the opponents of this bill.

This bill puts America first and there is no good reason for any Member not to be able to support this landmark legislation, and I urge its support.

□ 1520

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman for yielding time, and I rise in favor of the bill.

Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. This is a bill for America that merits our favorable consideration.

While this highway bill is not perfect and can't totally satisfy every Member, it is a good bill that is necessary to keep our highway construction programs moving forward. In many areas, our highways and bridges are deteriorating. Growing populations have rapidly made a large portion of our infrastructure almost obsolete. Modernization and improvements to the system will improve the economy through job opportunities, facilitate the efficient movement of commodities, and provide safer streets for American travelers.

H.R. 2950 provides a fair distribution of the funds paid by highway users, gives needed flexibility to the States, and makes significant changes to our transportation policy that will take us into the 21st century. It addresses specific projects, such as the tunnel interchange in Mobile, AL, to improve highway traffic safety and meet other highway needs particular to different areas.

I urge my colleagues to vote in favor of this bill. An "aye" vote is a vote of confidence in the future of our country.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, the surface transportation bill contains important provisions to slow down truck violations and to improve safety on interstate highways. On May 15, 1991, I sponsored the Motor Carrier Safety Assistance Program Reauthorization Act of 1991 to reauthorize and expand MCSAP, and I am pleased that this reauthorization has been included in the Surface Transportation Act.

MCSAP has saved lives and reduced crashes since its establishment in 1982. The major changes in the law permit traffic enforcement to be an eligible

expense under the Motor Carrier Safety Assistance Program, when this enforcement is coupled with roadside safety inspections.

There is substantial evidence that combining MCSAP inspections and increased traffic enforcement works. A pilot program in Maryland, Virginia, Alabama, Nevada, and Washington allowed police officers in these States to target truck inspections on those commercial drivers that violated the rules of the road. This pilot program was successful in all five States.

Mr. Chairman, I urge my colleagues to join me in supporting truck safety on U.S. highways by voting for the surface transportation bill. MCSAP works. This legislation makes it a more comprehensive and a more effectively focused program.

MCSAP is one provision of the Intermodal Surface Transportation Infrastructure Act of 1991. In addition to MCSAP, this $151 billion bill reauthorizes surface transportation programs for 6 years. It will give assistance to States to rebuild and maintain roads and bridges. I am pleased that two federally owned projects, which are essential to an effective transportation system in the Washington metropolitan area, will receive funding. The Woodrow Wilson Bridge will receive an authorization of $50 million for preconstruction activities, which include environmental analyses, design and engineering, and right-of-way acquisition. The Baltimore-Washington Parkway will receive $93 million for improvements to the roadway and interchanges.

The strong transit emphasis will benefit States with large urban centers, among them, the State of Maryland. The Maryland Commuter Rail Service [MARC] has doubled its ridership in the past 5 years, and it will receive $160 million for additional equipment, more frequent service, additional routes, as well as improvements to commuter stations and parking facilities.

There is a critical connection between transportation policies and the protection of the environment. In Maryland and the entire Chesapeake Bay watershed, the provisions of this bill will impact the restoration and the preservation of the bay. We, Americans, have a love affair with the car, but the growing concern about traffic congestion and air and water pollution is slowly moving us to consider greater use of mass transit and restructuring of our land-use patterns.

Mr. Chairman, the surface transportation bill points us in a new direction by significantly increasing mass transit funding over current levels and by giving States flexibility to use funds for highways or transit. I support this bill, and I urge my colleagues to vote for adoption.

Mr. ROE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Missouri [Ms. HORN].

Ms. HORN. Mr. Chairman, I thank the gentleman for yielding time to me and I rise in strong support of H.R. 2950. I would like to engage in a brief colloquy with the distinguished chairman of the committee, the gentleman from New Jersey [Mr. ROE].

Mr. Chairman, during committee consideration of the bill we discussed how important it is to have a regionwide transportation plan that includes efficient mass transit system as well as the maintenance and improvement of our highways. In order to accomplish this, the bill before us provides increased authority to local metropolitan planning organizations in funding projects.

This is very important in my district—specifically, St. Charles County, which is the fastest growing county in Missouri. The bill before us grants greater decisionmaking authority to local planners in funding local projects. I would like to ask your clarification of how you see this working on the local level.

There are plans in my district for a new bridge which will extend from St. Louis County over the Missouri River and hook up with Missouri Route 94 in St. Charles County. The project is part of the Missouri Highway and Transportation Department's illustrative list for the National Highway System. It is included in the region's metropolitan planning organization [MPO] transportation improvement plan [TIP]. The local MPO is strongly in favor of the project. However, the second leg of the project—Route 94—is in the State's 10-year unfunded needs study.

Mr. Chairman, I have a question that needs clarification. Is it your understanding that the Route 94 project, as described, would be consistent with the committee's goals for urban mobility or the National Highway System?

Mr. ROE. Mr. Chairman, will the gentlewoman yield?

Ms. HORN. I yield to the gentleman from New Jersey.

Mr. ROE. I thank the gentlewoman for yielding.

Mr. Chairman, yes, it is my understanding that this project is consistent with the overall goals of the bill, and that this is the type of project which should receive priority consideration for funds by the applicable MPO and State highway agency.

Ms. HORN. Mr. Chairman, I thank the gentleman for his clarification.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania. [Mr. RIDGE].

Mr. RIDGE. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of this much needed highway bill. In my State of Pennsylvania, where the truckdrivers say we have the worst roads in the Nation, where 40 percent of our bridges fail to meet Federal safety standards and where mile upon mile of roadway lies in a state of disrepair, the task of rebuilding our infrastructure begins not a day too soon and certainly begins with the Inter-Modal Surface Transportation Act.

Let me also state right out from that a project in my district is funded by this bill. Some of my colleagues said, "Well, Tom, there you go, supporting a particular piece of legislation," and referring to it as pork. It is the completion of an intermodal system that has been on the books for 20 years. It is a vital economic link, it is a competitive link. My guess is, through all the good work done by the leadership on both sides of the aisle, the projects which are referred to as pork in this particular piece of legislation, many of them are involved in completing necessary, vital transportation links that are good investments in America's future.

So I commend the committee for its leadership. I think they have come under fire, but they certainly owe no one any apologies. I very much appreciate their stand in this matter.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I rise in strong support of H.R. 2950.

Mr. Chairman, I rise today in strong support of the 1991 surface transportation proposal. Good transportation links are crucial for economic development. We have spent millions on our inland waterways, and have some of the finest in the Nation. We have good rail lines.

Where we fail, and this is especially true in some parts of our State, is with our highway system. At a time when we should be tying together all forms of transportation—air, water, rail, and highway, we still have in our State a situation where it is nearly impossible to travel from east to west or north to south on a modern highway.

Some officials want to talk about traffic counts and economic surveys, but I feel this is a chicken and egg situation. We need these roads and bridges in order to have economic growth. By their logic, you would never build a bridge because no cars cross the river at that point.

I would like to take the time to express particular interest in the funding for two very important projects in my area. There has been $7.6 million allocated for the construction of a third bridge over the Black Warrior River in Tuscaloosa County, AL.

The two existing river crossings have become major bottlenecks. The traffic from Federal Highways 82, 43, and I–359, combined with local traffic, is more than these bridges were designed for. One bridge is nearing its design capacity and the other already exceeds it. Traffic projections done by both the State Highway Department and the local governing bodies show future growth far beyond what the existing structures can handle.

In addition to solving local traffic problems, a third bridge is vital to the economic growth of west Alabama. These Federal highways link Atlanta and Birmingham to Mississippi and

west Alabama to central and south Alabama. Commercial traffic relies heavily on these routes to transport goods and services across the Southeast.

Without the relief that a third bridge will offer, greater and greater burdens will be imposed on interstate commerce. The committee acknowledged this necessity by providing the funds for a third bridge in H.R. 2950.

In addition to this major project, the upgrading of the U.S. Route 80 corridor to a four-lane status from Meridian, MS, to Savannah, GA, will assist in boosting economic growth in my district, as well as other areas along its route. This route was to have been included in the original Interstate System in the 1950's, but was never built.

Our State Highway Department will receive enough money under this bill to complete the four-lane link from Montgomery to Meridian, thus tying together Interstates 20 and 59, and Interstates 65 and 85. This alone will be a tremendous boost to an economically depressed area.

I want to thank both Chairman ROE and Chairman MINETA and their staffs. I would also like to thank fellow Alabamian Congressman BUD CRAMER, for his help on this project.

I urge my colleagues to give their support to this bill.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from South Carolina [Mr. TALLON].

Mr. TALLON. I thank the gentleman for yielding.

I congratulate the gentleman from New Jersey, Chairman ROE, and the members of the full committee for an excellent piece of legislation that I wholly support.

Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Act of 1991.

Authorization of a new highway bill is of vital importance to South Carolina, our tourism industry, and other economic growth. This new highway bill is vital to every rural and urban area in my State.

Our South Carolina highway programs are in jeopardy until a new authorization bill is adopted to ensure the availability of adequate funding for our many programs.

The support of my colleagues here in the House of Representatives is an important step to getting this bill to conference so that the appointed conferees can work out the marked differences between the provisions in the House and Senate versions of this legislation. We must move now if we are to allow the continuation of our highway programs and get other needed programs started.

We are all paying taxes to build and maintain our roads and bridges. This highway bill has been carefully and thoughtfully crafted to ensure that donor States receive their fair share of funds. Both maintenance and growth are sustained with this highway bill. And, mass transportation receives needed emphasis in this day and age of crowded highways and polluted skies.

We must support legislation that will aid this Nation's infrastructure and sustain the growth that the United States has experienced over the pass five decades. This highway bill will help us to lead the world well into the 21st century. I urge my colleagues to support this legislation.

Mr. ROE. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, for the past 40 years Wisconsin has been known as a donor State. We have gotten back 78 cents from Washington for every dollar we sent to Washington.

Mr. Chairman, I want to congratulate the committee, especially the gentleman from New Jersey, Chairman ROE, and the gentleman from California, Chairman MINETA, for recognizing that a lot of us simply would not vote for that kind of legislation if that continued.

This bill, for the first time, gives my State back at least as much money as we send to Washington, and as far as we are concerned, it is about time.

I simply would also like to say that I hope the White House drops its threat to veto this bill. America needs the jobs that this bill provides.

After 40 years of defending the West from the threat of Soviet aggression, it is apparent that that threat no longer exists in nearly the degree that it used to. It is time to come home and invest some money in America, which this bill does. This is the beginning of that process.

Mr. Chairman, I congratulate the committee. This is going to be crucial to a number of highways in my district, especially highways 29, 51, and 53, and I appreciate the committee's support.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I thank the gentleman for yielding.

Mr. Chairman, 1 minute is not anywhere near enough time to discuss my opposition to this bill. Besides the gas tax, I concentrated on the mass transit portion of this bill because I am not one of those who believe that demonstration projects are pork. There may be some pork in those demonstration projects, but the highway portion of this bill, I do not have a whole lot of quarrel with. But what I do have a quarrel with is the incredible change in policy that we are seeing in this bill, moving away from building highways toward mass transit. We are almost doubling the amount of money for mass transit and $13 billion of that money comes from general revenues, Members, comes from general revenues for a system that has been proven to be a failure.

Now, it has been said here we have got to build mass transit to take care of the Clean Air Act. Well, I called UMTA, and there has been no study done on specific projects. But there have been studies done on rail projects helping to clean up the air. There is no proof that rail projects or mass transit projects clean the air.

So look at the real facts before you commit yourselves to an incredible change in policy.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. MRAZEK].

Mr. MRAZEK. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to congratulate the gentleman from New Jersey [Mr. ROE] for bringing this important surface transportation reauthorization to the House floor.

As Members are aware, I have been an advocate of magnetic levitation technology for several years. In 1990, I first introduced legislation that would provide a competitive framework for American companies and research institutions to receive Federal grants for research and development of Maglev.

Two decades ago, the United States led the world in research and development of this promising new mode of transportation that moves along guideways at speeds of up to 300 miles per hour. Unfortunately, we abandoned our efforts in the mid-1970's and left it for the Japanese and Germans to build the first full-scale Maglev prototypes.

Mr. Chairman, the gentleman is aware that Senator MOYNIHAN has placed a $750 million competitive design program for Maglev in the Senate Surface Transportation bill. I support this proposal and have introduced a companion measure in the House. While I understand the financial constraints under which you have had to operate to bring this bill to the floor, it is my hope that the authorization of a competitive design program will be included in the final conference agreement with the Senate.

Mr. ROE. Mr. Chairman, if the gentleman will yield, it is regrettable that Maglev is another example of how the United States has not fully developed an industry for which we have a technological advantage.

I am aware that there are many Members of the House who support this technology and I do agree that it has the potential to make us more competitive in the world market. When the House meets the Senate in Conference, Maglev will have our attention in every respect.

Mr. MRAZEK. Mr. Chairman, I appreciate the committee chairman's interest in this matter.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Chairman, I thank the gentleman from Arkansas for yielding time to me.

Mr. Chairman, I would like to engage the committee chairman, the gentleman from New Jersey [Mr. ROE], in a colloquy.

Mr. Chairman, H.R. 2950 truly represents a landmark intermodal blueprint which will serve America's transportation needs into the 21st century. I am especially pleased, Mr. Chairman, that H.R. 2950 goes a long way toward correcting the long-standing inequities that donor States—such as my own State of Ohio—have had to face with archaic formulas and penalties. Is this the understanding of the Chairman?

Mr. ROE. Mr. Chairman, if the gentlewoman will yield, she is correct.

Ms. OAKAR. Mr. Chairman, it is my understanding that H.R. 2950 also partially corrects the penalty whereby donor States were forced to have some of their moneys subtracted from their minimum allocation funding. Since 1987, when this penalty was made law, donor States have had trouble fixing bridges which were desperately in need of repair because of disproportionately small amounts of Federal transportation investment. Based on the growing concerns of donor States in areas related to this issue, is it the Chairman's understanding that this issue will be further discussed in conference?

Mr. ROE. Again, the gentlewoman from Ohio is correct. It is expected that this issue will be further addressed in conference.

Ms. OAKAR. With your concurrence on that point, Mr. Chairman, it is my honor to submit on behalf of the State of Ohio and commend to the committee's attention the following set of bridges for priority consideration by the Secretary of Transportation for the discretionary bridge funding, and I thank you.

Mr. ROE. The committee is pleased to accept the list offered by Ohio, and commends it to the Secretary for consideration in distribution of discretionary bridge funds.

The list that has been referred to is as follows:

Ohio bridges for consideration by the Secretary of Transportation

Bridges	*Project cost (million)*
West Third Lift Bridge over the Cuyahoga River	20
Columbus Road Lift Bridge over the Cuyahoga River	20
Cuyahoga Viaduct Track Bridge	12.5
Ft. Steuben Bridge	60
Bridges over Meander Reservoir	11.1
Western Hills Viaduct	15
Maumee—Perrysburg	15
Ironton—Russell Bridge	60
Spring Sandusky Interchange (Scioto River)	21
U.S. Grant Bridge	60
I-670 from Neil Avenue to Neilston Bridges	17
SR 315 Bridge over Scioto River	13.5
I-670 Mainline and Ramp Bridges (section A-1)	12
I-670 Mainline Bridges (section b-20)	11.5
Bridges on ramps connecting I-670 and SR 315	10
Pomeroy—Mason Bridge	60
Ashtabula Viaduct	30
Conneaut Viaduct	30

Ms. OAKAR. Further, if I may Mr. Chairman, a study is now underway by the Ohio Department of Transportation to determine appropriate safety and congestion mitigation improvements to the I-90 innerbelt in Cleveland. If the study is competent and fits within the Federal guidelines and framework for congestion mitigation contained in H.R. 2950, is it the committee's view that the actions recommended by this study or similar studies are typically eligible for Federal funding within the provisions of the bill before us?

Mr. ROE. My colleague, the gentlewoman from Ohio, is correct.

□ 1530

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida [Mr. SHAW], a former member of the Committee on Public Works and Transportation.

Mr. SHAW. Mr. Chairman, I would like to at this point just take this brief moment to compliment the gentleman from Arkansas [Mr. HAMMERSCHMIDT], the gentleman from Pennsylvania [Mr. SHUSTER], as well as the gentleman from California [Mr. MINETA] and the gentleman from New Jersey [Mr. ROE] for doing a wonderful job in crafting a bill. Together with the staff and the members of the Committee on Public Works and Transportation they are certainly taking forward the tradition of this committee, the very fine tradition, of working in a bipartisan manner to solve the transportation needs of this country without reference to, or concern, as to particular turfs, and I think that is a hard thing to do. I know from my own experience on the committee, as well as working with the committee over the last couple of years, the tremendous amount of patience and work that the committee has done in hearing all the Members and going around the country to take care of the needs of the country. I also want to thank the gentleman from Florida [Mr. PETERSON] who has done a yeoman's job in representing the needs of the State of Florida on this committee.

Mr. Chairman, I rise today in support of H.R. 3566, which is commonly known as the highway bill. As all of my colleagues are aware, planning our Nation's transportation future for the next 6 years is not an easy task; getting a majority of Members of Congress to agree on such legislation is sometimes even more difficult. However, the House Public Works and Transportation Committee, under the leadership of Chairman ROBERT ROE, Chairman NORM MINETA, ranking minority member JOHN PAUL HAMMERSCHMIDT, and ranking minority member BUD SHUSTER, have put together a bill that is both innovative and foresighted. I commend them for their hard work and determination in bringing this comprehensive legislation to the House floor. I would also like to give my deep appreciation to the only member from Florida on the House Public Works and Transportation Committee, Mr. PETE PETERSON. Although only in his first term, Congressman PETERSON performed like a seasoned veteran in defending Florida's transportation interests.

There are many fine provisions in this legislation; however, I would like to bring to my colleagues' attention a project contained in this bill that is of tremendous importance to the people of Broward County, FL. The project I refer to is the proposed 17th Street Causeway Tunnel replacement project in Fort Lauderdale, FL. I have fought since 1986 to bring this project to fruition, and I have introduced authorizing legislation every Congress since the 100th Congress for this project. I am gratified the House Public Works and Transportation Committee has seen fit to include this worthy project as part of its surface transportation reauthorization bill.

Presently, there is a drawbridge that spans the Intracoastal Waterway [ICWW]; however, this bridge is old, requires costly repairs and experiences frequent openings each day. In 1986, this bridge opened an average of 43 times a day, and today it opens as often as every 15 minutes. This has resulted in frequent long lines of vehicular traffic averaging well over a half mile in length in both the eastbound and westbound directions, as well as an alarmingly high accident rate in this area. The accident ratio of 1.87 accidents per million vehicles using the facility was above the statewide average of 1.28 for similar facilities. The 17th Street Bridge is the most heavily traveled bridge in Broward County, and the traffic is only getting worse.

Such conditions also have a severe impact on response times to locations east of the ICWW for Broward County Emergency Medical Services [EMS], whose ambulance and emergency vehicles use the crossing an average of 12 times a day. A free flow facility, such as a tunnel, would greatly improve response times and medical care to the oceanside community.

In addition to vehicular traffic, water vessel traffic has also been inconvenienced by the bridge openings. Water vessels are required to wait a minimum of 15 minutes between bridge openings, causing long lines along the ICWW and creating navigational problems for Port Everglades and its associated shipping traffic. Since the drawbridge is the busiest entry and exit point for the Intracoastal Waterway in Fort Lauderdale, both water and vehicular traffic will continue to suffer.

Added burdens have been created by the expansion of Port Everglades as well as the opening of a new convention center last month. Situated on 33 acres at the northern end of Port Everglades, the convention center is bordered by the Intracoastal Waterway, the 17th Street Bridge, and Eisenhower Boulevard.

Added cost of maintaining the status quo of the existing bridge in terms of total delay and accident costs is $29 million—1987 dollars—over a 50-year period. In addition, the bridge will soon be functionally obsolete—can not carry the traffic demands—due to a projected 2.5 percent annual increase in bridge openings and a 1.5 percent projected annual increase in traffic volume.

During 1990, the present 17th Street Bridge experienced 51 breakdowns. This figure rated the 17th Street Bridge the worst in break-

downs among the other 13 drawbridges which span the ICCW in Broward County. These 51 breakdowns caused the bridge to close for 42 hours, ranking it third worst among all bridges in the county. Furthermore, the 17th Street Bridge received a 52.5 inspection rating during March 1990—barely above the Department of Transportation's 50 point minimum standard.

Of course, when the bridge is open, or inoperative, both of which are frequent occurrences, vehicles are left waiting in traffic, wasting fuel and spewing noxious exhaust fumes. The tempers of stalled drivers can often grow hot. The following is an excerpt of a Miami Herald article dated November 18, 1990, documenting the frustration of one motorist:

In May, when the 17th Street Bridge broke down, bridge tender, Ron Hickman, left his control shack to direct traffic. A furious driver got out of his vehicle, threw Hickman against the truck and pummeled him with punches.

Clearly, a sizable amount of money and anguish will be saved by replacing the bridge with a free flow alternative. A tunnel under the ICWW is the most efficient and viable alternative. A new drawbridge would still exclude many high mast vessels from the ICWW. A fixed bridge is an undesirable option because it would have to be at least 75 feet high, which would require the massive approach roads and ramps. Additionally, a 75 ft. bridge would be so high it would destroy the surrounding property values, but conversely it would not be high enough to prevent exclusion of many high-mast vessels from entering the ICWW from Port Everglades.

This project has broad local support, which I consider crucial to the eventual success of the project. The city of Fort Lauderdale, Broward County, and the State of Florida have each committed to provide funds for this project. Additionally, Congress provided $5.25 million in fiscal year 1992 for this project. Last year, Congress also appropriated $3.69 million for this project as part of the fiscal year 1991 Transportation appropriations bill. The State of Florida also appropriated $1 million last fiscal year.

Mr. Speaker, this project is very important to me and to my constituents. As the demographics clearly show, south Florida is growing by leaps and bounds. The 17th Street Bridge was built in 1956, when Fort Lauderdale and the surrounding area was a sleepy beach community. In the 35 years that has passed, this area has changed greatly. Fort Lauderdale is now a sprawling, bustling metropolis, with new transportation challenges that demand to be met. The authorization of this project, coupled with the $16.1 million provided for it in H.R. 3566, will greatly help to relieve Broward County's increasing traffic congestion problems.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Mississippi [Mr. PARKER], who is a member of our Committee on Public Works and Transportation.

Mr. PARKER. Mr. Chairman, I have watched throughout the year as we have taken one issue after another that is important to the people of our districts and of this country and transformed it into just another tool for partisan political bickering. I do not intend to stand here and see this legislation reduced to the same fate. It is too important to the people of my district, of my State, and of this Nation.

For years my home State, Mississippi, has been shortchanged. Under current highway funding programs we have been one of the 21 states that have paid more into the highway trust fund than we have taken out in new highway projects. Under this bill we will continue to come up short although our situation will be much improved. Historically we got back 75 cents of every dollar paid in Federal gasoline excise taxes. We will, under this bill, get back 90 cents. In the spirit of compromise I can accept that.

I will take everything that I can get for my constituents and I will be back for more. The projects in my district which this bill provide for are not pork. They are our fair share.

Not a single project in the bill located in the Fourth Congressional District of Mississippi was invented by me. Every single one of them have been on the drawing board for years, were planned for by our State highway department, were prioritized by our elected State highway commissioners. This bill allows us to get them off the drawing board and on the ground.

We are tired of lagging behind. We intend to be a part of a national transportation system. A national transportation system has to be made up of individual parts. We in Mississippi have to build our parts before we can fit them together with the rest of the country. We have agricultural products, we have timber, we have manufactured goods that we can bring to the marketplace. We need roads and bridges, river ports and airports in order to do that. What some of you call pork, we call investment. The national transportation issue has centered around a call to rebuild our Nation's infrastructure. We demand the opportunity to build an infrastructure, for the first time.

The President has sent us a bill. It seems he wants his bill and nothing else. Well Mississippi and many other rural areas cannot afford the President's bill. The President would give us a new 150,000-mile National Highway System—if your State can come up with 40 percent of the cost for its portion. Many times we have had to delay already approved projects because we cannot come up with the current 25-percent State match.

My State cannot live with a lot more of nothing.

The committee's bill will let us go forward with this National Highway System, but at a price we can afford. I urge you to support these efforts and to vote for H.R. 2950 as it was introduced by the committee. Let's act in the best interests of our Nation on this issue—and at least for a few moments forget about political expediency.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Alabama [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, I thank the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for yielding me this brief time, and I wanted to take this opportunity to thank the members of the Committee on Public Works and Transportation for the job they have done.

Mr. Chairman, each of the States, and many other organizations, have been working diligently for at least 4 years in trying to come to some agreement on language to be included in a new surface transportation bill for fiscal year 1992 and beyond.

Congressmen HAMMERSCHMIDT, SHUSTER, ROE, and MINETA have been working diligently on this matter for quite some time in an effort to provide this new legislation, and to keep highway construction programs moving forward. The State of Alabama truly appreciates their efforts, and the Alabama Highway Department endorses their legislation.

The original bill has undergone major changes, including: Elimination of the nickel gas tax; a 30-percent across-the-board cut on demonstration projects and; extension of the authorization period by a year.

Although no legislation will be satisfactory in all respects, it is time to go forward with this measure so that State programs can continue in an orderly fashion.

Mr. HAMMERSCHMIDT. I yield such time as he may consume to the gentleman from Indiana [Mr. JONTZ].

Mr. JONTZ. Mr. Chairman, I rise to enter into a colloquy with the chairman to draw attention to a new provision in the Bridge Program. As I understand it, the bill would allow States the flexibility to implement their own design and construction standards for Bridge Program projects not on the Federal-aid system.

Under present law, all bridge projects receiving Federal funds must meet a single set of design and construction standards; standards which in many instances require the construction of bridges which far exceed the local need. This situation puts many local jurisdictions in the untenable position of choosing to build bridges solely with local revenue at great expense to their taxpayers or choosing to tap into Bridge Program funds to reduce the local expense but ending up with a project costing considerably more than necessary. The provision in the bill before us would eliminate that dilemma. States would be able to devise their own standards for off-system bridges and local jurisdictions would be able to build bridges which meet local requirements at significant cost savings. Is this the chairman's understanding of the provision?

Mr. ROE. Mr. Chairman, will the gentleman yield?

Mr. JONTZ. I yield to the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, the gentleman from Indiana is correct. This provision in the Bridge Program would allow States to apply their own standards for safety, design, and construction to bridges which are not on the Federal-aid system. It is our belief that this provision will give States and local jurisdictions greater flexibility under the Bridge Program and provide a more efficient use for off-system bridge funds.

I want to commend the gentleman from Indiana for his leadership in bringing this issue to the attention of the committee.

Mr. HAMMERSCHMIDT. I yield such time as he may consume to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, I thank the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for yielding.

Mr. Chairman, it is my understanding that the legislation provides States with new authority to construct and expand toll facilities, but maintains the prohibition on tolls in those portions of the system that are currently free. As the Chairman well knows, a 4½-mile section of I-95 was recently sold to the New Jersey Turnpike Authority. Is it the Chairman's judgment that this area will still be considered a free segment of the interstate system despite the change in ownership, and, therefore, tolls will be prohibited?

Mr. ROE. Mr. Chairman, will the gentleman yield?

Mr. TORRICELLI. I yield to the gentleman from New Jersey.

Mr. ROE. It most certainly is. If the turnpike authority attempted to place tolls on that segment of road, then it would be required to repay the Federal Government and sacrifice all future Federal highway 3R or 4R money. It is my understanding that both the Governor and the commissioner of transportation have committed to maintain I-95 as free.

Mr. TORRICELLI. Mr. Chairman, separately, in another section of the legislation, the Secretary of Transportation is called upon to initiate a rulemaking process for the minimum training requirements for the operators of longer combination vehicles.

It is my understanding that this provision of the bill will require drivers of longer combination vehicles to receive specific training in the handling of these vehicles before they are permitted to drive them. Is that correct, Mr. Chairman?

Mr. ROE. That is correct. Only fully qualified drivers will be permitted to operate longer combination vehicles.

Mr. TORRICELLI. Further, Mr. Chairman, in a third section of the legislation, it is my understanding that a project such as the special area management plan of the Hackensack Meadowlands Development Commission would be an eligible activity for National Highway System or urban and rural mobility funds under section 108 of the bill. Is my understanding correct?

Mr. ROE. The understanding of the gentleman from New Jersey is correct. The special area management plan would involve mitigation and enhancement activities for significant wetlands that contribute substantially to the meadowlands ecosystem. There would be an initial treatment of 400 acres of wetland in the Kearny Marsh and elsewhere in the Meadowlands. That project would be eligible under section 108 of the H.R. 2950, if the project is consistent with applicable Federal laws pertaining to wetlands.

Mr. Chairman, I thank the gentleman from New Jersey [Mr. ROE] for his consideration.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. LAUGHLIN].

Mr. LAUGHLIN. Mr. Chairman, many years have passed since President Eisenhower brought us the interstate bill. America has changed, and our transportation needs have changed, and I urge my colleagues to strongly support this intermodal bill for 1991.

Mr. Chairman, our committee has worked very hard in a bipartisan manner, and it has taken input from all across America, and to the gentleman from Indiana who talks about pork, I would address the issue of pork.

Mr. Chairman, there is no pork in this bill for Texas. This project in this bill came from a highway commission composed of two Republicans and one Democrat. Every project in the intermodal bill that we have pending was put on paper long before I became a member of this committee 2½ years ago.

Mr. Chairman, we need these highways. There is nothing that anyone can find that will say that better highways are pork. There is nothing which says that safer bridges are pork. And the next time a school bus goes over a bridge in America, I want the gentleman from Indiana to come show me that is pork.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, I thank the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT] for yielding this time to me.

Mr. Chairman, I certainly consider this a jobs bill for the country. We all may have our differences with certain portions of it. I know that the committee has worked hard trying to rationalize all the arguments pro and con in every section of the country, but it is a very fundamental bill to be enacted for improving the infrastructure of our country.

□ 1540

Mr. Chairman, while we have been rather tardy in getting it enacted since the legislation expired on September 30, I would hope that we could expeditiously get this matter through the House and in conference with the other body, so that before we adjourn this Congress we will have a highway construction bill signed by the President, because it is very important for the economic well-being of the country. I would urge my colleagues to use all speed in getting this adopted by both Houses of Congress so that we can go to conference.

Mr. Chairman, finally we have a highway bill before us on the House floor, some 3 weeks after the program itself has officially expired.

I support the bill, because I think it generally does a good job in restructuring the highway program to reflect current needs.

I only wish we had taken the legislation up several months ago, and enacted it prior to the expiration date of September 30.

The administration submitted a proposal back in February to reform and restructure the Highway Program.

This was an important component of the President's domestic agenda, and rightly so, because it has the dual purpose of upgrading the Nation's infrastructure and providing jobs.

That's right—jobs. The Highway Program provides, all told, work for about a million Americans. The President considered it so important that he placed it on his 100-day agenda, calling for final action by Congress within 100 days, or by June 14.

And here we are, some 131 days beyond that deadline before the bill even reaches the House floor.

What has the majority been doing with the highway bill all that time—paving it?

I only hope that when we do pass this bill today we move it in an expeditious manner through the House-Senate conference.

Already some 10 States have run out of highway funds, costing upwards of 160,000 jobs. By the end of November, another 10 States will have exhausted their highway funds, including my own State of Illinois. That represents the loss of another 245,000 jobs, including some 37,000 in Illinois.

There is, in other words, a very real cost to the country, both real and potential, for our inaction on this significant jobs-producing legislation.

That is why it is doubly important that we have an expeditious conference.

And that is also why I have to express some nervousness over comments coming out of the Senate, particularly from the Democratic chairman of the Transportation Subcommittee.

Three weeks ago he said on the Senate floor: "There is nothing in the Constitution that requires there to be a Federal highway program." And also: "No bill may be preferable to a bad bill."

I find it interesting that a distinguished member of the majority should be arguing against legislation because the Constitution does not require it.

Is this a harbinger of a move toward strict constructionism by the majority?

Let us hope so.

But such comments as those I've quoted may lead some to believe that if the other body does not get its way in conference, there could be stonewalling and possibly no bill at all.

I assume that such a scenario is not acceptable to the Democratic leadership in either body. The leadership thus has the burden of ensuring that we get an effective highway bill out of conference without any delay, and I hope there is a commitment to do so. Jobs in this country depend on it.

One additional point of particular concern in this bill is the so-called directed scorekeeping provision.

Congressman GRADISON will offer an amendment to strike this provision which I will support.

The issue of directed scorekeeping has been an ongoing battle with the majority trying to unilaterally change last year's budget agreement.

It could become an unnecessary roadblock to quick passage of this important job creation legislation.

Mr. ROE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Chairman, I rise in strong support of the bill, and I wish to extend my compliments to both the chairman of the committee and the ranking minority member.

Mr. Chairman, I rise in support of this historic, landmark bill which sets new national transportation energy policy. Chairman ROE and Subcommittee Chairman MINETA have led the committee to an expanded and sophisticated vision of transportation policy as a vital element in the American struggle for competitiveness in the global marketplace. I have watched in wonder the indefatigable energy of Mr. ROE and Mr. MINETA as they led the Committee with great intelligence and splendid wit to an excellent bill, overcoming too few resources and too much complexity. Their leadership was matched in originality, vitality, and bipartisanship by the ranking minority member, Mr. HAMMERSCHMIDT, and the ranking minority member of the subcommittee, Mr. SHUSTER. I am especially grateful that their work and that of the committee will benefit the people of the District of Columbia, and therefore the 20 million tourists who visit the Capital annually.

Mr. Chairman, later this afternoon I will offer an amendment to remedy polarization caused by packing minorities and women into a 10-percent procurement goal originally meant for minorities alone.

A misguided floor amendment wrote women-owned businesses into the DBE Program in 1987, without allotting them their proper, separate allocation. The result has been nationwide conflict between these two disadvantaged groups—as both struggled over the same small 10 percent of the much larger procurement pie. Significantly, there has been a sharp decline in contract awards to minority firms, while awards to women-owned firms have increased substantially. My amendment would allow 10 percent for minorities and 5 percent for women, figures arrived at by the actual rates of their participation.

When Federal legislation has the effect of encouraging the intergroup conflict we now see around this country, Congress must take corrective steps before more damage is done. I urge my colleagues to support this entire, carefully thought out bill, but to substitute the 10–5 allocation that gives each group its own share.

Mr. ROE. Mr. Chairman, I thank the gentlewoman from the District of Columbia [Ms. NORTON].

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. MFUME].

Mr. MFUME. Mr. Chairman, I rise in strong support of this transportation bill.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois [Mr. POSHARD].

Mr. POSHARD. Mr. Chairman, I rise in strong support of this bill. I have listened today repeatedly to charges of pork barrel spending from Members of this House. There are demonstration transportation projects in this bill. There are highways and bridges and rural transit projects that give those of us in some of the poorest areas of this Nation a chance to build our roads, to influence industry to settle where they cannot now settle because of the lack of appropriate infrastructure, and to provide jobs for some of our poorest people.

Mr. Chairman, I do not want to demagogue this issue, and I know we should not compare apples and oranges around here, but some of the same people who cry "pork" here never use such language when it comes to foreign aid or excessive military spending. Somehow, it is only when it affects the poorest, most highly unemployed Americans that we use such language.

This is a good bill. It is a solid bill. It is a bill that keeps American dollars in America, building this country. It seems to me this is the kind of bill we should all be supporting.

Mr. Chairman, I rise in strong support of H.R. 2950 and commend my colleagues on the Public Works and Transportation Committee for their efforts in bringing this bill to the floor today.

I particularly want to thank Chairman MINETA, with whom I serve on the Surface Transportation Subcommittee, and Chairman ROE, who has done a particularly good job at solving so many of the difficult issues we faced.

I rise in support of this bill because I believe it's high time we invested in our domestic security. We cannot hope to compete in a global market if we don't have the roads, bridges, and transportation system to move our goods and services. It is clearly in our best interest to make sure we have the public facilities necessary to keep our economy vibrant. I am pleased to say this bill does an outstanding job of meeting those needs.

In a time of recession, this bill will provide thousands of jobs in the construction sector, while improving the opportunities for many communities, including those in southern Illinois, to become more economically viable. New roads to industrial parks, expanded arteries that connect our towns and cities, and general improvements in the condition of our transportation systems will help greatly in our continued efforts to improve the standard of living in this country.

I am extremely proud, as a new member of this committee, to stand with my colleagues and urge support of this most important piece of legislation. I urge us to continue to recognize the need for basic infrastructure that literally keeps our economy moving. I can't think of any piece of legislation more important to both the short- and long-term future of our Nation, and thank my colleagues for their support.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. GEREN].

Mr. GEREN of Texas. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991, and urge my colleagues to support this important initiative.

I want to commend the bipartisan leadership of the Public Works and Transportation Committee for its outstanding work in crafting a bill that addresses the infrastructure challenges facing our Nation. The task was not easy. The committee was able to craft a bill that will make sweeping changes, that will serve as a centerpiece for transportation policy in the 1990's and into the 21st century.

Transportation investment has been the orphan child over the last decade as the budget crunch in Washington has become more and more severe. After a decade of deferring capital spending during the financial crisis of the 1980's, America's infrastructure bills are coming due.

Our country prospered because our forefathers had the vision to invest in our future. It is time we do the same. Mr. Chairman, H.R. 2950 does just that.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. HOBSON], a member of the committee.

Mr. HOBSON. Mr. Chairman, I rise today in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. As a member of Public Works and Transportation, I want to thank my chairman, Mr. ROE, my ranking minority member of the committee, Mr. HAMMERSCHMIDT, my subcommittee chairman, Mr. MINETA, and my subcommittee ranking minority member, Mr. SHUSTER for their outstanding leadership during the committee's drafting of this most important legislation.

Mr. Chairman, passage of H.R. 2950 is critically important to Ohio. This legislation achieves the No. 1 Federal legislative priority for my State which is an equitable, long-term reauthorization of Federal-aid surface transportation programs.

H.R. 2950 will provide more than $4 billion to Ohio over 6 years, and my Governor, George Voinovich, and my Ohio Department of Transportation director, Jerry Wray, also strongly support this legislation because of the positive provisions included in the bill such as: Program restructuring for increased flexibility; workable Federal-State matching requirements; emphasis on multimodal transportation for cleaner air and fuel conservation; and better coordination of State and local planning efforts.

I have personally received numerous letters from local elected officials in my district who support the flexibility provisions included in this legislation. The local officials under this bill have a greater role in the decisionmaking process for their area infrastructure needs.

H.R. 2950 corrects many historical inequities for Ohio. Over the past 35 years, Ohio had received only 78 cents on its Federal highway dollar, and only about 80 cents over the past 5 years. H.R. 2950 will prevent Ohio from being cheated on its allocated apportionments.

In a letter that I received today from my Governor he states: "H.R. 2950 makes sense for Ohio. It is a blueprint for economic development which I hope you will support." Mr. Chairman, I urge my colleagues to vote in favor of this legislation to improve the Nation's infrastructure.

Mr. ROE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I thank the committee chairman for bringing us the fairest highway jobs bill that Ohioans have ever had, and I rise in strong support of this transportation measure.

Mr. Chairman, I rise in strong support of the Surface Transportation Infrastructure Act which will make much needed improvements in our Nation's roads, bridges, mass transit, airport, and railroads over the next 6 years, including upgrades to key facilities in northwest Ohio. This measure will create thousands of needed jobs for our community and across the Nation as we upgrade and make improvements to our transportation system. Under the bill, Ohio alone will receive $4.1 billion over the 6-year period for a variety of transportation projects.

The Surface Transportation Act does not raise taxes. It proposes to increase funding for highway construction by more than 40 percent from $11.4 billion in fiscal year 1992 to $2.3 billion in fiscal year 1997. That's what the fund was for in the first place.

Included in the bill is a $1 million authorization to conduct an environment study for the eventual replacement of the I-280 Craig Memorial Bridge which is one of only two remaining lift bridges on the entire U.S. Interstate System. The Craig Memorial Bridge was opened in 1957 when it replaced an old bridge and for traffic between Detroit and the Ohio Turnpike. Since its construction preceded the Interstate System and the construction of the St. Lawrence Seaway, a lift bridge—now obsolete—was decided at that time to be more economical than a high level bridge.

The bridge, which links northwest Ohio to points northeast and southwest, is no longer sufficient to handle the large volume of traffic that passes over it each day. The costs associated with the opening of a lift span bridge on a major limited access facility along with the age of the bridge have clearly rendered it unsuitable for current conditions because of the inadequate traffic-carrying capacity of the bridge and the increased maintenance required for a structure of this type.

In addition, the Surface Transportation Act includes a $240,000 authorization for the planning and improvement of six major railroad corridors in northwest Ohio. Toledo is the third largest rail hub in the United States and has one of the highest traffic density rail segments in the country. Because of the amount of rail traffic in our area, a comprehensive plan must be developed to prevent traffic delays and accidents and improve efficiency in rail movements.

Also included in the bill is a $10 million authorization per year over the 6-year period to upgrade 18 highway corridors nationwide including 2 that will benefit Ohio's Ninth District. The Surface Transportation Act authorizes $320,000 to conduct a feasibility and economic study to widen Route 24 from Ft. Wayne, IN to Toledo, OH. U.S. 24 joins two high-growth metropolitan areas—Toledo, OH and Fort Wayne, IN—in a Fort to port corridor. The improvement of U.S. 24 would greatly enhance safety, improve access along the entire route, and promote economic development with the retention jobs and expansion of job opportunities in northwest Ohio and northeast Indiana.

In addition, the bill has designated the I-73/74 corridor from Charleston, SC through Portsmouth, OH, to Cincinnati, OH, and Detroit, MI as a priority project.

I rise to express my pleasure over a provision of the bill that increases from 85 percent to 90 percent the guaranteed return to States of apportioned Federal-aid highway funds under the minimum allocation program. In the past, Ohio has been one of those States that has paid more into the highway trust fund than it has gotten back in Federal highway dollars. The 1991 Surface Transportation Act will ensure that the State of Ohio will receive more money back from Washington than its citizens pay out in their Federal taxes.

Mr. ROE. I yield such time as he may consume to the gentleman from Illinois [Mr. COSTELLO].

Mr. COSTELLO. Mr. Chairman, I rise in strong support of this legislation.

Mr. Chairman, first, let me commend the leadership of the Public Works and Transportation Committee for their work on this complicated and important legislation. Chairman ROE, Chairman MINETA, Mr. HAMMERSCHMIDT, and Mr. SHUSTER have all worked together in a bipartisan manner in order to bring this legislation to the floor today.

This bill is a good bill—it begins to address the infrastructure problems in this country.

The United States now ranks 55th in the world as to the percentage of our GNP that we spend on our infrastructure.

While this bill calls for spending $150 billion—over 6 years, that $150 billion is less than we will spend on military and other aid to foreign countries.

While we will spend $150 billion—the Japanese will proceed with a $3 trillion infrastructure program.

We hear a lot of talk about creating jobs—here in Congress and from President Bush.

This bill will begin to repair our infrastructure—pumping $150 billion into our economy—while at the same time creating thousands of temporary and permanent jobs around the country.

In my district in southern and southwestern Illinois, and in the St. Louis region, some 23 percent of the people working in St. Louis live in Illinois. Those people rely on about a half-dozen bridges to cross the Mississippi River to get to and from work every day.

One bridge is now closed; two more will be forced to close in the near future because of unsafe conditions.

My friends—my constitutents—are tired of being told we can find money to: First, bail out the S&L's; second, increase foreign aid; and third, forgive billions owed to the United States from foreign countries, but cannot find money to protect lives in the United States by improving our roads and bridges.

Now is the time to begin to rebuild America.

I urge my colleagues to support this important legislation—by supporting this legislation—we can take a major step forward in saving lives, creating jobs, and investing in America's future.

As part of this bill, I requested that the following language be included in the bill:

> The Secretary shall conduct a study of the manner in which alternative fuels are treated for purposes of determining a State's relative revenue contributions to the Highway Trust Fund under sections 104(b)(3) and 157(a) of title 23, United States Code.

Not later than 2 years after the effective date of this title, the Secretary shall transmit to Congress a report on the results of the study conducted under this subsection, together with any recommendations to the Secretary.

Mr. Chairman, I want to make it clear that this study is ordered to see how those States which do use alternative fuels can gain greater benefit in funds returned by the Federal Government. As the Members know, ethanol and other alternative fuels are taxed at a lower rate than regular gasoline, and States whose residents use ethanol and other alternative fuels do not receive the full benefit of fuel used in those States.

It is certainly not the intent—and I want to emphasize this point—it is not the intent of this committee to have the Secretary use this study to advocate that ethanol and other alternative fuels should be taxed at the same rate as gasoline.

Mr. ROE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Mr. Chairman, I would like to thank the chairman of the committee, the gentleman from New Jersey [Mr. ROE], and the gentleman from California [Mr. MINETA], as well as the ranking minority members, the gentleman from Arkansas [Mr. HAMMER-

SCHMIDT] and the gentleman from Pennsylvania [Mr. SHUSTER] for the privilege of supporting this important legislation.

As an architect, contractor, and developer, I realize the overall benefits this bill brings to all communities across this great country. Every dollar invested in our infrastructure will generate economic reviving activity up to 20 times that investment. Today's revenue from this activity paid by workers previously unemployed will reduce our unemployment expenses and welfare expenses and add to the Nation's coffers as well. No dollars will be lost; new dollars will be generated.

New Hampshire needs this legislation. Vital bridge-repair projects make up the list of the needs of the Second District in this bill. A new access road to a new state-of-the-art airport in the First District will revive economic activity. The only pork barrels in new Hampshire are the empty pork barrels that currently are keeping our dilapidated bridges afloat. Let us replace them with real improvements.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding this time to me, and I am pleased to rise in strong support of the measure which benefits my own district as well as the State of New York generally.

Mr. Chairman, I rise today in support of H.R. 2950 the Intermodal Transportation Infrastructure Act and I would like to commend the distinguished chairman of the Public Works and Transportation Committee, the gentleman from New Jersey [Mr. ROE] and the ranking minority member, the gentleman from Arizona [Mr. HAMMERSCHMIDT], and the gentleman from California [Mr. MINETA] and the gentleman from Pennsylvania [Mr. SHUSTER] for their tireless work on this measure in their subcommittee.

Mr. Chairman, our transportation system is falling apart and this Congress is obligated to do something about it. Our cities are bursting and their infrastructure is not keeping apace of growing needs. Our suburbs are booming and our mass transit system hasn't adjusted to reach far enough or carry enough passengers to accommodate our commuters. Our country's Interstate Highway System is decaying at the same time that our industries are trucking greater amounts. Our bridges are collapsing, literally collapsing around us.

The Congress cannot ignore the urgent need for a comprehensive, well-planned, transportation policy that addresses the current shortfalls as well as the future needs of our Nation's infrastructure.

In this era of budget deficits and pressing need for fiscal restraint, I believe this bill—with it's demonstration projects—represents a practical, moderate plan to revamp our desperate intermodal system.

In my own district, which lies in the outskirts of New York City, there are thousands of people who commute every day from one side of the Hudson River to the other, and there is only one bridge crossing into the area. This bridge, the Tappan Zee, carries 110,000 vehicles per day.

We truly need another river crossing, however instead of the costly endeavor to build another bridge, H.R. 2950 makes moneys available for an innovative, money-saving project, a movable barrier which converts the center lane on this eight-lane bridge to run in either direction, depending on rush hour traffic. We can, therefore, have five lanes running in the rush hour direction—effectively adding an extra two-lane bridge crossing.

This measure also attempts to correct the gaps in our intermodal transportation system. For example, in Newburgh, NY, Interstate 84 and Interstate 87 intersect. However, to actually transfer from one highway to the other, a traveler must drive over 1 mile on local, country roads. Furthermore, this interstate highway interchange coincides with the access to Stewart Airport. That means every traveler attempting to change highways or to reach the airport must drive over 1 mile on a country road. H.R. 2590 attempts to remedy this situation by erecting a direct interchange between I-87, I-84 and Stewart Airport.

Mr. Chairman, I would also like to note that this transportation bill is a responsive answer to our growing population, energy, and environmental problems. H.R. 2950 would provide funding for many high-occupancy vehicles—car pooling—and mass transit programs. These types of programs would not only cut volume on our crowded, gridlocked highways and streets, but they would also cut down on the pollutants emitted by cars and reduce our Naton's overall energy consumption.

Mr. Chairman, H.R. 2950 is a well-planned program to rehabilitate and expand our Nation's intermodal system. I cannot stress enough the inextricable link between a vibrant economy and efficient transportation infrastructure. This Nation simply cannot thrive economically with our existing system.

Accordingly, I urge all my colleagues to support this measure.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. CHANDLER).

Mr. CHANDLER. Mr. Chairman, I rise in support of today's highway authorization bill because—unlike the earlier version—it gets the job done without putting the burden of a whopping tax increase on the backs of working, middle-class Americans.

In my own district, this legislation provides much-needed relief to the thousands of people who encounter bumper-to-bumper traffic during their daily rush hour trips across Lake Washington.

We're making a commitment to the future by going forward with important transportation improvements like the I-90 bridge project, the new I-405 interchange in Bellevue, the Seattle-Tacoma transit project, and the Puget Sound transit project. I thank the committee for their inclusion in today's bill.

Mr. Chairman, my goal throughout this process has been to ensure that Washingtonians receive their fair share of vital transportation funding.

This bill meets the test. We're not getting everything we wanted, but we are getting a fair shake. I will be voting yes today.

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Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, I rise to engage the distinguished chairman in a colloquy.

Mr. Chairman, section 140 of H.R. 2950 authorizes high-priority corridor projects on the National Highway System. One of the corridors identified in this section is located in a corridor partly in my district along U.S. Route 59. Another corridor located in the State of Texas that deserves consideration as a high-priority corridor is U.S. Route 281 from San Antonio to Brownsville, TX.

Is it your understanding that the U.S. 281 corridor from San Antonio to Brownsville, TX, is a corridor that is worthy of further consideration as a high-priority corridor project.

Mr. ROE. Mr. Chairman, if the gentleman will yield, I want to thank the gentleman for bringing the U.S. 281 corridor project to the attention of the committee.

The gentleman is correct. The U.S. 281 corridor project meets many of the requirements used to identify high-priority corridors. Therefore, I believe that the State of Texas should consider the U.S. 281 corridor project for priority consideration for funding improvements along this highway.

Mr. HAMMERSCHMIDT. Mr. Chairman, I would like to inquire how much time we have remaining?

The CHAIRMAN. The gentleman from Arkansas [Mr. HAMMERSCHMIDT] has 3 minutes remaining, and the gentleman from New Jersey [Mr. ROE] has 1½ minutes remaining.

Mr. ROE. Mr. Chairman, I yield 45 seconds to the distinguished gentleman from Alabama [Mr. CRAMER], a member of the committee.

Mr. CRAMER. Mr. Chairman, I rise too in strong support of this very important piece of legislation. Having been elected to Congress recently, I am a new member of this committee. I was pleased to be assigned to this subcommittee so that I could work on an economic corridor for my district that is very important to the economic development of my district.

Mr. Chairman, I am pleased that this committee saw fit to specifically name projects in this bill. I worked very thoroughly with my State highway officials to see that the information was given to this committee so that this corridor in north Alabama could be designated a high priority corridor.

I rise in strong support of the Intermodal Surface Transportation Infrastructure Act of

1991 for several reasons. At the outset, let me note that the House Public Works and Transportation Committee passed the bill by a vote of 53–3. I want to express my appreciation and admiration for Chairman ROE, Mr. HAMMERSCHMIDT, Chairman MINETA, Mr. SHUSTER, and our fine committee staff. This is very significant legislation.

First, the bill satisfies a need that has to be addressed if we, as a nation, are to remain competitive. It develops a national intermodal transportation system that moves people and goods in an energy-efficient manner.

Second, the development of such a system will enhance industry productivity and play a vital role in creating wealth.

Third, the bill provides sufficient funding. Donor States receive more equitable funding through the incorporation of the fast proposal. Also, there is an increase from 85 to 90 percent of the guaranteed minimum allocation for each State relative to its share of highway trust fund contributions. The bill provides $119 billion for highway construction and repair, and $32 billion for mass transit projects.

Fourth, recognizing the financial hurdles many of our States are facing, the bill provides for an 80-percent Federal matching share for all projects except interstate construction and interstate 3R programs which remain at 90 percent. This means that State and local partners will have an incentive to invest in infrastructure based on need and not based on the level of Federal financing.

Additionally, the bill provides State and local officials with greater flexibility in determining how to use Federal funding. For example, the State flexible program is established to provide each State with flexibility in the use of highway funds. These funds may be used for any highway or mass transit purpose.

Fifth, the bill also contains a provision which holds States harmless from the disruption of contract-letting authority caused by the delay in passing the reauthorization bill.

Mr. Chairman, another aspect of the bill I would like to address is the policy decision to identify, in the bill, projects that are needed for infrastructure development and are supported by Federal, State, local, and regional government officials. This approach, in my district for example, has been overwhelmingly well-received.

North Alabama, even though it has seen great growth in recent years, has not received needed infrastructure investment. During the drafting of H.R. 2950 north Alabama officials at every level canvassed the region to identify projects that would enhance infrastructure and economic development.

The level of cooperation that transpired during this process exemplified the level of achievement government can reach when there is a cooperative spirit to identify and address needs that can benefit an entire region and not become enslaved to a county-by-county approach. North Alabama is known for pragmatically addressing such important issues.

For many parts of the country, including the Fifth District of Alabama, the most important section of the bill is the creation of a 155,000 mile National Highway System that will provide an interconnected system of routes which will serve major population centers, ports, airports, and other intermodal transportation facilities. The new National Highway System will meet national defense requirements and serve interstate and interregional travel.

The National Highway System is essential for interstate and regional commerce and travel. Improved corridors and highway links are needed to provide the greatest possible productivity and economic growth benefits. Infrastructure investments, such as the creation and development of the National Highway System is needed to maintain and strengthen existing conditions and performance.

The identification of highway corridors of national significance and the inclusion of those corridors on the National Highway System fills in a gap for many parts of the country not now adequately served by the Interstate System.

North Alabama is currently inadequately served by the Interstate System and has not seen the enhanced growth major population centers connected by interstates have experienced. Yet, in spite of this fact, or because of this fact, north Alabama has called upon its resources. We have grown and thrived through years of hard work and determination. Plans for north Alabama are aggressive and progressive.

On April 22, 1991, the Honorable Steve Hettinger, the mayor of Huntsville, testified in support of an east-west corridor of prosperity in Fort Smith, AR, during a surface transportation field hearing. Also testifying in support of the corridor was Mr. Perry Hand, the director of the Alabama Highway Department. Mr. Hand said the State is ready to provide the necessary State funding for the project.

The designation of an east-west high-priority corridor from Memphis, TN, through Huntsville, AL, to Atlanta, GA, and Chattanooga, TN is the most efficient and effective way of integrating our region and improving efficiency and safety of commerce and travel and further promote economic development.

The east-west corridor is supported by the Congressmen who represent the congressional districts, by the elected local and State officials of the identified States, by companies located in the region and the thousands who rely on safe roads to travel for pleasure, and to and from work.

The identification of the east-west corridor will not only assist in economic development, it will also lead to the development of a safer and more efficient route system.

Atlanta, the 12th largest metropolitan area in the United States, and Memphis, are unique in that they are not directly connected by a major east/west highway. This is the case even though under the current statutory scheme the planning criteria is to connect cities of 50,000 or more. The Tennessee Valley is an east/west oriented transportation region between these two great cities due to the Tennessee River and Norfolk's Southern Railway's main line from Memphis to Chattanooga, both of which parallel the river most of that distance.

Over 50 percent of north Mississippi, 40 percent of north Alabama, and 30 percent of north Georgia are not served by an east/west major corridor. The metropolitan statistical areas that would be directly served by this corridor route account for a population of almost 5 million.

Along the corridor route are several Fortune 500 companies. Of strategic defense significance is the fact the route also serves Redstone Arsenal and NASA's Marshall Space Flight Center at Huntsville and the Advanced Solid Rocket Motor Facility at Yellow Creek near Iuka, MS.

This is truly a multi-State, inter-regional intermodal transportation project that can provide benefits not only to the States directly served by the corridor but to the entire Nation.

This is not unwise spending. This is a wise and appropriate investment in the future growth and productivity of a vital region of the United States. The propriety of this project is not in question.

For those of us who did not directly benefit from the greatest infrastructure development act this century, this is our last opportunity to prepare for the challenges of the next century.

Increased productivity, creation of jobs, enhanced safety, and better access to places are all directly related to a properly designed transportation policy that realistically addresses the needs of commerce and travel.

Mr. Chairman, H.R. 3566, moves us in the right direction. It is an energy-efficient, environmentally-conscious proposal that I hope is overwhelmingly adopted by this body.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to express my personal appreciation for the consideration that the chairman and the ranking member give to concerns in my own district. I do want to address this, because over and over again, here inside the beltway, the term "pork" gets thrown back and forth.

What struck me is that today in my office I received a letter from the U.S. Chamber of Commerce expressing concerns about the bill. Well, in going through my file on behalf of a project in my district that has been adopted by the State legislature with letters of support from the Governor and letters of support from the State highway administrator, lo and behold, what do I find? A letter under the umbrella of the past national chairman of the U.S. Chamber of Commerce supporting the effort, and likewise a letter on behalf of the second largest chamber in the State of Michigan supporting this effort.

Mr. Chairman, I point that out because it indicates that many of us back home understand what our States and communities need, and that each of these projects has indeed been screened to meet the criteria of public law.

Mr. Chairman, for that I simply want to say thank you to our chairman, the gentleman from New Jersey [Mr. ROE], and thank you to the ranking member, the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. SHUSTER], the ranking member of the subcommittee.

Mr. SHUSTER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, during the course of the debate this afternoon, two speakers made two points that I think are very important that we focus on.

First of all, our Republican leader took the well and said that this was a jobs bill, the kind of a bill necessary to put America back to work. I hope particularly Members on our side of the aisle heard our distinguished leader when he made that impassioned plea.

Second, my good friend, the gentleman from Illinois [Mr. FAWELL], during the course of his remarks expressed his great concern about the projects in this bill, because there is already a very substantial general fund deficit.

Mr. Chairman, I would say to my good friend, the gentleman from Illinois [Mr. FAWELL], that he is certainly accurate that there is a very substantial general fund deficit. However, not one penny spent on these projects comes from the general fund. All of the money on these projects comes from the highway trust fund, a pay-as-you-go program, a program which is deficit-proof.

Therefore, all Members can feel very comfortable in supporting this bill for many reasons, one of which is this bill, the projects in particular, do not spend one penny out of the general fund. So I believe we can embrace this bill on both sides of the aisle, because it is good for America. In fact, Robert Auschauer, the distinguished conservative economist, has said in America today there is a third crisis. He has talked about the deficit we have with regard to the budget, he has talked about the deficit we have had with regard to our trade, and he has said there is a third deficit, and that is the infrastructure deficit. Unless we come to grips with spending money to build America, we are not going to be able to improve productivity in our country in the future, in the near future or the long future.

Mr. Chairman, for all those reasons I urge Members on both sides of the aisle to join with our Republican leadership and support this bill.

Mr. ROE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Florida [Mr. PETERSON], a member of this committee.

Mr. PETERSON of Florida. Mr. Chairman, as the only member of the Florida delegation on the Public Works and Transportation Committee, I rise in strong support of this bill. It is an excellent, fair blueprint for developing and maintaining this Nation's surface transportation infrastructure.

This bill invests $151 billion in transportation over the next 6 years. It finally spends highway trust fund moneys directly for transportation projects. A major accomplishment.

Florida, and all donor States, are treated fairly in this bill. All committee members from donor States worked closely with the committee leadership to create a fair allocation formula resulting in a 90-percent guaranteed return allocation. I commend Chairman ROE, Mr. MINETA, Mr. HAMMERSCHMIDT, and Mr. SHUSTER for their work in our defense. Donor States under this bill receive a higher rate of return on their contributions to the highway trust fund than ever before.

Florida will be well served by this bill—we'll have funding to adequately address our infrastructure needs and our Department of Transportation has the flexibility to invest in those projects most important to our State.

This is a good bill. It is a transportation bill, a clean air bill, a jobs bill, an education bill, a research and development bill, and an energy and conservation bill.

It is a bill that is good for America.

Mr. ROE. Mr. Chairman, I yield 10 seconds to the distinguished gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I rise in support of this bill. We are not through building America. The job of building Arkansas is not complete. This bill helps the builders of a better nation continue that task.

Mr. Chairman, I rise in strong support of this legislation which helps address the serious transportation problems this Nation faces.

We are not through with building America. The job of building Arkansas is not complete. This bill permits the builders of a better nation to continue this task.

For years, we have neglected our roads, bridges, and other infrastructure. That neglect has left us in a less advantageous position when compared to those against whom we compete in the world market—particularly Japan and Germany.

I would also observe that it is high time we begin to increase our investments here at home—and spend less overseas.

By not focusing on our domestic needs now, we only shove this problem onto the shoulders of our children and grandchildren.

In my district, funds from this bill will begin the long overdue process of replacing a bridge over the White River at DeValls Bluff.

It is a bridge which is in a dangerous state of disrepair.

The bill provides funds for the repair of other bridges.

Money is also included to continue construction of a four-lane, controlled access highway in Jonesboro—a project designed to make travel in that area safer. Three more overpasses are needed to complete the project.

And, Highway 412—which runs through Paragould and Walnut Ridge, Hardy, Cherokee Village, Imboden, and Salem in my district—has been designed in this legislation as a high-priority corridor on the National Highway System.

Upgrading this highway will meet the great need for improvements in east-to-west travel across the northern part of Arkansas which is badly needed for transportation and to give easier access for tourists seeking the beauty and bountiful recreation opportunities offered by the Ozarks. I remember as a child going to Hardy by train because the highways were so poor. In fact, the paved surface of U.S. 63 to Hardy ended at Hoxie. This bill will open up the Ozarks.

Mr. Chairman, this bill is not just about highways and bridges. It is also about economic development.

For example, the money which goes to Arkansas for the projects I mentioned could help the State free money to meet such needs as improving the highway serving a slackwater harbor now under construction south of Helena.

That harbor has the potential to create 30,000 jobs during the next decade or so.

The legislation will also provide $10 billion over the next 6 years to maintain and upgrade roads in our rural areas—which are used daily by thousands of my constituents.

Designation of these highways will be left to State and local officials, subject to the approval of the Transportation Department.

About 13 percent of the funds in the bill will be designated to improve rural roads—which is giving these areas the recognition they justly deserve.

This measure also authorizes $13.1 billion over 6 years to provide States with discretionary funding for any highway use or mass transit project capital project provided for under this bill.

For Arkansas, this comes at the right time. During its last session, the Arkansas Legislature passed the most ambitious highway program in the State's history.

In that plan, the State will, during tne next 12 to 14 years, upgrade 6,000 miles of highway and 600 bridges.

But, in order to meet these lofty goals, the State must depend on its traditional partnership with the Federal Government. Federal dollars are needed to do the job.

This bill will help Washington meet its responsibilities to Arkansas and other States.

Mr. Chairman, this bill is about more than concrete and steel. It is about creating new jobs and making my State and America more competitive.

Mr. ROE. Mr. Chairman, I ask unanimous consent that we have an additional 5 minutes for those Members who have waited here all day for the opportunity to speak.

Mr. WALKER. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The Chair would state that the rule adopted by the House sets the time. All time allocations for general debate must remain as originally designated. The Committee of the Whole cannot change that.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Chairman, I rise in support of the bill.

Our Nation's motorists suffered 8 billion hours of delay on our highways in 1989, costing the economy $120 billion. It's obvious that we must begin to recapture that $120 billion for a more productive economy.

The Intermodal Surface Transportation Act is a bold initiative that will

help us build a better America. Infrastructure investment is the means to improve productivity and improve the quality of life of all Americans.

Americans want their gas tax dollars put to work in America—and they want to see results.

We've heard a lot about priorities, lately. Well, the two top-priority highway projects in my region are Route 33 and Route 222.

I didn't choose these projects. They are a result of years of consensus building over road priorities in the Lehigh Valley. These are not dreamed up. They are what the folks back home have selected.

The Route 33 project consists of constructing a 3.5-mile extension that will connect Route 22 in Bethlehem to Interstate 78. This connection will complete the final leg of a 4-lane limited access highway north—to the Poconos—and south—to Philadelphia—linking Interstates 78 and 80, two major east-west interstates in Pennsylvania.

Basically, this north-south interconnection makes the east-west Route 22, I-78 and I-80 far more valuable to all of eastern Pennsylvania.

The economic benefits will be significant and far reaching. An economic impact study funded by non-Federal sources has shown that this project could lead to more than 20,000 new jobs by the year 2010, based on projected increases in the demand for industrial land such as that located along the Route 33 corridor.

This area of Pennsylvania has a vibrant and growing economy; however, without improved infrastructure, it will not sustain the present rate of growth. By linking the growing corridors of Route 22 and Interstate 78, the Route 33 extension will prevent Lehigh and Northampton Counties from being strangled by their own growth. I might add that if the project is not built, the study estimates a loss of more than 20,000 jobs, and an economic loss of nearly $300 million per year, including more than $10 million in local tax revenues that would not be realized.

The Pennsylvania Department of Transportation—PennDOT—and the Federal Highway Administration consider the completion of Route 33 a priority. The project is in the first 4 years of PennDOT's 12-year plan and the FHWA has agreed to budget money for the completion of Route 33 in its interstate cost estimate.

This road also affects many New Jersey citizens who work in the Lehigh Valley, as well as my constituents who work in New Jersey.

Another project in need of funding is Route 222, which follows the alignment of the Old Kings Highway—a road constructed in the 1750's and was designed for horse-drawn vehicles. By 1880, most of the existing intersections along U.S. 222 had been established. Up until the 1950's, the area was predominantly rural, so the roadway was sufficient to carry the limited automobile traffic.

In the last 40 years, the population of the townships along Route 222 has more than quadrupled. The population of Lower Macungie has increased 184 percent in the last 20 years, while the population of Upper Macungie has doubled in this time.

In addition to the residential growth, Upper Macungie Township has evolved into a regional industrial center containing 5 of the 10 major industrial employers within Lehigh County.

Route 222 is choking from massive traffic congestion. This is a project that the Lehigh Valley desperately needs.

The Intermodal Surface Transportation Act is an investment in America's future. We need to keep America strong by investing in America's infrastructure.

Mr. ROE. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Chairman, from the point of view of Oregon, this bill and the President's veto might be called the Tale of Two Visits, one by the Committee on Public Works of the House of Representatives, and one by the President of the United States. Both visits were to Portland, OR.

Mr. Chairman, when this committee visited my city, they heard how light rail plans in our city will create 17,000 jobs and how it will save Portland from traffic jams and smog and congestion.

In contrast, when the President visited Portland, OR, he came to a $1,000-a-plate breakfast. He did not talk to many real Oregonians about what our needs are, and he certainly did not ride light rail.

Now we are told that the President is threatening to veto this bill that will provide for Portland and many other cities the extension of light rail and make it a reality.

Mr. Chairman, today I urge Members to vote for a strong national transportation program. We can put transit in our national agenda, whether limousine lovers like John Sununu like it or not. Vote for this bill.

I want to thank the Public Work Committee for including a specific authorization of $515 million in section 3 transit funds for Portland's West Side light rail project. This provision demonstrates why H.R. 2950 can achieve national goals by supporting local action.

Portland MAX light rail system is a resounding success with a 96-percent public approval rating. MAX serves the eastern part of the region, where it carries a half a million riders per month; costs 30 percent less per passenger to operate than buses; and has influenced more than $1 billion in development along its route.

The West Side project will extend MAX from downtown into the western suburbs. Our citizens have made West Side their highest transportation priority because they want to keep Portland livable and prosperous in the face of rapid population growth, increased congestion, and potential air pollution problems. The people know that West Side will strengthen our economy, improve the quality of life, create 17,000 job-years of employment, protect the environment, save energy, reduce congestion, and encourage healthy patterns of development. That is why, in a year when Oregonians passed a property tax rollback, voters in the Portland metro region overwhelmingly passed a bond measure to raise local funds for West Side.

H.R 2950 authorizes Federal support for West Side because the Public Works Committee understands that national goals for a strong economy, clean air, energy conservation, and an efficient transportation system depend on effective, visionary local projects such as West Side.

I applaud the Public Works Committee for its foresight and recognition that transit is a vital part of the total transportation picture—in Portland and in metropolitan areas throughout the country.

With the help offered by this bill, and the continued involvement of a very supportive citizenry, Portland will continue to lead in planning for growth rather than reacting to growth. This bill is a commitment to a good Federal-State-local partnership that will carry out on a local level the policies needed to meet our Nation's goals.

West Side is one of many projects in this bill that will help our Nation clean up polluted air, reduce our dependence on imported oil, eliminate congestion, and provide needed jobs for thousands of Americans. These are national goals, but they cannot be achieved without careful coordination among all levels of government. One of the strengths of H.R. 2950 is that it recognizes the importance of greater intergovernmental cooperation to ensure that our national transportation system forms an integrated whole that contributes to the achievement of all these goals.

The Portland metro region population will grow by half a million in the next 20 years, adding more people than live in the city of Portland today. Traffic will increase by 46 percent, and the time that commuters spend in traffic jams will skyrocket by 490 percent.

Because Portland is tucked between the Coast Mountains and the Cascade Range, it has the potential to become an air pollution coffin where air is trapped over the metro region. MAX can help keep our air fit to breathe.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Chairman, I am pleased to rise today in favor of the Intermodal Surface Transportation Act of 1991. The Public Works Committee began hearings on this bill in early 1990 and has been working ever since to create a bill that completes the Interstate System, meet the many conflicting goals of Members and the American public, and prepares us for the next century.

I think they have done that.

Mr. ROE, Mr. MINETA, Mr. SHUSTER, and Mr. HAMMERSCHMIDT have all done yeomen's work in bringing this bill to the floor, and they should all be commended. I also want to thank L.F. PAYNE. Though he is only in his second term on the committee, he has done an excel-

lent job of seeing that Virginia and other donor States were treated fairly under this new bill.

This bill narrows the differences between donor and so-called donee States, though not as much as some would have liked. This bill increases transit funding, though not as much as some would have liked. This bill includes Federal funding for specific projects that individual Members consider of vital importance, though not as much as some would like. That this bill does not do all the things that everyone would like it to do—but still provides some assistance to everyone—is proof that the bill is a success. The committee had to choose between more requests than it had the funds to grant and I believe it has made those choices in a wise and fair manner.

Of particular concern to some, are the special projects included in this bill. I cannot speak to all those projects, but I can speak to the one in my district which I believe is typical. This project—the much needed addition of two lanes to a bridge that is part of the National Highway System—is included in the Commonwealth of Virginia's 6-year highway plan which means the State highway board has approved it, and this project will not go forward without further State action. I would note that it is no small feat to gain inclusion in the 6-year plan. This is not a frivolous project which undermines the Commonwealth's authority. It is a State-approved project which needs special financial assistance to be completed. I am sure that this is representative of many of the special projects in the bill which are important not just to the Members who requested them, but to the constituents who are faced with unmet highway needs.

Again, this bill will go a long way toward establishing and maintaining the transportation infrastructure we will need to continue to be competitive into the 21st century, and I urge you all to support it.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. Mr. Chairman, I rise in support of the legislation before us—particularly the research and development initiatives authorized under title VI.

This R&D title will not only help improve our Nation's infrastructure technologies, it can aid our domestic transportation manufacturing industries compete in the world marketplace. The Surface Transportation Act will authorize billions of dollars in spending. Our communities will be improving their rail systems and bus fleets. They will be repairing roadways and bridges. But, it is deplorable to think that our communities might have to continue to turn to Europe and Asia to purchase mass transit equipment and automobiles. We need look no further than our own doorstep for some glaring examples.

I am safe in stating that many of us in this room rode to work today in an Italian subway car. Perhaps some people here today are looking forward to soon leaving their German or Japanese cars at home, and commuting on the Virginia Rail Express. But, they'll be riding on a Japanese train assembled in Brazil.

Earlier this year, I introduced legislation that would expand the Department of Transportation's R&D authority to include basic automotive science. My proposal also called for DOT to establish a program that would coordinate the auto-related research being done outside of DOT, and to target basic technologies that might be utilized by our Nation's vehicle manufacturers. Title VI of H.R. 2950 incorporates some of this language.

Until now, DOT initiatives have focused solely on safety-related research and development. This new authorization will allow them to expand their research into next generation vehicle research. This should include areas such as advanced materials, advanced driver information systems, automated control systems, and advanced manufacturing technologies.

Mr. Chairman, I don't think anyone doubts that the automobile will continue to be a primary mode of transportation. Yet today we face serious doubt as to whether or not America will be the leader in producing these vehicles. I hope this Congress will continue to do more to ease these doubts, and I appreciate Chairman ROE's inclusion of language that will direct Federal R&D efforts toward vehicle technologies.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, today, I am pleased to rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. This bill is good for our country, good for the Commonwealth of Virginia, and good for northern Virginia.

The entire Nation benefits from this year's transportation bill—it creates real jobs for Americans hit by this lingering recession, it addresses a crumbling infrastructure, and it establishes the foundation for 21st century America. Unlike past highway bills, the funding of this bill is equitable and fair. Donor States like Virginia are no longer asked to bear the overwhelming burden of paying for our Nation's transportation system at the sacrifice of their own crumbling, inadequate transportation system.

This bill is good for Virginia in that its return on payments to the highway trust fund has been increased to 87.9 percent from a previous rate of 78.9 percent.

This bill is good for northern Virginia because we all know here in Congress that some of the worst traffic on the entire east coast can be found right here in the Virginia suburbs of Washington, DC, and this legislation will help these problems.

Included in this legislation is money for three significant projects in northern Virginia.

The Woodrow Wilson Bridge is in desperate need for rehabilitation. This bill will provide northern Virginia relief from the worst bottleneck on the Interstate System. Since the bridge's opening in 1961, traffic has grown dramatically. Today, over 165,000 vehicles travel over the Woodrow Wilson Bridge each day. By the 21st century, this vehicle load is expected to increase to over 200,000 vehicles per day. Without major overhaul the congestion at the Woodrow Wilson Bridge and on the Capitol Beltway will only grow worse, leaving both commuters and interstate commerce caught bumper to bumper in snarled traffic.

Interstate 395, the Shirley Highway, is a source of some of the worst commuter gridlock in our region. This legislation will offer relief to this corridor by extending the HOV lanes south to Occoquan, VA. Not only will this extension of the HOV lanes take traffic off the main highway, it will also alleviate the logjam caused by the HOV lanes merging into the Shirley Highway at the Springfield interchange.

Anyone who has been caught in traffic where I-95, I-395, and I-495 converge around rush hour knows that the title Springfield mixing bowl is appropriate for this commuting nightmare.

The Springfield mixing bowl is the one of the most dangerous interchanges in our region. Improvements to this area would alleviate the congestion on the beltway and Shirley Highway while laying the groundwork for future upgrades.

Mr. Chairman, I am encouraged by this legislation and appreciative of the leadership shown by Chairman ROE, subcommittee Chairman MINETA, and the members of the committee for introducing to our Nation bold initiatives that will go a long way in solving our infrastructure needs.

I strongly urge all Members to support this bill.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise today in support of the Surface Transportation Infrastructure Act.

It is a fair bill. It is a good bill. Chairman ROE and the members of the committee have done a good job in preparing us to travel into the 21st century.

Representing people of the city of Philadelphia, and as chairman of the congressional urban caucus, I was most concerned about aid to mass transit. Because of this legislation, mass transit will see the highest level of funding in nearly a decade. Also for the first time, individual States will have the flexibility to spend some of their highway funds on mass transit, if needed.

We must bear in mind that, as elected officials, we know the needs of our States, cities, and districts. And therefore it is totally appropriate that some of those needs are reflected here today.

Again, I compliment Chairman ROE and Chairman MINETA on a fine bill. I ask my colleagues to support this highway bill.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. COX].

Mr. COX of Illinois. Mr. Chairman, I rise today to express my support for the projects earmarked in H.R. 2950. These projects, which are barely 3 percent of the bill, play a significant role in providing this country with sound transportation infrastructure to carry us into the 21st century.

As elected Representatives, it is our responsibility to contribute to the addressing of the needs of the people of our districts. We are not always best served to allow bureaucrats at the local level to be the sole decisionmakers, or to allow for the selection of projects to be done at the State level where local politics often come into play. I commend the com-

mittee for having the foresight to put forth a bill that addresses the needs of all America, providing Federal guidance on over 400 specified projects, working to assist in creating a sound infrastructure for the future.

One such project is for an environmental impact study to expand U.S. Highway 20 to four lanes. This 47-mile stretch of highway winds through a section of northwest Illinois which is very hazardous to drive. From 1985 to 1990, 1,380 accidents occurred on this 47-mile segment, resulting in 16 deaths. The Illinois Department of Transportation provided these figures and has expressed the desire to begin work on the project, if funds are available. H.R. 2950 would make those funds available. This is a practical example of how the demonstration projects play a very useful and needed role in the development of our transportation network. In addition, this project will serve all of central Iowa, southwest Wisconsin, and all of northern Illinois.

I encourage members to support H.R. 2950, and express my total support of the demonstration projects in this bill.

□ 1600

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. Mr. Chairman, I rise in support of this legislation.

Mr. ROE. Mr. Chairman, I yield 10 seconds to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Chairman, there are 3 reasons why we should support this bill:

It helps repair highways and bridges, which are falling apart; it creates jobs during this recessionary time; and it makes an investment in rebuilding America, not another foreign aid giveaway.

Mr. Chairman, I rise today to express my strong support for H.R. 2950 and to commend my distinguished colleagues on the Public Works and Transportation Committee for their hard work and dedication in bringing before us a comprehensive bill that provides much needed funding for our Nation's deteriorating infrastructure.

For the past 3½ decades, our Nation's transportation policy has focused on the completion of the Interstate Highway System. With this system nearly complete, it is now time to look toward the transportation needs of the future. A recent study released by the Department of Transportation outlines the deteriorating status of our current transportation systems, the critical need for improvement to address future demands and the overwhelming cost to bring our current infrastructure up to appropriate safety standards. H.R. 2950 meets these challenges with bold new initiatives, such as the proposed National Highway System, to confront future transportation needs, to provide resources for the improvement of our declining highways, roads and bridges and that take into consideration the individual needs of each State.

Mr. Chairman, we are a nation still reeling from the impact of a war and a recession. Local economies have suffered financial decline and instability and millions of Americans are out of work. H.R. 2950 provides critically needed resources to improve and expand our infrastructure, to promote economic development and growth and generate badly needed jobs for millions of Americans. This important legislation not only benefits our national economy but local economies as well. Another significant aspect of this legislation is that it provides States with the flexibility to transfer funds into highway and transit programs where high growth or structural deterioration create greater demands.

I am also delighted that the committee has included increased funding for our Nation's Indian reservation roads. This will have a monumental impact on over 20,000 miles of dilapidated Indian roads across the Nation. Most of these miles are located in isolated areas where there is little economic opportunity and high unemployment. 7,000 of these miles are in New Mexico. Few of these roads are paved and most are dirt. In order to improve the local economies of America's first Americans, it is essential that adequate road systems be constructed and maintained. For these reasons, I am grateful that funding has been provided for the continued construction of a road on the Jicarilla Indian Reservation in New Mexico where unemployment is as high as 30 percent. I am also pleased that funding has been provided to improve the hazardous road conditions between Raton and Clayton in New Mexico.

Mr. Chairman, H.R. 2950 provides funding to expand our transportation systems so they may accommodate future demands, to stabilize our infrastructure so that we all may travel on safe roads, highways and airways. I am proud to express my strong support for this historical legislation and I urge my colleagues to do the same.

The CHAIRMAN. We now move to that segment of the debate reserved for Members of the Committee on Ways and Means.

The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 15 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 2950, the Intermodal Surface Transportation Assistance Act of 1991, including the Ways and Means financing title.

There is one simple reason why I urge passage of H.R. 2950: This bill is good for our country. It allows for much needed construction and repair of our Nation's roads and bridges, thus strengthening the transportation network that connects all Americans. It allows sufficient flexibility for State and local officials to decide the best use of much of the funding in order to meet the most urgent needs of their own locales. It funds infrastructure programs adequately over the next 6 years, but exhibits fiscal responsibility by spending only as fast as the funding allows.

I have made no secret of my support for an increase in the gas tax. I was in favor of the 5-cents-per-gallon increase in the earlier version of this legislation, and I worked hard to have that increase approved in the ways and means committee. I would prefer to see us enact a gas tax increase for infrastructure this year but, it seems, that is not to be.

Extending taxes already dedicated to the highway program is a responsible alternative that will ensure that the necessary funding is available for the improvements in our transportation system provided by H.R. 2950.

The Ways and Means Committee's Financing title, title VII of the bill, would extend the expiration date of current highway fuels taxes and allow for continued transfers into, and authority to spend out of, the highway trust fund. Title VII would also continue transfers from the highway fund to the aquatic resources trust fund and provide an antisequester safeguard mechanism to reduce 1992 obligations from the bill in the event that the official scoring of H.R. 2950 would otherwise create a pay-as-you-go sequester.

Currently, all highway trust fund taxes, as well as the taxes on motorboat and small engine fuels, are scheduled to expire on September 30, 1995. The financing title would extend these taxes through September 30, 1999, to fully fund the Public Works Committee's new 6-year authorization. The full amount of gross revenues from these existing trust fund taxes would continue to be deposited into the fund.

The 2½ cents deficit reduction tax on motor fuels, enacted last year, is also scheduled to expire on September 30, 1995. The deficit reduction tax is not extended in the Ways and Means Committee title.

The Ways and Means Committee also felt it necessary to include in title VII a provision, identical to the one in the Public Works Committee's titles, to safeguard entitlement programs against the possibility of a pay-as-you-go sequester. Since the highway bill will be enacted after the Transportation Appropriation bill, an increase in mandatory spending that would trigger a sequester could result without this safeguard.

The Ways and Means Committee feels strongly that in order to protect entitlement programs, like Medicare, from sequester, This failsafe provision must be included to prevent any unfunded increase in mandatory spending. This safeguard provision will provide an important protection for many entitlement programs, upon which millions of Americans depend.

Mr. Chairman, I urge that H.R. 2950, including the Ways and Means Com-

mittee financing title, be enacted because it is a good, responsible bill that will provide needed improvements in America's transportation system. My colleagues, I strongly urge your support for H.R. 2950 including its fiscally responsible financing provisions.

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

Mr. ARCHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my colleagues are well aware by now that the Ways and Means financing title differs substantially from the version approved last July. And probably for many, the new financing package will be remembered for what it does not contain. The so-called nickel for America has been appropriately eliminated. The deficit reduction portion of last year's gas tax increase is permitted to expire after 1995 so that afterwards all highway-related excise taxes will once again be dedicated to the trust fund. These absences are welcomed improvements.

Nonetheless, the funeral for the nickel should not detract from the fact that the Ways and Means title proposes a 2½-cent gas tax increase through fiscal year 1999. Worse, it provides financing for a surface transportation bill which is still in the need of major repairs.

It was only last August that the House rejected bringing to the floor a $153.5 billion highway and mass transit bill. Today, we are considering a reworked bill that spends nearly as much, but over 6 years rather than 5 years as originally proposed. By spreading out the costs into later years the public works bill will require still another 2-cent gas increase beyond what's in this bill even before the concrete sets on this program.

For those who are working under the impression that this bill is a leaner cut, take another look. This bill did not go on a diet. The bill merely postpones the weigh-in for 1 year.

Furthermore, Members should be aware that the bill hauls some hazardous cargo. Based upon the DOT analysis, the number of so-called demonstration projects were not reduced. They were increased from 455 projects to 489.

This preoccupation with special projects leaves only pocket change for the roads which carry the most transportation. Consequently, I question whether H.R. 2950, despite its excessive spending levels, will reduce the cost all Americans pay to move goods on our Nation's highways.

Let me also caution Members who think this legislation focuses primarily on highways, roads, and bridges. A closer examination will reveal that the bill allows 59 percent of the total spending of these highway taxes to be directed toward mass transit subsidies and projects.

The administration opposes the new substitute proposed by the Public Works Committee and the financing package approved by the Ways and Means Committee. And, in my opinion, Transportation Secretary Skinner is standing on firm ground.

The spending levels are so generous that the Public Works bill resorts to directed scorekeeping. Simply stated, directed scorekeeping requires this package to use CBO cost estimates to overcome budget objections which may be heard in this Chamber.

This was done with full knowledge that the 1990 Budget Enforcement Act empowers the Office of Management and Budget to make the final determination of whether legislation complies with the terms of the budget accord.

Finally, only 1 year ago, Congress agreed that the 5-cent gasoline tax would be temporary. It is incredible to me that now, the House is being asked to extend half the tax increase 4 years before its scheduled expiration.

Excessive spending and tax increases are not critical components of a viable and effective surface transportation policy. The administration's 5-year plan is illustrative of this claim. It provides for a 39-percent increase in highway programs and includes a 25-percent expansion in transit capital investments. Yet, these increases are accomplished without any increase in gasoline taxes. Those taxes are allowed to fall to 9 cents per gallon under that plan.

Unfortunately, House Members will not have an opportunity to vote on the administration's bill. We are also precluded from removing the gas tax increase proposed in the Ways and Means financing title. Therefore, my only alternative is to oppose the legislation before us today. The substitute may be an improvement over its earlier version. But it is still built upon regressive tax increases. Moreover, it paves a one-way road for yet higher taxes into the next century.

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

Mr. ROSTENKOWSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to engage the distinguished chairman of the Committee on Public Works, the gentleman from New Jersey [Mr. ROE] in a colloquy.

Mr. ROE. Mr. Chairman, if the gentleman will yield, I would be happy to join the distinguished chairman of the Ways and Means Committee in a colloquy.

Mr. ROSTENKOWSKI. I thank the gentleman. Mr. Chairman, it is my understanding that under the 1990 Budget Enforcement Act, if increases in mandatory spending are not fully offset, year by year, with increases in revenues or decreases in other mandatory spending programs, then a sequester—across-the-board cuts in mandatory spending programs, like Medicare—is ultimately required.

It is also my understanding that under the 1990 act, the administration's Office of Management and Budget controls the official estimates for purposes of determining whether a sequester must occur. Is that also the gentleman's understanding?

Mr. ROE. The gentleman is correct. It is my understanding that under the 1990 budget agreement OMB is the final determiner of sequestration.

Mr. ROSTENKOWSKI. With respect to H.R. 2950, I understand that there are discrepancies between the Congressional Budget Office's estimate of the budget effects and that of the Office of Management and Budget. Is that correct?

Mr. ROE. The gentleman is correct. The difference lies with the estimates of obligations associated with the minimum allocation program.

Mr. ROSTENKOWSKI. Specifically, I understand that the OMB has indicated that it would score H.R. 2950, as brought to the floor of the House of Representatives today, with increases in mandatory spending, were it not for the antisequester provisions contained in the bill. As I understand the bill before us today, it contains neither increased revenues nor reduced mandatory spending in other programs. Therefore, H.R. 2950, as estimated by OMB, would constitute a direct threat of a pay-as-you-go sequester in each of 4 fiscal years, but for the antisequester safeguards. Am I right, on this point, Mr. Chairman?

Mr. ROE. The gentleman is correct. Although the OMB estimate is not yet final and official, it is my understanding that OMB expects to score increases in mandatory spending, but for the failsafe provisions. The gentleman is also correct that the bill contains no offsets.

Mr. ROSTENKOWSKI. However, under present law, it is the OMB estimates that would eventually trigger a sequester, after the bill is enacted. Therefore, at the time of enactment, the bill must satisfy OMB's scoring if we wish to avoid a sequester of entitlement programs, correct?

Mr. ROE. Again, under the budget agreement, my understanding is that the gentleman is correct.

Mr. ROSTENKOWSKI. I am sure you join me in both my desire and full commitment to avoid across-the-board sequester cuts in other entitlement programs.

Mr. ROE. I am deeply committed in the transportation bill to avoiding sequester cuts in mandatory spending programs, and the Public Works Committee has worked hard to avoid such cuts.

Mr. ROSTENKOWSKI. I commend and appreciate your committee's efforts. Nevertheless, the threat of a sequester remains, according to OMB.

Consequently, Mr. Chairman, do you anticipate that H.R. 2950, as finally enacted, will cause a sequester of entitlement programs?

Mr. ROE. I join the chairman of the Committee on Ways and Means in full commitment to avoiding across-the-board cuts in mandatory entitlements. To that end, I will work with the gentleman to ensure that the conference agreement of the surface transportation authorization bill will not result in a sequester of entitlement programs.

Mr. ROSTENKOWSKI. I am grateful for that and will rely on your assurances in this regard. Thank you, Mr. Chairman, for joining me in this colloquy on this very important subject.

Mr. ROE. Mr. Chairman, I thank the gentleman.

Mr. ARCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. CRANE], a respected member of the Committee on Ways and Means.

Mr. CRANE. Mr. Chairman, I thank my distinguished minority leader for yielding time to me. I think his remarks were eloquent, concise and to the point on the issue.

Mr. Chairman, I rise in opposition to the bill we have under consideration today, H.R. 2950, the Surface Transportation Infrastructure Act of 1991. Although I have concerns with the bill as a whole, let me first address the financing portion of the bill which the Ways and Means Committee was charged to consider.

Many of my colleagues here today will argue, and I certainly agree, that the financing mechanism in today's legislation is improved over the July version. Indeed, in July, the Ways and Means Committee narrowly approved a 5-cent-per-gallon tax increase, an increase referred to in patriotic terms as a "nickel for America." That proposal has wisely been eliminated from the bill and to that extent today's bill is an improvement. However, in its place we now have what could be referred to as a "half-a-nickel for America." The Ways and Means Committee approved an extension of half of last year's gas tax increase for 4 years beyond the intended life of that tax. In the bill before us today it is my view, as well as the view of the distinguished ranking Member on the Ways and Means Committee who just spoke, that the new financing provision in this bill is still flawed. The bottom line is that we do not need to be increasing the gas tax beyond the rate written into present law. Indeed, if we really want to give a half-a-nickel to America we should just let the American taxpayers keep it themselves.

I should not have to recite for the benefit of this body the fact that an excise tax is an extremely regressive form of taxation. Indeed, nearly 78 percent of Americans earning less than $10,000 per year commute to work in cars. For all the talk about tax fairness around here, you would think that the Members of this body would want to think twice before they raise the gas tax on working Americans in order to enjoy the political benefit of placing demonstration projects in their respective districts. How can the American public take seriously any Member of this body who votes for this bill with its irresponsible spending levels and its extension of the gas tax and then has the gall to talk about tax fairness? Who can fault the American public when they conclude that there is apparently no end to the hypocrisy of politicians.

Finally, I would like to make sure that Members realize that this bill is not exactly the slimmed down version that many of its proponents would have you believe. In fact, this bill reminds me of the sad reality of many of the latest diets you see advertised on TV. You may lose a few pounds in the beginning—but in the end you gain it all back and then some. This bill simply stretches out the life of these projects. This reworked bill spends nearly as much as the last bill, but over 6 years instead of 5. Indeed, when the Ways and Means Committee last considered the bill we discovered that in fact upon analysis the Department of Transportation concluded that the number of so-called demonstration projects, was not reduced—no, in fact, the number of projects was actually increased from 455 to 489. Moreover, no member of this body can seriously doubt that in order to finish many of the projects started under this bill, we will be asked to go to the well one more time to pay for these projects through increased taxes down the road.

This bill can be pared down and a testament to that fact is the administration's proposal which increases highway funding 39 percent over 5 years and permits gasoline excise taxes to fall to 9 cents a gallon after fiscal year 1995—as last year's infamous budget agreement intended for them to do.

Mr. Chairman, we can do much better than this bill and I therefore urge my colleagues to oppose H.R. 2950.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, I would like to engage in a colloquy with the gentleman from New Jersey [Mr. ROE].

Mr. Chairman, I was very pleased to learn that the legislation before us continues to set aside discretionary funds for 4R projects on the Interstate System, as a drawdown from National Highway System funds. As the gentleman and I have discussed in the past, I-4 in Hillsborough County, FL, is in dire need of additional funding to widen the route and make safety improvements to it. Is it the understanding of the chairman that I-4 is precisely the type of project that ought to receive funding by the Secretary from the discretionary I-4R program and so should be given priority consideration?

Mr. ROE. Mr. Chairman, if the gentleman will yield, the gentleman from Florida is correct. I-4 in Hillsborough County is precisely the type of project which should be funded under this program, assuming that the State of Florida meets the statutory requirements defined by this legislation.

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for articulating his intent, and most especially for his outstanding and persistent efforts in helping to craft this legislation.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Chairman, unanticipated, but very much appreciated, I really appreciate the chairman yielding time to me. I want to commend Chairman ROE and also Chairman MINETA for their leadership in shaping this program.

Mr. Chairman, I rise in strong support of H.R. 2950. This bill is vital to the improvement and expansion of our National Highway System, and any hopes for national economic recovery. Nowhere is this more true than southwestern Indiana where an entire region is deprived of significant north-south access.

You don't have to be the proverbial rocket scientist to see there is a major hole in the regional transportation grid in Indiana. Evansville, the third largest city in Indiana with a metropolitan population of 279,000, is artificially isolated from Indianapolis, the State capital. Much of southwestern Indiana is underdeveloped economically because of this and other road problems.

I strongly commend Chairman ROE and Chairman MINETA for their leadership in recommending an extension of I-69 from Indianapolis to Evansville as a high-priority corridor. The prestigious Hudson Institute, has concluded:

> It should be clear from even the most cursory study of maps of the existing system that the Marion-Vanderburgh link is the most obvious gap in terms of creating a highway network that contributes to the full economic and social integration of the state.

The administration of Gov. Evan Bayh has already programmed some $235 million for construction of the northern leg of this highway. The road ultimately could be part of an interstate quality corridor extending from Detroit to Houston.

I also would like to thank and commend Congressman LEE HAMILTON for his strong leadership in advocating this project. Another key leader has been Congressman PETE VISCLOSKY, recently a member of the Public Works and Transportation Committee and now beginning a long and distinguished career on the Appropriations Committee.

Vote yes on H.R. 2950.

Mr. ARCHER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would like to come back to a topic that I began to discuss a little while ago and could not get much of an answer on.

On page 206 and 207 of the bill there is a project which is allocated to Passaic and Bergen Counties in New Jersey. As a part of that provision there is language in the bill, and I want to quote the language. It says:

> In so doing, the Governor is authorized to waive any and all Federal requirements, the waiver of which the Governor determines to be in the public interest.

My colleague from Pennsylvania a little while ago told the House that there was a public interest exception. Yes. Only that which is determined by the Governor.

Let me tell Members what this provision means. If the Governor has some friend who contributed $50,000 to his gubernatorial campaign, he can in fact under this provision waive all of the Federal contracting requirements and give the project to that individual, because any and all Federal requirements are waived.

□ 1620

The reality of what is going on here is that is a very environmentally sensitive area. There is an environmental impact statement due in the spring of 1992. Until then, this project cannot move. The waiver, if the waiver is adopted here, will allow the project to begin buying property without waiting for that statement, and the interesting thing is the bill does not say whether or not to waive the requirement to wait for the impact statement before moving. It simply says, "We waive everything."

So what can happen here is not only can the impact statement be waived, but also the requirements that might come under such an impact statement can be waved. It can also waive the whole entire impact statement itself.

Now, this is precisely the opposite of everything we have attempted to do over the years in terms of assuring that Federal law is met, and so in this particular case what we are doing is exempting us from provisions, exempting one project from provisions, that would otherwise be mandates of Federal law including things like civil rights activities.

Now, it is interesting that when H.R. 2950, the original version of this bill, came forward, the only thing that was waived was United States Code title 23 which are the highway sections of the bill. The blanket waiver did not exist in the original version of the bill, and all of a sudden in this version of the bill we get this blanket waiver that covers virtually everything including civil rights laws, OSHA law, you name it, it is covered under this blanket waiver.

The question is: Why? Well, the only answer to that question has to be that there are all kinds of problems here that we have to have a total waiver of Federal law for. I think it is something that we ought to be very careful of, and I find it disappointing that it found its way into the bill.

I also found another provision of a similar nature on up in the section that deals with Molly Ann's Brook in New Jersey, and here what we are going to do is waive the State from having to pay anything for it, because any non-Federal share of the cost of the flood-control project is now going to be transferred over to the highway fund, and if the Secretary does not have enough money there, he has got to figure out where to get the money to pay for it.

This is outrageous, and we ought not be doing it.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, I think this House was concerned and embarrassed in August when we did not pass our highway bill because of differences in the committee, particularly in the parliamentary sense. Those differences have now been settled by the leadership of the two committees, and we ought to move forward on this bill.

There are not but two concerns about it. One, some people would say there is pork in this bill. That is a matter of judgment.

In my own district, I have a project or two that are listed, and it is not pork. It is for highway safety with respect to the interstate, IH-35, the main artery from Mexico to San Antonio, to Austin and Dallas. It is a safety question.

We must have this kind of study. The same is true for replacing a 50-year-old bridge that goes over a dam. These are not pork. These are vitally important improvements for our infrastructure.

The main thing I wanted to comment, though, is the colloquy I wanted to engage the gentleman from New Jersey [Mr. ROE] in.

In this regard, when the gentleman's committee came before Ways and Means, the question was one of budget and would we possibly enter into a sequestration. It was clearly stated by the gentleman's committee to our committee that in the event if later we found that there would not be sufficient funding that your committee, even though you shaved 20 percent of these projects now, your committee would then either cancel projects or would come back to the House and ask for any kind of correction.

That is your intent? Am I stating your situation correctly?

Mr. ROE. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I am happy to yield to the gentleman from New Jersey.

Mr. ROE. The gentleman is stating it absolutely correctly.

Mr. PICKLE. Well then, Mr. Chairman, it seems to me like these projects are needed. There is a clear intent between the two committees that these projects must be funded, stay within the budget, and we must go forward then and pass this bill.

Mr. Chairman, I rise today in support of the Surface Transportation Infrastructure Act. This legislation makes much needed progress on increasing the fairness of the allocation of Federal highways moneys based upon each State's contributions to the highway trust fund, enhancing the role of State and local authorities in the transportation planning process, and providing increased flexibility to States in spending these funds.

Some Members have attacked this legislation as a pork barrel bill. I want to talk about those charges, particularly as they relate to my State, Texas. It has been argued that many of these projects are not needed, and in fact, not even wanted by State and local planning authorities. Let me quote from a letter from the Texas Department of Transportation stating: "All of the remaining Texas transportation projects are included in the Texas Transportation Commission's statewide plan." My State is for this bill.

There are projects in this bill which will help my district, and I am not bashful about pointing them out. There is funding for: First, a study on the effect on traffic patterns of the closing of Bergstrom Air Force Base; second, engineering and right-of-way acquisition of an alternate route for the heavily congested IH-35; and third, construction for a new bridge in place of a dangerous two-lane 50-year-old road which presently runs across a dam, and places a dangerous strain on the dam.

Some Members will say that these are fine projects, but the city of State should pay for them. Let me make two points about that. First, the people already pay for them through the highway trust fund. People pay gasoline taxes for well-maintained roads and this bill pays for itself out of the trust fund without additional taxes. Second, I remind Members how much our economy depends on a sound transportation infrastructure. In my State, IH-35 is a major conduit of goods from Mexico into this country—San Antonio-Austin-Dallas-Fort Worth—and that role will grow with a North American Free Trade Agreement. Our economy and our transportation system are interstate in nature. The Federal Government has a vital role in maintaining and improving that system.

Some Members complain that we don't do enough for economic growth. This bill does just that—by improving our economic productivity and by providing jobs, up to a million per year, in the midst of a recession. I urge passage of the bill.

Mr. ARCHER. Mr. Chairman, I yield 2½ minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, let me just say that after listening to all of this debate today, even I am almost convinced there is no pork in this bill, but that is almost, not entirely.

Because I know better. The fact of the matter is the administration proposed a 39-percent increase over the next 5 years for highway construction. That is 8 percent a year, well above the rate for inflation, but there is more that needs to be done. We need to do a lot for the infrastructure of this country.

There are 460, count them, 460 special projects in this bill, and those special projects initially are going to cost $3.8 billion, but long term in the out years they are going to cost $23 billion more, and the 20 priority corridors are going to cost $1.2 billion initially, and long term they are going to cost $50 billion. So this is just the tip of the iceberg.

The administration opposes it for that reason. They also oppose it because the 2½-cent gas tax was supposed to end in 1995, but you are going to extend it to 1999. That is a 2½-cent gas tax increase on the backs of the American people for the next 4 years after 1995. There is another reason why we should not have it.

In addition to that, this bill authorizes $13.7 billion, not out of the highway trust fund, but $13.7 billion in mass transit funding from the general fund. Now, people have said today all along that this only came out of the highway trust fund; it will not have any impact on the deficit. If this is not going to have an impact on the deficit, what is—$13.7 billion out of the general fund?

We have got a $400 billion deficit staring us in the face this year. We have a $4 trillion national debt; 10 years ago it was only $1 trillion. It took us 200 years to get there, folks. Now, we are at $4 trillion, and 10 years later, yet these pork-barrel projects, they keep saying, are absolutely essential.

We need to take care of the infrastructure of this country. But this back-patting we have been doing all day long, congratulating each other on how great this bill is, is for the birds. The fact-of-the-matter is we do need to take care of the infrastructure, but we need to prioritize spending.

There is a lot of pork in this bill, and the American people and the future generations of this country are going to pay through the nose, because we are wasting the taxpayers' dollars.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. Mr. Chairman, I rise in support of the Surface Transportation Infrastructure Act.

By investing in our Nation's infrastructure, we create desperately needed jobs today and economic opportunity tomorrow.

This bill is good for America. It will create hundreds of thousands of real jobs that will put thousands of American families back on their feet. It will increase highway construction funding by 40 percent. It will guarantee each State at least 90 percent return of the money their citizens invest. It creates new, more equitable funding formulas. It gives States more flexibility to use transportation funds to meet their specific needs.

Those needs, after all, are much different in rural and urban areas.

This bill fully complies with the requirements of the Clean Air Act. This bill will help us build a better America for our children and grandchildren. It is an investment in America, and an investment that pays immediate dividends in the form of new jobs, and one that will pay long-term dividends to the future generations of America.

The citizens of this country want to see their tax dollars put to work at home. They want to see tangible evidence of their investment.

This bill, by providing dollars to build much needed new highways and repair crumbling roads and bridges, will provide that evidence.

Mr. Chairman, we keep America strong by investing in its infrastructure, its educational system, and its people.

I urge my colleagues to seize this opportunity to invest in America and its workers by supporting this legislation.

Mr. ARCHER. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, today we are finally considering the transportation reauthorization bill, which if we do it right, a number of already existing jobs will continue and it will help to create some more.

The system of roadways is very important to the State of Wyoming. The population in my State is thinly spread along great distances. Transportation services are very limited in comparison to many other States. Commercial airline service is very limited and Amtrak just recently returned to the State, but only to service the southern portion.

This is how important the roads are: 61 percent of Wyoming communities are served only by highway transportation; 95 percent of Wyoming's freight moves into the State on the highway; 50 percent of Wyoming's outbound freight—in tons—also moves on the highway; and 100 percent of products—equipment, diesel fuel, and explosives—used in the coal and trona mines are brought by highways. Wyoming's role as the Nation's No. 1 coal producer is beneficial to much of the Nation.

As you can see, unlike the other areas in America, our problem is not congestion, but getting people to where they want to go and products from their sources to the industries that can use them. Wyoming consumers and businesses, like other rural, Western States, need efficient modes of transportation. So H.R. 2950—the Intermodal Surface Transportation Infrastructure Act of 1991 is a very important piece of legislation.

My opposition to this bill stems from five basic concerns.

I am bothered by the fuel tax extension, the fat—or pork—the funding formula, the lack of flexibility in the bill, as well as the future we are developing for our transportation programs.

First, extending the temporary fuel tax, which I voted against the first time, concerns me because of what it is being used for.

The original bill to come out of the Public Works and Transportation Committee contained a so-called Nickel for America. We all know what happened to that gamble. The bill before us now will extend the 2½-cent fuel tax until 1999. Many argue this extension is needed to raise funds. Unfortunately, the fuel tax extension funds nothing but the fat of this bill, the 472 demonstration pork barrel projects the committee saw fit to include. Of the roughly $4 billion this bill gives to demonstration projects, one-quarter of this money goes to four States.

Second, I am concern by the funding formula and its treatment of rural States.

The new funding formula developed by the committee is a bad deal for rural States. I realize that congestion is a problem in urban areas, and we need to address that issue; however, this new formula that gives double credit for urban lane miles and urban vehicle miles traveled discriminates against rural States. In Wyoming, we have 900 miles of interstate highways, with just over 400,000 people to support those roads. We face some unique problems that folks from urban areas have trouble comprehending, but our roads need to be maintained just as much as the urban highways do. The House bill does not recognize the validity of rural roads.

Third, I am concerned about the lack of flexibility in the bill in comparision to the other bodies' proposal.

As I have said, rural areas face some unique transportation problems. The same can obviously be said for urban areas. I was hopeful that the bill to come out of the House would address these differences by giving more flexibility to the States. Unfortunately, this is not the case—consider the inflexibility of the demonstration projects. The House proposal fails to recognize that individual States are best suited to determine their transportation needs.

Fourth, the direction into the future that this bill steers the Nation.

I am troubled by what this bill says about the future of our transportation system. We are telling the States that Washington, DC, knows what is best for them, we are taking away flexibility, and we are perpetuating pork barrel politics.

In conclusion, Mr. Chairman, it is time to set some serious national priorities. I think the current structure of

raising revenue and the dollars on hand is sufficient. We certainly do not need new taxes, especially when they are going to fund projects without priority in the national highway system. I have the strong notion we should be concerned with the care and maintenance of our highway transportation system, now that it is almost complete. We need a highway bill, but we need a fair and equitable bill. That is the responsibility of this House. Once again, I am afraid we have skirted that responsibility.

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Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Chairman, I rise to engage the chairman in a colloquy. The $5 million authorized in this bill for the Puget Sound core rapid transit project is crucial for planning a mass transit system in Seattle. Puget Sound residents will vote next year on a comprehensive response to what is now the fourth worst congestion problem in the Nation.

I would like to ask about the committee's intent toward adjusting the funding needs for the Puget Sound core transit project over the life of the bill, as transit needs for the Puget Sound become more fully defined.

Mr. ROE. Mr. Chairman, if the gentleman will yield, let me assure my colleague that it is my intent and that of the committee's to work with the Puget Sound region to secure the necessary Federal support to address the region's traffic congestion and clean air problems. As the gentleman knows, we on the committee want to keep projects on schedule by addressing their financial needs in a timely manner. I look forward to working with you in this effort.

Mr. ARCHER. Mr. Chairman, I yield the balance of our time to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I have been listening to all this debate and I have heard very few if any Members extolling the virtues of this bill because of all the money going to mass transit. Most Members have come down here talking about what a great highway bill this is, of all the highway projects that are in this bill.

You Members that want all this highway money ought to be incensed that mass transit is doubled, almost doubled, and then another $77 billion is made available which could increase mass transit money by 367 percent, yet highway money is only increased by 27 percent. You are taking money out of your highways that you and I want and moving the whole policy of transportation in this Nation away from highways into mass transit. That should incense you. Money for mass transit is doubled. The only increase for highways is 27 percent.

Mr. Chairman, I believe we had better think long and hard about that, especially understanding the fact that you are raising taxes, make no mistake about it.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in support of the pending Surface Transportation Infrastructure Act because I believe that it is absolutely imperative that the House concludes its debate on this highway bill and allows the serious work of the conference committee to begin. While this bill does contain some very positive provisions, it is very clear that the Senate version of the highway bill is on the whole, far preferable for my home State of South Dakota.

The option before us today, however, is not between the House bill and the Senate bill, but rather, whether debate on highway funding should go forward or whether it should languish in committee for additional weeks. We are already 3 weeks into this fiscal year, and further delay of highway funding legislation is not acceptable. Further delay could jeopardize a construction season in our northern States, and it is essential that we move along this imperfect, but necessary legislation today.

I recognize that the House, because it is apportioned strictly on the basis of population, will always be urban-oriented, and that the Senate, where small States have the same number of votes as large States will always be more rural-oriented. Nonetheless, I am disappointed that the House bill's funding formula would result in South Dakota receiving approximately $146 million less than it would under the Senate formula. I appreciate that my State would receive back far more than it pays into the Federal highway trust fund regardless of which formula passes. Nonetheless, States with a great number of miles of roads but few people require a favorable funding formula if we are to preserve a truly national system of transportation.

I will be supporting a conference committee which preserves authorization for the Heartland Expressway, and the Missouri River bridges, but which also provides a more favorable highway funding formula and rural States such as South Dakota.

Mr. NUSSLE. Mr. Chairman, I rise today in support of H.R. 3566, the Intermodal Surface Transportation Act of 1991. I am also pleased to see the House of Representatives taking swift action on this compromise bill in order to get a highway reauthorization bill signed into law by the President. This highway bill is important for our Nation and the State of Iowa in particular.

First, H.R. 3566 contains several projects that are very important to Iowa and are of national significance as well. The Avenue of the Saints, U.S. 63, and U.S. 20 all stand to gain when this bill is signed into law. I am a strong supporter of all three projects and I am pleased to see their advancement.

Second, this compromise bill does not contain the highly controversial 5-cent increase in the Federal gasoline tax as did the previous version of the House highway bill. In fact, it was this gas tax increase which delayed consideration of any highway legislation until after the current authorization had expired. H.R. 3566 confirmed what I knew all along—that we could significantly increase our investment in the Nation's infrastructure without a new tax increase.

Finally, it is critical that the House begin negotiations with the Senate on the highway bill so State departments of transportation can begin much needed highway projects as soon as possible.

Mr. HOUGHTON. Mr. Chairman, this is an exciting opportunity for the Congress and the Nation. Since 1956, we have concentrated on building the Interstate Highway System. The system is nearly done. So it's time to fill in the gaps, remaining, improve access to areas left out of the Interstate System.

One such area is in my district. The project is referred to as the Chautauqua County rural access project. What it should be called is Chautauqua County life savings and economic development project. The section of the road targeted for funding in the bill is a 19-mile stretch of two-lane highway on the Southern Tier Expressway. It is one of two undone sections of the 250-mile expressway, and by far the most dangerous.

Some statistics—since 1985, there have been 13 fatalities and 137 injuries on this section of the road. Contrast this with one fatality on a similar 19-mile, four-lane stretch on the same highway. Even the Chautauqua County sheriff said to me recently that he personally had been involved in two near misses. Both involved the other driver's misperception of the road as an expressway. Ironically, one near miss occurred as the sheriff returned from investigating a fatal accident.

Next, economic development—Chautauqua County is the eighth largest nonmetropolitan country in the United States. And not incidentially, it is the largest metropolitan center unserved by a four-lane highway. Now this has been a project long promised. I won't bore you with the embarrassing details. Cummins Engine, for example, was told, when the company first investigated the site for their plant in 1975, that Route 17 would be soon converted to a four-lane highway. They still wait. That's a broken promise, bad enough in itself, but the sad counterpart is that in a district which has lost people in every county during the last 2 years, other companies have decided not to locate in Chautauqua County because of poor highway accessibility.

In sum, Mr. Chairman, this bill has my strong support. It helps the Nation and the 34th District of New York. I am pleased to back its passage.

Mrs. ROUKEMA. Mr. Chairman, I rise today in support of H.R. 2950, the Intermodal Surface Transportation Act of 1991. I would first congratulate the excellent efforts of the Public Works and Transportation Committee, and single out especially the leadership of Chairman ROE, ranking minority member HAMMERSCHMIDT, Surface Transportation Subcommittee Chairman MINETA, and Surface Transportation ranking minority member CLINGER for bringing before the House a comprehensive transportation strategy which will lead this Nation into the 21st century.

While we have all come to know H.R. 2950 as the highway bill, it is indeed much more than mere moneys to build or repair roads. As presented to the House, H.R. 2950 is a blueprint for action in building, maintaining, and coordinating all activity of the infrastructure—

highways, mass transit, railways, bridges, and safety programs. As the Nation faces the challenges of an aging infrastructure, an increasingly competitive global economy, and our commitment to the environment demonstrated in the Clean Air Act, H.R. 2950 serves well America's collective goals and needs.

Among the most ambitious elements of this bill's agenda, H.R. 2950 renews and expands our commitment to maintaining our Nation's highways, as we near completion of the Interstate System, targeting $119 billion to thousands of miles of highways, byways, tunnels, and bridges. Truly, my colleagues, we can afford no less at this critical juncture. It is a tragic state of affairs when the Federal Highway Administration must tell us that 40 percent of all interstate pavement is rated fair or poor in condition. It is time to act.

This is one of the many reasons I rise to support H.R. 2950. I am pleased to see that under this legislation, more than 155,000 miles of roadway will be properly designated as national highway, and receive the increased funding such vital, principal corridors merit. Likewise, both urban and rural arteries are recognized for the critical role they play in moving people, goods, and services.

The highways and bridges of New Jersey will see a long overdue infusion of moneys to increase safety, efficiency, and capacity. More than $200 million are allocated to address these needs—completing construction of highways across northern New Jersey counties, increasing access to these roads, and ensuring that the bridges and interchanges of the region will be made safe and efficient. I am pleased to see, at long last, that $5 million will be spent on improvement of the interchange of Routes 4 and 17 in Paramus, NJ, a treacherous interchange in the heart of one of my district's busiest commercial centers. This project is but one of the outstanding efforts for infrastructure improvement contained within H.R. 2950.

Equally important, this bill recognizes the growing role of transit in America's transportation policy, and authorizes an unprecedented $32 billion to mass transit capital, development, and operation. I am particularly proud to see $890 million of these funds channeled to the urban core project of my own region, northern New Jersey. The linkage of Bergen, Passaic, Hudson, Morris, and Essex Counties to New York's Penn Station, Newark Airport, and the Northeast corridor line trains will bring residents of the most densely populated region of the most densely populated State in the Nation faster, cleaner, and more efficient commutes. At the same time, we will add thousands of riders to New Jersey's mass transit network, and bring jobs and developments to a lagging economy.

Finally, and perhaps most important, H.R. 2950 allows historic flexibility to States in tailoring Federal moneys from Washington to specific needs and concerns back home. The portability of funding across primary highway, urban mobility, rural mobility, and transit projects recognizes the need for hands-on, local guidance of money and needs. The Intermodal Surface Transportation Infrastructure Act also acts to move transportation spending forward into the future, with grants, projects, and incentives to explore new technologies, materials, research, and development. From smart cars to more durable pavement, H.R. 2950 reaffirms America's commitment to restoring the preeminence of a state-of-the-art infrastructure.

I am aware that concerns have been raised regarding the funding of H.R. 2950, and the 4-year extension of half of the Federal gasoline tax increase contained in last year's budget reconciliation.

However, I think any reasonable assessment proves that the extension of the gas tax contained in H.R. 2950 is one of the few accurately termed user fees to be considered this year by Congress. It is vital to point out that the $13.5 billion generated by this extension will not be funneled to other programs, nor will they be used to mask the deficit. In the truest sense of the word, these user fees will do the work they are supposed to, and go directly back into funding the maintenance and construction of Amrica's highways.

I am also greatly pleased to see the committee taking action to put the trust back in the highway trust fund, and spend down the reserves which have remained behind paper walls on our balance sheets. For the record, H.R. 2950 spends down the highway trust fund to $2.3 billion in fiscal year 1997, leaving only enough to cover the outyear obligations the Federal Government has previously entered into. In a climate where pay as you go are the magic words, the highway bill and its funding mechanisms live up to that promise.

In closing, I would again recognize the committee for their good works, and urge each of my colleagues to support this effort to put America's infrastructure back on track. As we move on to a new era of infrastructure development, we owe no less to all American citizens.

Mr. FAZIO. Mr. Chairman, as many people throughout the country are stranded by commuter gridlock, as our Nation's highways, bridges, and roads crumble, and as our economy continues to be sluggish, Congress is today poised to take a bold step to address these problems. I want to commend the Public Works and Transportation Committee, and particularly Chairman ROE, Chairman MINETA, and the ranking members, Representatives HAMMERSCHMIDT and SHUSTER, for the outstanding job they and their staffs have done in crafting this well-balanced and forward-looking bill.

Mr. Chairman, our country cannot have a strong economy without a safe, efficient, and modern system of highways and mass transit systems. It will require a large investment over the next several years to ensure that such a system is in place.

The Intermodal Surface Transportation Infrastructure Act of 1991, H.R. 2950, provides an innovative new strategy for investing in America and improving the Nation's transportation systems. It makes a strong commitment to a National Highway System and increases funding for mass transit and congestion relief initiatives.

Perhaps more importantly, the bill gives greater control and flexibility to local planning agencies over how transportation dollars are spent. Under this bill, local officials—not Washington-based bureaucrats—will be empowered to determine which projects will be funded to address local transportation requirements.

There has been a lot of consternation directed toward the committee's inclusion of demonstration projects in this bill—that somehow these projects do not warrant a Federal contribution to help pay for the projects—that somehow they are not priority projects. I would remind my colleagues that all of our constituents pay the gas taxes that go to pay for these projects. In fact, my constituents, as residents of a donor State, have paid more in gas taxes over the years than they have received in the form of transportation dollars spent in our area.

I would also venture to say that most, if not all, of the demonstration projects have been identified by State and local officials as priority projects for the area. I don't think Members of Congress sit around thinking up imaginary projects just to spend some money. Constituents contact us to say, "Look, Congressman, here is a problem that needs to be fixed. What can you do to help." Moreover, many of these projects are in the particular State's long-range transportation improvement plan, while many others serve critical public health and safety needs.

I will just give one example of a project in my district that proves that these projects are not pork.

Dixon, CA is bisected by the Southern Pacific Railroad, which crosses two major streets, including a Federal aid primary highway, running through the city. Rail traffic regularly cuts off key emergency services for half of the city's population. In addition, approximately 1,200 school children, ranging from grades K through 12, cross the tracks daily to attend school. Since 1987, three fatalities have occurred at these crossings.

Compounding these problems is the fact that the State is establishing a commuter rail service from Auburn to San Jose along the Southern Pacific rail lines, through Dixon. This means even more train traffic going through Dixon, thereby increasing the public health and safety risks posed by the crossings.

Fortunately, the Public Works and Transportation Committee recognized the importance of alleviating these safety risks for my constituents. The bill provides $2.1 million to begin the effort to either construct overpasses at these crossings or reroute rail lines around the city. This action will not only eliminate the safety risk posed by the crossings, it will also increase the efficient operation of the commuter rail service as well as the operation of cargo trains carrying interstate shipments.

I challenge anyone to tell me that this project is not a priority for the people of Dixon, who have paid their fair share of gas taxes and are now simply asking for a return on their contributions. I guess that by voicing his opposition to this public safety project, President Bush is again demonstrating his unique way of making for a kinder and gentler nation.

On another issue, Mr. Chairman, every economist agrees that investment in public infrastructure results in direct and tangible improvements in our Nation's economic productivity. Some estimates suggest that the $151 billion we plan to invest in our economy by enacting H.R. 2950 will create as much as one million jobs each year through 1996. This job

growth rate is in stark contrast to the reduction of 300,000 jobs our country has experienced since President Bush took the oath of office.

President Bush has recently stated over and over again that he wants an economic growth package to reinvigorate the economy and create new jobs. Today, we have an opportunity to do just that. What's more, we can do this with no new taxes. Yet, despite the fact that we will create several million jobs by passing the transportation bill, the president has indicated that he will veto this legislation.

Where's the logic? On the one hand, the President wants to create jobs and improve economic productivity. But, at the same time, he says that he will veto this Transportation bill which will achieve both objectives.

Mr. Chairman, this highway bill is something that has tangible results. Americans all over the country will see firsthand the improvements in their local roads, in mass transit systems, in the air they breathe, and in their overall quality of life.

H.R. 2950 is one of the most vigorous economic growth initiatives that Congress has considered in recent years. This measure will help prepare the way for making the capital improvements our country needs to be more competitive, productive and efficient in international markets. We cannot afford to wait any longer to make an investment in our own country. I strongly urge my colleagues to join me in supporting this important legislation.

Mr. MANTON. Mr. Chairman, I rise in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. I want to take this opportunity to commend the chairman of the House Public Works and Transportation Committee, Mr. ROE, and the chairman of the Surface Transportation Subcommittee, Mr. MINETA, for their able leadership, hard work, and dedication in crafting this most important piece of legislation.

Mr. Chairman, our once great infrastructure is falling apart. During the 1940's, 1950's, and 1960's, American workers built an infrastructure that was truly the envy of the world. But over the past several years, we have turned our backs on that investment. As a result, a staggering number of roads and bridges in the United States have become unsafe and unusable, causing countless highway deaths and costing billions of dollars in decreased productivity.

We must not allow this neglect to continue. We must put Americans back to work rebuilding a safe, reliable, and efficient surface transportation infrastructure. That is exactly what H.R. 2950 is designed to do.

Mr. Chairman, this major reauthorization of our Nation's Federal transportation programs is one of the most important measures we will consider this year. The bill provides the funds necessary to rebuild our Nation's failing transportation infrastructure and gives the States the flexibility they need to address particular local and regional concerns.

This legislation will also create job opportunities for thousands of unemployed Americans and provide a much needed boost for our Nation's sagging economy.

Mr. Chairman, opponents of H.R. 2950 contend it is loaded with unnecessary special interest projects. That is simply not true. H.R. 2950 provides funding for only the most worthy projects designed to address pressing and critical needs in many urban and rural areas across the country. In particular, the bill will provide funding for the repair of several bridges in New York that are literally falling apart.

The only special interests being served by this legislation is the safety of those who travel on our Nation's highways and the ability of our domestic industries to compete effectively in a global economy.

Mr. Chairman, this is a bill that will benefit all Americans. The Public Works Committee has crafted an excellent bill and I encourage my colleagues to vote for its passage.

Mr. LEACH. Mr. Chairman, I rise to bring perspective and amplify legislative history in reference to section 106(d) of this bill, H.R. 3566, the Intermodal Surface Transportation Infrastructure Act of 1991, which mandates a study of highway designations where States are in disagreement.

While seemingly innocuous, the study could precipitate interstate economic conflict of substantial proportions, as has already broken out in the Quad Cities area, the Iowa side of which I represent.

By background, the Quad Cities metropolitan area is composed of a dozen or so communities in two States divided by the Mississippi River. The Mississippi has historically been a far larger psychological than geographic barrier to the work and social lives of the people of eastern Iowa and western Illinois. Over the past decade the communities have come increasingly together to emphasize what they share in common and what they can effectively do in concert. The controversy sparked in the Congress—the notion that national politics should intrude on AASHTO's 60-year-old policy of requiring the agreement of all affected States before any change in route numbering takes place—has unleashed a sense of betrayal on the Iowa side of the river and counterreaction on the Illinois that bodes poorly for future cooperation between the communities.

At issue are the limits of congressional responsibility. The last thing that the public should want is for individual Senators and Representatives to put pork into namemanship by micromanaging route designations.

There is an old cliche, "If it ain't broke, don't fix it." The fact that the current methodology employed in a decentralized way by highway professionals has served our highway system well for 60 years is evidence that the way in which route renumbering questions have been resolved in the past ain't broke. The fix being contemplated will open Congress to enormous political pressures whenever questions of this sort arise. A decision made one day will be vulnerable to countervailing forces the next, with the only assurance being that decisionmakers will end up lining our highways with economic potholes.

Accordingly, it is my recommendation that, at a maximum, any new procedures be applied to new, not old, highway arrangements. Otherwise Congress will be in the business of inducing private sector investment in one place and then devaluing the investments once made by changing the rules. Such capriciousness is highway robbery; asset devaluation without citizen representation.

These sorts of issues should be professionally, not politically, resolved, using consistent criteria upon which the public on a long term basis can depend. The old way is the better way.

Mr. FORD of Michigan. Mr. Chairman, I rise today in strong support of the highway bill as reported by the Committee on Public Works and Transportation.

The Intermodal Surface Transportation Infrastructure Act of 1991 contains a number of important demonstration projects, projects that will improve the quality of life for millions of people and the infrastructure of our country. This bill includes $40 million for the construction of an access road to Detroit Metropolitan Airport in Wayne County, MI.

Detroit Metropolitan Airport, which is located in my district, is the 20th busiest airport in the world, and is of great economic importance to the State of Michigan. It is a vital center of employment and commerce for my State and, increasingly, for the entire Great Lakes region. Every year, traffic congestion and traveler delays at Detroit Metro squanders millions of dollars in lost time, wages, and business. In 1986 alone, delay at the airport was estimated to have totaled 81,700 hours, at a cost of over $125 million.

The expansion and construction of midfield terminal facilities at the airport is currently under way, with an eye toward reducing these delays and improving the flow of people and cargo. The decision to build midfield facilities was reached after an exhaustive study which included the participation of local and State officials, the Federal Aviation Administration, the airline industry, and the Air Transport Association.

The Detroit Metro access road will enter the airport's southern boundary, run beneath ground under two airport runways and emerge at the new midfield terminal facilities. In the future, the utilization of midfield terminals is an approach that is likely to be considered by dozens of existing airports throughout the country which are faced with space and capacity constraints. This project demonstrates a proven way to provide access to midfield terminals and airport facilities, and will provide a useful example to any airport considering such an expansion program.

This project also contains many of the intermodal characteristics that the Public Works Committee points to as contributing to an efficient and sophisticated national transportation system. Construction of this road will provide new access to Detroit Metro via a second freeway, Interstate 275, and provide a much-needed link between Interstate 275 and Interstate 94 by connecting to an existing access road on the north end of the airport. The south access road project would further relieve heavy congestion on Interstate Highway 94, one of Michigan's busiest traffic corridors, which has been known to carry nearly 95,000 vehicles on any given day. It will improve the traffic of people and merchandise, make the transition between ground and air transportation easier and more efficient, significantly speed entry and departure, and bring thousands of jobs to the region.

in addition to providing a more efficient transportation system, the construction of the south access road will significantly improve

safety at Detroit Metropolitan Airport. In 1987, when an airliner crashed at the northern edge of Detroit Metro, access to the airport was all but shout down. By linking up with an existing road, the proposed south access road will provide another vital means of access and exit.

Those that would attack this bill, or the projects in it, simply don't have the facts. The percentage of funds in this bill earmarked to specific congressional demonstration projects is barely over 3 percent. The remainder of the money in this bill may still be distributed by the Governors and individual State legislatures. Furthermore, every project in this bill requires State matching share money. Approximately 75 percent of the costs of the $1 billion in overall improvements being conducted at Detroit Metropolitan Airport are being financed by private and State resources. Furthermore, Wayne County officials are committed to securing $25 million from non-Federal sources for the construction of the south access road. Considered as a whole, the Federal share of the project is quite limited.

I have had the privilege of representing the 15th Congressional District of Michigan for over a quarter of a century. I am confident that I know as well as any State official or unelected bureaucrat whether a project will be beneficial to my district. I firmly believe that this project and the provisions of this bill will be a significant benefit to the people I represent, and to our country. I know that the success of this project is equally important to my colleague and neighbor from the 16th District of Michigan, Congressman JOHN DINGELL.

I urge my colleagues to support the legislation as it was reported by the Committee on Public Works and Transportation.

Mr. KLECZKA. Mr. Speaker, today I rise in strong support of the Intermodal Surface Transportation bill. It provides a stable 6-year authorization for the highway and mass transit programs vital to our economic infrastructure.

Public Works Chairman BOB ROE and Subcommittee Chairman NORM MINETA have dedicated their efforts toward addressing our decaying roads and bridges, linking different modes of transportation to increase efficiency and competitiveness, and distributing Federal funds in a fair and flexible manner.

Most important to my constituents in Wisconsin, the authorization provides an equitable return for our gas tax dollars with no gas tax increase. After decades as a donor State, Wisconsin taxpayers will finally receive a fair return on their investment. It is long overdue.

The highways and mass transit authorization is not only about roads and transit, it is a timely, important component of economic policy. It provides public investment to improve transportation of goods and services, as well as workers' commuting needs. Millions of jobs will be created, as workers will be needed to help rebuild the infrastructure.

And for those who criticize the specific projects authorized in the bill—an amount representing only 3.3 percent of the authorization—I would simply ask, "who best knows the specific needs of congressional districts than those elected to represent them?"

I urge my colleagues to support the surface transportation bill today so we can rebuild America and compete in the global marketplace. Vote for H.R. 3566.

Mr. JONES of North Carolina, Mr. Chairman, the legislation will assist States to replace ferries that provide service between highways on the National Highway System. This much needed assistance will permit States to upgrade this neglected portion of the transportation network.

My State of North Carolina is highly dependent on ferry operations. There are numerous islands and areas that rely exclusively on ferries. Ferries provide the only transportation links for these communities. In addition, on the Outer Banks of North Carolina, an area subject to great damage from hurricanes and tropical storms, ferry operations are essential for evacuations and in providing emergency relief.

A large part of the Cape Hatteras National Seashore can be reached only by State operated ferries that are not currently on principal arterial routes which will make up the interim system prior to the establishment of the National Highway System. In addition, State-operated ferries provided transportation for workers travelling to Federal defense facilities such as the Cherry Point Marine Corps Air Station and the Sunny Point Army Terminal; these ferries are also not on the interim system.

I urge the House conferees to assure that these important links be included in the ferry construction program even though they are not currently principal arterial routes or included in the National Highway System. I ask that the Secretary of Transportation be directed to give priority to important ferry operations such as these allocating funds among the States.

Mr. VALENTINE. Mr. Chairman, I rise in support of title VI, the research title of H.R. 2950, which strengthens our research and development activities for surface transportation systems. This research and development will help to ensure that future generations may continue to have the advantages that we have had in this great and prosperous Nation.

We have deliberated over programs such as supercolliders and space stations and going to Mars, while we can't even get to work without a series of hassles or delays. I ask you to consider this question. In his or her lifetime, will the average American born this day be more apt to travel to the Moon or to a number of cities in the United States?

While air transportation has developed over the years using advanced technologies, it certainly doesn't serve individuals going to work or to a shopping mall. Surface transportation, on the other hand, has not incorporated the level of technical sophistication that is possible today.

New cars are better than those built in the 1940's, but the car-highway system has changed little over the past 50 years. Other means of surface transportation, like rapid transit electric systems, which were available in many cities in the 1940's, have virtually disappeared from the American scene.

Compared to other industrial nations, we do not have much in the way of modern passenger rail service. We do not have much in the way of modern intra-urban light rail systems. Perhaps more importantly, we may no longer have the industrial infrastructure to build such systems.

We no longer have engineers, technicians, and mechanics who have the years of experience essential to building competitive systems. Even the Washington Metro, which is a premier system, purchases rail cars from Italy.

If we are behind nations like France, Germany, and Japan today, where will we be tomorrow?

We have the technology to guide a cruise missile through the main entrance of a government building in Baghdad, but we have not applied such technologies to automated highway systems in a major way.

A 1980 study by a Department of Transportation Task Force reached the following conclusions:

First, DOT R&D expenditures decreased by 38 percent in constant dollars between 1972 and 1980.

Second, while DOT was committing only 1.9 percent of its budget to R&D, the Department of the Interior was spending 8.1 percent on R&D and NASA was spending 79.1 percent of its budget on R&D.

Third, DOT suffered a serious attrition in scientific manpower and personnel resources.

In May 1988, the ENO Foundation for Transportation, the world's only independent, self-supporting institution devoted entirely to improving the efficient conveyance of people and goods, published a report which noted that the Department of Transportation was created with a mission to stimulate technological advances in transportation. The report stated that DOT's R&D capabilities reached a peak during the early 1970's but was greatly reduced by the end of the decade.

Is there any wonder why we now must turn to other nations for our transportation systems?

To enjoy the safety and other advantages possible with new technologies, like intelligent vehicle highway systems, we must be much more aggressive in implementing and pursuing research and development programs than we have ever been.

I quote from a report from the Office of Technology Assessment: "Long range planning and R&D that look ahead to future problems simply do not exist at DOT and this is a serious deficiency." Section 601 of H.R. 2950 is an attempt to remove this deficiency.

Section 601 calls for the Secretary of Transportation to develop an integrated national plan for surface transportation. This plan must include a 10-year projection of the long-term research and development needed to provide for the next generation surface transportation systems.

Section 601 requires that the Secretary of Transportation strengthen and expand surface transportation infrastructure research and development. Finally, section 654 of H.R. 2950 requires the Secretary of Transportation to develop a completely automated highway and vehicle system which can become a prototype from which future fully automated intelligent vehicle-highway systems can be developed.

Efficient and effective surface transportation systems are necessary for both our independence and for our comfort.

In order to manufacture products that will move our surface transportation system to the forefront of modern technology, we must first develop these products. To develop these products, we must have a strong R&D program at the Department of Transportation.

Title VI of H.R. 3566 is the first step in such a program. I urge my colleagues to support this important legislation.

Mr. CAMPBELL of Colorado. Mr. Chairman, I rise today to express my serious concerns about a proposal included in H.R. 2950, the Surface Transportation Infrastructure Act that would alter the minimum allocation guarantees in the Federal highway funding program. I sincerely appreciate the dedication with which the chairman, Congressman ROE, and his colleagues on the committee have demonstrated in crafting this proposal. I also believe that this bill contains many bold provisions that will take great leaps toward improving our transportation infrastructure.

I find it unfortunate that this otherwise superb package includes language to alter the minimum allocation. Currently, States are guaranteed to receive a minimum of 85 percent of the contributions they make to the Federal highway program back in the form of Federal highway grants. As you know, many less populated States receive back more than they contribute to the system while larger, highly populated States receive close to the 85 percent minimum. This ensures that rural States, predominately located in the West, are able to adequately maintain the highways within their boundaries. This guaranty has allowed our rural highways to maintain an excellent record of reliability and safety and has contributed to an unprecedented rise in economic productivity.

The proposal attached to H.R. 2950 would disrupt this system. This proposal would increase the minimum allocation to 95 percent, a funding reduction that would severely damage Federal assistance for construction and maintenance of our Nation's highway systems. The Colorado Department of Highways has estimated that this proposal would cost my State nearly $24 million in fiscal year 1991.

Mr. Chairman, I want to make it clear that my concerns over this legislative package go beyond just the minimum allocation language. I have also found that the funding formulas included in H.R. 2950 would severely impair the State of Colorado's ability to maintain and improve the highways. While the legislation before us includes a significant increase in spending for our Nation's highways, the State of Colorado stands a good chance of actually seeing a decline in the amount of Federal money available to it for transportation spending.

Mr. Chairman, the efficiency of our Nation's industries is integrally tied to the State of our rural highways. The transportation of our manufactured goods and our refined natural resources and the future of American industry depends on the maintenance and development of our rural highways. I urge my colleagues to carefully consider the provisions included in this bill and vote for the protection of our country's future.

UTE MOUNTAIN UTE TRIBE,
FARM & RANCH ENTERPRISE,
Towaoc, CO, October 21, 1991.

To: Dan McAuliffe, Paul Taylor, Christine Mulick.

From: Mike Preston.

Deepest thanks to Ben, Dan, and Chris for the $2.5 million appropriation for Dolores Project development. The good mark on the House side saved the day. The $2.5 million will allow us to keep the organization in tact, continue with the demonstration farm and move ahead with limited construction.

The work that Paul has done to get $3.4 million into the House transportation bill for the Aneth Road is a really important opportunity. I realize that it's a tough shot, but here's what it could do:

1. $3.4 million would allow us to grade drain and gravel the entire road out to the project area, including a bi-pass of the Main entrance to Towaoc which is becoming increasingly dangerous with all the added construction traffic, a new convenience store, and the on-set of gambling scheduled for December.

2. $3.4 million in FY 1992 would provide critical access for canal, lateral and on-farm construction, while solving serious safety problems in Towaoc and out in the project area.

3. Building the Aneth Road in FY 1992 would make much more effective use of the administrative and construction management capability provided for in the $2.5 million interior appropriation.

The Aneth Road project is ready to go:

1. Designs, surveys, environmental and archaeological clearances are completely done.

2. The skids are greased in the Federal Highway Bureaucracy. Jerry Cloud [(303) 969-6737] of the FWHA Regional office in Denver has toured the Project with BIA Roads Engineer Ed Little and is in close communication with Colorado Highway Director Ray Chamberlain.

3. The fairness issue of including Indian Tribes if there are to be "demonstration projects" has been raised on the House side.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today to join my distinguished colleagues in support of H.R. 2950, the Intermodal Surface Transportation Assistance Act of 1991.

At the outset, I wish to commend my distinguished colleagues, Mr. ROBERT ROE, chairman of the Committee on Public Works and Transportation, and Mr. NORMAN MINETA, chairman of the Subcommittee on Surface Transportation, for their leadership and hard work in getting this new version of the highway bill, which will not only compliment the wishes of the other body but also restructures the Federal Highway Program to address post-Interstate Highway System needs and to give States more flexibility in funding transportation projects.

Mr. Chairman, I concur with Congressman MINETA of California that this legislation builds America's roads, bridges, and transit systems into a comprehensive network that will build our economy, enhance safety, and improve our quality of life.

This bill provides an unprecedented level of flexibility for States to use funding for any highway or mass transit projects which they consider a priority. In fact 97 percent of the bill may be distributed by Governors and legislatures of the States while only 3 percent is earmarked for projects which we, as duly elected Members of Congress, know and believe are projects which the districts we represent are in critical need for immediate addressment.

In my district, Mr. Chairman, this bill will specifically improve a critically needed road system for the Manu'a Islands, which is often overlooked—a road system that is generally rutted and routinely washes out in heavy rains and during severe storms. The roads in this island group have deteriorated to such an extent that they are in need of reconstruction. The only other methods of surface, intra-island transportation available for these islands are foot, canoe, or small boat.

Mr. Chairman, contrary to some concerns that this bill contains project-specific earmarks which are not priorities in some States, I want to remind my colleagues that the States will always have the opportunity to reject any of these projects when the legislators vote on State matching share moneys, as required for all projects in this bill.

In conclusion, I want to briefly address the issue of the project selection process. I am appalled that some of my distinguished colleagues have suggested that the process in which we, in Congress select projects in our districts are more political and less objective. I want to state for the record that it is a known fact that the process in the States are no more objective and no less political than the process in Congress.

I applaud the House Committee on Public Works and Transportation for coming up with this bill, which I believe will address America's present and future transportation needs. I urge my colleagues to vote in support of this legislation.

Mr. SIKORSKI. Mr. Chairman, as one of many Members of the House who went before the Public Works Committee for assistance with a local transportation project, I rise in support of H.R. 3566 and object to unfair characterizations.

This landmark legislation contains $9 million to help fund a planned crosstown Highway 610 for the northern Twin Cities metropolitan area. When completed, Highway 610 will upgrade existing roads and provide a critical 11-mile east-west link between two interstates. The need for this highway was identified over 20 years ago by the local metropolitan planning organization. During the 20-year wait for funding, the area has grown rapidly. Existing roads in the corridor are congested and polluted, with double the traffic volume that was projected for 1990 just 6 years ago. Little wonder the roads are sometimes known as Minnesota's moving parking lot.

In spite of recent growth pressures, local governments have shown tremendous foresight in acquiring land for the project. Their hard work was largely responsible for establishing an innovative State program which provides highway right-of-way at one-tenth of previous acquisition costs. As a result of their efforts, all of the 610 right-of-way subject to imminent development has been acquired.

Support for the project has come from all sides and all levels—from the Governor of Minnesota, the Minnesota Commissioner of Transportation, 26 regional State legislators, more than a half-dozen area chambers of commerce, numerous county boards, and countless local lawmakers from the 19 area communities who represent more than 800,000 Minnesotans.

There is a legitimate need, strong support, and an appropriate Federal responsibility for projects like Highway 610 in this bill. This isn't pork-barrel, it's good government, responsive to the legitimate and important highway needs of the governed.

Mr. BERMAN. Mr. Chairman, I rise today to add my support for H.R. 2950, and to ac-

knowledge the outstanding work by the leadership of the Public Works and Transportation Committee in bringing this bold, innovative legislation to the House.

The committee has done an outstanding job in underlining the importance of American research and development in the area of transportation.

They point out that while competitors like Japan and Germany increased their transportation research and development budgets, our Federal spending in this area fell by some 40 percent in the last decade alone. It is appalling that American workers fail to benefit from manufacturing the transportation technology we pioneer but fail to bring to market.

This bill accelerates investment in the technology we need to solve our transportation problems rather than buying back perfected versions of U.S. technologies from abroad. I commend the committee's leadership for their responsible decisions here.

I am also proud to have sponsored a portion of the research title, title VI, which furthers these goals by creating a grant program to enable the research and development necessary to manufacture cleaner vehicles and transportation systems in the United States.

As I see it, manufacturing cleaner vehicles and transportation systems is an opportunity for this country to capitalize on its technological strengths and meet several goals—including cleaning up the air, reducing our dependence on foreign oil, and reemploying those aerospace and auto workers now idled by defense downsizing and competition from abroad.

My provision in part C would award at least three grants directly to research and development consortia ready to turn their expertise to the development of cleaner transportation.

Their aim would be to pool resources to bring our technology to the American consumer. Federal funds would play the role of seed money—to stimulate private investment.

I also strongly support the provisions in this bill which authorize funding for segment 3 of the Metro Red Line. The Red Line will be the spine of an integrated 300-mile transit system linking light, heavy, and commuter rail in Los Angeles.

Thanks to Federal support, my constituents in the San Fernando Valley will be able to reach Hollywood and downtown Los Angeles while avoiding L.A. gridlock and decreasing the amount of emissions spewed into our air each day.

I also want to commend the committee for authorizing $449 million for the application of intelligent vehicle highway systems to congested corridors nationwide.

Southern California is a leader in using these technologies to improve freeway efficiency, and I hope to work with the committee leadership and the Federal Highway Administration to ensure that we apply some of these innovative approaches to relieve the congestion which brings the Ventura Freeway to a standstill several times each day in the San Fernando Valley.

The investments we make or fail to make in our transportation infrastructure directly impacts the amount of toxins in our air, the amount of oil we have to import, and the number of jobs for Americans.

The taxpayers in my State have been willing to pay for improvements because this kind of spending brings results. In the past 16 months, the voters of Los Angeles County have approved three statewide and one county measure to provide rail bonds, a gas tax increase, and a doubling of our ½-cent county sales tax for transportation improvements and development of our Metro system.

I applaud the Public Works Committee for bringing us programs which will keep Americans mobile into the next century. State and local officials will have the flexibility and consistent funding matches they need to decide which types of spending their region needs most.

Mr. Chairman, H.R. 2950 provides a framework for our States and cities to rebuild our transportation infrastructure and to build new systems which will provide mobility, cleaner, air, and less congestion for future generations.

I strongly urge my colleagues to support this measure.

Mr. KYL. Mr. Chairman, I rise in opposition to the highway bill, particularly the extension of the 2.5-cents-per-gallon increase in the gas tax through 1999, and the numerous demonstration projects that are included.

My objection to the demonstration projects is really threefold. First, they are simply too costly. Second, the gas tax increase wouldn't be necessary were it not for the demonstration projects. And third, in many cases, these are projects that should really be funded by State and local governments, not the Federal Government.

According to the Department of Transportation, if the demonstration projects were costed out to completion, the total would be in excess of $22 billion, not the $5 billion identified in the bill which is really just to get the work on these projects underway.

Those projects will, therefore, consume all of the revenue that is expected to be derived from the extension of the gas tax increase—an estimated $14.1 billion between 1996 and 1999—and still fall about $8 billion short. If the pork were eliminated, the tax increase wouldn't be needed.

Now I am not suggesting that all of the projects in the bill are unnecessary. Some can't be undertaken without Federal support. For example, the Federal Government has a trust obligation to Indian tribes and, therefore, a responsibility to help develop Indian roads. The Federal Government doesn't have that same obligation with respect to some urban projects where it is really the State or local jurisdiction that should assume the cost.

And, there are a number of good things in this bill—a formula that treats donor states more fairly, and a National Highway System which gives State and local officials greater flexibility in establishing priorities to name just two.

But, the good in the bill is being jeopardized by the bad. The tax increase and the demonstration projects in particular are likely to draw a veto by the White House and delay further the enactment of a much-needed highway bill.

Passage of this bill has already been delayed too long. Let's take care of the problems now before a veto causes further delay.

Mr. RAMSTAD. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

I am pleased that the committee included funding for two vitally important transportation projects in Minnesota.

The first is the Bloomington Ferry Bridge, which ranks as Minnesota's highest priority river crossing. The Bloomington Ferry Bridge spans the Minnesota River and links Eden Prairie, Bloomington, and Shakopee; three of Minnesota's fastest growing cities which are located in one of the State's fastest growing areas.

Designed almost 100 years ago, the bridge was originally intended to support relatively sparsely populated areas. But as the suburbs have grown, the role of the bridge has grown into one of the most vital links between 14,500 daily suburban and outstate commuters and the Twin Cities.

Unfortunately, while the traffic stream has grown dramatically, the condition of the bridge has dramatically declined. In 1977, the bridge was severely damaged by a barge. A temporary bridge was then put in it's place.

However, that temporary bridge has proven terribly unreliable and inadequate. Almost every spring, the bridge floods out and commuters attempting to cross the bridge are forced to travel miles to two other already clogged arteries into the city. Unlike highways, there are no side roads or streets when bridges are involved. When the bridge is forced to close, there is simply no easy alternative for commuters.

The need for replacing this bridge is clear and obvious. The suburban communities have been forced to suffer year after year, as their communities increase in population and the bridge continues to deteriorate.

Second, I'm also pleased that the committee included funding for the new Highway 212, a high priority item to the residents of Eden Prairie, Chanhassen, and Chaska. This new four-lane limited access expressway is needed to connect rural Minnesota and the metropolitan area to relieve the existing heavy traffic burden in these suburbs. Currently southwestern Minnesota is the only region of the State not connected to the Twin Cities by a four-lane road. A new Highway 212 would ease traffic congestion, and improve safety and access.

In addition, because agriculture is the primary industry in Minnesota, it is vital and necessary to have good highways to get agricultural products and produce to principal markets, which are located in the Twin Cities and the eastern part of Minnesota. For these reasons, Highway 212 is designated as a heavy-truck artery in the Minnesota highway construction program and is essential to ensure a safe and efficient transportation system.

Again, I want to thank the chairman and ranking member of the Public Works and Transportation Committee for their leadership on this legislation and for recognizing the importance of these two projects.

Mr. GILCHREST. Mr. Chairman, I rise to discuss the Surface Transportation Infrastructure Act, H.R. 2950. It presents a historic shift in national transportation policy and sweeping changes in the way we build and pay for the Nation's roads, bridges and buses, and rail systems.

I support most of the major provisions of the bill and endorse its new and innovative framework. Much good and effective work has been

put into this legislation by all of those concerned.

Maryland, along with the entire Northeastern corridor, is changing rapidly. Supplying transportation facilities and services to meet the changes in a timely manner requires substantial financial, as well as human resources. Maryland's population has increased by nearly 500,000 people in the last 20 years to 4.7 million residents. During that same period, the number of employed rose from 2.1 to 2.6 million, a 24-percent increase.

H.R. 2950 offers Maryland substantial benefits to meet these changes. The nationwide funding levels are significantly higher than in previous years and the strong transit provisions meet the State's growing need to move people more efficiently. The bill authorizes $2.5 billion for highway and transit funding over the next 6 years. It provides $160 million for improvements to the Maryland Rail Commuter System including a possible extension to Waldorf and $50 million for the I–95 Woodrow Wilson Bridge for preconstruction activities.

I opposed the earlier version of this bill because it contained a 5-cent increase in the gas tax. I will reluctantly oppose this bill for the same basic reason—it is not fiscally responsible.

I base my decision on these three reasons:

The bill extends last year's gas tax increase, intended to be temporary, for an additional 4 years largely to fund special interest projects and other programs that should be reduced or eliminated. States should not be forced to come up with matching funds for projects low on their priority lists.

Second, funds are diverted for earmarked highway and transit projects that will be constructed without regard to whether they are the wisest investments. These 472 special highway demonstration projects will cost as much as $23 billion, funding projects that would probably not survive the normal process of selection on their merits.

Last, the authorization levels in the bill are excessive. While I am fully aware that the Nation's overall transportation infrastructure has been deteriorating, the highway and transit levels in the bill would be difficult to accommodate in the future-year appropriations bills. We can not do it all. Other important Federal programs require the same level of priority.

My opposition here relates to funding levels and funding diversions, not the revolutionary reordering of transportation policy which I support. The new blueprint set out in this bill makes good sense. It will strengthen the Nation's prosperity and its ability to compete in the global economy. But we need a fiscally responsible bill.

Ms. PELOSI. Mr. Chairman, I rise today in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. I commend Chairmen MINETA and ROE for their efforts in putting together this fiscally responsible multiyear authorization for our Nation's transportation system.

The bill authorizes $151 billion over the next 6 years for Federal highway, transit and transportation infrastructure projects. The bill doubles the Federal commitment to mass transit and gives States some added flexibility to decide how best to spend Federal transportation funds. While I believe that deteriorating air quality justifies even a greater expenditure on transit alternatives to the automobile, this bill goes farther in support of transit than any previous authorization.

Mr. Chairman, this bill is important for several reasons. It will enable us to modernize our transportation infrastructure which is critical to our ability to remain competitive in the global marketplace. It will give States more latitude to make transportation investment decisions based upon their particular needs. For California, this will mean flexibility to invest in mass transit and other transportation alternatives to reduce our reliance on the automobile and clean up our air.

The San Francisco Bay area has embarked on an ambitious program of mass transit development in order to ease highway congestion and improve air quality. This program is essential for relieving pressure on California's existing transportation infrastructure caused by rapid increases in population. I am pleased that the committee has authorized in this bill a multiyear funding contract for the completion of the Bay Area Rapid Transit [BART] to San Francisco Airport and for transit improvements in Santa Clara County. These projects are central to the bay area's integrated transportation plan which has been so carefully crafted by local and county governments.

For too long, we have been faced with the deterioration of our Nation's bridges and tunnels and confronted with their vulnerability to earthquakes. This bill renews our commitment to bridge replacement and repair and allows for seismic retrofits to enhance bridge safety during earthquakes. The bill also establishes a seismic research program to develop effective measures for improving the strength of bridges, tunnels, and highways to withstand earthquakes. In addition, the bill authorizes $7 million for preliminary work on the seismic upgrading of San Francisco's historic Golden Gate Bridge.

Mr. Chairman, last weekend the people of San Francisco commemorated the second anniversary of the devastating Loma Prieta earthquake. The quake was a tragic reminder of the importance of ensuring the seismic safety of our roads and bridges. On behalf of my constituents, I would like to thank the committee for authorizing seismic upgrades and retrofitting in this bill.

San Francisco Bay is a habitat for a wide array of waterfowl. Central to maintaining San Francisco Bay's waterfowl population is the preservation of wetland environments. The committee has included in this bill a provision that would enable Federal funding authorized under the new mobility programs to be used for the establishment of wetland mitigation banks. The concept of encouraging wetlands creation and mitigation is an important one. It is my hope that the committee will be able to refine this provision in conference in order to ensure that the integrity of local ecosystems is protected and that mitigation plans are not endangered by developer bankruptcies.

Mr. Chairman, H.R. 2950 is a comprehensive effort to bring America's transportation infrastructure into line with the needs of the 21st century. I applaud the committee for its work in crafting this important legislation and urge my colleagues to vote for it.

Mr. COLEMAN of Missouri. Mr. Chairman, as a member representing a donor State—Missouri—I rise today in support of H.R. 3566, the Intermodal Surface Transportation Act of 1991. This is vital legislation for the future of this country—for the economic development of communities in rural America, for the improvement of farm-to-market roads; for new jobs created by expanding businesses.

The bill contains important provisions to residents of Missouri. The apportionment formulas, which determine how much each State receives, are based on user items such as fuel usage, road miles, and vehicle miles of travel. This provides a fair national distribution of funds and provides donor States with a higher rate of return on their contributions to the highway trust funds. It is time to return Missouri transportation dollars to Missouri.

In addition, the bill retains a 90-percent minimum allocation, assuring States a return of 90 percent of their contributions to the trust fund, and spends down the highway trust fund. In the case of the State of Missouri we will eventually get back 100 percent of our contribution—a significant increase over current law. The legislation also establishes a 155,000-mile National Highway System, identifying major strategic roads nationwide—both rural and urban—which promote economic development by linking towns with airports, major cities, and other public transportation facilities.

I believe this bill takes many important steps regarding the ability of this country to compete worldwide, and I hope my colleagues will support H.R. 3566.

Mr. COOPER. Mr. Chairman, I strongly support the provision in the Intermodal Surface Transportation Act of 1991 which encourages all the States to pass mandatory automobile seatbelt and motorcycle helmet laws.

Right now only 18 States require helmet and seatbelt use. If all States passed those laws we could save thousands of lives each year and prevent tens of thousands of disabling injuries—injuries which are costing this Nation's taxpayers billions of dollars in medical costs.

Unfortunately, some opponents of these laws—especially opponents of helmet laws—have distorted the facts surrounding the issue. I would like to help set the record straight.

GAO REPORT

The General Accounting Office, in a study released in July 1991, and which I've recently distributed to all Members' offices, concluded that "motorcycle helmet laws save lives and reduce costs to society." According to the GAO, in States with helmet laws, nearly all riders wear helmets, compared with only 50 percent in States with minors-only or no helmet laws.

And those helmets save lives. The GAO says the best estimates are that there would have been 350 to 700 fewer motorcycle deaths last year if all motorcyclists had worn helmets. And besides the lives saved, there would have been countless injuries prevented. The long-term costs for head injuries easily exceed $100,000—with 60 to 80 percent of the costs paid by the public.

HELMETS WORK

Opponents of helmet laws try to show that helmets don't work. They often use as an example the relatively low fatality rates in some

States without helmet laws compared with some States which do have laws.

But that comparison isn't valid. For one thing, it doesn't take into account the different motorcycle riding seasons in different States. For example, North Dakota, which doesn't require all riders to wear helmets, has very few fatalities. But then again, very few people ride motorcycles during the North Dakota winter.

The correct comparison is to look at what has happened in individual States both before and after they enacted helmet laws.

On that the facts are clear: States which enacted helmet laws have experienced a drop in fatalities of 20 to 40 percent. And States which have repealed laws have seen fatalities shoot up. There is no question that helmets save lives.

EDUCATION IS ONLY PART OF THE PICTURE

Opponents of helmet laws also claim that motorcycle rider education—not laws—will reduce fatalities.

Education certainly is important. And the committee bill recognizes that fact by including $62 million in incentive grants to States with helmet and seatbelt laws. Those grants can be used by the States for safety education and training.

But even with the best rider education there will still be accidents. In fact, more than half of the accidents involving a motorcycle and another vehicle are the other vehicle's fault. Education won't save the life of a motorcyclist when a car makes a left turn in front of him. A helmet just might.

MINORS-ONLY LAWS DON'T WORK

Some opponents of helmet laws would like to have them apply only to minors. But according to the National Highway Traffic Safety Administration, "Simply put, partial laws don't work."

One of the reasons such laws are ineffective is that they are virtually impossible to enforce. In States with minors-only laws, only 50 percent of riders wear helmets—about the same as in States with no law at all. And since 90 percent of motorcycle fatalities are riders above the age of 18, "minors only" laws are almost completely ineffective in saving lives.

WIDESPREAD SUPPORT

Mr. Chairman, it's regrettable that a small minority are willing to distort the facts on this issue. Fortunately, most people know better. According to a recent Roper poll, 90 percent of Americans support or strongly support mandatory helmet laws.

The helmet-seatbelt provision enjoys the support of almost every major medical and insurance group in the Nation, and is supported by the National Association of Governors Highway Safety Representatives, which praised it for its treatment of State's rights.

I applaud the Committee on Public Works and Transportation for relying on the facts and including these important, life-saving provisions in the surface transportation bill.

Mr. WEISS. Mr. Chairman, I rise in strong support of H.R. 3566, the Surface Transportation Infrastructure Act. Let me begin by commending the distinguished chairman of the Committee on Public Works and Transportation, Mr. ROE, and the indefatigable chairman of the Subcommittee on Surface Transportation, Mr. MINETA, for their able leadership and perseverance in presenting us a transportation bill which takes America into the 21st century.

Mr. Chairman, our Nation's roads and bridges suffer from steadying decay and benign neglect. This deterioration was highlighted by the Transportation Department's latest report on the status of the Nation's highways and bridges, which notes that the cost of merely repairing existing deficiencies nears $500 billion. Unfortunately, to a large extent, Federal disregard is responsible for creating this state of emergency. Indeed, the gap between Federal highway and transit investment has been widening increasingly from a ratio of 2 to 1 in 1981 to 4.5 to 1 in 1991. Specifically, mass transit, which is of particular importance to the residents of New York City, has been cut by nearly 50 percent in real terms since 1981 as a result of Reagan and Bush administration policies.

H.R. 3566 offers a comprehensive and thoughtful remedy to reverse the Federal retrenchment of the past 10 years. H.R. 3566 provides a total of $151 billion for surface transportation over the next 6 years—$119 billion for highways and $32 billion for mass transit.

The measure replaces several existing Federal-aid highway programs with five new programs to address postinterstate needs, the centerpiece of which is a new 155,000-mile National Highway System. Other new programs include an Urban Mobility Program, a Rural Mobility Program, a State Flexible Program, and a combined Highway Safety Improvement Program.

Under the measure, States would have unprecedented flexibility to use Federal-aid highway funding for either highway or mass transit projects. The measure also increases from 75 to 80 percent the level of Federal cost-sharing for Federal-aid highway programs, and it retains the 90 percent Federal cost-sharing for projects to complete the Interstate System. The bill significantly increases mass transit funding over current levels, authorizing a total of $32.3 billion over 6 years for mass transit programs and increases from 75 to 80 percent the Federal share of capital grants for the construction or expansion of transit systems.

In addition, the bill authorizes $15.7 billion over 6 years for the existing bridge replacement and rehabilitation program. Under the program, funds are allocated to States for replacing and repairing bridges. The measure also modifies the existing metropolitan transportation planning process to focus planning on integrated, intermodal transportation strategies, and to strengthen the metropolitan planning organizations. To help States plan and design scenic byway programs, H.R. 3566 authorizes $10 million in fiscal year 1992 and $11 million per year thereafter for these important programs.

Most importantly, this measure satisfies our country's many transportation demands without proposing any new taxes and without touching general revenues. The bill derives its funding by extending for 4 years the 2.5 cents of the Federal gas tax enacted last year, which is deposited into the highway trust fund. This is by no means too much to ask to fulfill the needs of 250 million Americans living in congested urban areas, growing suburbs, and vast rural regions. I urge my colleagues to write a much-needed prescription for our country's infrastructure by supporting the Surface Transportation Infrastructure Act.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise today in opposition to the Intermodal Surface Transportation Reauthorization Act.

There is no doubt that keeping our roads and bridges safe and operating is in our best national interest. A solid infrastructure is critical to our economic viability and future.

But, Mr. Chairman, this bill veers through the guardrail of fiscal responsibility. It takes a detour paved with more taxes on the very people it seeks to help—the American taxpayer.

This bill would extend last year's 2½ cent increase in the motor fuels excise tax for an additional 4 years. Extending the gas tax will not benefit this Nation.

It will merely add to the tax burdens on working men and women who rely on their cars to commute, and further penalize commercial carriers who are already on the margin. The gas tax will only deter growth to our economy.

Who will this tax hurt the most? Will it hurt those who cross the street in stretch limousines? No. It will hurt those workers on limited incomes, who are cutting every corner to make ends meet.

Most troubling is where some of this tax money will be targeted. Mr. Chairman, I would not be one to begrudge a public expenditure when there is a demonstrated need. There are hundreds of roads and bridges hanging by a rusting bolt or shot full of potholes in this country.

But this gas tax will partially subsidize special projects around our Nation. They are special projects because they require a special type of justification. Thirty percent of the $5 billion subsidizing these projects will go to four States. These projects are not essential to the surface transportation needs of this country. They are pork, and the American taxpayer has to foot the bill.

I would hope that we can come up with meaningful legislation to address highway reauthorization that is within our budget and which does not sideswipe the American taxpayer. Until that time I am in opposition to H.R. 2950.

Mr. STOKES. Mr. Chairman, I rise today in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. This bill will make sweeping changes in our Nation's transportation policy as we look toward the 21st century. I commend my colleague, Chairman ROE, for his tireless efforts in bringing to the floor a bill which recognizes the dual needs for greater equity and greater flexibility in transportation funding.

H.R. 2950 authorizes $151 billion for the next 6 years to improve the Nation's surface transportation infrastructure. The bill modernizes the formulas used to distribute highway trust fund moneys, and contains substantial increases in funding for both highway and mass transit programs, to help meet the growing need for infrastructure improvement.

Mr. Chairman, our Nation has failed to make the needed investment over the last two decades in our basic public facilities, such as

roads, bridges, airports, rail and mass transit systems, municipal water systems, and sewage treatment facilities. The evidence of our neglect is all around us, and seriously threatens not only our health and safety, but our economic competitiveness. Currently, 39 percent of the Nation's bridges are rated deficient. More than 60 percent of the miles of paved highways in the United States need some form of surface rehabilitation or repair. Congestion is a pervasive problem in our cities. Almost 70 percent of daily peak-hour travel on the urban Interstate System in 1989 occurred under congested conditions. By the year 2005, traffic delays caused by inadequate roads will cost the Nation $50 billion a year in lost wages and wasted gasoline.

H.R. 2950 takes steps to correct this failure to properly invest in our Nation's infrastructure. This bill would authorize $32 billion for mass transit repairs and construction, and would increase highway construction spending by over 40 percent. In addition, State and local officials would be granted unprecedented flexibility to transfer funds between programs to meet particular local needs and priorities.

H.R. 2950 also addresses a serious problem that has plagued my own State of Ohio, as well as a number of other States for many years. That problem is the lack of equity in allocation of highway funds. Ohio, and 18 other States, are so-called donor States, which is to say that Ohio receives less money from the Federal Government for highway programs than the State contributes in tax revenues.

Under the previous Surface Transportation Act authorization, donor States were guaranteed a minimum allocation of at least 85 cents on every dollar contributed to the Federal highway trust fund. H.R. 2950 recognizes the need for greater equity in highway funding by increasing this percentage to 90 cents on the dollar for every dollar contributed by donor States.

Mr. Chairman, H.R. 2950 takes a giant step toward meeting the daunting infrastructure needs of our Nation, maintaining the economic competitiveness of American business, and creating thousands of good jobs. I urge all my colleagues to support H.R. 2950.

Mr. OWENS of Utah. Mr. Chairman, I am aware of the urgent need to move comprehensive, long-term transportation legislation. The repair and modernization of our deteriorating transportation infrastructure cannot be put on hold indefinitely. America's roads need rebuilding, our bridges need repair and our urban areas need expanded mass transit options to alleviate the crushing problems of congestion and unhealthy air. Renewed investment in these areas is without doubt of critical importance to the Nation's economic health and to our future.

However, I am compelled to weigh the urgency of immediate action against the need to pass legislation which meets our Nation's transportation needs as broadly and responsibly as possible. I am frustrated and disappointed by the bill which is before us today. It is, in my view, fundamentally flawed. The bill would distribute highway trust fund moneys to States largely on the basis of fuel consumption and vehicle miles traveled. This represents a painful step back from previous national policy, which has long been predicated on the realization that the Nation's best interests lie in ensuring strong transportation links which serve all of our communities in every State, including the less populous.

The potential impact on Utah illustrates the problem. Utah has historically experienced a favorable rate of return with respect to Federal highway funding, which makes absolute sense given that so much of our State is rural or consists of public lands. It is an incontrovertible reality that people who travel within and through the State and across the United States must cross these vast open areas. The roads which serve these areas have to be maintained if we are to respond to the economic and social necessity of moving people and goods throughout the country. But, with a smaller population base relative to the great distances which our roads must span, Utah, and all who travel through our State, would be at a very serious disadvantage under the proposed formula. If this bill becomes law, Utah will be reduced more than 50 percent of current payments, donor to about 82 cents for every tax dollar we contribute to the Federal Government's highway trust fund. I simply cannot support legislation which would have such a devastating effect.

I have heard it said, erroneously, that with the virtual completion of our Interstate System there is no longer sufficient need or justification for distributing funds so as to give Utah or other largely rural States a helping hand. But building the system is only the beginning—maintaining it afterwards in its entirety is equally vital. Adoption of the proposed formula would be comparable to leaving some riders behind, perhaps to drown, while switching horses in midstream. I simply cannot condone such national shortsightedness.

Less populous States such as Utah unfortunately lack the sheer numbers to protect themselves in the House of Representatives. In the event that this measure passes the House, we must direct our hopes to the Senate, and especially western Senators, to guard our vital interests. It is increasingly up to the Senate to do the job of protecting the less populous States.

Our Nation's highways provide indispensable economic and social links between our rural and urban citizens. It would be unconscionable and ultimately a loss to us all if, as we move our transportation infrastructure into the 21st century, we were to leave any part of America behind.

Mr. MILLER of California. Mr. Chairman, I would like to address some points in the current Intermodal Surface Transportation Infrastructure Act of 1991 that have created some confusion in my district.

The Intermodal Surface Transportation Infrastructure Act of 1991 includes in section 120 a change of law regarding the allowability of funding for projects involving tolls. The bill includes a provision for a new toll facilities program in which the State is permitted to use its Federal funds for the construction or expansion of toll highways, bridges, or tunnels. If the State so approves, up to 35 percent of the total cost of the project may be funded by Federal moneys, whether the project is publicly or privately owned.

Using Federal moneys already committed to the State to facilitate the creation of roads is an idea to be encouraged. Utilizing additional funding sources can help circumvent the constraints that the budget shortage places on our highway and road systems. At a time in which transportation demands ranging from urban congestion relief to seismic-related repairs are so great and the budget resources so small, an incentive which encourages private developers to construct roads, or which eliminates the final financial obstacle necessary to get a project over the finish line, is welcome. This new provision allows that incentive if the State so chooses.

It should be clearly noted that the local agencies and governments play the deciding role in whether or not these Federal funds are used for a toll road that affects the local community and affects the State only indirectly.

In my district of Contra Costa County, CA, the proposed Mid-State Toll Road has caused a considerable amount of concern. In our rapidly expanding area, issues of land-use and development are ones of greater importance and undergo tremendous scrutiny. There is great concern among many people that the possible construction of this toll road could open up one of the last rural areas is our county for development. In addition, proposals by some developers, as well as by local officials, that part of the necessary additional funding be paid for by local impact taxes has fueled an already heated debate. And lastly, many environmental questions are being raised such as whether or not the road might affect wetlands.

I am elaborating on these concerns to highlight the fact that each individual toll project that becomes a beneficiary of State designated Federal funds is a battle that is eventually fought on local fields. It is because this is true that the language in H.R. 2950 is so important.

It is important to clarify that section 111 says that while the State may allocate Federal funds to a toll project, no project is eligible for Federal funding if it is not part of a regional transportation plan, or, as it is called in H.R. 2950, a transportation improvement program [TIP]. This regional TIP is one developed by the designated metropolitan planning organization [MPO] under section 134. When considering its State TIP, the State, therefore, may not circumvent the regional transportation authority and planning process. In summary, a project included in the STIP but not in the RTIP is ineligible for Federal funding.

The onus is therefore placed on the MPO to determine the acceptability and desirability of the road. If the regional transportation authority decides that the toll road proposal before them is not acceptable for any number of possible reasons, it will not be part of their regional transportation plan. Under no circumstances will any Federal funds be released for the project as a result. The State is free to consult and attempt to compromise with the MPO, but not to have the final word.

As we meet here today, the Bay Area Metropolitan Transportation Commission is preparing a series of public forums where representative groups will testify as to the desirability of the Mid-State Toll Road. MTC will hear from environmental groups, developers proposing the road, and local officials. Under this bill it should be understood, only if MTC

includes the road in the RTIP will the project then be eligible for up to 35 percent of Federal funds.

I am hopeful that this constraint on the use of Federal funds for toll roads will clear up some of the concern and confusion centered around this particular road and prevent problems from arising around future toll roads in other States. Prior to this bill Federal moneys were used in the construction of a toll facilities program only if they were applied for as an exception. The process was then a long and complicated one, resulting in only a handful of projects ever receiving Federal funding. As we now make all toll projects in all States intentionally eligible for funding, we have a responsibility to ensure that the facility has undergone the proper scrutiny and cleared the planning approval procedure. In this case, inclusion in the regional transportation improvement plan alone is that procedure.

Mr. Chairman, I also want to extend my thanks to the chairman of the Subcommittee on Surface Transportation, Mr. MINETA, and the chairman of the Public Works and Transportation Committee, Mr. ROE, for including $2.1 million in this bill to help support the Richmond Parkway Interchange on Interstate 80 in Contra Costa County, CA.

The Richmond Parkway Interchange is a critical feature of the Richmond Parkway that will provide a critical connection between I–80 and the San Rafael bridge. This project is being financed by local and private money, and will have a dramatic effect on reducing congestion at street traffic and in stimulating economic development in this high unemployment area of my district. The total cost of the project is nearly $24 million, and so it is evident that only a very small portion of the overall funding is being requested from the Federal Government.

I–80 is the most congested freeway in the Bay Area. The daily delays on this road cost us hundreds of millions of dollars a year in lost productivity, as well as contribute to air pollution and gasoline consumption. Construction of the Richmond Parkway Interchange will relieve a great deal of heavy truck traffic and will complement the Knox Freeway connection to the bridge from the south.

I hope my colleagues will join me in supporting funding for this important local project.

Mr. SCHEUER. Mr. Chairman, I rise in strong support of the Surface Transportation Infrastructure Act, in large measure because it will make a greater amount of resources available for mass transit.

Transit options present the best opportunity for handling our growing transport needs in a cost-effective and environmentally sound manner.

Under this legislation, two-thirds of flexible highway program funds may be transferred to mass transit at the discretion of State and local officials. In addition, States can transfer up to 35 percent of their National Highway System funds to mass transit.

Mr. Chairman, the bill is downright more fair to mass transit options in comparison to the Bush administration's original proposal. Under that plan, transit funding would have been greatly reduced, forcing fare increases in cities like New York.

What we have here, Mr. Chairman, is legislation that gives us an opportunity to get back to the business of building and maintaining our transit systems and roads, rather than neglect them, as the past two administrations would have us do.

Mr. ORTON. Mr. Chairman, I would like to thank the chairman and other members of the committee for their hard work in putting together a badly needed transportation bill. I also worked hard during the developmental stages of this bill to include a special demonstration project for Utah County in my home district, the Third District of Utah.

Unfortunately, the recommended apportionments of this bill benefit the more populated States of this country at the expense of the more rural States like my home state of Utah. The combined effect of increased motor fuel taxes over recent years and diminished Federal assistance creates a situation that cannot be tolerated. Due to this inequity, and in spite of the special project for Utah County, the Governor of the State of Utah has requested that this bill be voted down. Because of the potential for doing more harm than good for my home district, I must agree with the wishes of the Governor and respectfully vote no on this bill.

Mr. HOAGLAND. Mr. Chairman, as the House of Representatives today debates H.R. 2950, the Intermodal Surface Transportation Infrastructure Act, I want to explain why I will vote "aye."

The bill before us revamps the Nation's highway funding program, emphasizing the national interconnectedness of all transportation modes. Most important, the bill represents a serious commitment to rebuild, upgrade and repair an aging highway system, creating 2 million jobs.

The bill has many pluses. The threatened hike in the gas tax by 5 cents—on top of last year's increase of 5 cents—has been eliminated. Instead, the bill spends down the highway trust fund from an estimated $11.4 billion to $2.3 billion over 5 years in order to use the money for what it was intended—to strengthen this Nation's transportation infrastructure. The bill also creates a 155,000-mile National Highway System, made up of the current Interstate System and other primary highways, which will receive almost half of the $119 billion in highway funds. There is increased funding of $15.7 billion over 6 years to replace and rehabilitate bridges, hundreds of which are in desperate need of repair or are considered unsafe.

The Public Works Committee has included $6.1 million for widening Omaha's West Dodge Road, the major east-west thoroughfare through our city. This project, requested by Omaha public works officials and labeled a "priority project," will relieve congestion and streamline the movement of goods, services and people though our city, a major Midwest commercial center. This project has been the subject of three studies by highway officials who concluded that the only viable solution for relieving congestion is to reconstruct the entire corridor with six through lanes.

The Department of Transportation estimates that this project will create 337 jobs in Omaha.

Those are the pluses.

What are the negatives?

My major reservation about this bill is the funding formula, especially in comparison with the Senate bill. Even though Nebraska will receive more money under this bill than under current law—$153 million per year versus $110 million now—the funding formula used to determine how much each State will receive, gives greater weight to mass transit and urban congestion relief rather than what is called vehicle miles traveled [VMT]. For Midwestern, largely rural States like Nebraska, with long expanses of highway requiring people to drive long distances, this formula is not advantageous. Increasing the minimum allocation to so-called donor States—those States that pay more money into the trust fund than they get back—from 85 percent to 90 percent hurts States like Nebraska which is not a donor State and, therefore, does not benefit. In sum, Nebraska receives a smaller percentage total highway funds under the formula in the House bill than it would receive if the Senate formula were used.

The Senate bill is far preferable because it gives greater recognition to the traveling realities of Nebraska and other Midwestern States. States like Nebraska function as bridges providing connecting links between distant metropolitan areas such as the Great Lakes and Pacific Northwest or the Northeast and California.

I will not, however, have an opportunity to vote on the Senate bill. I will vote for this bill today to advance it to the joint House-Senate conference and will urge House conferees to move toward the Senate approach. The generous funding formula of the Senate bill is especially justified as national policy for Nebraska, which has become a major route for interstate commerce across the country.

In short, this bill is a mixed blessing. For my constituents, it offers help to improve West Dodge Street. For many Americans, it offers jobs. For all of us, it upgrades a deteriorating national transportation system. I hope that in conference the House Members of the conference will support a funding formula that treats Nebraska more fairly.

Mr. HAYES of Louisiana. Mr. Chairman, I join with my colleague from Tennessee, Mr. DUNCAN, in commending the leadership of the Committee on Public Works and Transportation for including a Private Sector Involvement Program in H.R. 2950.

When wondering how the Federal Government got to the point to where it is running an annual deficit of more than tens of billions of dollars and a national debt of a trillion dollars, as well as how numerous States have found themselves in arrears, one need only look at the proliferation of activities in government agencies which duplicate and compete with capabilities in the private sector. Each year, government spends billions on goods and services that can be contracted out to qualified and capable firms, particularly small business.

Over the years, government agencies have, with inpunity, built in-house capabilities that duplicate the private sector. Congress has failed in its oversight responsibilities and permitted this buildup to occur. Now, Mr. Chairman, it is time for Congress to just say "no." No matter how well intended these capabilities were when created or how popular they are now, we must put a stop to this pervasive practice.

To understand just how extensive the trend of government duplication has become, one

need look at something as simple and common as surveying and mapping. You can go into any parish in Louisiana, or any county in the Nation and you will find a private professional surveyor's firm within a 5-minute walk of the courthouse. Yet, the Federal Government spends over $1 billion each year on surveying and mapping activities and contracts out less than 5 percent of that work. Meanwhile, there are more than 6,000 surveying firms and 250 mapping firms ready, willing, and able to do this work. In the highway program in 1989, for example, $457 million in Federal funds were spent by the States for engineering, surveying, and mapping services, but just 41 percent, or $188 million, was contracted. It just doesn't make sense for government agencies to have a capability that is available from the private sector.

I am convinced that the engineering, surveying and mapping firms of the United States can save tax dollars and help us reduce government deficits by working under a contract with Federal and State highway agencies. I believe the engineering, surveying and mapping firms in Louisiana and other States can do as good a job, if not better, of designing, surveying and mapping our highways as the Government. The Private Sector Involvement Program included in this bill at the urging of Mr. DUNCAN and myself finally addresses this issue. It creates more contracting opportunities in the engineering and design field, including surveying and mapping. The Secretary of Transportation will evaluate the efforts of each State and award bonus grants to those which have implemented the most effective programs for contracting any category of engineering and design services described in section 112(b)(2) of title XXIII, United States Code.

This provision is fair to both those States that need to better utilize the private sector, and those, like my State of Louisiana, which are already significantly contracting their engineering-related activities. For example, between 1979 and 1989, Louisiana contracted to the private sector an average of 96.9 percent of its Federal highway funds for preliminary engineering. We in Louisiana are very proud of the exemplary role our State has played in contracting out for these services to the private sector, and I am also very pleased that the State is working to increase this percentage. By maintaining this exemplary performance, and making efforts to increase the percentage, Louisiana could be eligible for a Private Sector Involvement Program grant.

Many State highway departments have purchased and maintain airplanes and aerial cameras for mapping-related aerial photography, global positioning system [GPS] satellite surveying receivers, aerial photo processing laboratories, steroplotter mapping computers, and other expensive equipment that is already part of the capital investment made by private firms. Moreover, these agencies compete with the private sector for the skilled and trained personnel needed to operate this sophisticated technology. This is an unnecessary duplicate of the private sector and I would urge every State highway department to look to the private firms for such services in lieu of a continued inhouse buildup. Very simply, relying on the private sector for these mapping services leaves more money in the budget for actual road construction.

In the 1990 Federal budget, it was noted that contracting to the private sector "is an important management tool to raise productivity, cuts costs and improve the quality of Government services—the advantages of which we are—efficiency, quality and innovation in the delivery of goods and services * * * specific areas where the Government could place greater reliance on private sector providers include * * * map-making activities." the Hayes-Duncan provision is a major step toward implementing this initiative.

I appreciate our committee leadership's willingness to consider this provision and to include this important and innovative approach to economy in government in this bill.

Mr. ROYBAL. Mr. Chairman, I wish to express my support for H.R. 2950, the Intermodal Surface Transportation Assistance Act. This legislation provides flexibility for State and local officials to transfer highway funds to mass transit in areas such as Los Angeles, where highway spending is clearly not the answer to congestion and gridlock. I want to give my support to the provisions of this bill which authorize the construction of the third segment of the Los Angeles Metrorail Red Line project, and in particular, the east side extension. This extension to east Los Angeles will provide a much needed means of transportation to neighborhoods that have been vastly underserved in the past. As a representative of a district that is very dependent on public mass transit systems, I feel that this legislation strongly addresses the specific transportation needs of all segments of the diverse communities that make up the Los Angeles area. In addition to the transportation benefits derived by our citizens, this legislation will play a vital role in relieving the problems of air quality and congestion that plague our area. I am proud to lend my support to an initiative that is of such critical importance to both my constituents and residents of Los Angeles.

Mr. MFUME. Mr. Chairman, I rise in support of the Intermodal Surface Transportation Act. The surface transportation bill is a bill that America needs to enhance our ailing infrastructure and create and maintain many jobs within our respective districts and States.

Mr. Chairman, I have heard people say that their is a lot of pork in this legislation. Specifically, the gentleman from Indiana has suggested that a demonstration project in my district is pork without looking at the merit of the program or the significance of this legislation.

The project in my district is specifically designed to spur urban revitalization, commercial development and increase residential home ownership. My friend from Indiana stated that the project for Baltimore is for garbage removal which is a local issue. Nowhere in this legislation does it state that Project Vision for Baltimore is for the removal of garbage and I deplore the gentleman from Indiana for minimizing the intent and importance of this project and the overall surface transportation bill.

Mr. Chairman, I echo the eloquent remarks of Chairman ROBERT ROE, that many lies and misconceptions have been told about this bill. This bill has provisions which work for all people in America and should not be mislabeled as pork.

Mr. Chairman, I encourage my colleagues to support this legislation and hope that we can conclude the proceedings on this bill this evening and pass a much needed transportation bill for the citizens of this great Nation.

Mr. FAZIO. Mr. Chairman, as many people throughout the country are stranded by commuter gridlock, as our Nation's highways, bridges, and roads crumble, and as our economy continues to be sluggish, Congress is today poised to take a bold step to address these problems. I want to commend the Public Works and Transportation Committee, and particularly Chairman ROE, Chairman MINETA, and the ranking members, Representatives HAMMERSCHMIDT and SHUSTER, for the outstanding job they and their staffs have done in crafting this well-balanced and forward-looking bill.

Mr. Chairman, our country cannot have a strong economy without a safe, efficient and modern system of highways and mass transit systems. It will require a large investment over the next several years to ensure that such a system is in place.

Every economist agrees that investment in public infrastructure results in direct and tangible improvements in our Nation's economic productivity. Some estimates suggest that the $151 billion we plan to invest in our economy by enacting H.R. 2950 will create as much as 1 million jobs each year through 1996. This job growth rate is in stark contrast to the reduction of 300,000 jobs our country has experienced since President Bush took the oath of office.

President Bush has recently stated over and over again that he wants an economic growth package to reinvigorate the economy and create new jobs. Today, we have an opportunity to do just that. What is more, we can do this with no new taxes. Yet, despite the fact that we will create several million jobs by passing the transportation bill, the President has indicated that he will veto this legislation.

Where is the logic? On the one hand, the President wants to create jobs and improve economic productivity. But, at the same time, he says that he will veto this transportation bill which will achieve both objectives.

Mr. Chairman, this highway bill is something that has tangible results. Americans all over the country will see firsthand the improvements in their local roads, in mass transit systems, in the air they breathe, and in their overall quality of life.

H.R. 2950 is one of the most vigorous economic growth initiatives that Congress has considered in recent years. This measure will help prepare the way for making the capital improvements our country needs to be more competitive, productive and efficient in international markets. I strongly urge my colleagues to join me in supporting this important legislation.

My Republican colleagues have been taking to the floor to register their outrage with what they call pork in the surface transportation bill.

The fact is that these projects are about jobs, not waste. Congress has funded 273 highway demonstration projects over the last 10 years, covering virtually the entire country. Those projects alone may have created as many as 140,000 jobs across America.

For the benefit of my colleagues, I want to insert into the RECORD a State-by-State break-

down of the number of jobs created by each project funded by Congress over the last decade, and by each project in this year's bill.

The projects and project costs provided in the following pages were provided by the Department of Transportation.

The facts are clear: those who cry pork risk sacrificing needed jobs for their States.

Demonstration jobs created by projects funded by Congress, 1981–91

ALABAMA

Project cost:	
1989	$20,323,000
1987	16,753,795
1987	11,966,997
Total for State	$49,043,792
Estimated number of jobs created in State	2,452

ARIZONA

1991	$4,684,000
1991	10,625,000
1989	3,500,000
Total for State	$18,809,000
Estimated number of jobs created in State	940

ARKANSAS

1991	$637,500
1991	2,125,000
1991	8,500,000
1987	6,781,298
1987	35,900,989
1987	1,595,600
1987	9,812,936
Total for State	$65,353,323
Estimated number of jobs created in State	3,268

CALIFORNIA

1991	$200,000
1991	1,275,000
1989	3,960,000
1988	1,900,000
1987	2,450,000
1987	23,136,192
1987	23,136,192
1987	5,983,498
1987	10,371,397
1987	6,382,398
1987	2,473,180
1987	59,037,181
1987	8,376,899
1987	19,147,194
1987	718,019
1987	14,998,635
1987	3,191,199
1987	4,786,797
1987	2,393,399
1987	6,382,398
1986	22,461,000
1982	58,000,000
1982	9,000,000
Total for State	$289,760,578
Estimated number of jobs created in State	14,488

CONNECTICUT

1987	$3,071,529
1984	500,000
Total for State	$3,571,529
Estimated number of jobs created in State	179

DISTRICT OF COLUMBIA

1987	$750,000
1987	6,382,398
1981	40,000,000
1981	20,000,000
Total for State	$67,132,398
Estimated number of jobs created in State	3,357

FLORIDA

1991	$3,692,000
1991	5,950,000
1991	1,700,000
1989	2,600,000
1988	17,288,000
1987	8,217,338
1987	11,169,197
1987	10,929,856
1982	23,000,000
1983	30,200,000
Total for State	$114,746,391
Estimated number of jobs created in State	5,737

GEORGIA

1991	$1,675,000
1987	53,053,683
1987	19,944,994
1983	5,000,000
Total for State	$79,673,677
Estimated number of jobs created in State	3,984

OHIO

1987	$18,349,394
1982	8,500,000
Total for State	$26,849,394
Estimated number of jobs created in State	1,342

ILLINOIS

1991	$430,000
1991	1,500,000
1991	3,000,000
1990	1,595,310
1987	2,393,399
1987	9,574,597
1987	9,638,221
1987	1,561,771
1987	1,755,160
1987	27,125,192
1982	98,925,000
Total for State	$157,497,650
Estimated number of jobs created in State	7,875

INDIANA

1991	$170,000
1991	1,190,000
1991	2,125,000
1989	5,928,000
1987	4,491,613
1987	31,911,990
1982	19,000,000
Total for State	$64,816,603
Estimated number of jobs created in State	3,241

IOWA

1991	$5,100,000
1991	3,400,000
1991	8,500,000
1991	1,488,000
1991	2,550,000
1991	106,000
1990	2,792,000
1989	11,558,000
1987	7,180,197
1987	31,911,990
1987	2,154,069
Total for State	$76,740,256
Estimated number of jobs created in State	3,837

KANSAS

1991	$9,265,000
1991	3,693,000
1990	399,000
1990	3,200,000
1987	7,180,197
1987	20,742,794
Total for State	$44,479,991
Estimated number of jobs created in State	2,224

KENTUCKY

1989	$11,933,000
1988	14,801,000
1987	7,180,197
1987	11,169,197
1987	11,966,997
1982	52,000,000
Total for State	$109,050,391
Estimated number of jobs created in State	5,453

LOUISIANA

1987	$2,500,000
1987	4,786,797
1987	8,616,237
1987	598,350
1987	4,707,018
1987	4,148,559
1987	1,994,499
1987	1,994,499
1982	5,000,000
Total for State	$34,345,959
Estimated number of jobs created in State	1,717

MAINE

1987	$23,933,992
Total for State	$23,933,992
Estimated number of jobs created in State	1,197

MARYLAND

1987	$446,768
1987	2,473,180
1987	2,058,323
1987	6,877,034
1987	4,308,118
1987	6,829,166
1987	3,175,243
1987	2,074,281
1981	20,000,000
Total for State	$48,242,113
Estimated number of jobs created in State	2,412

MASSACHUSETTS

1991	$3,360,000
1991	255,000
1987	2,792,299
1987	3,191,199
1987	797,800

1987	11,650,000
Total for State	$22,046,298
Estimated number of jobs created in State	1,102

MICHIGAN

1991	$5,374,000
1991	2,125,000
1991	850,000
1991	2,975,000
1989	14,059,000
1989	14,557,000
1988	475,000
1987	28,559,000
1987	1,755,160
1987	31,911,990
1985	12,000,000
Total for State	$114,641,150
Estimated number of jobs created in State	5,732

MINNESOTA

1991	$106,000
1991	1,700,000
1987	3,988,999
1987	2,074,281
1987	3,614,032
1987	1,196,699
1987	797,800
1987	25,848,712
Total for State	$39,326,523
Estimated number of jobs created in State	1,966

MISSISSIPPI

1991	$637,500
1991	1,700,000
1991	255,000
1990	2,692,086
1987	61,890,000
1987	16,418,719
1983	33,000,000
Total for State	$116,593,305
Estimated number of jobs created in State	5,830

MISSOURI

1987	$35,900,989
1987	8,775,797
1987	11,966,997
1987	10,371,397
Total for State	$67,015,180
Estimated number of jobs created in State	3,351

MONTANA

1991	$4,462,000
Total for State	$4,462,000
Estimated number of jobs created in State	223

NEBRASKA

1987	$2,154,059
Total for State	$2,154,059
Estimated number of jobs created in State	108

NEVADA

1991	$2,550,000
1990	2,193,000
1987	9,334,257
1987	7,180,197
1987	4,786,798
Total for State	$26,044,252
Estimated number of jobs created in State	1,302

NEW HAMPSHIRE

1991	$1,700,000
1988	7,933,000
Total for State	$9,633,000
Estimated number of jobs created in State	482

NEW JERSEY

1991	$1,488,000
1988	49,950,000
1987	39,889,987
1987	15,955,995
1987	1,595,600
Total for State	$108,879,582
Estimated number of jobs created in State	5,444

NEW MEXICO

1990	$1,495,603
1987	5,600,000
1987	31,911,990
1984	54,403,000
Total for State	$93,410,593
Estimated number of jobs created in State	4,671

NEW YORK

1991	$425,000
1991	1,700,000
1991	4,250,000
1990	36,940,000
1989	2,600,000
1987	37,755,000
1987	9,972,496
1987	7,778,547
1987	6,382,398
1987	6,382,398
1987	1,595,600
1987	4,786,798
1987	6,382,398
1984	500,000
Total for State	$127,450,635
Estimated number of jobs created in State	6,373

NORTH CAROLINA

1987	$14,360,396
Total for State	$14,360,396
Estimated number of jobs created in State	718

NORTH DAKOTA

1987	$1,436,040
1987	957,360
1987	2,393,399
1987	2,951,859
1987	2,233,839
1987	4,707,018
1987	638,240
1987	797,800
1987	638,240
1987	1,276,480
1987	628,240
1987	1,276,480
1987	478,680
1987	6,462,178
1982	4,500,000
1985	1,750,000
Total for State	$33,135,853
Estimated number of jobs created in State	1,657

OHIO

1991	$2,550,000
1991	1,700,000
1987	6,382,398
1987	15,956,000
Total for State	$26,588,398
Estimated number of jobs created in State	1,329

OKLAHOMA

1991	$1,275,000
1991	2,550,000
1989	2,887,000
1986	3,237,000
Total for State	$9,949,000
Estimated number of jobs created in State	497

OREGON

1987	$1,994,499
Total for State	$1,994,499
Estimated number of jobs created in State	100

PENNSYLVANIA

1991	$1,275,000
1991	1,700,000
1991	1,360,000
1991	3,400,000
1991	17,000,000
1991	5,100,000
1990	13,699,000
1989	13,136,000
1988	5,468,000
1987	8,775,797
1987	4,387,899
1987	71,801,977
1987	4,786,798
1987	4,387,899
1987	10,690,517
1987	574,416
1987	7,977,997
1987	7,180,198
1987	3,988,999
1982	$77,000,000
Total for State	$263,690,497
Estimated number of jobs created in State	13,185

RHODE ISLAND

1987	$3,191,199
1987	3,031,639
Total for State	$6,222,838
Estimated number of jobs created in State	311

SOUTH CAROLINA

1991	$337,000
1987	31,911,990
Total for State	$32,248,990
Estimated number of jobs created in State	1,612

SOUTH DAKOTA

1987	$2,393,399

1987	7,419,539
1987	6,015,410
Total for State	$15,838,348
Estimated number of jobs created in State	791

TENNESSEE

1991	$730,000
1991	4,250,000
1989	2,000,000
1987	3,988,999
1987	15,955,995
Total for State	26,924,994
Estimated number of jobs created in State	1,346

TEXAS

1991	$1,445,000
1989	3,000,000
1987	4,786,798
1987	2,393,399
1987	31,911,990
1986	4,000,000
Total for State	$47,537,187
Estimated number of jobs created in State	2,377

UTAH

1991	$2,550,000
1991	4,250,000
Total for State	$6,800,000
Estimated number of jobs created in State	340

VERMONT

1991	$170,000
Total for State	$170,000
Estimated number of jobs created in State	9

VIRGINIA

1989	$12,354,000
1987	750,000
1987	3,191,199
1987	11,966,997
1981	20,000,000
Total for State	$48,262,196
Estimated number of jobs created in State	2,413

WASHINGTON

1991	$3,400,000
1991	2,550,000
1988	2,470,000
Total for State	$8,420,000
Estimated number of jobs created in State	421

WEST VIRGINIA

1991	$10,000,000
1991	42,500,000
1991	510,000
1990	43,245,000
1989	99,172,000
1987	14,041,275
1987	1,595,600
Total for State	$211,063,875
Estimated number of jobs created in State	10,553

WISCONSIN

1991	$10,200,000
Total for State	$10,200,000
Estimated number of jobs created in State	510

NOTE.—Job creation formula provided by the House Public Works Committee. Projects and project costs provided by the Department of Transportation.

Demonstration jobs created by projects funded by Congress, 1992

ALABAMA

Project cost:	
1992	$100,100,000
Estimated number of jobs created in State	5,005

ARIZONA

1992	$14,400,000
Estimated number of jobs created in State	720

ARKANSAS

1992	$330,400,000
Estimated number of jobs created in State	16,520

CALIFORNIA

1992	$98,300,000
Estimated number of jobs created in State	4,915

COLORADO

1992	$3,400,000
Estimated number of jobs created in State	170

CONNECTICUT

1992	$20,200,000
Estimated number of jobs created in State	1,010

DISTRICT OF COLUMBIA

1992	$25,700,000
Estimated number of jobs created in State	1,285

FLORIDA

1992	$96,870,000
Estimated number of jobs created in State	4,844

GEORGIA

1992	$81,000,000
Estimated number of jobs created in State	4,050

IDAHO

1992	$18,200,000
Estimated number of jobs created in State	910

ILLINOIS

1992	$284,840,000
Estimated number of jobs created in State	14,242

INDIANA

1992	$107,920,000
Estimated number of jobs created in State	5,396

IOWA

1992	$186,900,000
Estimated number of jobs created in State	9,345

KANSAS

1992	$34,200,000
Estimated number of jobs created in State	1,710

KENTUCKY

1992	$81,600,000
Estimated number of jobs created in State	4,080

LOUISIANA

1992	$82,760,000
Estimated number of jobs created in State	4,138

MAINE

1992	$39,600,000
Estimated number of jobs created in State	1,980

MARYLAND

1992	$113,200,000
Estimated number of jobs created in State	5,660

MASSACHUSETTS

1992	$7,000,000
Estimated number of jobs created in State	350

MICHIGAN

1992	$144,460,000
Estimated number of jobs created in State	7,223

MINNESOTA

1992	$59,000,000
Estimated number of jobs created in State	2,950

MISSISSIPPI

1992	$32,290,000
Estimated number of jobs created in State	1,615

MISSOURI

1992	$134,500,000
Estimated number of jobs created in State	6,725

NEBRASKA

1992	$6,740,000
Estimated number of jobs created in State	337

NEVADA

1992	$38,400,000
Estimated number of jobs created in State	1,920

NEW HAMPSHIRE

1992	$14,000,000
Estimated number of jobs created in State	700

NEW JERSEY

1992	$213,440,000
Estimated number of jobs created in State	10,672

NEW YORK

1992	$304,380,000
Estimated number of jobs created in State	15,219

NORTH CAROLINA

1992	$138,400,000
Estimated number of jobs created in State	6,920

NORTH DAKOTA

1992	$11,800,000
Estimated number of jobs created in State	590

OHIO

1992	$132,240,000

Estimated number of jobs created in State	6,612
OKLAHOMA	
1992	$34,480,000
Estimated number of jobs created in State	1,724
OREGON	
1992	$54,400,000
Estimated number of jobs created in State	2,720
PENNSYLVANIA	
1992	$715,710,000
Estimated number of jobs created in State	35,786
RHODE ISLAND	
1992	$4,000,000
Estimated number of jobs created in State	200
SOUTH CAROLINA	
1992	$28,000,000
Estimated number of jobs created in State	1,400
SOUTH DAKOTA	
1992	$44,900,000
Estimated number of jobs created in State	2,245
TENNESSEE	
1992	$43,000,000
Estimated number of jobs created in State	2,150
TEXAS	
1992	$275,800,000
Estimated number of jobs created in State	13,790
UTAH	
1992	$12,800,000
Estimated number of jobs created in State	640
VIRGINIA	
1992	$87,000,000
Estimated number of jobs created in State	4,350
WASHINGTON	
1992	$105,600,000
Estimated number of jobs created in State	5,280
WEST VIRGINIA	
1992	$179,200,000
Estimated number of jobs created in State	8,960
WISCONSIN	
1992	$1,800,000
Estimated number of jobs created in State	90

NOTE.—JOB CREATION FORMULA PROVIDED BY THE HOUSE PUBLIC WORKS COMMITTEE. PROJECTS AND PROJECT COSTS PROVIDED BY THE DEPARTMENT OF TRANSPORTATION.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of the bill, H.R. 3566, as modified by the amendment printed in part 1 of the House Report 102-265, is considered as an original bill for the purpose of amendment and is considered as read.

The text of the amendment in the nature of a substitute, as modified, is as follows:

H.R. 3566

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Intermodal Surface Transportation Infrastructure Act of 1991".

SEC. 2. NATIONAL TRANSPORTATION POLICY; FINDINGS; AND PURPOSES.

(a) NATIONAL TRANSPORTATION POLICY.—It is a goal of the United States to develop a national intermodal transportation system that moves people and goods in an energy efficient manner. The Nation's future economic direction is dependent on its ability to confront directly the enormous challenges of the global economy, declining productivity growth, energy vulnerability, air pollution, and the need to rebuild the Nation's infrastructure.

United States leadership in the world economy, the expanding wealth of the Nation, the competitiveness of the Nation's industry, the standard of living, and the quality of life are at stake.

A national intermodal transportation system is a coordinated, flexible network of diverse but complementary forms of transportation which moves people and goods in the most energy-efficient manner. By reducing transportation costs, these intermodal systems will enhance United States industry's ability to compete in the global marketplace.

All forms of transportation, including the transportation systems of the future, will be full partners in the effort to reduce energy consumption and air pollution while promoting economic development.

An intermodal transportation system consists of transportation hubs which connect different forms of appropriate transportation and provides users with the most energy-efficient means of transportation and with access to commercial centers, business locations, population centers, and the Nation's vast rural areas, as well as providing links to other forms of transportation and to intercity connections.

Intermodality and flexibility are paramount issues in the process of developing an integrated system that will obtain the optimum yield of United States resources.

The fundamental question is how the United States surface transportation infrastructure can be reshaped to provide the economic underpinnings for the Nation to compete in the 21st century global economy. The United States can no longer rely on the sheer size of its economy to dominate international economic rivals and must recognize fully that its economy is no longer a separate entity but is part of the global marketplace. The Nation's future economic prosperity depends on its ability to compete in an international marketplace that is teeming with competitors but where fully ¼ of the Nation's economic activity takes place.

The United States must make a national commitment to rebuild its infrastructure through development of a national intermodal transportation system. The United States must provide the foundation for its industries to improve productivity and their ability to compete in the global economy with a system that will move people and goods faster in an energy-efficient manner.

(b) FINDINGS.—The Congress finds that—

(1) investment in the transportation infrastructure of the United States will pay immediate and long-term dividends in jobs and economic productivity and provide the foundation for the Nation's continued leadership in the global economic competition of the 21st century;

(2) infrastructure investment differs significantly from other forms of government spending because it creates new wealth for the Nation;

(3) with 63 percent of the Nation's oil resources devoted to transportation, a transportation policy is an energy policy which can help reduce dependence on foreign oil sources;

(4) air pollution has become a critical focal point and foundation of United States transportation policy which must be redirected to comply with new strict requirements;

(5) the wealth and economic strength of the United States is in the Nation's infrastructure which provides the foundation for all aspects of life;

(6) failure to invest in the transportation infrastructure has placed the United States in danger of becoming a service-oriented economy, rather than having a strong and independent manufacturing-based economy;

(7) foreign competitors in the global economy have surpassed the Nation's productivity growth through massive infrastructure investments and many have committed to multi-trillion dollar infrastructure investments in the future;

(8) the creation of a national intermodal transportation system is central to the surface transportation issues of the coming decades and will create the new wealth of the Nation to provide the funds for the Nation to meet the challenges of the 21st century;

(9) construction of the Interstate Highway System, created in 1956, transforming the Nation, linking region to region, opening previously inaccessible regions for economic development, and supporting a 20th century revolution in personal mobility and freight movement, is nearly completed;

(10) the centerpiece of the national surface transportation system must be a National Highway System, consisting of those principal arterial roads which are essential for interstate and regional commerce and travel, national defense, intermodal transfer facilities, and international commerce and border crossings;

(11) improved highway links are needed in both urban and rural areas to provide the greatest possible productivity and economic growth benefits but the Nation's present level of investment is woefully inadequate to maintain the existing conditions and performance;

(12) the Nation's mass transit systems, which provide energy-efficient and environmentally sensitive transportation service in congested urban areas and in rural areas and which are vital for low-income, elderly, and disabled populations, have been allowed to deteriorate to an unacceptable degree;

(13) highways, mass transit, and other transportation systems have been allowed to develop into separate, competing systems without a unified, intermodal approach to surface transportation problems;

(14) a strong and vital national highway system, combined with maximum flexibility for State and local decisionmaking and an intermodal transportation network, is an absolute necessity for a national transportation policy to compete in the global economy;

(15) transportation planning, taking account of commerce and land-use patterns, must be improved at all levels and local officials must have a significant role in transportation decisions affecting their areas;

(16) failure to develop an intermodal transportation system for the 1990s and the 21st century will result in continuing the two decade trend of decline in United States competitiveness in the global economy and the accompanying decline in the Nation's standard of living; and

(17) the safety of the traveling public is of paramount national importance.

SEC. 3. STATEMENT OF PURPOSE.

The purposes of this Act are—

(1) to provide the resources, processes, and new policy directions to develop a national intermodal transportation system that will move people and goods in an energy efficient and environmentally sensitive manner, including a process to resolve conflicts between Federal transportation policies, programs, and projects and Federal environmental policies and programs;

(2) to provide the foundation for United States industry to improve productivity and the ability to compete in the global economy of the 1990s and the 21st century by obtaining the optimum yield from the Nation's transportation resources;

(3) to meet the challenges of the global economy of the 21st century, declining economic productivity growth, energy vulnerability, air pollution, and the need to rebuild the Nation's transportation infrastructure;

(4) to include all forms of transportation in a unified, connected manner that uses the most efficient form of transportation at all times;

(5) to provide improved access to ports and airports, the Nation's link to world commerce;

(6) to develop new ways of moving people and goods so the Nation can compete in the global marketplace, meet clean air requirements and reduce reliance on foreign oil;

(7) to provide an improved transportation system for all segments of the population, including elderly, disabled, and other transit-dependent groups; and

(8) to improve the quality of life in the United States through economic benefits from higher productivity growth, reduced air pollution, and reduced traffic congestion.

SEC. 4. SECRETARY DEFINED.

As used in this Act, the term "Secretary" means the Secretary of Transportation.

SEC. 5. LIMITATION ON STATUTORY CONSTRUCTION.

Nothing in this Act shall be construed to apply to railroads or vessel or magnetic levitation transportation.

TITLE I—FEDERAL-AID HIGHWAYS

SEC. 101. COMPLETION OF INTERSTATE SYSTEM.

(a) DECLARATION.—Congress declares that the authorizations of appropriations and apportionments for construction of the Dwight D. Eisenhower National System of Interstate and Defense Highways made by this section (including the amendments made by this section) are the final authorizations of appropriations and apportionments for completion of construction of such System.

(b) APPROVAL OF INTERSTATE COST ESTIMATE FOR FISCAL YEAR 1993.—The Secretary shall apportion for all States (other than Massachusetts) for fiscal year 1993 the sums authorized to be appropriated for such year by section 108(b) of the Federal-Aid Highway Act of 1956 for expenditure on the Dwight D. Eisenhower National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5 of the Committee Print Numbered 102-24 of the Committee on Public Works and Transportation of the House of Representatives.

(c) EXTENSION OF APPORTIONMENT.—Section 104(b)(5)(A) of title 23, United States Code, is amended by striking "1960 through 1990" each place it appears and inserting "1960 through 1997".

(d) EXTENSION OF ADMINISTRATIVE ADJUSTMENT OF ICE.—Section 104(b)(5)(A) of such title is amended by striking the next to the last sentence and inserting the following new sentence: "On October 1, of each of fiscal years 1992, 1993, 1994, 1995, and 1996, the Secretary shall make the apportionment required by this subparagraph for all States (other than Massachusetts) using the Federal share of the last estimate submitted to Congress, adjusted to reflect (i) all previous credits, apportionments of interstate construction funds and lapses of previous apportionments of interstate construction funds, (ii) previous withdrawals of interstate segments, (iii) previous allocations of interstate discretionary funds, and (iv) transfers of interstate construction funds.".

(e) ALLOCATION OF FUNDS TO MASSACHUSETTS.—Section 104(b)(5)(A) of title 23, United States Code, is amended by inserting before the last sentence the following new sentence: "Notwithstanding any other provision of this subparagraph or any cost estimate approved or adjusted pursuant to this subparagraph, the amounts to be apportioned to the State of Massachusetts pursuant to this subparagraph for fiscal years 1993, 1994, 1995, 1996, and 1997 shall be as follows: $450,000,000 for fiscal year 1993, $800,000,000 for fiscal year 1994, $800,000,000 for fiscal year 1995, $500,000,000 for fiscal year 1996, and $200,000,000 for fiscal year 1997.".

(f) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of subsection (b) of section 108 of the Federal-Aid Highway Act of 1956 is amended by striking "and the additional sum of $1,400,000,000 for the fiscal year ending September 30, 1993." and inserting the following: "the additional sum of $1,800,000,000 for the fiscal year ending September 30, 1993, the additional sum of $1,800,000,000 for the fiscal year ending September 30, 1994, the additional sum of $1,800,000,000 for the fiscal year ending September 30, 1995, the additional sum of $1,800,000,000 for the fiscal year ending September 30, 1996, and the additional sum of $900,000,000 for the fiscal year ending September 30, 1997.".

(g) DECLARATION OF POLICY.—The second paragraph of section 101(b) of such title is amended—

(1) by striking "thirty-seven years' " and inserting "forty-one years' "; and

(2) by striking "1993" and inserting "1997".

(h) TERMINATION OF MINIMUM APPORTIONMENT.—Section 102(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (23 U.S.C. 104 note) is amended by inserting after "1987," the following: "and ending before October 1, 1991,".

SEC. 102. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Notwithstanding any other provision of law (other than subsection (f) of this section), the total of all obligations for Federal-aid highways and highway safety construction programs shall not exceed—

(1) $16,800,000,000 for fiscal year 1992;

(2) $17, 800,000,000 for fiscal year 1993;

(3) $17,900,000,000 for fiscal year 1994;

(4) $18,000,000,000 for fiscal year 1995;

(5) $18,400,000,000 for fiscal year 1996; and

(6) $18,500,000,000 for fiscal year 1997.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations—

(1) under section 125 of title 23, United States Code;

(2) under section 157 of such title;

(3) under section 147 of the Surface Transportation Assistance Act of 1978;

(4) under section 9 of the Federal-Aid Highway Act of 1981;

(5) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982;

(6) under section 404 of the Surface Transportation Assistance Act of 1982; and

(7) under sections 128(h), 134(c), 140, 149, 157, 160, and 505 of this Act.

Such limitations shall also not apply to obligations of funds made available by subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—

(1) GENERAL RULE.—For each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, the Secretary shall distribute the limitation imposed by subsection (a) by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways and highway safety construction which are apportioned or allocated to each State for such fiscal year bears to the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction which are apportioned or allocated to all the States for such fiscal year.

(2) SPECIAL RULE FOR MASSACHUSETTS.—For purposes of this section, funds apportioned to the State of Massachusetts pursuant to the next to the last sentence of section 104(b)(5)(A) of title 23, United States Code, shall be treated as if such funds were allocated to such State under such title. If, before October 1 of each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, the State of Massachusetts indicates it will not obligate a portion of the amount which would be distributed to such State under the preceding sentence, the Secretary shall distribute such portion to the other States under paragraph (1).

(3) SPECIAL RULE FOR URBANIZED AREAS OF 200,000 POPULATION OR MORE.—Each urbanized area of 200,000 population or more within the boundaries of a State shall be allocated an amount of obligation authority distributed to a State under paragraph (1) for a fiscal year which is determined by multiplying—

(A) the amount of funds apportioned under section 104(b)(6) of title 23, United States Code, to the State in such fiscal year which are made available for expenditure in such area under section 150 of such title, by

(B) the ratio of the amount of obligation authority distributed to the State under paragraph (1) for such fiscal year to the total of the sums apportioned to the State for Federal-aid highways and highway safety construction (excluding sums not subject to the obligation limitation imposed by subsection (a)) in such fiscal year.

Obligation authority allocated to an urbanized area under this paragraph may, at the request of the Governor and upon approval of the appropriate local officials of the area and the Secretary, be transferred to the allocation of another such area in the State or, in the case in which another such area does not need such obligation authority, to the State for use in any urban area in the State.

(d) LIMITATION ON OBLIGATION AUTHORITY.—During the period October 1 through December 31 of each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, no State shall obligate more than 35 percent of the amount distributed to such State under subsection (c) for such fiscal year, and the total of all State obligations during such period shall not exceed 25 percent of the total amount distributed to all States under such subsection for such fiscal year.

(e) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsections (c) and (d), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways and highway safety construction which have been apportioned or allocated to a State, except in those instances in which a State indicates its intention to lapse sums apportioned under section 104(b)(5)(A) of title 23, United States Code;

(2) after August 1 of each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, revise a distribution of the funds made available under subsection (c) for such fiscal year if a State will not obligate the amount distributed during such fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during such fiscal year giving priority to those States having large unobligated balances of funds apportioned under section 104 of title 23, United States Code; and

(3) not distribute amounts authorized for administrative expenses, Federal lands highways programs, and amounts made available under section 149(d) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(f) ADDITIONAL OBLIGATION AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), a State which after August 1 and on or before September 30 of fiscal year 1993, 1994, 1995, 1996, or 1997 obligates the amount distributed to such State in such fiscal year under subsections (c) and (e) may obligate for Federal-aid highways and highway safety construction on or before September 30 of such fiscal year an additional amount not to exceed 5 percent of the aggregate amount of funds apportioned or allocated to such State—

(A) under sections 104, 130, and 144 of title 23, United States Code, and

(B) for highway assistance projects under section 103(e)(4) of such title,

which are not obligated on the date such State completes obligation of the amount so distributed.

(2) LIMITATION ON ADDITIONAL OBLIGATION AUTHORITY.—During the period August 2 through September 30 of each of fiscal years 1993, 1994, 1995, 1996, and 1997, the aggregate amount which may be obligated by all States pursuant to paragraph (1) shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(A) under sections 104, 130, and 144 of title 23, United States Code, and

(B) for highway assistance projects under section 103(e)(4) of such title,

which would not be obligated in such fiscal year if the total amount of obligational authority provided by subsection (a) for such fiscal year were utilized.

(3) LIMITATION ON APPLICABILITY.—Paragraph (1) shall not apply to any State which on or after August 1 of fiscal year 1993, 1994, 1995, 1996, or 1997, as the case may be, has the amount distributed to such State under subsection (c) for such fiscal year reduced under subsection (e)(2).

(g) OBLIGATION CEILING FOR HIGHWAY SAFETY PROGRAMS.—Notwithstanding any other provision of law, the total of all obligations for highway safety programs carried out by the Federal Highway Administration under section 402 of title 23, United States Code, shall not exceed $10,000,000 for fiscal year 1992 and $34,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(h) CONFORMING AMENDMENT.—Section 157(b) of title 23, United States Code, is amended by striking the period at the end of the last sentence and inserting "and section 102(c) of the Intermodal Surface Transportation Infrastructure Act of 1991.".

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

(a) FROM THE HIGHWAY TRUST FUND.—For the purpose of carrying out the provisions of title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) STATE FLEXIBLE PROGRAM.—For the State flexible program $1,774,000,000 for fiscal year 1992, $2,137,000,000 for fiscal year 1993, $2,121,000,000 for fiscal year 1994, $2,144,000,000 for fiscal year 1995, $2,375,000,000 for fiscal year 1996, and $2,521,000,000 for fiscal year 1997.

(2) NATIONAL HIGHWAY SYSTEM.—For the National Highway System $5,113,000,000 for fiscal year 1992, $6,159,000,000 for fiscal year 1993, $6,115,000,000 for fiscal year 1994, $6,180,000,000 for fiscal year 1995, $6,847,000,000 for fiscal year 1996, and $7,265,000,000 for fiscal year 1997.

(3) URBAN MOBILITY SYSTEM.—For the urban mobility system $1,774,000,000 for fiscal year 1992, $2,137,000,000 for fiscal year 1993, $2,121,000,000 for fiscal year 1994, $2,144,000,000 for fiscal year 1995, $2,375,000,000 for fiscal year 1996, and $2,521,000,000 for fiscal year 1997.

(4) RURAL MOBILITY SYSTEM.—For the rural mobility system $1,356,000,000 for fiscal year 1992, $1,634,000,000 for fiscal year 1993, $1,622,000,000 for fiscal year 1994, $1,640,000,000 for fiscal year 1995, $1,817,000,000 for fiscal year 1996, and $1,928,000,000 for fiscal year 1997.

(5) COMBINED HIGHWAY SAFETY IMPROVEMENT PROGRAM.—For the combined highway safety improvement program $417,000,000 for fiscal year 1992, $503,000,000 for fiscal year 1993, $499,000,000 for fiscal year 1994, $505,000,000 for fiscal year 1995, $559,000,000 for fiscal year 1996, and $593,000,000 for fiscal year 1997.

(6) BRIDGE PROGRAM.—For the bridge program $2,107,000,000 for fiscal year 1992, $2,596,000,000 for fiscal year 1993, $2,588,000,000 for fiscal year 1994, $2,630,000,000 for fiscal year 1995, $2,800,000,000 for fiscal year 1996, and $2,956,000,000 for fiscal year 1997.

(7) INDIAN RESERVATION ROADS.—For Indian reservation roads $148,000,000 for fiscal year 1992 and $176,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(8) FOREST HIGHWAYS.—For forest highways $38,000,000 for fiscal year 1992 and $46,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(9) PUBLIC LANDS HIGHWAYS.—For public lands highways $28,000,000 for fiscal year 1992 and $33,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(10) PARKWAYS AND PARK HIGHWAYS.—For parkways and park highways $42,000,000 for fiscal year 1992 and $50,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(11) FHWA HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 by the Federal Highway Administration $28,000,000 for fiscal year 1992 and $34,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(12) FHWA HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 by the Federal Highway Administration $7,000,000 for fiscal year 1992 and $8,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) GENERAL RULE.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts authorized to be appropriated under titles I, III, V, and VI of this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

(2) DEFINITIONS.—For purposes of this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—The term "small business concern" has the meaning such term has under section 3 of the Small Business Act (15 U.S.C. 632); except that such term shall not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals which has average annual gross receipts over the preceding 3 fiscal years in excess of $15,370,000, as adjusted by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term "socially and economically disadvantaged individuals" has the meaning such term has under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually survey and compile a list of the small business concerns referred to in paragraph (1) and the location of such concerns in the State and notify the Secretary, in writing, of the percentage of such concerns which are controlled by women, by socially and economically disadvantaged individuals (other than women), and by individuals who are women and are also otherwise socially and economically disadvantaged individuals.

(4) UNIFORM CERTIFICATION.—The Secretary shall establish minimum uniform criteria for State governments to use in certifying whether a concern qualifies for purposes of this subsection. Such minimum uniform criteria shall include but not be limited to on-site visits, personal interviews, licenses, analysis of stock ownership, listing of equipment, analysis of bonding capacity, listing of work completed, resume of principal owners, financial capacity, and type of work preferred.

(5) STUDY.—

(A) IN GENERAL.—The Comptroller General shall conduct a study of the disadvantaged business enterprise program of the Federal Highway Administration (hereinafter in this paragraph referred to as the "program").

(B) CONTENTS.—The study under this paragraph shall include the following:

(i) GRADUATION.—A determination of—

(I) the percentage of disadvantaged business enterprises which have enrolled in the program and graduated after a period of 3 years;

(II) the number of disadvantaged business enterprises which have enrolled in the program and not graduated after a period of 3 years;

(III) whether or not the graduation date of any of the disadvantaged business enterprises described in subclause (II) should have been accelerated;

(IV) since the program has no graduation time requirements, how many years would appear reasonable for disadvantaged business enterprises to participate in the program;

(V) the length of time the average small nondisadvantaged business enterprise takes to be successful in the highway construction field as compared to the average disadvantaged business enterprise; and

(VI) to what degree are disadvantaged business enterprises awarded contracts once they

are no longer participating in the disadvantaged business program.

(ii) OUT-OF-STATE CONTRACTING.—A determination of which State transportation programs meet the requirement of the program for 10 percent participation by disadvantaged business enterprises by contracting with contractors located in another State and a determination to what degree prime contractors use out-of-State disadvantaged business enterprises even when disadvantaged business enterprises exist within the State to meet the 10 percent participation goal and reasons why this occurs.

(iii) PROGRAM ADJUSTMENTS.—A determination of whether or not adjustments in the program could be made with respect to Federal and State participation in training programs and with respect to meeting capital needs and bonding requirements.

(iv) SUCCESS RATE.—Recommendations concerning whether or not adjustments described in clause (iii) would continue to encourage minority participation in the program and improve the success rate of the disadvantaged business enterprises.

(v) PERFORMANCE AND FINANCIAL CAPABILITIES.—Recommendations for additions and revisions to criteria used to determine the performance and financial capabilities of disadvantaged business enterprises enrolled in the program.

(vi) ENFORCEMENT MECHANISMS.—A determination of whether the current enforcement mechanisms are sufficient to ensure compliance with the disadvantaged business enterprise participation requirements.

(vii) ADDITIONAL COSTS.—A determination of additional costs incurred by the Federal Highway Administration in meeting the requirement of the program for 10 percent participation by disadvantaged business enterprises as well as a determination of benefits of the program.

(viii) EFFECT ON INDUSTRY.—A determination of how the program is being implemented by the construction industry and the effects of the program on all segments of the industry.

(ix) CERTIFICATION.—An analysis of the certification process for Federal-aid highway and transit programs, including a determination as to whether the process should be uniform and permit State-to-State reciprocity and how certification criteria and procedures are being implemented by the States.

(x) GOALS.—A determination of how the Federal goal is being implemented by the States, including the waiver process, and the impact of the goal on those individuals presumed to be socially and economically disadvantaged.

(C) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General shall transmit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on the results of the study conducted under this paragraph.

(c) REDUCTION IN AUTHORIZATIONS FOR BUDGET COMPLIANCE.—If the total amount authorized by this Act out of the Highway Trust Fund (other than the Mass Transit Account) exceeds $17,042,000,000 for fiscal year 1992, or exceeds $98,642,000,000 for fiscal years 1992 through 1996, then each amount so authorized shall be reduced proportionately so that the total equals $17,042,000,000 for fiscal year 1992, or equals $98,642,000,000 for fiscal years 1992 through 1996, as the case may be.

(d) FREEWAY SERVICE PATROLS.—

(1) GENERAL RULE.—Except to the extent that the Secretary shall find that it is not feasible, any funds expended in a fiscal year directly or indirectly for freeway service patrols from amounts made available to a State under titles I and III of this Act shall be expended with privately owned or privately operated business concerns. The preceding sentence shall not apply to any publicly owned or operated freeway service patrol that was in operation before the date of the enactment of this Act.

(2) DEFINITION.—For purposes of this subsection, the term "freeway service patrol" means automotive road service vehicles and automotive towing vehicles operated in a continuous, dedicated service as part of an incident management program.

SEC. 104. BUDGET COMPLIANCE.

(a) IN GENERAL.—If obligations provided for programs pursuant to this Act for fiscal year 1992 will cause—

(1) the total outlays in any of the fiscal years 1992 through 1995 which result from this Act, to exceed

(2) the total outlays for such programs in any such fiscal year which result from appropriation Acts for fiscal year 1992 and are attributable to obligations for fiscal year 1992,

then the Secretary of Transportation shall reduce proportionately the obligations provided for each program pursuant to this Act for fiscal year 1992 to the extent required to avoid such excess outlays.

(b) COORDINATION WITH OTHER PROVISIONS.—The provisions of this section shall apply, notwithstanding any provision of this Act to the contrary.

(c) COST ESTIMATE.—The applicable cost estimate of this Act for all purposes of sections 252 and 253 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be as follows:

[By fiscal year, in millions of dollars]

	1992	1993	1994	1995
Change in outlays	(1)	(1)	(1)	(1)
Change in receipts	(1)	(1)	(1)	(1)

[1]This estimate is relative to current law. If the 1992 Department of Transportation Appropriations Act is enacted before H.R. 2950, this bill could affect direct spending. However, it would not increase outlays above the level in the appropriations act.

SEC. 105. DEFINITIONS.

(a) HIGHWAY SAFETY IMPROVEMENT PROJECT.—The undesignated paragraph of section 101(a) of title 23, United States Code, relating to highway safety improvement project is amended by inserting after "marking," the following: "installs priority control systems for emergency vehicles at signalized intersections,".

(b) URBANIZED AREA.—Such section is amended by striking the undesignated paragraph relating to urbanized area and inserting the following new undesignated paragraph:

"The term 'urbanized area' means an area with a population of 50,000 or more designated by the Bureau of the Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Boundaries shall, as a minimum, encompass the entire urbanized area within a State as designated by the Bureau of the Census.".

(c) NATIONAL HIGHWAY SYSTEM.—Such section is further amended by striking the undesignated paragraph relating to the Federal-aid primary system and inserting the following new undesignated paragraph:

"The term 'National Highway System' means the Federal-aid highway system described in subsection (b) of section 103 of this title.".

(d) RURAL MOBILITY SYSTEM.—Such section is amended by striking the undesignated paragraph relating to the Federal-aid secondary system and inserting the following new undesignated paragraph:

"The term 'rural mobility system' means the Federal-aid highway system described in subsection (c) of section 103 of this title.".

(e) URBAN MOBILITY SYSTEM.—Such section is further amended by striking the undesignated paragraph relating to the Federal-aid urban system and inserting the following new undesignated paragraph:

"The term 'urban mobility system' means the Federal-aid highway system described in subsection (d) of section 103 of this title.".

(f) INTERSTATE SYSTEM.—The undesignated paragraph of such section relating to the Interstate System is amended by inserting "Dwight D. Eisenhower" before "National".

(g) OPERATIONAL IMPROVEMENT.—Such section is further amended by inserting after the undesignated paragraph relating to Interstate System the following new undesignated paragraph:

"The term 'operational improvement' means a capital improvement for installation of traffic surveillance and control equipment, computerized signal systems, motorist information systems, integrated traffic control systems, incident management programs, and demand management systems and such other capital improvements to public roads as the Secretary may designate, by regulation; except that such term does not include resurfacing, restoring, or rehabilitating improvements, construction of additional lanes, interchanges, and grade separations, and construction of a new facility on a new location.".

(h) STARTUP COSTS FOR TRAFFIC MANAGEMENT AND CONTROL.—Such section is further amended by inserting after the undesignated paragraph relating to Interstate System the following new undesignated paragraph:

"The term 'startup costs for traffic management and control' means initial costs (including labor costs, administration costs, cost of utilities, and rent) for integrated traffic control systems, incident management programs, and traffic control centers.".

SEC. 106. FEDERAL-AID SYSTEMS.

(a) ESTABLISHMENT.—Section 103 of title 23, United States Code, is amended by striking subsections (a), (b), (c), and (d) and inserting the following new subsections:

"(a) IN GENERAL.—For purposes of this title, the 4 Federal-aid systems are the Interstate System, the National Highway System, the urban mobility system, and the rural mobility system.

"(b) NATIONAL HIGHWAY SYSTEM.—

"(1) PURPOSE.—The purpose of the National Highway System is to provide an interconnected system of principal arterial routes which will serve major population centers, international border crossings, ports, airports, public transportation facilities, and other intermodal transportation facilities; meet national defense requirements; and serve interstate and interregional travel.

"(2) COMPONENTS.—The National Highway System shall consist of the following:

"(A) Highways designated as part of the Interstate System under subsection (e) and section 139 of this title.

"(B) Other urban and rural principal arterials and highways which provide motor vehicle access between such an arterial and a major port, airport, public transportation facility, or other intermodal transportation facility. The States, in cooperation with local officials, shall propose to the Secretary arterials and highways for designation to the Na-

tional Highway System under this paragraph. In urbanized areas, the local officials shall act through the metropolitan planning organizations designated for such areas under section 134 of this title. The routes on the National Highway System, as shown on the map submitted by the Secretary to the Committee on Public Works and Transportation of the House of Representatives in 1991, illustrating the National Highway System, shall serve as the basis for the States in proposing arterials and highways for designation to such system. The Secretary may modify or revise such proposals and submit such modified or revised proposals to Congress for approval in accordance with paragraph (3).

"(C) A strategic highway network which is a network of highways which are important to the United States strategic defense policy and which provide defense access, continuity, and emergency capabilities for the movement of personnel, materiels, and equipment in both peace time and war time. Such highways may include highways on and off the Interstate System and shall be designated by the Secretary in consultation with appropriate Federal agencies and the States and subject to approval by Congress in accordance with paragraph (3).

"(D) Major strategic highway network connectors which are highways that provide motor vehicle access between major military installations and highways which are part of the strategic highway network. Such highways shall be designated by the Secretary in consultation with appropriate Federal agencies and the States and subject to approval by Congress in accordance with paragraph (3).

"(3) APPROVAL OF DESIGNATIONS.—

"(A) PROPOSED DESIGNATIONS.—Not later than September 30, 1993, the Secretary shall submit for approval to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a proposed National Highway System with a list and description of highways proposed to be designated to the National Highway System under this subsection and a map showing such proposed designations. In preparing the proposed system, the Secretary shall consult appropriate local officials and shall use the functional reclassification of roads and streets carried out under subsection (c) of section 106 of the Intermodal Surface Transportation Infrastructure Act of 1991.

"(B) APPROVAL OF CONGRESS REQUIRED.—After September 30, 1994, no funds made available for carrying out this title may be apportioned or allocated under this title unless a law has been approved designating the National Highway System.

"(C) MAXIMUM MILEAGE.—For purposes of proposing highways for designation to the National Highway System, the mileage of highways on the National Highway System shall not exceed 155,000 miles; except that the Secretary may increase or decrease such maximum mileage but not to exceed 15 percent.

"(D) EQUITABLE ALLOCATIONS OF HIGHWAY MILEAGE.—In proposing highways for designation to the National Highway System, the Secretary shall provide for equitable allocation of highway mileage among the States.

"(4) INTERIM SYSTEM.—For fiscal years 1992, 1993, and 1994, highways classified as principal arterials as of June 1, 1991, shall be treated as being on the National Highway System for purposes of this title.

"(c) RURAL MOBILITY SYSTEM.—The rural mobility system shall consist of major collector routes and arterials which are located in rural areas and are not on the National Highway System. Such routes and arterials shall be designated by each State through its State highway department, appropriate local officials, and Indian tribal governments in cooperation with each other, subject to the approval of the Secretary as provided in subsection (f).

"(d) URBAN MOBILITY SYSTEM.—The urban mobility system shall consist of collector routes and arterials which are located in urban areas and are not on the National Highway System, including access roads to ports, airports, public transportation facilities, and other intermodal transportation facilities. Such routes and arterials shall be designated by appropriate local officials, with the concurrence of the State highway department, and subject to the approval of the Secretary as provided in subsection (f) and, in the case of urbanized areas, shall also be in accordance with the planning process required pursuant to the provisions of section 134 of this title.".

(b) APPROVAL.—Subsection (f) of such section is amended—

(1) by striking "the Federal-aid primary system, the Federal-aid secondary system, the Federal-aid urban system," and inserting "rural mobility system, the urban mobility system,"; and

(2) by inserting "(other than the National Highway System)" after "No Federal-aid system".

(c) FUNCTIONAL RECLASSIFICATION OF HIGHWAYS.—

(1) STATE ACTION.—Each State shall functionally reclassify the roads and streets in such State in accordance with such guidelines and time schedule as the Secretary may establish in order to carry out the objectives of this section, including the amendments made by this section.

(2) APPROVAL AND SUBMISSION TO CONGRESS.—Not later than September 30, 1992, the Secretary shall approve the functional reclassification of roads and streets made by the States pursuant to this subsection and shall submit a report to Congress containing such reclassification.

(3) STATE DEFINED.—In this subsection, the term "State" has the meaning such term has under section 101 of title 23, United States Code.

(d) NATIONAL HIGHWAY SYSTEM ROUTE REDESIGNATION STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study on route redesignations of the National Highway System. The study shall examine those redesignations where the affected States have not been in agreement. The study shall consider the historic basis for current designations and must address the safety, economic, social, and demographic impacts which a redesignation would have on surrounding localities.

(2) REPORT.—Not later than September 30, 1993, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with such recommendations as the Secretary considers appropriate.

(e) CONFORMING AMENDMENT.—Section 113(a) of title 23, United States Code, is amended by striking ", the primary and secondary, as well as their extension in urban areas, and the Interstate System,".

SEC. 107. FLEXIBLE PROGRAM.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 132 the following new section:

"§ 133. State flexible program

"(a) ESTABLISHMENT.—The Secretary shall establish a flexible program under which a State may expend funds apportioned to it under section 104(b)(3) for carrying out any project or activity for which Federal funds may be obligated under this title.

"(b) APPLICABILITY OF OTHER PROVISIONS OF TITLE 23.—All applicable provisions of this title (including Federal share) which apply with respect to a project or activity carried out under this title shall apply to such a project or activity when carried out by a State with funds apportioned to it under the flexible program.

"(c) NONATTAINMENT AREA REQUIREMENT.—If a State includes a nonattainment area for transportation-related pollutants under the Clean Air Act, the State shall expend a percentage of the funds apportioned to it under section 104(b)(3) for carrying out in such nonattainment areas any project or activity for which Federal funds may be obligated under this title. The percentage required to be expended in such nonattainment areas shall equal the percentage of the population of the State residing in such nonattainment areas but not to exceed 50 percent.

"(d) PROJECT APPROVAL.—Any project or activity which a State intends to carry out with funds apportioned to it under the flexible program shall be subject to approval by the Secretary in accordance with the program of projects approval process of section 105.

"(e) MAINTENANCE OF EFFORT.—No Federal funds expended by a State from funds apportioned to it under the flexible program shall be counted as expenditures for a State for purposes of any maintenance of effort requirement of this title.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by inserting after the item relating to section 132 the following:

"133. State flexible program.".

SEC. 108. PROJECT ELIGIBILITY.

(a) NATIONAL HIGHWAY SYSTEM.—Section 103 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(i) ELIGIBLE PROJECTS FOR NHS.—Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, funds apportioned to a State under section 104(b)(1) for the National Highway System may be obligated for any of the following:

"(1) Construction, reconstruction, resurfacing, restoration, and rehabilitation of segments of such system.

"(2) Operational improvements for segments of such system.

"(3) Construction of, and operational improvements for, a Federal-aid highway not on the National Highway System if such highway is adjacent to a fully access controlled highway designated to the National Highway System, if the construction or improvements will improve the level of service on the fully access controlled highway and improve regional travel, and if the construction or improvements are more cost-effective than an improvement to the fully access controlled highway that has benefits comparable to the benefits which will be achieved by the construction of, or improvements to, the highway not on the National Highway System.

"(4) Highway safety improvements for segments of the National Highway System.

"(5) Transportation planning in accordance with sections 134 and 135.

"(6) Highway research and planning in accordance with section 307.

"(7) Highway-related technology transfer activities.

"(8) Startup costs for traffic management and control if such costs are limited to the time period necessary to achieve operable status but not to exceed 2 years following the date of project approval, if such funds are not used to replace existing funds, and if the State highway department agrees to continue operating the improvement or to be responsible for its operation at the end of such period.

"(9) Fringe and corridor parking facilities in accordance with section 137.

"(10) Carpool and vanpool projects in accordance with section 146.

"(11) Bicycle transportation in accordance with section 217.

"(12) Development and establishment of management systems under section 303.

"(13) Participation in wetland mitigation banks and statewide programs to create, conserve, or enhance wetland habitat (including development of statewide mitigation plans and State or regional wetland conservation and enhancement banks), including any such banks and programs authorized pursuant to the Water Resources Development Act of 1990 or other Federal law. Contributions toward these efforts may occur in advance of specific project activity to build up credit for future projects that may impact wetlands. Participation in such wetlands conservation projects shall not serve to exempt any highway construction project from any applicable requirement of Federal law.".

(b) ELIGIBLE PROJECTS FOR FEDERAL-AID MOBILITY SYSTEMS.—Such section is further amended by adding at the end the following new subsection:

"(j) ELIGIBLE PROJECTS FOR MOBILITY SYSTEMS.—Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, funds apportioned to a State under section 104(b)(2) for the rural mobility system or section 104(b)(6) for the urban mobility system may be obligated for any of the following:

"(1) Construction, reconstruction, resurfacing, restoration, and rehabilitation of segments of such system.

"(2) Operational improvements for segments of such system.

"(3) Highway safety improvements for segments of such system.

"(4) Public transportation in accordance with section 142, including capital public transportation projects and capital projects to improve access and coordination between intercity and rural bus service under such section.

"(5) Transportation planning in accordance with sections 134 and 135.

"(6) Highway research and planning in accordance with section 307.

"(7) Highway-related and public transportation-related technology transfer activities.

"(8) Startup costs for traffic management and control if such costs are limited to the time period necessary to achieve operable status but not to exceed 2 years following the date of project approval, if such funds are not used to replace existing funds, and if the State highway department agrees to continue operating the improvement or to be responsible for its operation at the end of such period.

"(9) Fringe and corridor parking facilities in accordance with section 137.

"(10) Carpool and vanpool projects in accordance with section 146.

"(11) Bicycle transportation and pedestrian walkways in accordance with section 217.

"(12) Development and establishment of management systems under section 303.

"(13) Landscaping, scenic enhancement, and planting of wild flowers in accordance with section 319.

"(14) Participation in wetland mitigation banks and statewide programs to create, conserve, or enhance wetland habitat (including development of statewide mitigation plans and State or regional wetland conservation and enhancement banks), including any such banks and programs authorized pursuant to the Water Resources Development Act of 1990 or other Federal law. Contributions toward these efforts may occur in advance of specific project activity to build up credit for future projects that may impact wetlands. Participation in such wetlands conservation projects shall not serve to exempt any highway construction project from any applicable requirement of Federal law.".

(c) CONFORMING AMENDMENT.—Section 109(c) of such title is amended by striking "Federal-aid secondary" and inserting "rural mobility".

SEC. 109. SUBSTITUTE PROGRAM.

(a) HIGHWAY PROJECTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 103(e)(4)(G) of title 23, United States Code, is amended—

(A) by striking "and" the next to the last place it appears; and

(B) by inserting before the period at the end the following: ", and $240,000,000 per fiscal year for each of fiscal years 1992, 1993, 1994, and 1995".

(2) DISTRIBUTION.—Section 103(e)(4)(H) is amended—

(A) by adding at the end of clause (i) the following new sentence: "For each of fiscal years 1992, 1993, 1994, and 1995, all funds made available by subparagraph (G) shall be apportioned in accordance with cost estimates adjusted by the Secretary.";

(B) in clause (iii), by striking "1988, 1989, 1990, AND 1991 APPORTIONMENTS" and inserting "1988–1995 APPORTIONMENTS"; and

(C) by striking "and 1991." and inserting "1991, 1992, 1993, 1994, and 1995.".

(b) TRANSIT PROJECTS.—Section 103(e)(4)(J) is amended—

(1) in clause (i) by inserting after "1983," the following: "and ending before October 1, 1991";

(2) by adding at the end of clause (i) the following new sentence: "100 percent of funds appropriated for each of fiscal years 1992 and 1993 shall be apportioned in accordance with cost estimates adjusted by the Secretary.";

(3) in clause (iii) by striking "1988, 1989, 1990, AND 1991 APPORTIONMENTS" and inserting "1988–1993 APPORTIONMENTS"; and

(4) by striking "and 1991." and inserting "1991, 1992, and 1993.".

(c) PERIOD OF AVAILABILITY.—Section 103(e)(4)(E)(i) of such title is amended by adding at the end the following new sentence: "In the case of funds authorized to be appropriated for substitute transit projects under this paragraph for fiscal year 1993 and for substitute highway projects under this paragraph for fiscal year 1995, such funds shall remain available until expended.".

SEC. 110. APPORTIONMENTS.

(a) IN GENERAL.—Section 104(b) of title 23, United States Code, is amended by striking paragraph (1) and all that follows before paragraph (4) and inserting the following:

"(1) NATIONAL HIGHWAY SYSTEM.—For the national highway system as follows:

"One-third in the ratio which diesel fuel consumption in the State bears to diesel fuel consumption in all the States.

"Two-ninths in the ratio which vehicle miles of travel in urban areas in the State bears to vehicle miles of travel in urban areas in all the States.

"Two-ninths in the ratio which lane miles on public roads in urban areas in the State bears to lane miles on public roads in urban areas in all the States.

"One-ninth in the ratio which vehicle miles of travel in rural areas in the State bears to vehicle miles of travel in rural areas in all the States.

"One-ninth in the ratio which lane miles on public roads in rural areas in the State bears to lane miles on public roads in rural areas in all the States.

No State shall receive less than ½ of 1 percent of each year's apportionment. For purposes of this paragraph, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be considered together as one State.

"(2) RURAL MOBILITY SYSTEM.—For the rural mobility system as follows:

"One-half in the ratio which the population in rural areas in the State bears to the population in rural areas in all the States.

"One-half in the ratio which lane miles on public roads in rural areas in the State bears to lane miles on public roads in rural areas in all the States.

No State (other than the District of Columbia) shall receive less than ½ of 1 percent of each year's apportionment.

"(3) STATE FLEXIBLE PROGRAM.—For the State flexible program in the ratio which the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) bear to the estimated tax payments attributable to highway users in all the States paid into the Highway Trust Fund (other than the Mass Transit Account). No State shall receive less than ½ of 1 percent of each year's apportionment.".

(b) URBAN MOBILITY SYSTEM.—Section 104(b)(6) of such title is amended to read as follows:

"(6) URBAN MOBILITY SYSTEM.—For the urban mobility system in the ratio which the population in urban areas, or parts thereof, in each State bears to the total population in such urban areas, or parts thereof, in all the States as shown by the latest available Federal census. No State shall receive less than ½ of 1 percent of each year's apportionment.".

(c) TRANSFERABILITY.—Section 104 of such title is amended by striking subsections (c) and (d) and inserting the following new subsections:

"(c) TRANSFERABILITY OF NHS APPORTIONMENTS.—Subject to subsection (d), the Governor of a State may transfer—

"(1) not to exceed 25 percent of the State's apportionment under subsection (b)(1); and

"(2) not to exceed an additional 10 percent of such apportionment if the Governor determines that the Interstate System within the boundaries of the State is being adequately maintained;

to the apportionment of the State under subsection (b)(2) or (b)(6), or both.

"(d) SPECIAL TRANSFERABILITY RULES FOR STATES WITH NONATTAINMENT AREAS.—In any case in which 90 percent or more of the area of a State is located in a nonattainment area for carbon monoxide or ozone under the Clean Air Act, the Governor of the State may transfer up to 100 percent of the State's

apportionment under subsection (b)(1) to the apportionment of the State under subsection (b)(2) or (b)(6), or both. In the case of any State which has an area classified as an extreme nonattainment area for ozone under the Clean Air Act, the Governor of the State may transfer (in addition to amounts which may be transferred under subsection (c)) up to 35 percent of the State's apportionment under subsection (b)(1) to the apportionment of the State under subsection (b)(2) or subsection (b)(6), or both.".

(d) SET-ASIDE FOR METROPOLITAN PLANNING.—Section 104(f)(1) of such title is amended—

(1) by striking "one-half per centum" and inserting "1 percent"; and

(2) by striking "one-half of 1 per centum" and inserting "1 percent".

(e) CONFORMING AMENDMENT.—Section 104(g) of such title is amended by striking ", 144, and 152" and inserting "and 144".

(f) HOLD HARMLESS.—

(1) GENERAL RULE.—If the aggregate amount apportioned to any State in fiscal year 1992 under sections 103(e)(4)(H)(iii), 104(b)(1), 104(b)(2), 104(b)(3), 104(b)(5)(A), 104(b)(6), 104(f), 130, and 144 of title 23, United States Code, is less than the aggregate amount apportioned to such State in fiscal year 1991 under sections 103(e)(4)(H)(iii), 104(b)(1), 104(b)(2), 104(b)(5)(A), 104(b)(5)(B), 104(b)(6), 104(f), 130, 144, and 152 of such title, the Secretary shall allocate to such State in each of fiscal years 1992 through 1997 the amount determined under paragraph (2).

(2) ALLOCATION AMOUNT.—The amount to be allocated to a State eligible under paragraph (1) for each of fiscal years 1992 through 1997 shall equal the amount determined by subtracting—

(A) the aggregate amount apportioned to such State in such fiscal year under sections 103(e)(4)(H)(iii), 104(b)(1), 104(b)(2), 104(b)(3), 104(b)(5)(A), 104(b)(6), 104(f), 130, and 144 of title 23, United States Code, from

(B) the aggregate amount apportioned to such State in fiscal year 1991 under sections 103(e)(4)(H)(iii), 104(b)(1), 104(b)(2), 104(b)(5)(A), 104(b)(5)(B), 104(b)(6), 104(f), 130, 144, and 152 of such title.

(3) USE OF FUNDS.—The Secretary shall make the allocations under this subsection on October 1 of each of fiscal years 1992 through 1997, or as soon as possible thereafter. The amounts allocated shall be subject to the provisions of title 23, United States Code, and may be obligated for any project or activity for which a State may obligate funds under chapter 1 of such title. Amounts allocated under this subsection shall be available for obligation when allocated for the fiscal year authorized plus the 3 succeeding fiscal years.

(4) FUNDING.—There shall be available to the Secretary for carrying out this subsection, out of the Highway Trust Fund (other than the Mass Transit Account) such sums as may be necessary for each of fiscal years 1992 through 1997.

(5) APPLICABILITY OF TITLE 23.—All provisions of chapter 1 of title 23, United States Code, that are applicable to the National Highway System, other than provisions relating to apportionment formula and period of availability, shall apply to funds made available to carry out this subsection, except as determined by the Secretary to be inconsistent with this section.

(g) ALTERNATIVE FUELS TREATMENT.—

(1) STUDY.—The Secretary shall conduct a study of the manner in which alternative fuels are treated for purposes of determining a State's relative revenue contributions to the Highway Trust Fund under sections 104(b)(3) and 157(a) of title 23, United States Code.

(2) REPORT.—Not later than 2 years after the effective date of this title, the Secretary shall transmit to Congress a report on the results of the study conducted under this subsection, together with any recommendations to the Secretary.

SEC. 111. PROGRAM AND PROJECT APPROVAL.

(a) IN GENERAL.—Section 105 of title 23, United States Code, is amended to read as follows:

"§ 105. Programs

"(a) PROGRAM OF PROJECTS.—As soon as practicable after the apportionments for the Federal-aid systems have been made for any fiscal year, a State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds apportioned. The Secretary shall act upon programs submitted to him as soon as practicable after the same have been submitted. The Secretary may approve a program in whole or in part, but he shall not approve any project in a proposed program which is not eligible for assistance under this title.

"(b) TRANSPORTATION PLANNING AND PROJECT SELECTION REQUIREMENTS.—

"(1) INCLUSION IN TIP.—After September 30, 1992, the Secretary may not approve any project within the boundaries of a State under this chapter unless the project is included in a transportation improvement program developed under section 134 or 135.

"(2) URBANIZED AREAS.—

"(A) METROPOLITAN PLANNING.—The Secretary may not approve any program of projects in an urbanized area unless the Secretary finds that such projects are based on the planning process under section 134 of this title.

"(B) STATE CONSIDERATION OF LOCAL VIEWS.— The Secretary may not approve under this chapter a project in an urbanized area (other than a project to be carried out with funds apportioned for the urban mobility system under section 104(b)(6)) unless the State has consulted with the responsible public officials of such area and has considered the views of such officials with respect to the corridor, the location, and the design of the project.

"(3) CONGESTION MANAGEMENT.—The Secretary may not approve a highway project (other than a project for construction of high occupancy vehicle lanes) in an urbanized area of more than 200,000 population which will significantly increase the motor vehicle carrying capacity of a highway facility unless the project is consistent with any congestion management system for such area.

"(4) PEDESTRIAN WALKWAYS AND BICYCLE TRANSPORTATION FACILITIES.—

"(A) GENERAL RULE.—The Secretary may not approve under this chapter a highway project for new construction or reconstruction within the boundaries of a State along which a pedestrian walkway or bicycle transportation facility is required to be included under the State's transportation improvement plan developed under section 135 unless such pedestrian walkway or bicycle transportation facility is part of such highway project.

"(B) EXCEPTION.—The Secretary does not have to approve a project for construction of a pedestrian walkway or bicycle transportation facility under subparagraph (A)—

"(i) if the Secretary determines that such construction is not feasible or that use of the walkway or facility would pose a safety risk to pedestrians or bicyclists, as the case may be; or

"(ii) the Secretary determines that there will be no substantial transportation or recreation benefit resulting from the project.

"(c) NHS IN NONURBANIZED AREAS.—In approving programs for projects on the National Highway System not located in an urbanized area the Secretary shall require that such projects be selected by the State in consultation with appropriate local officials.

"(d) RURAL MOBILITY SYSTEM.—In approving programs for projects on the rural mobility system, the Secretary shall require that such projects be selected by the State highway department, the appropriate local officials, and Indian tribal governments in cooperation with each other; except that, in the case of a State where all public roads and highways are under the control and supervision of the State highway department, such selection shall be made after consultation with appropriate local officials and Indian tribal governments.

"(e) NATIONAL HIGHWAY SYSTEM PREFERENCE.—In approving programs for projects on the National Highway System, the Secretary shall give preference to such projects as will expedite the completion of an adequate and connected system of highways interstate in character.

"(f) URBAN MOBILITY SYSTEM SELECTION PROCESS.—In approving programs for projects on the urban mobility system in an urbanized area, the Secretary shall require that such projects be selected by the metropolitan planning organization designated for such area under section 134 of this title in consultation with the State.

"(g) NATIONAL DEFENSE PRIORITY.—In approving programs for projects under this chapter, the Secretary may give priority of approval to, and expedite the construction of, projects that are recommended as important to the national defense by the Secretary of Defense or other official authorized by the President to make such recommendation.

"(h) SAFETY PRIORITY.—In approving programs for projects on the Federal-aid systems under this chapter, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits.

"(i) INTERMODAL CONSIDERATION.—In preparing programs to submit in accordance with subsection (a) of this section, the State shall give consideration to projects providing direct and convenient public access to public airports, public ports for water transportation, new town communities, and new town-intown communities. In approving such programs the Secretary shall give consideration to such projects.

"(j) NATIONAL ENERGY CONSIDERATION.—In preparing programs to submit in accordance with subsection (a) of this section, the State may give priority to projects for the reconstruction, resurfacing, restoration, or rehabilitation of highways which are incurring a substantial use as a result of transportation activities to meet national energy requirements and which will continue to incur such use. In approving such programs the Secretary may give priority to such projects.".

(b) CONFORMING AMENDMENT.—Section 150 of such title is amended by striking "(d)" each place it appears and inserting "(f)".

SEC. 112. PRECONSTRUCTION ACTIVITIES.

(a) LIMITATION ON ESTIMATES FOR CONSTRUCTION ENGINEERING.—Section 106(c) of title 23, United States Code is amended to read as follows:

"(c) LIMITATION ON ESTIMATES FOR CONSTRUCTION ENGINEERING.—Items included in

all such estimates for construction engineering for a State for a fiscal year shall not exceed, in the aggregate, 15 percent of the total estimated costs of all projects financed within the boundaries of the State with Federal-aid highway funds in such fiscal year, after excluding from such total estimate costs, the estimated costs of rights-of-way, preliminary engineering, and construction engineering.".

(b) CONFORMING AMENDMENTS.—Section 121(d) of such title is amended—

(1) by striking "120" and inserting "106(c), 120,"; and

(2) by striking the last sentence.

(c) PRESERVATION OF TRANSPORTATION CORRIDORS.—

(1) REPORT.—The Secretary, in consultation with the states, shall report to Congress within 2 years after the effective date of this title, a national list of the rights-of-way identified by the metropolitan planning organizations and the States (under sections 134 and 135 of title 23, United States Code), including the total mileage involved, an estimate of the total costs, and a strategy for preventing further loss of rights-of-way including the desirability of creating a transportation right-of-way land bank to preserve vital corridors.

(2) STATE PURCHASES.—States, metropolitan planning organizations, or units of local government, using National Highway System, urban mobility system, or rural mobility system funds, may purchase threatened right-of-way for which purchase is needed, with the concurrence of the Secretary. In approving such purchases, the Secretary shall give priority to those rights-of-way most imminently threatened with being lost to transportation purposes.

(3) LIMITATIONS.—The non-Federal purchasers under paragraph (2) must agree to preserve the acquired property for transportation corridors. The property acquired may not be converted to other purposes, which would prevent the future use of the right-of-way for transportation.

SEC. 113. LETTING OF CONTRACTS.

(a) CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.—Section 112(b)(2) of title 23, United States Code, is amended by adding at the end the following new subparagraphs:

"(C) PERFORMANCE AND AUDITS.—Any contract or subcontract awarded in accordance with subparagraph (A), whether funded in whole or in part with Federal-aid highway funds, shall be performed and audited in compliance with cost principles contained in the Federal acquisition regulations of part 31 of title 48 of the Code of Federal Regulations.

"(D) INDIRECT COST RATES.—In lieu of performing its own audits, a recipient of funds under a contract or subcontract awarded in accordance with subparagraph (A) shall accept indirect cost rates established in accordance with the Federal acquisition regulations for 1-year applicable accounting periods by a cognizant government agency or independent certified public accountant if such rates are not currently under dispute. Once a firm's indirect cost rates are accepted, the recipient of such funds shall apply such rates for the purposes of contract estimation, negotiation, administration, reporting, and contract payment and shall not be limited by administrative or de facto ceilings in accordance with section 15.901(c) of such title 48. A recipient of such funds requesting or using the cost and rate data described in this subparagraph shall notify any affected firm before such request or use. Such data shall be confidential and shall not be accessible or provided, in whole or in part, to any other firm or to any government agency which is not part of the group of agencies sharing cost data under this subparagraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.".

(b) CLARIFYING AMENDMENT.—Section 112(e)(1) of such title is amended by inserting "(including a contract entered into under section 117)" before "a contract clause".

(c) CONFORMING AMENDMENT.—Section 112(f) of such title is amended by striking "Federal-aid secondary" and inserting "rural mobility".

SEC. 114. CONVICT PRODUCED MATERIALS.

Section 114(b)(2) of title 23, United States Code, is amended by inserting "after July 1, 1991," after "Materials produced".

SEC. 115. PERIOD OF AVAILABILITY.

(a) IN GENERAL.—Section 118(a) of title 23, United States Code, is amended by striking "to each Federal-aid system or part thereof".

(b) NONINTERSTATE FUNDS.—Section 118(b)(1) of such title is amended—

(1) by striking "to each Federal-aid system";

(2) by inserting "to" after "other than" the first place it appears; and

(3) by striking "for the appropriate Federal-aid system or part thereof (other than the Interstate System)".

(c) INTERSTATE CONSTRUCTION FUNDS.—Section 118(b)(2) of such title is amended—

(1) in subparagraph (A)(ii)—

(A) by striking "THEREAFTER" and inserting "BETWEEN OCTOBER 1, 1989, AND OCTOBER 1, 1991"; and

(B) by inserting "and before October 1, 1991," after "1989,";

(2) by adding at the end of subparagraph (A) the following new clauses:

"(iii) APPORTIONMENTS BETWEEN OCTOBER 1, 1991, AND OCTOBER 1, 1995.—Except as otherwise provided in this subsection, sums apportioned on or after October 1, 1991, and before October 1, 1995, for the Interstate System in any State shall remain available for expenditure in the State until the end of the fiscal year in which they are apportioned.

"(iv) APPORTIONMENTS THEREAFTER.—Sums apportioned on October 1, 1995, for the Interstate System in any State shall remain available for expenditure in the State until expended.";

(3) in subparagraph (B) by inserting "or subparagraph (A)(iii)" after "subparagraph (A)(i)"; and

(4) in subparagraph (B) by inserting "(other than within the boundaries of the State of Massachusetts)" before "on the Interstate System".

(d) SET ASIDE FOR DISCRETIONARY PROJECTS.—Section 118(c) of such title is amended—

(1) by striking "1983" and inserting "1992";

(2) by striking "$300,000,000" and inserting "$100,000,000"; and

(3) by striking paragraph (2) and inserting the following new paragraph:

"(2) SET ASIDE FOR 4R PROJECTS.—

"(A) IN GENERAL.—Before any apportionment is made under section 104(b)(1) of this title, the Secretary shall set aside $95,000,000 for fiscal year 1992 and $114,000,000 for each fiscal year beginning after September 30, 1992, for obligation by the Secretary for projects for resurfacing, restoring, rehabilitating, and reconstructing any route or portion thereof on the Interstate System (other than any highway designated as a part of the Interstate System under section 139 and any toll road on the Interstate System not subject to an agreement under section 119(e) of this title, as in effect on the day before the effective date of title I of the Intermodal Surface Transportation Infrastructure Act of 1991). Such funds shall be made available by the Secretary to any State applying for such funds, if the Secretary determines that—

"(i) the State has obligated or demonstrates that it will obligate in the fiscal year all of its apportionments under section 104(b)(1) other than an amount which, by itself, is insufficient to pay the Federal share of the cost of a project for resurfacing, restoring, rehabilitating, and reconstructing the Interstate System which has been submitted by the State to the Secretary for approval; and

"(ii) the applicant is willing and able to (I) obligate the funds within 1 year of the date the funds are made available, (II) apply them to a ready-to-commence project, and (III) in the case of construction work, begin work within 90 days of obligation.

"(B) PRIORITY CONSIDERATION FOR CERTAIN PROJECTS.—In selecting projects to fund under subparagraph (A), the Secretary shall give priority consideration to any project the cost of which exceeds $10,000,000 on any high volume route in an urban area or a high truck-volume route in a rural area.

"(C) PERIOD OF AVAILABILITY OF DISCRETIONARY FUNDS.—Sums made available pursuant to this paragraph shall remain available until expended.".

(e) CONFORMING AMENDMENT.—Section 118(b) of such title is amended by striking paragraph (3).

SEC. 116. INTERSTATE SYSTEM RESURFACING.

Section 119 of title 23, United States Code, is amended—

(1) by striking subsections (a), (c), (e), and (f);

(2) by redesignating subsections (b) and (d) as subsections (a) and (b), respectively;

(3) in subsection (a), as so redesignated, by inserting before "Not later than" the following: "MAINTENANCE PROGRAM.—";

(4) in subsection (b), as so redesignated, by striking "or 104(b)(5)(B)"; and

(5) by adding at the end the following:

"(c) MINIMUM EXPENDITURE FOR INTERSTATE MAINTENANCE.—Of the amount apportioned to a State under section 104(b)(1) for any fiscal year beginning after September 30, 1991, such State shall obligate for interstate resurfacing, restoring, and rehabilitating not less than an amount equal to 70 percent of such State's apportionment under section 104(b)(5)(B) in fiscal year 1991.".

SEC. 117. FEDERAL SHARE.

(a) IN GENERAL.—Section 120 of title 23, United States Code, is amended by striking subsections (a), (b), (c), and (d) and inserting the following new subsections:

"(a) INTERSTATE SYSTEM PROJECTS.—Except as otherwise provided in this chapter, the Federal share payable on account of any project on the Interstate System (including project to add high occupancy vehicle lanes but excluding a project to add any other lanes) shall be 90 percent of the total cost thereof, plus a percentage of the remaining 10 percent of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, equal to the percentage that the area of such lands in such State is of its total area; except that such Federal share payable on any project in any State shall not exceed 95 percent of the total cost of such project.

"(b) OTHER FEDERAL-AID HIGHWAY PROJECTS.—Except as otherwise provided in

this chapter, the Federal share payable on account of any project or activity carried out under this chapter (other than a project subject to subsection (a)) and any project or activity financed under section 307(c) of this title shall be—

"(1) 80 percent of the cost thereof, except that in the case of any State containing nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved) exclusive of national forests and national parks and monuments, exceeding 5 percent of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area; or

"(2) 80 percent of the cost thereof, except that in the case of any State containing nontaxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), national forests, and national parks and monuments, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area;

except that the Federal share payable on any project in a State shall not exceed 95 percent of the total cost of any such project. In any case where a State elects to have the Federal share provided in paragraph (2) of this subsection, the State must enter into an agreement with the Secretary covering a period of not less than 1 year, requiring such State to use solely for highway construction purposes (other than paying its share of projects approved under this title) during the period covered by such agreement the difference between the State's share as provided in paragraph (2) and what its share would be if it elected to pay the share provided in paragraph (1) for all projects subject to such agreement.".

(b) CONFORMING AMENDMENTS.—Section 120 of such title is further amended by (1) striking subsections (j), (k), (l), and (m), (2) by redesignating subsections (e), (f), (g), (h), (i), and (n) as subsections (c), (d), (e), (f), (g), and (h), respectively, and (3) in subsection (d) as so redesignated by striking "and (c)" and inserting "and (b)"..

(c) LIMITATION ON STATUTORY CONSTRUCTION.—The amendment made by subsection (a) shall not be construed to affect the Federal share established by the Supplemental Appropriations Act, 1983 (97 Stat. 329) for construction of any highway on the Interstate System.

SEC. 118. EMERGENCY RELIEF.

(a) EXTENSION OF TIME PERIOD.—Section 120(d) of title 23, United States Code, as redesignated by section 117(b) of this Act, is amended by striking "90 days" and inserting "180 days".

(b) DOLLAR LIMITATION FOR TERRITORIES.—Section 125(b)(2) of such title is amended by striking "$5,000,000" and inserting "$20,000,000".

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall only apply to natural disasters and catastrophic failures occurring after the date of the enactment of this Act.

(d) ADVANCES.—

(1) IN GENERAL.—Notwithstanding section 125 of title 23, United States Code, the Secretary shall advance the State of Washington emergency relief funds under such section for the replacement of a bridge on the Interstate System damaged by storms in November 1990.

(2) FEDERAL SHARE.—The Federal share provisions of section 120 of title 23, United States Code, shall apply to replacement of the bridge pursuant to this section.

(3) REPAYMENT.—The State of Washington shall repay advances under this section to the extent that a final court judgment declares the damage to the bridge referred to in paragraph (1) was a result of human error. If the State does not make such repayment by the first day of the second fiscal year beginning after the date of such judgment, the Secretary shall deduct from funds to be apportioned to the State under section 104(b)(1) of title 23, United States Code, 50 percent of the amount needed for such repayment in such fiscal year and 50 percent of such amount in the succeeding fiscal year. Any amount deducted under this paragraph shall be credited to the emergency relief fund under section 125 of such title.

SEC. 119. GROSS VEHICLE WEIGHT RESTRICTION.

(a) CONTINUATION OF CERTAIN LONGER COMBINATION VEHICLES.—

(1) IN GENERAL.—Section 127 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(d) LONGER COMBINATION VEHICLES.—

"(1) PROHIBITION.—Except as otherwise provided in this subsection, a State may not allow a longer combination vehicle to be operated on the Interstate System within its boundaries without having its apportionment of funds withheld under subsection (a).

"(2) CONTINUATION OF LCVS LAWFULLY OPERATED ON JUNE 1, 1991.—A State may continue to allow to be operated on the Interstate System within its boundaries longer combination vehicles with a longer combination vehicle configuration and maximum gross vehicle weight—

"(A)(i)(I) if the State determined, on or before June 1, 1991, that longer combination vehicles with such configuration and weight could lawfully be operated on such System pursuant to a State statute or regulation in effect on June 1, 1991; and

"(II) if longer combination vehicles with such configuration and weight were in lawful operation on a regular or periodic basis (including seasonal operation or operation pursuant to a permit issued by the State) on such System on or before June 1, 1991; or

"(ii) if longer combination vehicles with such configuration and weight were in lawful operation on a regular or periodic basis on such System on or before June 1, 1991, pursuant to section 335 of the Department of Transportation and Related Agencies Appropriations Act, 1991 (104 Stat. 2186); and

"(B) if all operations of longer combination vehicles with such configuration and weight on the Interstate System continue to be subject, at a minimum, to all State statutes, regulations, limitations, and conditions (including routing-specific and configuration-specific designations and all other restrictions) in effect on June 1, 1991; except that, subject to the guidelines established by the Secretary under paragraph (6), the State may make minor adjustments to routing-specific designations and vehicle operation restrictions in effect on June 1, 1991, for safety purposes and for road construction purposes.

"(3) WYOMING.—In addition to vehicles which the State of Wyoming may continue to allow to be operated under paragraph (2), such State may allow longer combination vehicles with longer combination vehicle configurations not in actual operation on June 1, 1991, to be operated on the Interstate System within its boundaries by enactment of a State law on or before November 3, 1992—

"(A) if the gross vehicle weight of the longer combination vehicle with such configuration does not exceed 117,000 pounds;

"(B) if the longer combination vehicle with such configuration complies with the single axle, tandem axle, and bridge formula limits set forth in subsection (a); and

"(C) if such State notifies the Secretary of the enactment of such law before the 30th day following the date of such enactment.

The Secretary shall publish a notice of the enactment of such law in the Federal Register.

"(4) ADDITIONAL STATE RESTRICTIONS.—Nothing in this subsection shall prevent any State from further restricting in any manner or prohibiting the operation of longer combination vehicles otherwise authorized under this subsection, except that such restrictions or prohibitions shall be consistent with the requirements of sections 411, 412, and 416 of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2311, 2312, and 2316). Any State which further restricts or prohibits the operations of longer combination vehicles or makes minor adjustments pursuant to the exception set forth in paragraph (2)(B) shall notify the Secretary of the restriction, prohibition, or adjustment before the 30th day following the date of the action resulting in the restriction, prohibition, or adjustment, and the Secretary shall publish a notice of the restriction, prohibition, or adjustment in the Federal Register.

"(5) PUBLICATION OF STATE LAWS.—

"(A) STATE LISTS.—Not later than 90 days after the effective date of this subsection, each State shall file, in writing, with the Secretary a complete list of those State statutes, regulations, limitations, and conditions (including routing-specific and configuration-specific designations and all other restrictions) governing only the operation of longer combination vehicles. If the State does not file such list by such 90th day, the Secretary shall complete and file such list for the State not later than the 120th day following such effective date.

"(B) CERTIFICATION.—Not later than 90 days after the effective date of this subsection, each State interested in continuing to allow longer combination vehicles to be operated under paragraph (2) shall submit to the Secretary a written certification that the requirements of paragraph (2)(A)(i) or (2)(A)(ii), as the case may be, were complied with.

"(C) PUBLICATION.—Not later than 150 days after the effective date of this subsection, the Secretary shall publish in the Federal Register the lists filed under subparagraph (A).

"(D) REVIEW OF CERTIFICATION.—After publication under subparagraph (C), the Secretary shall review State certifications made under subparagraph (B) and may commence, on the Secretary's own initiative or pursuant to a challenge by any person, a proceeding to determine whether or not a certification made under subparagraph (B) made with regard to paragraph (2)(A)(i) or (2)(A)(ii) is inaccurate. In such proceeding, the State shall have the burden of proof to show that the certification is accurate. If the Secretary determines that the State certification is inaccurate, the Secretary shall amend the publication under subparagraph (C) to reflect the determination of the Secretary.

"(E) LIMITATION.—No statute or regulation shall be included on the lists published by the Secretary under this paragraph merely on the grounds that it authorized, or could have authorized, by permit or otherwise, the operation of longer combination vehicles,

not in actual operation on a regular or periodic basis on or before June 1, 1991.

"(F) FINALITY.—Except as modified pursuant to paragraphs (2)(B), (3), and (4) and subparagraph (D) of this paragraph, the lists published under this paragraph shall become final on the 30th day following the date of their publication in the Federal Register and, thereafter, longer combination vehicles may not be operated on the Interstate System except as provided in the laws and regulations on the lists and as modified pursuant to such paragraphs.

"(6) REGULATIONS REGARDING CERTAIN MINOR ADJUSTMENTS.—Not later than 180 days after the effective date of this subsection, the Secretary shall issue regulations establishing guidelines for States to follow in making minor adjustments under paragraph (2)(B).

"(7) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to allow the operation on any segment of the Interstate System of any commercial motor vehicle prohibited under section 411(j) of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2311(j)).

"(8) CONTINUATION OF APPLICABILITY OF SUBSECTION (A).—If a State allows a longer combination vehicle to be operated on the Interstate System within its boundaries in violation of this subsection, the State shall have its apportionment of funds withheld under subsection (a).

"(9) LONGER COMBINATION VEHICLE DEFINED.—For purposes of this subsection, the term 'longer combination vehicle' means any combination of a truck tractor and 2 or more trailers or semitrailers which operate on the Interstate System at a gross vehicle weight greater than 80,000 pounds.".

(2) STATE CERTIFICATION.—Section 141(b) of such title is amended by adding at the end the following new sentence: "Each State shall also certify that it is enforcing and complying with the provisions of section 127(d) of this title and section 411(j) of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2311(j)).".

(3) CONFORMING AMENDMENT.—The fourth sentence of section 127(a) of such title is amended by striking "This" and inserting "Subject to subsection (d) of this section, this".

(b) INTERSTATE ROUTE 68.—Section 127 of such title is amended by adding at the end the following new subsection:

"(e) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON INTERSTATE ROUTE 68.—The single axle, tandem axle, and bridge formula limits set forth in subsection (a) shall not apply to the operation on Interstate Route 68 in Garrett and Allegany Counties, Maryland, of any specialized vehicle equipped with a steering axle and a tridemaxle and used for hauling coal, logs, and pulpwood if such vehicle is of a type of vehicle as was operating in such counties on United States Route 40 or 48 for such purpose in calendar year 1991.".

(c) CONFORMING AMENDMENT.—Section 127(a) of such title is amended by striking "funds authorized to be appropriated for any fiscal year under provisions of the Federal-Aid Highway Act of 1956 shall be apportioned" and inserting "funds shall be apportioned in any fiscal year under section 104(b)(1) of this title".

(d) TRANSPORTERS OF WATER WELL DRILLING RIGS.—

(1) STUDY.—The Secretary shall conduct a study of State and Federal regulations pertaining to transporters of water well drilling rigs on public highways for the purpose of identifying requirements which place a burden on such transporters without enhancing safety or preservation of public highways.

(2) REPORT.—Not later than 2 years after the effective date of this title, the Secretary shall transmit to Congress a report on the results of the study conducted under paragraph (1), together with any legislative and administrative recommendations of the Secretary.

(e) USE OF INTERSTATE SYSTEM BY FIREFIGHTING VEHICLES.—

(1) TEMPORARY EXEMPTION.—The second sentence of section 127 of title 23, United States Code, relating to axle weight limitations and the bridge formula for vehicles using the National System of Interstate and Defense Highways, shall not apply, in the 2-year period beginning on the effective date of this title, to any vehicle which is used for the purpose of protecting persons and property from fires and other disasters that threaten public safety and which is being delivered to or operated by a firefighting agency. The Secretary may extend such 2-year period for an additional year.

(2) STUDY.—The Secretary shall conduct a study (A) of State laws regulating the use on the National System of Interstate and Defense Highways of vehicles described in paragraph (1), and (B) of the issuance of permits by States which exempt such vehicles from the requirements of the second sentence of section 127 of title 23, United States Code. The purposes of such study are to determine whether or not such State laws and section 127 need to be modified and whether or not a permanent exemption should be made for such vehicles from the requirements of such laws and section 127 or whether or not the bridge formula set forth in such sentence should be modified as it applies to such vehicles.

(3) REPORT.—Not later than 18 months after the effective date of this title, the Secretary shall submit to Congress a report on the results of the study conducted under paragraph (2), together with recommendations.

SEC. 120. TOLL ROADS, BRIDGES, AND TUNNELS.

(a) NEW PROGRAM.—Section 129(a) of title 23, United States Code, is amended to read as follows:

"(a) BASIC PROGRAM.—

"(1) AUTHORIZATION FOR FEDERAL PARTICIPATION.—Notwithstanding section 301 of this title and subject to the provisions of this section, the Secretary shall permit Federal participation in—

"(A) initial construction of a toll highway, bridge, or tunnel (other than a highway, bridge, or tunnel on the Interstate System) or approach thereto;

"(B) reconstructing, resurfacing, restoring, and rehabilitating a toll highway, bridge, or tunnel (including a toll highway, bridge, or tunnel subject to an agreement entered into under this section or section 119(e) as in effect on the day before the effective date of title I of the Intermodal Surface Transportation Infrastructure Act of 1991) or approach thereto;

"(C) reconstruction or replacement of a toll-free bridge or tunnel and conversion of the bridge or tunnel to a toll facility;

"(D) reconstruction of a toll-free Federal-aid highway (other than a highway on the Interstate System) and conversion of the highway to a toll facility if such reconstruction will result in the addition of 2 or more lanes to the highway and if, after such reconstruction and conversion, the highway will be fully access controlled; and

"(E) preliminary studies to determine the feasibility of a toll facility for which Federal participation is authorized under subparagraph (A), (B), (C), or (D);

on the same basis and in the same manner as in the construction of free highways under this chapter.

"(2) OWNERSHIP.—Each highway, bridge, tunnel, or approach thereto constructed under this subsection must—

"(A) be publicly owned, or

"(B) be privately owned if the public authority having jurisdiction over the highway, bridge, tunnel, or approach has entered into a contract with a private person to design, finance, construct, and operate the facility and the public authority will be responsible for complying with all applicable requirements of this title with respect to the facility.

"(3) LIMITATIONS ON USE OF REVENUES.—Before the Secretary may permit Federal participation under this subsection in construction of a highway, bridge, or tunnel located in a State, the public authority (including the State highway department) having jurisdiction over the highway, bridge, or tunnel must enter into an agreement with the Secretary which provides that, until repayment of all non-Federal debt incurred with respect to such construction (including debt service), all toll revenues received from operation of the toll facility will be used only on the toll facility and only for repayment of such debt, for reasonable return on investment of any private person financing the project, and for the costs necessary for the proper operation, maintenance, and debt service of the toll facility, including reconstruction, resurfacing, restoration, and rehabilitation. Thereafter the toll revenues may, in addition, be used for any purpose for which Federal funds may be obligated by a State under this title.

"(4) SPECIAL RULE FOR FUNDING.—In the case of a toll highway, bridge, or tunnel under the jurisdiction of a public authority of a State (other than the State highway department), upon request of the State highway department and subject to such terms and conditions as such department and public authority may agree, the Secretary shall reimburse such public authority for the Federal share of the costs of construction of the project carried out on the toll facility under this subsection in the same manner and to the same extent as such department would be reimbursed if such project was being carried out by such department. The reimbursement of funds under this paragraph shall be from sums apportioned to the State under this chapter and available for obligations on projects on the Federal-aid system in such State on which the project is being carried out.

"(5) LIMITATION ON FEDERAL SHARE.—The Federal share payable for construction of a highway, bridge, tunnel, or approach thereto or conversion of a highway, bridge, or tunnel to a toll facility under this subsection shall be such percentage as the State determines but not to exceed 35 percent.

"(6) MODIFICATIONS.—If a public authority (including a State highway department) having jurisdiction over a toll highway, bridge, or tunnel subject to an agreement under this section or section 119(e) as in effect on the day before the effective date of title I of the Intermodal Surface Transportation Infrastructure Act of 1991 requests modification of such agreement, the Secretary shall modify such agreement to allow the continuation of tolls in accordance with paragraph (3) without repayment of Federal funds.

"(7) INITIAL CONSTRUCTION DEFINED.—For purposes of this subsection, the term 'initial construction' means the construction of a

highway, bridge, or tunnel at any time before it is open to traffic and does not include any improvement to a highway, bridge, or tunnel after it is open to traffic.".

(b) ELIMINATION OF PUBLIC OPERATION REQUIREMENT FOR TOLL FERRIES.—Section 129 of such title is amended—

(1) by striking subsections (b), (c), (d), (e), (h), (i), and (k);

(2) by redesignating subsections (f), (g), and (j) as subsections (b), (c), and (d), respectively;

(3) in subsection (c) as so redesignated by inserting "and ferry terminal facilities" after "boats";

(4) in subsection (c) as so redesignated by striking paragraph (3) and inserting the following:

"(3) Such ferry boat or ferry terminal facility shall be publicly owned."; and

(5) in subsection (c)(4) as so redesignated—

(A) by inserting "or other public entity" after "State"; and

(B) by inserting before the period at the end the following: ", debt service, negotiated management fees, and, in the case of a privately operated toll ferry, for a reasonable rate of return".

(c) CONTINUATION OF EXISTING AGREEMENTS.—Unless modified under section 129(a)(6) of such title, as amended by subsection (a) of this section, agreements entered into under section 119(e) or 129 of such title before the effective date of this title and in effect on the day before such effective date shall continue in effect on and after such effective date in accordance with the provisions of such agreement and such section 119(e) or 129.

(d) VOIDING OF CERTAIN AGREEMENTS FOR FORT MCHENRY TUNNEL.—Upon the request of the public authority having jurisdiction over the Fort McHenry Tunnel, Maryland, and upon such authority entering into a new agreement regarding such tunnel with the Secretary, the Secretary shall void any agreement entered into with such authority with respect to the tunnel before the effective date of this subsection under section 120(c)(1) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 159). The new agreement referred to in the preceding sentence shall permit the continuation of tolls without repayment of Federal funds and shall provide that all toll revenues received from operation of the tunnel will be used—

(1) first for repayment of the non-Federal cost of construction of the tunnel (including debt service);

(2) second for the costs necessary for the proper operation and maintenance of the tunnel, including resurfacing, restoration, and rehabilitation; and

(3) to the extent that toll revenues exceed the amount necessary for paragraphs (1) and (2), such excess may be used for any purpose for which a State may obligate funds under title 23, United States Code.

(e) VOIDING OF CERTAIN AGREEMENTS FOR I-78 DELAWARE RIVER BRIDGE.—Upon the joint request of the State of Pennsylvania, the State of New Jersey, and the Delaware River Joint Toll Bridge Commission, and upon such parties entering into a new agreement with the Secretary regarding the bridge on Interstate Route 78 which crosses the Delaware River in the vicinity of Easton, Pennsylvania, and Phillipsburg, New Jersey, the Secretary shall void any agreement entered into with such parties with respect to the bridge before the effective date of this subsection under section 129(a), 129(d), or 129(e) of title 23, United States Code. The new agreement referred to in the preceding sentence shall permit the continuation of tolls without repayment of Federal funds and shall provide that all toll revenues received from operation of the bridge will be used—

(1) first for repayment of the non-Federal cost of construction of the bridge (including debt service);

(2) second for the costs necessary for the proper operation and maintenance of the bridge, including resurfacing, restoration, and rehabilitation; and

(3) to the extent that toll revenues exceed the amount necessary for paragraphs (1) and (2), such excess may be used with respect to any other bridge under the jurisdiction of the Delaware River Joint Toll Bridge Commission.

(f) BRIDGE CONNECTING PENNSYLVANIA TURNPIKE SYSTEM AND NEW JERSEY TURNPIKE.—Section 3 of the Act of October 26, 1951 (65 Stat. 653) is amended by striking ": *Provided*," and all that follows before the period.

SEC. 121. COMBINED HIGHWAY SAFETY IMPROVEMENT PROGRAM.

(a) IN GENERAL.—Section 130 of title 23, United States Code, is amended to read as follows:

"§ 130. Combined highway safety improvement program

"(a) SURVEY.—Each State shall—

"(1) conduct and systematically maintain an engineering survey of all highways—

"(A) to identify hazardous locations, sections, and elements, including roadside obstacles and unmarked or poorly marked highways, which may constitute a danger to motorists and pedestrians; and

"(B) to identify those railroad crossings which may require separation, relocation, protective devices, or pedestrian stoplights;

"(2) assign priorities for the correction of such locations, sections, and elements; and

"(3) establish and implement a schedule of projects for improvements so identified.

At a minimum, such a schedule shall provide signs for all railway-highway crossings.

"(b) PROJECTS.—The Secretary may approve as projects under this section any highway safety improvement project and any project for the elimination of hazards of railway-highway crossings.

"(c) LIMITATION TO NON-INTERSTATE HIGHWAYS.—Funds authorized to carry out this section shall be available for expenditure on any public road (other than a highway on the Interstate System).

"(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

"(e) SPECIAL RULES FOR RAILWAY-HIGHWAY CROSSINGS.—

"(1) CLASSIFICATION OF PROJECTS.—The Secretary may classify the various types of projects involved in the elimination of hazards of railway-highway crossings and may set for each such classification a percentage of the costs of construction which shall be deemed to represent the net benefit to the railroad or railroads for the purpose of determining the railroad's share of the cost of construction. The percentage so determined shall in no case exceed 10 percent. The Secretary shall determine the appropriate classification of each project.

"(2) LIABILITY.—

"(A) TO UNITED STATES.—Any railroad involved in a project for the elimination of hazards of railway-highway crossings paid for in whole or in part from sums made available for expenditure under this title shall be liable to the United States for the net benefit to the railroad determined under the classification of such project made pursuant to paragraph (1) of this subsection.

"(B) DISCHARGE.—The liability to the United States may be discharged by direct payment to the State highway department of the State in which the project is located, in which case such payment shall be credited to the cost of the project. Such payment may consist in whole or in part of materials and labor furnished by the railroad in connection with the construction of such project.

"(C) ENFORCEMENT.—If any railroad fails to discharge its liability under this paragraph within a 6-month period after completion of the project, it shall be liable to the United States for its share of the cost, and the Secretary shall request the Attorney General to institute proceedings against the railroad for the recovery of the amount for which it is liable under this paragraph. The Attorney General is authorized to bring such proceedings on behalf of the United States, in the appropriate district court of the United States, and the United States shall be entitled in such proceedings to recover such sums as it is considered and adjudged by the court that such railroad is liable for. Any amounts recovered by the United States under this subsection shall be credited to miscellaneous receipts.

"(f) APPORTIONMENT.—Subject to subsection (i), 12.5 percent of the funds authorized to be appropriated to carry out this section shall be apportioned to the States in the same manner as sums were apportioned under section 104(b)(2) of this title in fiscal year 1991, 12.5 percent of such funds shall be apportioned to the States in the same manner as sums were apportioned under section 104(b)(6) of this title in fiscal year 1991, 25 percent of such funds shall be apportioned to the States in the ratio that total railway-highway crossings in each State bears to the total of such crossings in all States, and 50 percent of such funds shall be apportioned to the States in the same manner as sums were apportioned under section 402(c) of this title.

"(g) FUNDS FOR PROTECTIVE DEVICES.—At least ¼ of the funds authorized for and expended under this section shall be available for the installation of protective devices and pedestrian stoplights at railway-highway crossings.

"(h) OBLIGATION OF FUNDS.—

"(1) IN GENERAL.—Funds authorized to be appropriated to carry out this section shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under section 104(b)(1), except that the Secretary is authorized to waive provisions the Secretary deems inconsistent with the purposes of this section.

"(2) LIMITATION.—From funds apportioned to a State under this section in a fiscal year, the Secretary shall make available to the State an amount for elimination of hazards of rail-highway crossings and an amount for highway safety improvement projects which is not less than the amount of funds apportioned to the State in fiscal year 1991 under this section and section 152, respectively.

"(i) SET-ASIDES.—

"(1) OPERATION LIFE SAVER PROGRAM.—Before making an apportionment of funds under subsection (f) for a fiscal year, the Secretary shall set-aside $300,000 of the funds authorized to be appropriated to carry out this section for such fiscal year to carry out a public information and education program to help prevent and reduce motor vehicle accidents, injuries, and fatalities and to improve driver performance at railway-highway crossings.

"(2) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—

Before making an apportionment of funds under subsection (f) for a fiscal year, the Secretary shall set aside $10,000,000 of the funds authorized to be appropriated to carry out this section for such fiscal year for elimination of hazards of railway-highway crossings in not to exceed 5 railway corridors selected by the Secretary in accordance with such criteria as the Secretary may establish by regulation. Such a corridor (A) must include rail lines where railroad speeds of 90 miles per hour are occurring or are expected to occur in the future and where substantial rail passenger service is provided, and (B) may not exceed 460 miles in length.

"(j) USE OF FUNDS BY LOCAL GOVERNMENTS.—Funds authorized to be appropriated to carry out this section may be used to provide a local government with funds to be used on a matching basis when State funds are available which may only be spent when the local government produces matching funds for the improvement of railway-highway crossings.

"(k) EVALUATION PROCESS FOR HIGHWAY SAFETY PROJECTS.—Each State shall establish an evaluation process approved by the Secretary, to analyze and assess results achieved by highway safety improvement projects carried out in accordance with procedures and criteria established by this section. Such evaluation process shall develop cost-benefit data for various types of corrections and treatments which shall be used in setting priorities for highway safety improvement projects.

"(l) ANNUAL REPORTS.—

"(1) TO CONGRESS.—

"(A) IN GENERAL.—Not later than December 30 of each year, each State shall report to the Secretary on the progress being made to implement the objectives of this section and the effectiveness of the programs being carried out under this section.

"(B) CONTENTS.—Each State report shall contain an assessment of the cost of the various treatments employed under this section, the safety benefits derived from, and the previous and subsequent accident experience at improved locations.

"(2) TO COMMITTEES.—

"(A) IN GENERAL.—Not later than April 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on the progress being made by the States in implementing projects under this section (including projects for pavement marking).

"(B) CONTENTS.—The report under this paragraph shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of programs under this section.

"(m) REVISION OF MANUAL.—Not later than 90 days after the date of the enactment of this subsection, the Secretary shall revise the Manual of Uniform Traffic Control Devices and such other regulations and agreements of the Federal Highway Administration as may be necessary to authorize States and local governments, at their discretion, to install stop or yield signs at any rail-highway grade crossing without automatic traffic control devices with 2 or more trains operating across the rail-highway grade crossing per day.

"(n) STATE DEFINED.—For the purposes of this section, the term 'State' as used with respect to highway safety improvement projects has the meaning such term has under section 401 of this title.".

(b) CONFORMING AMENDMENTS.—

(1) ANALYSIS.—The analysis for chapter 1 of such title is amended by striking the item relating to section 130 and inserting the following:

"130. Combined highway safety improvement program.".

(2) REPEAL OF HAZARD ELIMINATION PROGRAM.—Section 152 of title 23, United States Code, and the item relating to such section in the analysis for chapter 1 of such title are repealed.

(c) ROADSIDE BARRIERS AND SAFETY APPURTENANCES.—

(1) INITIATION OF RULEMAKING PROCEEDING.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding to revise the guidelines and establish standards for installation of roadside barriers and other safety appurtenances, including longitudinal barriers, end terminals, and crash cushions. Such rulemaking shall reflect state-of-the-art designs, testing, and evaluation criteria contained in the National Cooperative Highway Research Program Report 230, relating to approval standards which provide an enhanced level of crashworthy performance to accommodate vans, minivans, pickup trucks, and 4-wheel drive vehicles.

(2) FINAL RULE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall complete the rulemaking proceeding initiated under paragraph (1) and issue a final rule regarding the implementation of revised guidelines and standards for acceptable roadside barriers and other safety appurtenances, including longitudinal barriers, end terminals, and crash cushions. Such revised guidelines and standards shall accommodate vans, mini-vans, pickup trucks, and 4-wheel drive vehicles and shall be applicable to the refurbishment and replacement of existing roadside barriers and safety appurtenances as well as to the installation of new roadside barriers and safety appurtenances.

(d) VEHICLE PROXIMITY ALERT SYSTEM.—The Secretary shall coordinate the field testing of the vehicle proximity alert system and comparable systems to determine their feasibility for use by priority vehicles as an effective railroad-highway grade crossing safety device. In the event the vehicle proximity alert or a comparable system proves to be technologically and economically feasible, the Secretary shall develop and implement appropriate programs under section 130 of title 23, United States Code, to provide for installation of such devices where appropriate.

SEC. 122. CONTROL OF OUTDOOR ADVERTISING.

(a) FUNDING.—Section 131(m) of title 23, United States Code, is amended by adding at the end the following new sentence: "Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, a State may use any funds apportioned to it under section 104 of this title for removal of any sign, display, or device lawfully erected which does not conform to this section.".

(b) REMOVAL OF ILLEGAL SIGNS.—Section 131 of such title is amended by adding at the end the following new subsection:

"(r) REMOVAL OF ILLEGAL SIGNS.—

"(1) BY OWNERS.—Any sign, display, or device along the Interstate System or the Federal-aid primary system which was not lawfully erected, shall be removed by the owner of such sign, display, or device not later than the 90th day following the effective date of this subsection.

"(2) BY STATES.—If any owner does not remove a sign, display, or device in accordance with paragraph (1), the State within the borders of which the sign, display, or device is located shall remove the sign, display, or device. The owner of the removed sign, display, or device shall be liable to the State for the costs of such removal. Effective control under this section includes compliance with the first sentence of this paragraph.".

(c) SCENIC BYWAY PROHIBITION.—Such section is further amended by adding at the end the following new subsections:

"(s) SCENIC BYWAY PROHIBITION.—If a State has a scenic byway program, the State may not allow the erection along any highway on the Interstate System or Federal-aid primary system which before, on, or after the effective date of this subsection, is designated as a scenic byway under such program of any sign, display, or device which is not in conformance with subsection (c) of this section. Control of any sign, display, or device on such a highway shall be in accordance with this section.

"(t) PRIMARY SYSTEM DEFINED.—For purposes of this section, the terms 'primary system' and 'Federal-aid primary system' mean the Federal-aid primary system in existence on June 1, 1991, and any highway which is not on such system but which is on the National Highway System.".

(d) STATE COMPLIANCE LAWS.—The amendments made by this section shall not affect the status or validity of any existing compliance law or regulation adopted by a State pursuant to section 131 of title 23, United States Code.

SEC. 123. METROPOLITAN PLANNING.

(a) IN GENERAL.—Section 134 of title 23, United States Code, is amended to read as follows:

"§ 134. Metropolitan planning

"(a) GENERAL REQUIREMENTS.—It is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve urbanized areas of the States efficiently and effectively. To accomplish this objective, metropolitan planning organizations, in cooperation with the State, shall develop transportation plans and programs for urbanized areas of the State. Such plans and programs shall provide for the development of transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an intermodal transportation system for the State and such urbanized areas, giving emphasis to those facilities which serve important national and regional transportation functions (such as moving goods within the urbanized area and to distant markets, enhancing productivity and economic competitiveness, enabling persons to move quickly to and from their homes, jobs, and other destinations, providing access to international border crossings, and connecting roadways within the urbanized area with roadways outside the urbanized area). The process for developing such plans and programs shall provide for consideration of all modes of transportation (including pedestrian walkways and bicycle transportation) and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems.

"(b) METROPOLITAN PLANNING ORGANIZATION.—

"(1) DESIGNATION.—Affected units of general purpose local government and the Governor of a State shall designate or redesignate, by agreement or in accordance with procedures established by applicable State or local law, a metropolitan planning organization for each urbanized area of the State to carry out the transportation planning process required by this section.

"(2) CONTINUATION OF EXISTING MPOS.—For purposes of this subsection, a metropolitan planning organization in existence on September 30, 1991, shall be treated as being designated under this subsection.

"(c) COVERAGE.—The transportation planning process required by this section for an urbanized area shall cover, at a minimum, the existing urbanized area and the area expected to become an urbanized area within the planning forecast period and may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area (as defined by the Bureau of the Census), as the case may be, or an area designated as nonattainment for transportation-related pollutants under the Clean Air Act.

"(d) FACTORS TO BE CONSIDERED.—In developing transportation plans and programs under this section, each State and metropolitan planning organization shall consider, at a minimum, the following:

"(1) Transportation system management and investment strategies designed to make the most efficient use of existing transportation facilities.

"(2) Applicable Federal, State, and local energy conservation program, goals, and objectives.

"(3) The overall social, economic, and environmental effects of transportation decisions.

"(4) Applicable requirements of the Clean Air Act.

"(5) Methods to reduce traffic congestion and to prevent traffic congestion from developing in areas where it does not yet occur, including methods which reduce motor vehicle travel, particularly single-occupant motor vehicle travel.

"(6) Methods to expand and enhance transit services and to increase the use of such services.

"(7) The effect of transportation decisions on land use and land development, including the need for consistency between transportation decisionmaking and the provisions of all applicable short-range and long-range land use and development plans.

"(8) The transportation needs identified through use of the management systems required by section 303 of this title.

"(9) Where appropriate, the use of innovative mechanisms for financing projects, including value capture pricing, tolls, and congestion pricing.

"(10) Preservation of rights-of-way for construction of future transportation projects, including identification of unused rights-of-way which may be needed for future transportation corridors and identification of those corridors for which action is most needed to prevent destruction or loss.

"(11) Long-range needs of the transportation systems in the urbanized area.

"(12) Methods to enhance the efficient movement of commercial motor vehicles.

"(13) With respect to bridges and tunnels, life-cycle costs in the design and engineering of the bridge or tunnel.

"(e) SPECIAL RULES FOR URBANIZED AREAS OF MORE THAN 200,000.—In addition to complying with the requirements of subsection (a), a metropolitan planning organization for an urbanized area of more than 200,000 population must develop transportation plans and programs in cooperation with the State and affected transit operators. Such planning process shall include identification of methods to reduce congestion appropriate for the size of the area and the complexity of transportation problems in the area, including transportation-related air quality problems. In nonattainment urbanized areas of more than 200,000 population for transportation-related pollutants under the Clean Air Act, such methods shall be coordinated with the development of the State implementation plan required by the Clean Air Act.

"(f) LONG-RANGE PLAN.—The metropolitan planning organization designated for an urbanized area, in cooperation with the State, shall develop a long-range transportation plan for the area for which such organization is designated under subsection (c). In developing the plan, the metropolitan planning organization shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties with a reasonable opportunity to comment on the proposed plan. In addition, the metropolitan planning organization shall develop a long-range comprehensive plan for bicycle transportation and pedestrian walkways for such area which shall be incorporated into the long-range transportation plan for such area.

"(g) TRANSPORTATION IMPROVEMENT PROGRAM.—

"(1) DEVELOPMENT.—The metropolitan planning organization designated for an urbanized area, in cooperation with the State, shall develop a transportation improvement program for the area for which such organization is designated under subsection (c). In developing the program, the metropolitan planning organization shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties with a reasonable opportunity to comment on the proposed program.

"(2) INCLUDED PROJECTS.—A transportation improvement program for an urbanized area developed under this subsection shall include projects within the area which are proposed for funding under this title and the Urban Mass Transportation Act of 1964, which are consistent with the long-range plan developed under subsection (f) for the area, and which conform with any applicable State implementation plan developed pursuant to the Clean Air Act. The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project.

"(3) BIENNIAL REVIEW AND APPROVAL.—A transportation improvement program for an urbanized area developed under this subsection shall be reviewed and approved no less frequently than biennially by the metropolitan planning organization for the area.

"(4) MODIFICATIONS.—A transportation improvement program for an urbanized area developed under this subsection may be modified at any time by the metropolitan planning organization for the area in cooperation with the State if such modification is consistent with the long-range transportation plan developed under subsection (f).".

(b) ADVISORY COMMITTEE REVIEW.—

(1) ESTABLISHMENT OF ADVISORY COMMITTEE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish in the Department of Transportation an advisory committee to review—

(A) the planning process being utilized by metropolitan planning organizations under section 134 of title 23, United States Code;

(B) the composition and organization of such metropolitan planning organizations;

(C) the impact on such metropolitan planning organizations of changing demographics and increased responsibilities of such metropolitan planning organizations under such title and under the Clean Air Act; and

(D) the relationship between the planning processes being carried out under such section and section 135 of such title.

(2) COMPOSITION.—The advisory committee established under this subsection shall have such membership as the Secretary may establish; except that representatives of the following organizations shall, at a minimum, be members of the advisory committee:

(A) The National Association of Counties.

(B) The National League of Cities.

(C) The National Association of Regional Councils.

(D) The National Governors Association.

(E) The United States Conference of Mayors.

(F) The American Association of State Highway and Transportation Officials.

(3) REPORT.—Not later than 3 years after the date of the enactment of this Act, the advisory committee established under this section shall submit to the Secretary and Congress a report on the results of the review conducted under this subsection, together with such recommendations as the advisory committee may have with respect to the matters listed in paragraph (1).

SEC. 124. STATEWIDE PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended to read as follows:

"§ 135. Statewide planning

"(a) GENERAL REQUIREMENTS.—It is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve all areas of the State efficiently and effectively. Subject to section 134 of this title, the State shall develop transportation plans and programs for all areas of the State. Such plans and programs shall provide for development of transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an intermodal State transportation system, giving emphasis to those facilities which serve important national and regional transportation functions (such as moving goods within the State and to distant markets, enhancing productivity and economic competitiveness, enabling persons to move quickly to and from their homes, jobs, and other destinations, providing access to international border crossings, and connecting roadways within the State with roadways outside the State). The process for developing such plans and programs shall provide for consideration of all modes of transportation (including bicycle transportation and other forms of nonmotorized transportation) and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems.

"(b) COORDINATION WITH METROPOLITAN PLANNING; STATE IMPLEMENTATION PLAN.—In carrying out planning under this section, a State shall coordinate such planning with the transportation planning activities car-

ried out under section 134 of this title for urbanized areas of the State and shall develop the transportation portion of the State implementation plan required by the Clean Air Act.

"(c) FACTORS TO BE CONSIDERED.—In developing transportation plans and programs under this section, each State shall consider, at a minimum, the following:

"(1) Transportation system management and investment strategies designed to make the most efficient use of existing transportation facilities.

"(2) Applicable Federal, State, and local energy conservation program, goals, and objectives.

"(3) The overall social, economic, and environmental effects of transportation decisions.

"(4) Applicable requirements of the Clean Air Act.

"(5) Methods to reduce traffic congestion and to prevent traffic congestion from developing in areas where it does not yet occur, including methods which reduce motor vehicle travel, particularly single-occupant motor vehicle travel.

"(6) Methods to expand and enhance transit services and to increase the use of such services.

"(7) The effect of transportation decisions on land use and land development, including the need for consistency between transportation decisionmaking and the provisions of all applicable short-range and long-range land use and development plans.

"(8) The transportation needs identified through use of the management systems required by section 303 of this title.

"(9) Where appropriate, the use of innovative mechanisms for financing projects, including value capture pricing, tolls, and congestion pricing.

"(10) Preservation of rights-of-way for construction of future transportation projects, including identification of unused rights-of-way which may be needed for future transportation corridors, and identification of those corridors for which action is most needed to prevent destruction or loss.

"(11) Long-range needs of the State transportation system.

"(12) Recreational travel and tourism.

"(13) Methods to enhance the efficient movement of commercial motor vehicles.

"(14) With respect to bridges and tunnels, life-cycle costs in the design and engineering of the bridge or tunnel.

"(d) ADDITIONAL REQUIREMENTS.—Each State in carrying out planning under this section shall—

"(1) incorporate, coordinate, and reconcile transportation plans and programs developed for urbanized areas of the State under section 134 with the State transportation plans and programs developed under this section;

"(2) provide for comprehensive transportation planning for areas of the State which are not urbanized areas;

"(3) consult with Indian tribal governments having jurisdiction over lands within the boundaries of the State;

"(4) establish and implement a bridge management system, pavement management system, safety management system, transit management system, and congestion management system in accordance with section 303 of this title; and

"(5) establish and implement a traffic monitoring system in accordance with section 303 of this title.

"(e) LONG-RANGE PLAN.—The State shall develop a long-range transportation plan for all areas of the State. With respect to urbanized areas of the State, the plan shall be developed in cooperation with metropolitan planning organizations designated for urbanized areas in the State under section 134. With respect to areas of the State under the jurisdiction of an Indian tribal government, the plan shall be developed in cooperation with such government and the Secretary of the Interior. In developing the plan, the State shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties with a reasonable opportunity to comment on the proposed plan. In addition, the State shall develop a long-range comprehensive plan for bicycle transportation and pedestrian walkways for all areas of the State which shall be incorporated into the long-range transportation plan.

"(f) TRANSPORTATION IMPROVEMENT PROGRAM.—

"(1) DEVELOPMENT.—The State shall develop a transportation improvement program for all areas of the State. With respect to urbanized areas of the State, the program shall be developed in cooperation with metropolitan planning organizations designated for urbanized areas in the State under section 134. In developing the program, the State shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties with a reasonable opportunity to comment on the proposed program.

"(2) INCLUDED PROJECTS.—A transportation improvement program for a State developed under this subsection shall include projects within the boundaries of the State which are proposed for funding under this title and the Urban Mass Transportation Act of 1964, which are consistent with the long-range plan developed under subsection (e) for the State, and which conform with any applicable State implementation plan developed pursuant to the Clean Air Act. The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for such project within the time period contemplated for completion of the project.

"(3) BIENNIAL REVIEW AND APPROVAL.—A transportation improvement program developed under this subsection shall be reviewed and approved no less frequently than biennially by the State.

"(4) MODIFICATIONS.—A transportation improvement program developed under this subsection may be modified at any time by the State in cooperation with affected metropolitan planning organizations if such modification is consistent with the long-range transportation plan developed under subsection (e).".

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by striking the items relating to sections 134 and 135 and inserting the following:

"134. Metropolitan planning.
"135. Statewide planning.".

SEC. 125. FRINGE AND CORRIDOR PARKING FACILITIES.

(a) PUBLICLY OWNED PARKING FACILITIES.—Section 137(a) of title 23, United States Code, is amended by striking "the Federal-aid urban system" and inserting "any Federal-aid system for payment with sums apportioned under section 104(b) (other than section 104(b)(5)(A))".

(b) CONFORMING AMENDMENT.—Section 137 of such title is amended by striking subsection (f).

SEC. 126. INDIAN NONDISCRIMINATION.

(a) ELIGIBILITY FOR TRAINING PROGRAMS.—Subsections (b) and (c) of section 140 of title 23, United States Code, are each amended by inserting "Indian tribal government," after "institution,".

(b) INDIAN EMPLOYMENT PREFERENCE.—Section 140(d) of such title is amended by inserting after the first sentence the following new sentence: "States may implement a preference for employment of Indians on projects carried out under this title near Indian reservations.".

SEC. 127. PUBLIC TRANSPORTATION.

(a) IMPROVED ACCESS BETWEEN INTERCITY AND RURAL BUS SERVICE.—Section 142(a)(2) of title 23, United States Code, is amended—

(1) by striking ", beginning with the fiscal year ending June 30, 1975,";

(2) by striking "Federal-aid urban system," and inserting "rural mobility system or urban mobility system";

(3) by striking "104(b)(6)" the first place it appears and all that follows through the period at the end and inserting "104(b)(2) or 104(b)(6), respectively, for carrying out any capital transit project eligible for assistance under the Urban Mass Transportation Act of 1964, capital improvement to provide access and coordination between intercity and rural bus service, and construction of facilities to provide connections between highway transportation and other modes of transportation.".

(b) ACCOMMODATION OF OTHER MODES.—Section 142(c) of such title is amended to read as follows:

"(c) ACCOMMODATION OF OTHER MODES OF TRANSPORTATION.—The Secretary may approve as a project on any Federal-aid system for payment from sums apportioned under section 104(b) (other than section 104(b)(5)(A)) modifications to existing highway facilities on such system necessary to accommodate other modes of transportation if such modifications will not adversely affect automotive safety or future highway improvements.".

(c) METROPOLITAN PLANNING.—Section 142(d) of such title is amended to read as follows:

"(d) METROPOLITAN PLANNING.—Any project carried out under this section in an urbanized area shall be subject to the metropolitan planning requirements of section 134.".

(d) USE OF RIGHT-OF-WAYS.—Section 142(g) of such title is amended—

(1) by inserting "or air space" after "sufficient land";

(2) by striking "the Administrator may authorize a State to" and inserting "a State may";

(3) by inserting ", air space," after "such lands"; and

(4) by inserting "or private person" after "transit authority".

(e) CONFORMING AMENDMENTS TO SECTION 142.—Section 142 of such title is amended—

(1) in subsection (e)(2) by striking "Federal-aid urban" and inserting "urban mobility";

(2) by striking subsections (f) and (k);

(3) by redesignating subsections (g), (h), (i), and (j) as subsections (f), (g), (h), and (i), respectively;

(4) in subsection (g), as so redesignated, by striking "or subsection (c) of this section"; and

(5) in each of subsections (h) and (i), as so redesignated, by striking "and subsection (c)".

(f) CONFORMING AMENDMENT TO SECTION 156.—Section 156 of such title is amended by

striking "States shall" and inserting "Subject to section 142(f), States shall".

SEC. 128. BRIDGE REPLACEMENT AND REHABILITATION.

(a) INVENTORY OF INDIAN RESERVATION AND PARK BRIDGES.—Section 144(c) of title 23, United States Code, is amended by adding at the end the following new paragraph:

"(3) INVENTORY OF INDIAN RESERVATION AND PARK BRIDGES.—As part of the activities carried out under paragraph (1), the Secretary, in consultation with the Secretary of the Interior, shall (A) inventory all those highway bridges on Indian reservation roads and park roads which are bridges over waterways, other topographical barriers, other highways, and railroads, (B) classify them according to serviceability, safety, and essentiality for public use, (C) based on the classification, assign each a priority for replacement or rehabilitation, and (D) determine the cost of replacing each such bridge with a comparable facility or of rehabilitating such bridge.".

(b) BRIDGE STRUCTURE PAINTING AND ACETATE APPLICATION.—Section 144(d) of such title is amended—

(1) by inserting after the first sentence the following new sentence: "Whenever any State makes application to the Secretary for assistance in painting, or applying calcium magnesium acetate to, the structure of a highway bridge, the Secretary may approve Federal participation in the painting of, or application of such acetate to, such structure."; and

(2) by inserting after "projects" the first place it appears in the last sentence the following: "(other than projects for bridge structure painting or application of such acetate)".

(c) FEDERAL SHARE.—Section 144(f) of such title is amended by striking "highway bridge replaced or rehabilitated" and inserting "project".

(d) DISCRETIONARY BRIDGE PROGRAM.—Section 144(g)(1) of such title is amended to read as follows:

"(1) DISCRETIONARY BRIDGE PROGRAM.—Of the amounts authorized for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 by section 103 of the Intermodal Surface Transportation Infrastructure Act of 1991, all but $153,000,000 per fiscal year ($129,000,000 in the case of fiscal year 1992) shall be apportioned as provided in subsection (e) of this section. $142,000,000 per fiscal year ($119,000,000 in the case of fiscal year 1992) of the amount authorized for each of such fiscal years shall be available for obligation on the date of each such apportionment in the same manner and to the same extent as the sums apportioned on such date, except that the obligation of such $142,000,000 (or $119,000,000 in the case of fiscal year 1992) shall be at the discretion of the Secretary, and $11,000,000 per fiscal year ($10,000,000 in the case of fiscal year 1992) of the amount authorized for each of such fiscal years shall be available in accordance with section 141(e) of the Intermodal Surface Transportation Infrastructure Act of 1991, relating to highway timber bridges.".

(e) OFF-SYSTEM BRIDGES.—

(1) ALLOCATION OF FUNDS.—Section 144(g)(3) of such title is amended—

(A) by striking "and 1991" and inserting "1991, 1992, 1993, 1994, 1995, 1996, and 1997"; and

(B) by striking "or rehabilitate" and inserting ", rehabilitate, paint, or apply calcium magnesium acetate to".

(2) APPLICABILITY OF STATE STANDARDS FOR PROJECTS.—Section 144 of such title is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

"(p) APPLICABILITY OF STATE STANDARDS FOR PROJECTS.—A project not on a Federal-aid system under this section shall be designed, constructed, operated, and maintained in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards.".

(f) SET-ASIDE FOR INDIAN RESERVATION BRIDGES.—Section 144(g) of this title is amended by adding at the end the following new paragraph:

"(4) INDIAN RESERVATION BRIDGES.—Not less than 1 percent of the amount apportioned to each State which has an Indian reservation within its boundaries for each fiscal year shall be expended for projects to replace, rehabilitate, paint, or apply calcium magnesium acetate to highway bridges located on Indian reservation roads. Upon determining a State bridge apportionment and before transferring funds to the States, the Secretary shall transfer the Indian reservation bridge allocation under this paragraph to the Secretary of the Interior for expenditure pursuant to this paragraph. The Secretary, after consultation with State and Indian tribal government officials and with the concurrence of the Secretary of the Interior, may, with respect to such State, reduce the requirement for expenditure for bridges under this paragraph when the Secretary determines that there are inadequate needs to justify such expenditure. The non-Federal share payable on account of such a project may be provided from funds made available for Indian reservation roads under chapter 2 of this title.".

(g) PROTECTION OF PREVIOUS APPORTIONMENTS.—The amendment made by subsection (d) shall not affect sums apportioned or allocated before September 30, 1991.

(h) HIGH COST BRIDGE PROJECTS.—

(1) PURPOSE.—The purpose of this subsection is to provide funds to accelerate construction of high cost bridge projects.

(2) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the high cost of bridge projects described in this paragraph. Subject to paragraph (3), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

City/State	High Cost Bridges	Amount in millions
Delaware, Oklahoma	Construction of a replacement bridge on U.S. Rt. 59 over Grand Lake in Delaware, Oklahoma	11.5
Eugene, Oregon	Construction of the Ferry Street Bridge	28.0
Beaver County, Pennsylvania	Construction of Aliquippa Ambridge Bridge of Beaver County, Pennsylvania	21.0
Arkansas	For an expanded study of environmental impact and geo technical information for Arkansas-Mississippi Great River Bridge	0.8
Gloucester Point, Virginia	Construct 2 additional lanes on existing bridge over the York River	14.0
San Francisco, California	For preliminary work associated with the seismic upgrading of the Golden Gate Bridge in San Francisco, California	7.0
Cape May & Atlantic Counties, New Jersey	Replace critically important bridge between Ocean City and Longport, New Jersey	20.0
Ohio	Conduct environmental and feasibility studies for the construction of a bridge or tunnel across the Maumee River in the vicinity of an existing left span bridge	1.0
Maine	Donald B. Carter Memorial Bridge	25.2
Bloomington, Minnesota	Bloomington Terry Bridge replacement, Bloomington, Minnesota	7.0
Charleston, South Carolina	Highway 17 Bridge replacement projects: Cooper River, Charleston, South Carolina	16.8
Ft. Lauderdale, Florida	17th Street Causeway Tunnel/Bridge replacement, Ft. Lauderdale, Florida	16.1
Maryland	Woodrow Wilson Bridge rehabilitation	35.0
New York	Macomb Dam Bridge, Manhattan Bridge Rehabilitation Project, Queensboro Bridge—Rehabilitation of Main Span, Williamsburg Bridge Rehabilitation Project, Brooklyn Bridge Rehabilitation	87.5
Miami, Florida	Complete construction of Dodge Island Bridge	4.0

(3) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by paragraph (2) for each project authorized by paragraph (2) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(4) FEDERAL SHARE.—The Federal share payable on account of any project under this subsection shall be 80 percent of the cost thereof.

(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this subsection to the State in which such project or projects are located upon request of such State.

(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(7) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this subsection shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

(i) CONTINUATION OF EXISTING APPORTIONMENT CRITERIA.—The criteria for apportionment of funds used by the Department of Transportation under section 144 of title 23, United States Code, and in effect on September 30, 1991, shall remain in effect until September 30, 1997, or until changed by law, whichever occurs first.

SEC. 129. CARPOOL AND VANPOOL PROJECTS.

Section 146(a) of title 23, United States Code, is amended by striking "sections

104(b)(1), 104(b)(2), and 104(b)(6)" and inserting "section 104(b) (other than section 104(b)(5)(A))".

SEC. 130. NATIONAL MAXIMUM SPEED LIMIT COMPLIANCE PROGRAM.

(a) PERMANENT EXTENSION OF 65 MPH SPEED LIMIT DEMONSTRATION PROGRAM.—Section 154(a) of title 23, United States Code, is amended by striking "Clause (3)" and inserting "Clause (4)" and by striking "or (3)" and inserting the following: "(3) a maximum speed limit in excess of 65 miles per hour on any highway within its jurisdiction located outside an urbanized area of 50,000 population or more (A) which is constructed to interstate standards in accordance with section 109(b) of this title and connected to a highway on the Interstate System, (B) which is a divided 4-lane fully controlled access highway designed or constructed to connect to a highway on the Interstate System posted at 65 miles per hour and constructed to design and construction standards as determined by the Secretary which provide a facility adequate for a speed limit of 65 miles per hour, or (C) which is constructed to the geometric and construction standards adequate for current and probable future traffic demands and for the needs of the locality and is designated by the Secretary as part of the Interstate System in accordance with section 139(c) of this title, or (4)".

(b) COLLECTION OF DATA.—Section 154(e) of such title is amended—

(1) by striking "fifty-five miles per hour on public highways with speed limits posted at fifty-five miles per hour" and inserting "the speed limit on maximum speed limit highways"; and

(2) by adding at the end the following: "The Secretary shall issue regulations which ensure (1) that the monitoring programs conducted by the States to collect data for purposes of this subsection are uniform, (2) that devices and equipment under such programs are placed at locations on maximum speed limit highways on a scientifically random basis which takes into account the relative risk, as determined by the Secretary, of motor vehicle accidents occurring considering the classes of such highways and the speeds at which vehicles are traveling on such classes of highways, and (3) that the data submitted under this subsection will be in such form as the Secretary determines is necessary to carry out subsection (f).".

(c) ENFORCEMENT.—Section 154 of such title is amended by striking subsection (f) and all that follows and inserting the following new subsections:

"(f) ENFORCEMENT.—

"(1) TRANSFERS OF APPORTIONMENT.—If the percentage of vehicles traveling in a fiscal year in a State—

"(A) on 55 mph interstate highways at speeds in excess of the posted speed limit plus 5 miles per hour exceeds 50 percent,

"(B) on 55 mph interstate highways at speeds in excess of the posted speed limit plus 10 miles per hour exceeds 30 percent,

"(C) on 65 mph highways at speeds in excess of the posted speed limit plus 5 miles per hour exceeds 35 percent,

"(D) on 65 mph highways at speeds in excess of the posted speed limit plus 10 miles per hour exceeds 20 percent,

"(E) on 55 mph noninterstate highways at speeds in excess of the posted speed limit plus 5 miles per hour exceeds 30 percent, or

"(F) on 55 mph noninterstate highways at speeds in excess of the posted speed limit plus 10 miles per hour exceeds 15 percent,

the Secretary shall transfer not less than 1 percent and not more than 5 percent of the funds apportioned to the State for the succeeding fiscal year under each of subsections (b)(1), (b)(2), and (b)(6) of section 104 of this title to the apportionment of the State under section 402 of this title; except that, in any case in which an apportionment of a State is transferred pursuant to this paragraph in 2 or more consecutive fiscal years, the minimum percentage to be transferred shall be 2 percent and the maximum percentage to be transferred shall be 10 percent.

"(2) FACTORS TO BE CONSIDERED WITH RESPECT TO ENFORCEMENT.—In determining the percentage of funds of a State to be transferred under this subsection, the Secretary shall consider the number of categories listed in subparagraphs (A) through (F) of paragraph (1) with respect to which the State is out of compliance.

"(3) LIMITATION ON USE OF FUNDS.—

"(A) GENERAL RULE.—A State must obligate at least 50 percent of its funds transferred pursuant to paragraph (1) for a fiscal year for speed limit enforcement and public information and education.

"(B) WAIVER.—Upon request of a State, the Secretary may waive the requirement of subparagraph (A) for any fiscal year quarter if in the preceding fiscal year quarter the State was in compliance with all of the categories listed in subparagraphs (A) through (F) of paragraph (1).

"(g) ADMINISTRATION THROUGH NHTSA.—

"(1) TRANSFER OF FUNCTIONS.—The Secretary shall carry out this section and section 141(a) of this title through the National Highway Traffic Safety Administration, in cooperation with the Federal Highway Administration.

"(2) TRANSFER OF PERSONNEL.—In order to carry out objectives of this subsection, the Secretary shall transfer any employees of the Federal Highway Administration who, on the date of the enactment of the Intermodal Surface Transportation Infrastructure Act of 1991, are carrying out any duties with respect to this section or section 141(a) of this title or both to the National Highway Traffic Safety Administration.

"(h) DEFINITIONS.—For purposes of this section the following definitions apply:

"(1) MAXIMUM SPEED LIMIT HIGHWAY.—The term 'maximum speed limit highway' means any public highway with a speed limit which is posted on or after January 1, 1991, at 55 miles per hour or more in accordance with this section or section 329 of the Department of Transportation and Related Agency Appropriations Act, 1988 (101 Stat. 1329-383); except that such term does not include any highway on which the posted speed limit has been reduced to less than 55 miles per hour after such date based on legitimate traffic safety requirements as determined by the Secretary.

"(2) 65 MPH HIGHWAY.—The term '65 mph highway' means a maximum speed limit highway on which the speed limit is posted at more than 55 miles per hour in accordance with subsection (a) of this section or section 329 of the Department of Transportation and Related Agency Appropriations Act, 1988 (101 Stat. 1329-383).

"(3) 55 MPH INTERSTATE HIGHWAY.—The term '55 mph interstate highway' means a maximum speed limit highway which is on the Interstate System but which is not a 65 mile per hour highway.

"(4) 55 MPH NONINTERSTATE HIGHWAY.—The term '55 mph noninterstate highway' means a maximum speed limit highway which is not on the Interstate System and which is not a 65 mile per hour highway.".

(d) ENFORCEMENT MORATORIUM.—No State shall be subject under section 141 or 154 of title 23, United States Code, to withholding of apportionments for failure to comply in fiscal years 1990 and 1991 with section 154 of such title, as in effect on the day before the effective date of this title, or section 141(a) of such title.

SEC. 131. MINIMUM ALLOCATION.

(a) GENERAL RULE.—Section 157(a) of title 23, United States Code, is amended—

(1) in paragraph (3) by striking "THEREAFTER" and inserting "FISCAL YEARS 1989-1991";

(2) in paragraph (3) by striking "and each fiscal year thereafter," and inserting ", 1990, and 1991"; and

(3) by adding at the end the following new paragraph:

"(4) THEREAFTER.—

"(A) BASIC.—In fiscal year 1992 and each fiscal year thereafter on October 1, or as soon as possible thereafter, the Secretary shall allocate among the States amounts sufficient to ensure that a State's percentage of the total apportionments in each such fiscal year and allocations for the prior fiscal year for Federal-aid highway programs (except allocations for forest highways, Indian reservation roads, and parkways and park roads in accordance with section 202 of this title, highway related safety grants authorized by section 402 of this title, nonconstruction safety grants authorized by sections 402, 406, and 408 of this title, Bureau of Motor Carrier Safety Grants authorized by section 404 of the Surface Transportation Assistance Act of 1982, projects under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, and projects under sections 128(h), 134(c), 140, 149, 157, and 505 of the Intermodal Surface Transportation Infrastructure Act of 1991) shall not be less than 90 percent of the percentage of estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund, other than the Mass Transit Account, in the latest fiscal year for which data are available.

"(B) SUPPLEMENTAL.—In each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, on October 1, or as soon as possible thereafter, the Secretary shall allocate among the States in such fiscal year amounts sufficient to ensure that a State's percentage of the total allocation in such fiscal year under sections 128(h), 134(c), 140, 149, 157, and 505 of the Intermodal Surface Transportation Infrastructure Act of 1991 shall not be less than 90 percent of the percentage of estimated tax payments attributable to highway users in that State paid into the Highway Trust Fund, other than the Mass Transit Account, in the latest fiscal year for which data is available. For purposes of the preceding sentence, the total allocations under such sections shall be treated as being $381,000,000 for fiscal year 1992 and $874,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.".

(b) CONFORMING AMENDMENT.—Section 157(b) of such title is amended—

(1) by striking "primary, secondary" and inserting "National Highway, rural mobility"; and

(2) by inserting after "urban" the following: "mobility".

SEC. 132. BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS.

Section 217 of title 23, United States Code, is amended to read as follows:

"§ 217. Bicycle transportation and pedestrian walkways

"(a) USE OF MOBILITY SYSTEM AND FLEXIBLE PROGRAM FUNDS.—Subject to approval by the Secretary in accordance with the program of projects approval process of section

105, a State may obligate funds apportioned to it under sections 104(b)(2), 104(b)(3), and 104(b)(6) of this title for construction of pedestrian walkways and bicycle transportation facilities and for carrying out nonconstruction projects related to safe bicycle use.

"(b) USE OF NATIONAL HIGHWAY SYSTEM FUNDS.—Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, a State may obligate funds apportioned to it under section 104(b)(1) of this title for construction of bicycle transportation facilities on land adjacent to any highway on the National Highway System (other than the Interstate System).

"(c) USE OF FEDERAL LANDS HIGHWAY FUNDS.—Funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of pedestrian walkways and bicycle transportation facilities in conjunction with such trails, roads, highways, and parkways.

"(d) STATE BICYCLE AND PEDESTRIAN COORDINATORS.—Each State receiving an apportionment under sections 104(b)(2), 104(b)(3), and 104(b)(6) of this title shall use such amount of the apportionment as may be necessary to fund in the State department of transportation a position of bicycle and pedestrian coordinator for promoting and facilitating the increased use of nonmotorized modes of transportation, including developing facilities for the use of pedestrians and bicyclists and public education, promotional, and safety programs for using such facilities.

"(e) BRIDGES.—In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway, other than a highway access to which is fully controlled, on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations.

"(f) FEDERAL SHARE.—For all purposes of this title, construction of a pedestrian walkway and a bicycle transportation facility shall be deemed to be a highway project and the Federal share payable on account of such construction shall be 80 percent.

"(g) PLANNING.—Pedestrian walkways and bicycle transportation facilities to be constructed under this section shall be located and designed pursuant to an overall plan to be developed by each metropolitan planning organization and State and incorporated into their comprehensive annual long-range plans in accordance with sections 134 and 135 of this title, respectively. Such plans shall provide due consideration for safety and contiguous routes.

"(h) USE OF MOTORIZED VEHICLES.—No motorized vehicles shall be permitted on trails and pedestrian walkways under this section, except for—

"(1) maintenance purposes;

"(2) when snow conditions and State or local regulations permit, snowmobiles;

"(3) when State and local regulations permit, motorized wheelchairs; and

"(4) such other circumstances as the Secretary deems appropriate.

"(i) TRANSPORTATION PURPOSE.—No bicycle project may be carried out under this section unless the Secretary has determined that such bicycle project will be principally for transportation, rather than recreation, purposes.

"(j) BICYCLE TRANSPORTATION FACILITY DEFINED.—For purposes of this section, a 'bicycle transportation facility' means new or improved lanes, paths, or shoulders for use by bicyclists, traffic control devices, shelters, and parking facilities for bicycles.".

SEC. 133. INDIAN RESERVATION ROADS.

(a) PLANNING.—Section 204 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(i) INDIAN RESERVATION ROADS PLANNING.—Two percent of funds made available for Indian reservation roads for each fiscal year shall be allocated to those Indian tribal governments applying for transportation planning pursuant to the provisions of the Indian Self Determination and Education Assistance Act. The Indian tribal government, in cooperation with the Secretary of the Interior, and, as may be appropriate, with a State, local government, or metropolitan planning organization, shall develop a transportation improvement program, that includes all Indian reservation road projects proposed for funding. Projects shall be selected by the Indian tribal government from the transportation improvement program and shall be subject to the approval of the Secretary of the Interior and the Secretary.".

(b) DIFFERENCES BETWEEN INDIAN RESERVATION ROADS AND RURAL MOBILITY HIGHWAYS.—

(1) STUDY.—The Secretary shall conduct a study on differences between the use of funds out of the Highway Trust Fund on Indian reservation roads and on rural mobility highways and between the designation of roads as Indian reservation roads and rural mobility highways for the purpose of identifying inequities.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this subsection, together with any legislative and administrative recommendations of the Secretary for correcting inequities identified under such study.

SEC. 134. MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Chapter 3 of title 23, United States Code, is amended by inserting after section 302 the following new section:

"§ 303. Management systems

"(a) REGULATIONS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall issue regulations for State development, establishment, and implementation of a system for managing each of the following:

"(1) Highway pavement of the Federal-aid system.

"(2) Bridges on and off the Federal-aid system.

"(3) Highway safety.

"(4) Traffic congestion.

"(5) Public transportation facilities and equipment.

"(6) Intermodal transportation facilities and systems.

Such regulations may include a compliance schedule for development, establishment, and implementation of each such system and minimum standards for each such system.

"(b) TRAFFIC MONITORING.—Not later than 1 year after the date of the enactment of this section, the Secretary shall issue guidelines and requirements for the State development, establishment, and implementation of a traffic monitoring system for highways and public transportation facilities and equipment.

"(c) STATE REQUIREMENTS.—The Secretary may withhold 10 percent of the funds apportioned under this title and under the Urban Mass Transportation Act of 1964 for any fiscal year beginning after September 30, 1995, to any State and any recipient of assistance under such Act in the State, and may not approve a grant to a recipient in the State under such Act in such fiscal year, unless, in the preceding fiscal year, the State was implementing each of the management systems described in subsection (a) and, before January 1 of the preceding fiscal year, the State certified, in writing, to the Secretary, that the State was implementing each of such management systems in the preceding fiscal year.

"(d) PROCEDURAL REQUIREMENTS.—In developing and implementing a management system under this section, each State shall cooperate with metropolitan planning organizations for urbanized areas of the State and affected agencies receiving assistance under the Urban Mass Transportation Act of 1964 and shall consider the results of the management systems in making project selection decisions under this title and under such Act.

"(e) INTERMODAL REQUIREMENTS.—The management system required under this section for intermodal transportation facilities and systems shall provide for improvement and integration of all of a State's transportation systems and shall include methods of achieving the optimum yield from such systems, methods for increasing productivity in the State, methods for increasing use of advanced technologies, and methods to encourage the use of innovative marketing techniques, such as just-in-time deliveries.

"(f) ANNUAL REPORT.—Not later than January 1 of each calendar year beginning after December 31, 1992, the Secretary shall transmit to Congress a report on the progress being made by the Secretary and the States in carrying out this section.

"(g) FUNDING.—Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, a State may obligate funds apportioned after September 30, 1991, under subsections (b)(1), (b)(2), (b)(3), and (b)(6) of section 104 of this title for developing and establishing management systems required by this section and funds apportioned under section 144 of this title for developing and establishing the bridge management system required by this section.

"(h) REVIEW OF REGULATIONS.—Not later than 10 days after the date of issuance of any regulation under this section, the Secretary shall transmit a copy of such regulation to Congress for review.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of such title is amended by inserting after the item relating to section 302 the following new item:

"303. Management systems.".

(c) CONGESTION RELIEF PROJECTS.—

(1) PURPOSE.—The purpose of this subsection is to improve methods of congestion relief.

(2) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the congestion relief projects described in this paragraph. Subject to paragraph (3), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

City/State	Congestion Relief	Amount in millions
Long Beach, California	Construction of HOV Lanes on I-710	8.8
Philadelphia, Pennsylvania	Project to Construct Bridge-Pratt Terminal as part of an I-95 reconstruction mitigation project	24.2
Davidson-Williamson County, Tennessee	Study and construction of the Davidson-Williamson Bike Path	1.1
East St. Louis, Illinois to St. Louis, Missouri	To conduct a study to determine the feasibility of a bridge between East St. Louis, Illinois and St. Louis, Missouri	1.6
St. Louis, Missouri	Relocation of Lindbergh Boulevard and Interstate 70 at St. Louis Lambert Airport	17.5
District of Columbia	Primary Intermodal System, Washington, D.C.	8.0
Buffalo, New York	Construction of Peace Bridge truck inspection facility	8.4
Nashua, New Hampshire	Nashua River Bridge, Nashua, New Hampshire—Construction of second bridge	1.4
Las Vegas, Nevada	Reconstruct and upgrade I-15/U.S. 95 (Spaghetti Bowl)	3.5
San Diego, California	Construct 1 block of Cut and Cover Tunnel on Rt. 15 in downtown San Diego, California	5.9
Los Angeles, California	To extend I-110 North from its current terminus at I-10 into downtown Los Angeles via Central City West Area in Los Angeles, California	11.9
North Dakota	Design and construct 7.5 mile bypass around Lincoln State Park	1.3
Babylon, New York	Construct turning lanes, sign upgrades, traffic signal interconnections and road repair and resurfacing	2.5
Dixon, California	To improve 3 grade crossings in Dixon, California	2.1
Fairfield, California	To construct 2 park & ride facilities, an information center and transfer hub for I-80 express and local bus service	9.1
St. Louis, Missouri	Feasibility study for interchange improvements for I-255 at Rt. 231, St. Louis, Missouri	0.1
Murfreesbro, Tennessee	Conduct a feasibility study of constructing a bicycle system as an alternative form of commuter transportation, air pollution reduction, and enhance recreation	0.4
Long Island, New York	To make improvements on the Van Wyck Expressway to improve traffic flow, Long Island, New York	4.2
Fox River Valley, Illinois	Study, plan and construct up to 8 bridges across the Fox River	9.8
Prince George's County, Maryland	To rehabilitate the Baltimore-Washington Parkway in Prince George's County, Maryland	19.3
Toledo, Ohio	Conduct study of possible safety and traffic delay improvement benefits in 6 corridors	0.24
Boston, Massachusetts	To plan and construct a bicycle and pedestrian path connecting Arlington, Cambridge and Boston, Massachusetts	1.4
Tucson, Arizona	To make interchange improvements at Oracle and Orange Grove Roads in Tucson, Arizona	4.6
Victorville, California	Construct interchange 1 mile north of Palmdale Road on I-15	3.2
Palm Beach, Florida	Acquire right-of-way and construct and widen to 4 lanes 19 mile segment of U.S. 27	6.5
Pennsylvania	Improve River Street, Towanda Borough and North Towanda Township to form highway bypass	8.8
Maine	Topsham-Brunswick Bypass	10.1
Rankin County, Mississippi	East-Metro Center Access Road	5.4
Kansas	West Leavenworth Trafficway Project, Leavenworth, Kansas	0.6
Broward County, Florida	Hallandale Bridge Project, Broward County, Florida	10.1
Idaho	North Chubbuck Interchange and connectors in Bannock County, Idaho	11.9
Michigan	I-175/M57 Interchange improvement in the vicinity of Vienna Township, Michigan	10.5
Prince William County, Virginia	I-95 HOV lane extension	16.0
St. Thomas, Virgin Islands	Construction of Raphune Hill Bypass, St. Thomas, Virgin Islands	21.8
Merrillville, Indiana	Construction of four lane road and overpass	2.1
Milwaukee and Waukesha Counties, Wisconsin	I-794 Bicyile Transportation Project in Milwaukee and Waukesha Counties, Wisconsin	1.8
Richmond, California	I-80 Richmond Parkway Interchange	2.1
New York, New York	Construction of Williamsburg to Holland Tunnel Bypass	4.2
Louisville, Kentucky	Waterfront Development Roadway Improvements	5.6
Sunnyvale, California	HOV lane improvements on Lawrence Expressway	11.9

(3) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by paragraph (2) for each project authorized by paragraph (2) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(4) FEDERAL SHARE.—The Federal share payable on account of any project under this subsection shall be 80 percent of the cost thereof.

(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this subsection to the State in which such project or projects are located upon request of such State.

(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(7) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this subsection shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

SEC. 135-136. LIMITATION ON DISCOVERY OF CERTAIN REPORTS AND SURVEYS.

(a) IN GENERAL.—Section 409 of title 23, United States Code, is amended—

(1) by striking the section heading and inserting the following:

"§ 409. Discovery and admission as evidence of certain reports and surveys"; and

(2) by striking "admitted into evidence in Federal or State court" and inserting "subject to discovery or admitted into evidence in a Federal or State court proceeding".

(b) CONFORMING AMENDMENT.—The analysis for chapter 4 of such title is amended by striking the item relating to section 409 and inserting the following:

"409. Discovery and admission as evidence of certain reports and surveys.".

SEC. 137. BUY AMERICA.

Section 165(a) of the Surface Transportation Assistance Act of 1982 (23 U.S.C. 101 note) is amended by inserting ", iron," after "steel".

SEC. 138. RELOCATION ASSISTANCE REGULATIONS RELATING TO THE RURAL ELECTRIFICATION ADMINISTRATION.

(a) INCLUSION OF IRON.—Section 213(c) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633(c)) is amended by adding at the end the following new sentence: "The regulations and procedures issued pursuant to this section shall apply to the Rural Electrification Administration only with respect to relocation assistance under this title and title I and only with respect to relocation assistance under title III whenever a program or project to be undertaken by such Administration will result in the displacement of any person.".

(b) WAIVERS; INTENTIONAL VIOLATIONS.—Section 165 of such Act is amended by adding at the end the following new subsections:

"(e) REPORT ON WAIVERS.—By January 1, 1995, the Secretary shall submit to Congress a report on the purchases from foreign entities waived under subsection (b) in fiscal years 1992 and 1993, indicating the dollar value of items for which waivers were granted under subsection (b).

"(f) INTENTIONAL VIOLATIONS.—If it has been determined by a court or Federal agency that any person intentionally—

"(1) affixed a label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or

"(2) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States;

that person shall be ineligible to receive any contract or subcontract made with funds authorized under the Intermodal Surface Transportation Infrastructure Act of 1991 pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

"(g) LIMITATION ON APPLICABILITY OF WAIVERS TO PRODUCTS PRODUCED IN CERTAIN FOREIGN COUNTRIES.—If the Secretary, in consultation with the United States Trade Representative, determines that—

"(1) a foreign country is a party to an agreement with the United States and pursuant to that agreement the head of an agency of the United States has waived the requirements of this section, and

"(2) the foreign country has violated the terms of the agreement by discriminating against products covered by this section that are produced in the United States and are covered by the agreement,

the provisions of subsection (b) shall not apply to products produced in that foreign country.".

SEC. 139. TEMPORARY MATCHING FUND WAIVER.

(a) WAIVER OF MATCHING SHARE.—Notwithstanding any other provision of law, the Federal share of any qualifying project approved by the Secretary under title 23, United States Code, and of any qualifying project for which the United States becomes obligated to pay under title 23, United States Code, during the period beginning on October 1, 1991, and ending September 30, 1993, shall be the percentage of the construction cost as the State requests, up to and including 100 percent.

(b) REPAYMENT.—The total amount of increases in the Federal share made pursuant to (a) for any State shall be repaid to the United States by the State on or before March 30, 1994. Payments shall be deposited in the Highway Trust Fund and repaid amounts shall be credited to the appropriate apportionment accounts of the State.

(c) DEDUCTION FROM APPORTIONMENTS.—If a State has not made the repayment as required by (b), the Secretary shall deduct from funds apportioned to the State under title 23, United States Code, in each of the fiscal years 1995 and 1996, a pro rata share of each category of apportioned funds. The amount which shall be deducted in each fiscal year shall be equal to 50 percent of the amount needed for repayment. Any amount deducted under this subsection shall be reapportioned for fiscal years 1995 and 1996 in accordance with title 23, United States Code, to those States which have not received a higher Federal share under this section and to those States which have made the repayment required by subsection (b).

(d) QUALIFYING PROJECT DEFINED.—For purposes of this section, the term "qualifying project" means a project approved by the Secretary after the effective date of this title, or a project for which the United States becomes obligated to pay after such effective date, and for which the Governor of the State submitting the project has certified, in accordance with regulations established by the Secretary, that sufficient funds are not available to pay the cost of the non-Federal share of the project.

SEC. 140. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) FINDINGS.—The Congress finds that—

(1) the construction of the Interstate Highway System connected the major population centers of the Nation and greatly enhanced economic growth in the United States;

(2) many regions of the Nation are not now adequately served by the Interstate System or comparable highways and require further highway development in order to serve the travel and economic development needs of the region; and

(3) the development of transportation corridors is the most efficient and effective way of integrating regions and improving efficiency and safety of commerce and travel and further promoting economic development.

(b) PURPOSE.—It is the purpose of this section to identify highway corridors of national significance; to include those corridors on the National Highway System; to require the Secretary, in cooperation with the States, to prepare long-range plans and feasibility studies for these corridors; to require the States to give priority to funding the construction of these corridors; and to provide increased funding for segments of these corridors that have been identified for construction.

(c) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—The following are high priority corridors on the National Highway System:

(1) North-South Corridor from Kansas City, Missouri, to Shreveport, Louisiana.

(2) Avenue of the Saints Corridor from St. Louis, Missouri, to St. Paul, Minnesota.

(3) East-West Transamerica Corridor.

(4) Hoosier Heartland Industrial Corridor from Lafayette, Indiana, to Toledo, Ohio.

(5) I-73/74 North-South Corridor from Charleston, South Carolina, through Portsmouth, Ohio, to Cincinnati, Ohio, and Detroit, Michigan.

(6) United States Route 80 Corridor from Meridian, Mississippi, to Savannah, Georgia.

(7) East-West Corridor from Memphis, Tennessee, through Huntsville, Alabama, to Atlanta, Georgia, and Chattanooga, Tennessee.

(8) Highway 412 East-West Corridor from Tulsa, Oklahoma, through Arkansas along United States Route 62/63/65 to Nashville, Tennessee.

(9) United States Route 220 Corridor from Business 220 in Bedford, Pennsylvania, to the vicinity of Corning, New York.

(10) Appalachian Regional Corridor X.

(11) Appalachian Regional Corridor V.

(12) United States Route 25E Corridor from Corbin, Kentucky, to Morristown, Tennessee, via Cumberland Gap, to include that portion of Route 58 in Virginia which lies within the Cumberland Gap Historical Park.

(13) Raleigh-Norfolk Corridor, Raleigh, North Carolina, to Norfolk, Virginia.

(14) Heartland Expressway from Denver, Colorado, through Scottsbluff, Nebraska, to Rapid City, South Dakota.

(15) Urban Highway Corridor along M-59 in Michigan.

(16) Economic Lifeline Corridor along I-15 and I-40 in California, Arizona, and Nevada.

(17) Route 29 Corridor from Greensboro, North Carolina, to the District of Columbia.

(18) Corridor from Indianapolis, Indiana, to Memphis, Tennessee, via Evansville, Indiana.

(19) United States Route 395 Corridor from the United States-Canadian border to Reno, Nevada.

(20) United States Route 59 Corridor from Laredo, Texas, through Houston, Texas, to the vicinity of Texarkana, Texas.

(d) INCLUSION ON NHS.—The Secretary shall include all corridors identified in subsection (c) on the proposed National Highway System submitted to Congress under section 103(b)(3) of title 23, United States Code.

(e) PROVISIONS APPLICABLE TO CORRIDORS.—

(1) LONG-RANGE PLAN.—The Secretary, in cooperation with the affected State or States, shall prepare a long-range plan for the upgrading of each corridor to the appropriate standard for highways on the National Highway System. Each such plan shall include a plan for developing the corridor and a plan for financing the development.

(2) FEASIBILITY STUDIES.—The Secretary, in cooperation with the affected State or States, shall prepare feasibility and design studies, as necessary, for those corridors for which such studies have not been prepared. The feasibility study with respect to the corridor described in subsection (c)(2), relating to Avenue of the Saints, shall include an element of the feasibility of an adjunct to the Avenue of the Saints serving the southern St. Louis metropolitan area and connecting with I-55 in the vicinity of Route A in Jefferson County, Missouri.

(3) CERTIFICATION ACCEPTANCE.—The Secretary may discharge any of his responsibilities under title 23, United States Code, relative to projects on a corridor identified under subsection (c), upon the request of a State, by accepting a certification by the State in accordance with section 117 of such title.

(4) ACCELERATION OF PROJECTS.—To the maximum extent feasible, the Secretary shall use procedures for acceleration of projects in carrying out projects on corridors identified in subsection (c).

(f) HIGH PRIORITY SEGMENTS.—Highway segments of the corridors referred to in subsection (c) which are described in this subsection are high priority segments eligible for assistance under this section. Subject to subsection (g)(2), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out a project on each such segment the amount listed for each such segment:

City/State	High Priority Corridors	Amount in millions
Pennsylvania	For upgrading U.S. 220 High Priority Corridor between State College and I-80	9.2
Alabama, Georgia, Mississippi, Tennessee	Upgrading of the East-West Corridor along Rt. 72	30.0
Missouri	Improvement of North-South Corridor along Highway 71, Southwestern, MO	4.2
Arkansas	For construction of highway 412 from Siloam Springs to Springdale, Arkansas as part of Highway 412 East-West Corridor	24.4
Arkansas	For construction of Highway 412 from Springdale to Harrison, Arkansas as part of the Highway 412 East-West Corridor	56.0
Pennsylvania	To improve U.S. 220 to a 4-Lane limited access highway from Bald Eagle northward to the intersection of U.S. 220 and U.S. 322	103.6
S. Dakota/Nebraska	Conduct a feasibility study of expressway from Rapid City, S. Dakota to Scotts Bluff, Nebraska	0.64
Alabama	Construction of Appalachian Highway Corridor X from Corridor V near Fulton, Mississippi to U.S. 31 at Birmingham, Alabama as part of Appalachian Highway X Corridor Project	70.0
Alabama	For construction of a portion of Appalachian Development Corridor V from Mississippi State Line near Red Bay, Alabama to the Tennessee State Line north of Bridgeport, Alabama	30.0
West Virginia	Construction of Shawnee Project from 3-Corner Junction to I-77 as part of I-73/74 Corridor project	10.0
West Virginia	Widening U.S. Rt. 52 from Huntington to Williamson, W. Virginia as part of the I-73/74 Corridor project	100.0
West Virginia	Replacement of U.S. Rt. 52 from Williamson W. Virginia to I-77 as part of the I-73/74 Corridor project	30.0
North Carolina/Virginia	For Upgrading I-64 and Route 17 and constructing a new highway from Rocky Mount to Elizabeth City, North Carolina as part of the Raleigh-Norfolk High Priority Corridor Improvements	21.0
Arkansas	Construction of Highway 71 between Fayetteville and Alma, Arkansas as part of the North-South High Priority Corridor	100.0
Arkansas/Texas	For construction of Highway 71 from Alma, Arkansas to Louisiana border	80.0
Michigan	To widen a 60 mile portion of highway M-59 from MacComb County to I-96 in Howell County, Michigan	35.0
South Dakota, Colorado, Nebraska	To improve the Heartland Expressway from Rapid City, South Dakota to Scotts Bluff, Nebraska	35.0
Indiana	To construct a 4-Lane highway from Lafayette to Ft. Wayne, Indiana, following existing Indiana 25 and U.S. 24	11.2
Ohio/Indiana	Conduct feasibility and economic study to widen Rt. 24 from Ft. Wayne, Indiana to Toledo, Ohio as part of the Lafayette to Toledo Corridor	0.32

City/State	High Priority Corridors	Amount in millions
California, Nevada, Arizona	For improvements on I-15 and I-40 in California, Nevada and Arizona ($10,500,000 of which shall be expended on the Nevada portion of the corridor, including the I-15/I-95 interchange)	70.0
Louisiana	To improve the North-South Corridor from Louisiana border to Shreveport, Louisiana	35.0
Missouri, Iowa, Minnesota, Illinois, Wisconsin	For improvements for Avenue of the Saints from St. Paul, Minnesota to St. Louis, Missouri	140.0
Various States	I-66 Transamerica Highway Feasibility study	1.1
Kentucky, Tennessee, Virginia	To improve Cumberland Gap Tunnel and for various associated improvements as part of U.S. 25E Corridor	56.0
Indiana, Kentucky, Tennessee	To improve the Bloomington, Indiana, to Newberry, Indiana, segment of the Indianapolis, Indiana, to Memphis, Tennessee, high priority corridor	28.0
Washington	For improvements on the Washington State portion of the U.S. 395 corridor from the U.S.-Canadian border to Reno, Nevada	64.4
Virginia	Construction of a bypass of Danville, Virginia, on Route 29 Corridor	20.0

(g) REQUIREMENTS FOR HIGH PRIORITY SEGMENTS.—

(1) DETAILED PLANS.—Each State in which a priority segment identified under subsection (f) is located shall prepare a detailed plan for completion of construction of such segment and for financing such construction.

(2) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (f) for each high priority segment authorized by subsection (f) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(3) FEDERAL SHARE.—The Federal share payable on account of any project under subsection (f) shall be 80 percent of the cost thereof.

(4) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under subsection (f) to the State in which such project or projects are located upon request of such State.

(5) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(6) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under subsection (f) shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

(7) STATE PRIORITY FOR HIGH PRIORITY SEGMENTS.—Section 105 of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following new subsection:

"(k) PRIORITY FOR HIGH PRIORITY SEGMENTS OF CORRIDORS OF NATIONAL SIGNIFICANCE.—In selecting projects for inclusion in a program of projects under this section, the State shall give priority to high priority segments of corridors identified under section 140(f) of the Intermodal Surface Transportation Infrastructure Act of 1991. In approving programs of projects under this section, the Secretary shall give priority of approval to, and expedite construction of, projects to complete construction of such segments.".

(h) AUTHORIZATION FOR FEASIBILITY STUDIES.—There is authorized to be appropriated to the Secretary out of the Highway Trust Fund (other than the Mass Transit Account) $8,000,000 per fiscal year for each of the fiscal years 1992 through 1997 to carry out feasibility and design studies under subsection (e)(2).

(i) REVOLVING LOAN FUND.—

(1) ESTABLISHMENT.—The Secretary shall establish a Priority Corridor Revolving Loan Fund.

(2) ADVANCES.—The Secretary shall make available as repayable advances amounts from the Revolving Loan Fund to States for planning and construction of corridors listed in subsection (c). In making such amounts available, the Secretary shall give priority to segments identified in subsection (f).

(3) REPAYMENT OF ADVANCES.—The amount of an advance to a State in a fiscal year under paragraph (2) may not exceed the amount of a State's estimated apportionments for the National Highway System for the 2 succeeding fiscal years. Advances shall be repaid (A) by reducing the State's National Highway System apportionment in each of the succeeding 3 fiscal years by ⅓ of the amount of the advance, or (B) by direct repayment. Repayments shall be credited to the Priority Corridor Revolving Loan Fund.

(4) AUTHORIZATION.—There is authorized to be appropriated to the Secretary, out of the Highway Trust Fund (other than the Mass Transit Account), $40,000,000 per fiscal year for each of fiscal years 1993 through 1997 to carry out this subsection.

SEC. 141. HIGHWAY TIMBER BRIDGE RESEARCH AND DEMONSTRATION PROGRAM.

(a) RESEARCH GRANTS.—The Secretary may make grants to other Federal agencies, universities, private businesses, nonprofit organizations, and any research or engineering entity to carry out research on 1 or more of the following:

(1) Development of new, economical highway timber bridge systems.

(2) Development of engineering design criteria for structural wood products for use in highway bridges in order to improve methods for characterizing lumber design properties.

(3) Preservative systems for use in highway timber bridges which demonstrate new alternatives and current treatment processes and procedures and which are environmentally sound with respect to application, use, and disposal of treated wood.

(4) Alternative transportation system timber structures which demonstrate the development of applications for railing, sign, and lighting supports, sound barriers, culverts, and retaining walls in highway applications.

(5) Rehabilitation measures which demonstrate effective, safe, and reliable methods for rehabilitating existing highway timber structures.

(b) TECHNOLOGY AND INFORMATION TRANSFER.—The Secretary shall take such action as may be necessary to ensure that the information and technology resulting from research conducted under subsection (a) is made available to State and local transportation departments and other interested persons.

(c) CONSTRUCTION GRANTS.—

(1) AUTHORITY.—The Secretary shall make grants to States for construction of highway timber bridges on the rural mobility system.

(2) APPLICATIONS.—A State interested in receiving a grant under this subsection must submit an application therefor to the Secretary. Such application shall be in such form and contain such information as the Secretary may require by regulation.

(3) APPROVAL CRITERIA.—The Secretary shall select and approve applications for grants under this subsection based on the following criteria:

(A) Bridge designs which have both initial and long-term structural and environmental integrity.

(B) Bridge designs which utilize timber species native to the State or region.

(C) Innovative bridge designs which have the possibility of increasing knowledge, cost effectiveness, and future use of such designs.

(D) Environmental practices for preservative treated timber, and construction techniques which comply with all environmental regulations, will be utilized.

(d) FEDERAL SHARE.—The Federal share of the costs of research and construction projects carried out under this section shall be 80 percent.

(e) FUNDING.—From the funds reserved from apportionment under section 144(g)(1) of title 23, United States Code, for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997—

(1) $1,000,000 shall be available to the Secretary for carrying out subsections (a) and (b); and

(2) $10,000,000 ($9,000,000 in the case of fiscal year 1992) shall be available to the Secretary for carrying out subsection (c).

Such sums shall remain available until expended.

(f) STATE DEFINED.—For purposes of this section, the term "State" has the meaning such term has under section 101 of title 23, United States Code.

SEC. 142. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) IN GENERAL.—The Secretary shall carry out a program for construction of ferry boats and ferry terminal facilities in accordance with section 129(c) of title 23, United States Code.

(b) FEDERAL SHARE.—The Federal share payable for construction of ferry boats and ferry terminal facilities under this section shall be 80 percent of the cost thereof.

(c) FUNDING.—There shall be available, out of the Highway Trust Fund (other than the Mass Transit Account), to the Secretary for obligation at the discretion of the Secretary $36,000,000 for fiscal year 1992 and $43,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, 1996, and 1997 in carrying out this section. Such sums shall remain available until expended.

(d) APPLICABILITY OF TITLE 23.—All provisions of chapter 1 of title 23, United States Code, that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined

by the Secretary to be inconsistent with this section.

SEC. 143. USE OF RECYCLED PAVING MATERIAL.

(a) ASPHALT CONTAINING RECYCLED RUBBER DEMONSTRATION PROGRAM.—Notwithstanding any regulation of the Department of Transportation, the Secretary may not disapprove, in the 5-year period beginning on the date of the enactment of this Act, a highway project under chapter 1 of title 23, United States Code, on the ground that the project includes the use of asphalt containing recycled rubber. Under this subsection, a patented application process for recycled rubber shall be eligible for approval under the same conditions that an unpatented process is eligible for approval.

(b) DOT GUIDANCE TO STATES.—The Secretary shall gather information and recommendations concerning the use of asphalt containing recycled rubber in highway projects from those States that have extensively researched and experimented with the use of such asphalt and implemented such projects and shall make available such information and recommendations on the use of such asphalt to those States which indicate an interest in the use of such asphalt.

(c) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study to evaluate the economic savings, technical performance qualities, and environmental benefits of using recycled materials in highway projects, including asphalt containing reclaimed used whole tire rubber, asphalt containing over 80 percent reclaimed asphalt, asphalt containing reclaimed asphalt together with used whole tire rubber, asphalt containing recycled glass, asphalt containing recycled plastic, and highway devices and appurtenances containing recycled materials. In conducting the study, the Secretary shall examine utilization of these technologies by States and shall examine the current practices of all States relating to the reuse and disposal of materials used in federally-assisted highway projects.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this subsection, including a detailed analysis of (A) the economic savings and technical performance qualities of using recycled materials described in paragraph (1) in federally-assisted highway projects, and (B) the environmental benefits of using such recycled materials in such highway projects in terms of improving air emissions, saving natural resources, and avoidance of disposal of the materials in landfills and by other methods.

(3) IMPLEMENTATION OF FINDINGS.—The Secretary should encourage the use of recycled materials described in paragraph (1) in federally-assisted highway projects in any case in which such recycled materials are available for the project if the use of such recycled materials, in comparison to conventional materials, has been demonstrated to supply equal or superior performance qualities and environmental benefits at equal or lesser cost over the economic life of the project.

SEC. 144. HIGHWAY USE TAX EVASION PROJECTS.

(a) IN GENERAL.—The Secretary shall use funds made available by subsection (g) to carry out highway use tax evasion projects in accordance with this section. Such funds may be allocated to the Internal Revenue Service and the States at the discretion of the Secretary.

(b) LIMITATION ON USE OF FUNDS.—Funds made available to carry out this section shall be used only to expand efforts to enhance motor fuel tax enforcement, fund additional Internal Revenue Service staff but only to carry out functions described in this subsection, supplement motor fuel tax examinations and criminal investigations, develop automated data processing tools to monitor motor fuel production and sales, evaluate and implement registration and reporting requirements for motor fuel taxpayers, reimburse State expenses that supplement existing fuel tax compliance efforts, and analyze and implement programs to reduce tax evasion associated with other highway use taxes.

(c) USE OF DYE AND MARKERS.—

(1) STUDY.—The Secretary, in consultation with the Internal Revenue Service, shall conduct a study to determine the feasibility and the desirability of using dye and markers to aid in motor fuel tax enforcement activities and other purposes.

(2) REPORT.—Not later than 1 year after the effective date of this section, the Secretary shall transmit to Congress a report on the results of the study conducted under this subsection.

(d) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to prepare a plan to carry out and coordinate highway use tax evasion projects under this section, monitor the results of such projects, provide progress reports to the Secretary on such projects, and make recommendations to the Secretary for the distribution of funds under this section, including recommendations for distribution among States on a fair and equitable basis.

(2) MEMBERSHIP.—The advisory committee under this subsection shall be composed of members appointed by the Secretary not later than 180 days after the date of the enactment of this Act. Such members shall include representatives of the Federal Highway Administration, the Internal Revenue Service, and States.

(3) TERMINATION.—The advisory committee under this subsection shall terminate on September 30, 1997.

(e) MAINTENANCE OF EFFORT.—The Secretary may not make a grant to a State under this section in a fiscal year unless the State certifies that aggregate expenditure of funds of the State, exclusive of Federal funds, for motor fuel tax enforcement activities will be maintained at a level which does not fall below the average level of such expenditure for its last 2 fiscal years.

(f) REPORTS.—On September 30 and March 31 of each year, the Secretary shall transmit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on motor fuel tax enforcement activities under this section and the expenditure of funds made available to carry out this section, including expenses for the hiring of additional staff by any Federal agency.

(g) FUNDING.—There shall be available to the Secretary for carrying out this section, out of the Highway Trust Fund (other than the Mass Transit Account), $7,000,000 for fiscal year 1992 and $8,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, 1996, and 1997. Such sums shall be available for obligation in the same manner and to the same extent as if such sums were apportioned under chapter 1 of title 23, United States Code, except that the Federal share for projects carried out under this section shall be 100 percent and the sums shall remain available until expended.

(h) STATE DEFINED.—For purposes of this section, the term "State" means the 50 States and the District of Columbia.

SEC. 145. SUBSTITUTE PROJECT.

(a) APPROVAL OF PROJECT.—Notwithstanding any other provision of law, upon the request of the Governor of the State of Wisconsin, submitted after consultation with appropriate local government officials, the Secretary may approve substitute highway, bus transit, and light rail transit projects, in lieu of construction of the I-94 East-West Transitway project in Milwaukee and Waukesha Counties, as identified in the 1991 Interstate Cost Estimate.

(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—Upon approval of any substitute highway or transit project or projects under subsection (a), the costs of construction of the eligible transitway project for which such project or projects are substituted shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956 and a sum equal to the Federal share of such costs, as included in the latest interstate cost estimate submitted to Congress, shall be available to the Secretary to incur obligations under section 103(e)(4) of title 23, United States Code, for the Federal share of the costs of such substitute project or projects.

(c) LIMITATION ON ELIGIBILITY.—If, by October 1, 1993, or two years after the date of enactment of this Act, whichever is later, the Governor of the State of Wisconsin has not submitted a request for a substitute project or projects in lieu of the I-94 East-West Transitway, the Secretary shall not approve such substitution. If, by October 1, 1995, or four years after the date of enactment of this Act, whichever is later, such substitute project or projects are not under construction, or under contract for construction, no funds shall be appropriated under the authority of section 103(e)(4) of title 23, United States Code, for such project or projects. For the purposes of this subsection, the term "construction" has the same meaning as given to it in section 101, title 23, United States Code, and shall include activities such as preliminary engineering and right-of-way acquisition.

(d) ADMINISTRATIVE PROVISIONS.—

(1) STATUS OF SUBSTITUTE PROJECT OR PROJECTS.—Any substitute project approved under subsection (a) shall be deemed to be a substitute project for the purposes of section 103(e)(4) of title 23, United States Code (other than subparagraphs (C) and (O)).

(2) REDUCTION OF UNOBLIGATED INTERSTATE APPORTIONMENT.—Unobligated apportionments for the Interstate System in the State of Wisconsin shall, on the date of approval of any substitute project or projects under subsection (a), be applied toward the Federal share of the costs of such substitute project or projects.

(3) ADMINISTRATION THROUGH FHWA.—The Secretary shall administer this section through the Federal Highway Administration.

(4) FISCAL YEARS 1993 AND 1994 APPORTIONMENTS.—For the purpose of apportioning funds for fiscal years 1993 and 1994 under section 104(b)(5)(A), the Secretary shall consider Wisconsin as having no remaining eligible costs. For the purpose of apportioning funds under section 104(b)(5)(A) of title 23, United States Code, for fiscal year 1995 and subsequent fiscal years, Wisconsin's actual remaining eligible costs shall be used.

(e) TRANSFER OF APPORTIONMENTS.—Wisconsin may transfer Interstate construction apportionments to its National Highway System in amounts equal to or less than the

costs for additional work on sections of the Interstate System that have been built with Interstate construction funds and that are open to traffic as shown in the 1991 Interstate Cost Estimate.

SEC. 146. RENTAL RATES.

Within 1 year after the date of the enactment of this Act, the Comptroller General shall complete a study on equipment rental rates for use in reimbursing contractors for extra work on Federal-aid projects. Such study shall include an analysis of the reasonableness of currently accepted equipment rental costs, adequacy of adjustments for regional or climactic differences, adequacy of consideration of mobilization costs, loss of time and productivity attendant to short-term usage of equipment, and approvals of rental rate costs by the Federal Highway Administration.

SEC. 147. SCENIC BYWAYS PROGRAM.

(a) SCENIC BYWAYS ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish in the Department of Transportation an advisory committee to assist the Secretary with respect to establishment of a national scenic byways program under title 23, United States Code.

(2) MEMBERSHIP.—The advisory committee established under this section shall be composed of 17 members as follows:

(A) The Administrator of the Federal Highway Administration or the designee of the Administrator who shall serve as chairman of the advisory committee.

(B) The Chief of the Forest Service of the Department of Agriculture or the designee of the Chief.

(C) The Director of the National Park Service of the Department of the Interior or the designee of the Director.

(D) The Director of the Bureau of Land Management of the Department of the Interior or the designee of the Director.

(E) The Under Secretary for Travel and Tourism of the Department of Commerce or the designee of the Under Secretary.

(F) The Assistant Secretary for Indian Affairs of the Department of the Interior or the designee of the Assistant Secretary.

(G) 1 individual appointed by the Secretary who is specially qualified to represent the interests of conservationists on the advisory committee.

(H) 1 individual appointed by the Secretary of Transportation who is specially qualified to represent the interests of recreational users of scenic byways on the advisory committee.

(I) 1 individual appointed by the Secretary who is specially qualified to represent the interests of the tourism industry on the advisory committee.

(J) 1 individual appointed by the Secretary who is specially qualified to represent the interests of historic preservationists on the advisory committee.

(K) 1 individual appointed by the Secretary who is specially qualified to represent the interests of highway users on the advisory committee.

(L) 1 individual appointed by the Secretary to represent State highway and transportation officials.

(M) 1 individual appointed by the Secretary to represent local highway and transportation officials.

(N) 1 individual appointed by the Secretary who is specially qualified to serve on the advisory committee as a planner.

(O) 1 individual appointed by the Secretary who is specially qualified to represent the motoring public.

(P) 1 individual appointed by the Secretary who is specially qualified to represent groups interested in scenic preservation.

(Q) 1 individual appointed by the Secretary who represents the outdoor advertising industry.

Individuals appointed as members of the advisory committee under subparagraphs (G) through (P) may be State and local government officials. Members shall serve without compensation other than for reasonable expenses incident to functions of the advisory committee.

(3) FUNCTIONS.—The advisory committee established under this subsection shall develop and make to the Secretary recommendations regarding minimum criteria for use by State and Federal agencies in designating highways as scenic byways and as all-American roads for purposes of a national scenic byways program to be established under title 23, United States Code. Such recommendations shall include recommendations on the following:

(A) Consideration of the scenic beauty and historic significance of highways proposed for designation as scenic byways and all-American roads and the areas surrounding such highways.

(B) Operation and management standards for highways designated as scenic byways and all-American roads, including strategies for maintaining or improving the qualities for which a highway is designated as a scenic byway or all-American road, for protecting and enhancing the landscape and view corridors surrounding such a highway, and for minimizing traffic congestion on such a highway.

(C)(i) Standards for scenic byway-related signs, including those which identify highways as scenic byways and all-American roads.

(ii) The advisability of uniform signs identifying highways as components of the scenic byway system.

(D) Standards for maintaining highway safety on the scenic byway system.

(E) Design review procedures for location of highway facilities, landscaping, and travelers' facilities on the scenic byway system.

(F) Procedures for reviewing and terminating the designation of a highway designated as a scenic byway.

(G) Such other matters as the advisory committee may deem appropriate.

(H) Such other matters for which the Secretary may request recommendations.

(4) REPORT.—Not later than 18 months after the date of the enactment of this Act, the advisory committee established under this section shall submit to the Secretary and Congress a report containing the recommendations described in paragraph (3).

(b) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary shall provide technical assistance to the States (as such term is defined under section 101 of title 23, United States Code) and shall make grants to the States for the planning, design, and development of State scenic byway programs.

(c) FEDERAL SHARE.—The Federal share payable for the costs of planning, design, and development of State scenic byway programs under this section shall be 80 percent.

(d) FUNDING.—There shall be available to the Secretary for carrying out this section (other than subsection (f)), out of the Highway Trust Fund (other than the Mass Transit Account), $10,000,000 for fiscal year 1992 and $11,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, 1996, and 1997. Such sums shall remain available until expended.

(e) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant under this section shall be deemed a contractual obligation of the United States for payment of the Federal share of the cost of activities for which the grant is being made.

(f) INTERIM SCENIC BYWAYS PROGRAM.—

(1) GRANT PROGRAM.—During fiscal years 1992, 1993, and 1994, the Secretary may make grants to any State which has a scenic highway program for carrying out eligible projects on highways which the State has designated as scenic byways.

(2) PRIORITY PROJECTS.—In making grants under paragraph (1), the Secretary shall give priority to—

(A) those eligible projects which are included in a corridor management plan for maintaining scenic, historic, recreational, cultural, and archeological characteristics of the corridor while providing for accommodation of increased tourism and development of related amenities;

(B) those eligible projects for which a strong local commitment is demonstrated for implementing the management plans and protecting the characteristics for which the highway is likely to be designated as a scenic byway;

(C) those eligible projects which are included in programs which can serve as models for other States to follow when establishing and designing scenic byways on an intrastate or interstate basis; and

(D) those eligible projects in multi-State corridors where the States submit joint applications.

(3) ELIGIBLE PROJECTS.—The following are projects which are eligible for Federal assistance under this subsection:

(A) Planning, design, and development of State scenic byway programs.

(B) Making safety improvements to a highway designated as scenic byway under this subsection to the extent such improvements are necessary to accommodate increased traffic, and changes in the types of vehicles using the highway, due to such designation.

(C) Construction along the highway of facilities for the use of pedestrians and bicyclists, rest areas, turnouts, highway shoulder improvements, passing lanes, overlooks, and interpretive facilities.

(D) Improvements to the highway which will enhance access to an area for the purpose of recreation, including water-related recreation.

(E) Protecting historical and cultural resources in areas adjacent to the highway.

(F) Developing and providing tourist information to the public, including interpretive information about the scenic byway.

(4) FEDERAL SHARE.—The Federal share payable for the costs of carrying out projects and developing programs under this subsection with funds made available pursuant to this subsection shall be 80 percent.

(5) FUNDING.—There shall be available to the Secretary for carrying out this subsection, out of the Highway Trust Fund (other than the Mass Transit Account), $10,000,000 for fiscal year 1992, $10,000,000 for fiscal year 1993, and $10,000,000 for fiscal year 1994. Such sums shall remain available until expended.

(g) LIMITATION.—The Secretary shall not make a grant under this section for any project which would not protect the scenic, historic, recreational, cultural, natural, and archeological integrity of the highway and adjacent area, nor for removal of any outdoor advertising sign, display, or device.

SEC. 148. UNIFORM TRAFFIC CONTROL DEVICES.

(a) HIGHWAY PROJECT.—The Secretary shall carry out a highway project in the State of

Arkansas to demonstrate the benefits of providing training to county and town traffic officials in the need for and application of uniform traffic control devices and to demonstrate the safety benefits of providing for adequate and safe warning and regulatory signs.

(b) AUTHORIZATION OF APPROPRIATIONS FROM HIGHWAY TRUST FUNDS.—There is authorized to be appropriated out of the Highway Trust Fund, other than the Mass Transit Account, for fiscal year 1992 to carry out this section—

(1) $200,000 for providing training; and

(2) $1,000,000 for providing warning and regulatory signs to counties, towns and cities.

Amounts provided under paragraph (2) shall be divided equally between counties with a total county population of 20,000 or less and counties with a total county population of more than 20,000. Such amounts shall be distributed fairly and equitably among counties, cities, and towns within those counties.

(c) APPLICABILITY OF TITLE 23.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of the project under this section shall be 80 percent and such funds shall remain available until expended. Funds made available under this section shall not be subject to any obligation limitation.

(d) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit a report to Congress on the effectiveness of the project carried out under this section.

SEC. 149. RURAL AND URBAN ACCESS PROJECTS.

(a) RURAL ACCESS PROJECTS.—

(1) PURPOSE.—The purpose of this subsection is to provide funds for projects that ensure better rural access and that promote economic development in rural areas.

(2) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out rural access projects described in this paragraph. Subject to paragraph (3), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

City/State	Rural Access	Amount in millions
Cadiz, Ohio	Improvements of Short Creek Highway from Cadiz, Ohio to Rayland, Ohio	2.8
Boger City, North Carolina	Construction of 4-lane divided highway along Highway 321 to Boger City, NC to NC 127 South	16.8
Utica, New York	Improvement of the Utica North/South Arterial	9.9
Oneida, New York	Upgrade a highway to 4 lanes in Oneida County, New York	8.0
Southern, Oklahoma	Widening of U.S. 70	0.24
Southern, Oklahoma	Construction of a bridge and approaches at Pennington Creek, OK	1.2
Johnsonburg, Pennsylvania	Relocation of a 2-lane highway from Center Street to PA Rt. 255 along US 219, Johnsonburg Bypass	14.0
Pennsylvania	Construction of truck driving lanes and safety improvements on U.S. 219 between I-80 and the NY State Line	26.0
East St. Louis, Illinois	Feasibility study for 4-lane Access Road to Jefferson Memorial Park	0.24
Illinois	To conduct an Environmental Impact Study & Design Study on a 58-mile stretch of U.S. 67 corridor from Alton, IL to Jacksonville, IL	3.0
Venice, Illinois	For rehabilitation of McKinley Bridge near Venice, IL	7.0
Decatur, Alabama	Project for replacement of Keller Memorial Bridge, Decatur, AL	15.0
Lenoir City, Tennessee	Feasibility Study on Fort Loudon Dam Bridge on U.S. Highway 231 in Lenoir City, TN	0.5
Blount City, Tennessee	Improvement of U.S. Highway #411 in Monroe and Blount Counties, TN	18.5
Missouri	For improvements of Highway 60 in New Madrid, Stoddard, Carter and Butler Counties, MO	25.6
Southern, Missouri	Improvement of Rt. 65 through Greene, Christian and Tanney Counties, MO	16.7
Lake Charles, Louisiana	Construction of roads and bridge to provide access to Rose Bluff Industrial Area, Lake Charles, LA	4.9
Louisiana	For improvement and extension of Ambassador Caffery Parkway in Louisiana	17.6
Ohio	Construction of U.S. Rt. 68 Bypass in Clark, Champaign and Logan Counties	18.7
Aliquippa, Pennsylvania	For various 3-R Projects in Aliquippa, PA	9.0
Texas	Improvement of Highway 87 in Victoria and Dewitt Counties, TX, "using reclaimed asphalt pavement incorporating crumb rubber to the maximum extent feasible."	16.7
Riverton, Kansas	Construction of a new highway from Riverton, KS to Interstate 44 in Missouri	15.5
North Minnesota	Construction and reconstruction of Forest Highway 11 connecting Aurora-Hoyt Lakes and Silver Bay, MN	11.2
Richfield, Minnesota	77th Street Reconstruction Project, Richfield, MN	11.6
Mississippi	Impovements on Highway 84 in Franklin and Lincoln Counties, MS	11.2
Mississippi	Upgrading of U.S. Highway 98 from County line of Pike and Walthalm Counties, MS to Lamar County, MS	0.4
Mississippi	Upgrading Highway 61 from Natchez, MS to Louisiana State line	0.35
Mississippi	Upgrading Highway 84 from Brookhaven, MS to U.S. 49 in Collins, MS	2.5
Chattahouchee, Florida	Construction of Mosquito Creek Bridge	2.8
Florida	To upgrade State Rt. 71 from State Rt. 10 to State Rt. 8	3.4
Florida	To upgrade Florida State Rt. 267 from State Rt. 8 to State Rt. 10	5.6
Illinois	Tollway feasibility study (East St. Louis to Carbondale, IL)	0.32
Mt. Vernon, Illinois	Extension of 34th Street from IL Rt. 15 to County Road 10	0.96
Illinois	Reconstruction of Feather Trail Road from Ullin Road Interchange to Rt. 37, Pulaski County, IL	1.32
Illinois	Resurfacing IL Rt. 1 from Cave-In-Rock to north of Omaha	2.16
Williamson County, Illinois	Upgrading IL Rt. 13 in Williamson County, IL	9.2
Saline County, Illinois	For improvements to Rt. 13 from Williamson-Saline County line to Harrisburg, IL	4.68
Winchester, New Hampshire	Replacement of Winchester Bridge, Winchester, NH	0.8
Hanover, New Hampshire	Ledyard Bridge reconstruction	7.8
Asheville, North Carolina	U.S. 19–23 improvement project, Asheville, NC	13.1
Niles, Ohio	Belmont Street Bridge Replacement, Niles, OH	1.4
Struthers, Ohio	Bridge Street Bridge replacement, Struthers, OH	1.4
Niles, Ohio	South Main Street Bridge replacement, Niles, OH	2.9
St. Joseph County, Michigan	U.S. 131, St. Joseph County	0.5
Berrien County, Michigan	U.S. 31 relocation, Berrien County, Michigan	20.6
Holland, Michigan	U.S. 31 upgrade, Holland, Ottawa County	1.5
North Carolina	I-85 Interchange improvement at State Route 1103 Granville County, NC	2.0
Manchester, New Hampshire	Manchester Airport Road improvements	1.0
New Hampshire	Wetlands mitigation package for New Hampshire Rt. 101/51	3.0
Arkansas	To improve U.S. 65 from Harrison, Arkansas to Missouri Line	38.0
Arkansas	To improve Phoenix Avenue in the vicinity of the Ft. Smith Airport, Ft. Smith, Arkansas	6.7
Arkansas	To study bypass alternatives for U.S. 71 in the vicinity of Bella Vista, Arkansas	3.0
Bedford Springs, Pennsylvania	To construct an access road along Old U.S. 220 to the Springs Project and to construct other facilities to facilitate movement of traffic within the site and construction of a parking facility to be associated therewith	20.0
DeValls Bluff, Arkansas	Construction of a replacement bridge across the White River	.3
Jonesboro, Arkansas	Complete construction of 3 interchanges on the Highway 63 Bypass at Jonesboro	6.7
Brevard County, Florida	Design and engineer improvements for State Rd. 3 between State Rd. 520 and State Rd. 528	0.16
Louisiana	For construction of a new road from an area in the vicinity of I-55 to Alexandria, Louisiana	2.0
Beaumont, Texas	Widen Highway FM-364 from a 2-Lane to a 4-Lane road	13.9
Farmington Hills, Michigan	To widen 12-mile road corridor in the vicinity of Farmington Hills, Michigan	2.9
Laredo, Texas	Expand capacity of 2-lane highway, construct interchanges and connector highway	7.0
Montewma, Colorado	Upgrade farm to market road serving Ute Indian Reservation	3.4
Lubbock, Texas	Initiate feasibility and route studies and preliminary engineering and design for highway to connect Lubbock with Interstate 20	3.4
Rosenberg, Texas	To purchase right-of-way for Highway 36 Bypass West of Rosenberg, Texas	2.5
Angleton, Texas	For various activities associated with relocation of Highway 288 in vicinity of Angleton, Texas	2.7
Mentor, Ohio	For construction of an interchange on State Rt. 615 at I-90 in Mentor, Ohio	5.6
W. Central, Illinois	For widening of U.S. 34 between Burlington, Iowa and Monmouth, Illinois	2.2
Illinois	To make improvements including construction of a bridge on U.S. 67 in NW Illinois	2.8
Monongahela Valley, Pennsylvania	For construction of southernmost extention of the Monongahela Expressway	13.3
Dauphin County, Pennsylvania	Design, acquire right-of-way and reconstruct 5.1 miles of 4-Lane divided highway from Dauphin Borough to Speeceville, Pennsylvania	8.4
Rutherford County, Tennessee	Replace existing bridge over the west fork of the Stone's River including a 5 foot elevated walkway	0.8
Wayne County, New York	To improve Rt. 104 from Furnace Road to Pound Road in the Wayne County Area of New York	7.6
Chatauqua County, New York	Construct 2 additional expressway lanes from Chatauqua Lake Bridge to Pennsylvania Border	11.8
North Carolina	To reimburse the State of North Carolina for construction and repair of the Bonner Bridge, North Carolina	3.5
North Carolina	Construct interstate link between I-95 and I-40 in vicinity of Wilson and Goldsboro, North Carolina	10.5
Bossier City, Louisiana	To study grade separations along 10 miles of KC Railroad along U.S. 71	0.16
Pennsylvania	Widen 14 mile segment of U.S. 15 from 2 to 4 lanes	19.0
Overland Park, Kansas	I-435 Interchange Project	4.8
Fairmont, West Virginia	Riverside Expressway improvements	6.2
Washington	State Rt. 14 Improvement Projects, Columbia River Gorge, Washington	10.2
Pennsylvania	Pennsylvania Industrial Park access, Washington County, Pennsylvania	4.4
Pennsylvania	Chadville Improvement Project, Southern Fayette County, Pennsylvania	1.7

City/State	Rural Access	Amount in millions
Pennsylvania	U.S. Rt. 219 Meyersdale Bypass	48.0
Pennsylvania	U.S. Rt. 22 Improvements: Monroeville to Ebansburg	30.3
Pennsylvania	Laurel Valley Expressway, Blairsville, Pennsylvania	5.0
Brownsville, Texas	Brownsville Railroad Relocation Project	8.4
South Carolina	Southern Connector Highway, Greenville County, South Carolina	4.2
Ohio	Rt. 18 Bypass Study, Medina, Ohio	0.4
Ohio	U.S. Rt. 250 Bypass Study, Norwalk, Ohio	0.4
Mankato, Minnesota	Mankato South Rt. Improvements, Mankato, Minnesota	4.5
Kentucky	U.S. 119 Upgrading, Pike County, Kentucky	9.0
Michigan	U.S. Rt. 127 Upgrading, Jackson County, Michigan	0.8
Eden Prairie & Cologne, Minnesota	U.S. Trunk Highway 212 improvement project, Eden Prairie/Cologne, Minnesota	8.7
Ohio	Rt. 30 extension: East Canton/Minerva, Ohio	6.2
New Mexico	Raton-Clayton Rd., Clayton, New Mexico	11.0
New Mexico	Jicarilla Apache State Road, New Mexico	1.8
Arizona	Turquoise Trail Highway, Navajo County, Arizona	7.0
Pennsylvania	U.S. Rt. 222 Relocation, Lehigh County, Pennsylvania	1.1
Pennsylvania	Pennsylvania Rt. 33 Extension, Northhampton County, Pennsylvania	11.8
Kentucky	Highway 92 Relocation Study, South Central Kentucky	0.1
Kentucky	U.S. 27 Improvements, Jessamine County, Kentucky	10.9
North Carolina	U–2519/X–2 Highways, Cumberland, North Carolina	20.0
Missouri	Adams Dairy Parkway Project, Blue Springs, Missouri	1.8
Lawrence, Kansas	Lawrence Circumferential Roadway, Douglas County, Kansas	3.9
Kansas	Oakland Expressway, Eastern Shawnee, Kansas	7.0
Missouri	Highway 63 improvements, Columbia, Missouri/Iowa border	7.0
West Virginia	Highway Improvements: Mason County/Kanawha, West Virginia	23.0
Pennsylvania	Warren Street Extension/U.S. 222 Reconstruction, Berks County, Pennsylvania	7.8
Illinois	For construction of the Alton Bypass from the vicinity of Alton and Godfrey, Illinois	5.2
Iowa	Construct Mason City Bypass, Gerro Gordo County, Iowa	17.5
Prince Edward County, Virginia	A highway improvement project one mile south of Farmville in Prince Edward County, Virginia, to increase from two lanes to four lanes approximately two miles of Route 460. Such project shall connect the existing four lanes of Route 460 approaching the segment from the east and the west. The Secretary of the Army, acting through the Chief of Engineers, is directed, upon request of officials representing Prince Edward County, Virginia, to allow the immediate filling of the Sandy River Reservoir in accordance with the terms and conditions of the permit issued by the Department of the Army relating to the reservoir, except that no contingency in such permit pertaining to water demand or use shall become effective or shall be enforced prior to seven years from date of completion of such highway project	5.2
Port Lavaca to Cuero, Texas	Construct upgraded, improved four-lane divided highway	35.0
Fort Worth to Springtown, Texas	Upgrade existing highway to four-lane divided highway	70.0
Howell and Texas Counties, Missouri	Improve Highway 63	4.2
Louisa, Louisiana	Louisa Bridge replacement, Louisa, Louisiana	11.2
Travis County, Texas	Highway 620 bridge improvement	14.0
Latrobe, Pennsylvania	Ligoner Street Reconstruction	0.8
Carroltown/DuBois, Pennsylvania	U.S. 219 Improvements	4.0
Robinson Township, Pennsylvania	Design Work in Town Center	3.0
West Virginia	Chelyan Bridge Replacement	10.0

(3) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by paragraph (2) for each project authorized by paragraph (2) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(4) FEDERAL SHARE.—The Federal share payable on account of any project under this subsection shall be 80 percent of the cost thereof.

(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this subsection to the State in which such project or projects are located upon request of such State.

(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(7) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this subsection shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

(b) URBAN ACCESS AND URBAN MOBILITY PROJECTS.—

(1) PURPOSE.—The purpose of this subsection is to provide funds for projects that enhance urban access and urban mobility.

(2) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out urban access and urban mobility projects described in this paragraph. Subject to paragraph (3), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

City/State	Urban Access & Mobility	Amount in millions
Santa Ana, California	Bristol Street Project	4.8
Illinois/Missouri	Metro East/St. Louis, Missouri Bridge Feasibility Study	1.1
Beaver/Butler Counties, Pennsylvania	Construction of Crow's Run Expressway from I–79 to PA Rt. 60, Beaver/Butler Counties, PA	2.5
Atlanta, Georgia	Improvement of Martin Luther King Drive	0.8
Chicago, Illinois	Handicapped Accessibility Projects on various Chicago Streets	2.8
Chicago, Illinois	Feasibility study for a road between existing Lake Shore Drive and Indiana Road	0.16
San Jose, California	Improvement of Interchange at Highway 85/Highway 17	35.0
Gilroy, California	For safety improvements on Highway 152 in vicinity of Gilroy, CA	7.0
New York, New York	Improvements on Miller Highway in New York City, NY	14.7
District of Columbia	Construction of missing segments of Eastern and Southern Avenues (Boundary Street Safety Initiative)	8.0
Buffalo, New York	Scajaquada Expressway Classification study	0.24
Buffalo, New York	NY State Thruway relocation study, Buffalo (Niagara), NY	0.24
Joliet, Illinois	For rehabilitation of Houbolt Road from Jefferson Street to Joliet Jr. College and construction and interchange at Houbolt Road and I–80	1.0
Chicago, Illinois	WPA street improvements bounded on the north by 103rd, the east by Stoney Island, the west by Ashland, and the south by the city limits	4.4
Burnham, Illinois	To improve Dolton Avenue between Torrence Avenue and Indiana State Line, Burnham, IL	2.2
Calumet Park, Illinois	Ashland Avenue Bridge replacement	2.5
Harvey, Illinois	Illinois 1 Interchange improvement from U.S. 6 to I–80	2.9
Markham, Illinois	Sibley Boulevard traffic flow improvement from Dixie Highway	4.1
Chicago, Illinois	Illinois 1 intersection improvement, Harvey, IL (intersection at 155th Street)	1.6
Youngstown, Ohio	Center Street Bridge replacement, Youngstown, OH, including Poland Avenue—Shirley Road connector and ramps at I–680	14.4
Lake Porter and LaPort Counties, Indiana and Illinois	Study linkage roads to connect Lake Shore Drive and surrounding facilities	1.2
Indiana	Acquisition of West Lake Corridor Right-of-Way between Munster, IN and Hammond , IN	1.0
Portage, Indiana	Widen Willow Creek Road to 4 lanes	1.8
Hobart, Lake Station And New Chicago, Indiana	Various improvements to Ridge Road to relieve congestion	5.1
Passaic County, New Jersey	To complete construction of Rt. 21 in Passaic County, New Jersey	115.0
Northeastern, New Jersey	To raise 14 bridges over Molly Ann's Brook Northeastern, New Jersey	9.5
Chambersburg, Pennsylvania	To improve the Wayne Avenue—I–81 Interchange and to widen Wayne Avenue to 5 lanes from I–81 to Coldbrook Avenue in the vicinity of Chambersburg, Pennsylvania	1.84
Newark, New Jersey	To construct ramps to provide access to I–78	6.7
Newark, New Jersey	To construct a parking facility as part of a multi-modal transportation facility in the vicinity of United Hospitals Medical Center, Newark, New Jersey	4.0
Lawrence, Massachusetts	Study, design, and construct new road service; Road and ramps and widen I–495	5.6
Baltimore, Mayland	To improve various roads as part of project "Project Vision" in Baltimore, Maryland	5.9
Bellevue, Washington	Conduct Phase I design study for I–405 interchange at Northeast 8th Street	5.9
Springfield, Illinois	To extend 11th Street from Stevenson Drive to Toronto Road in the vicinity of Springfield, Illinois	9.8
Middlesex, New Jersey	Route 1 widening in Middlesex County, New Jersey from Raritan River to Rahway River	7.0

City/State	Urban Access & Mobility	Amount in millions
Perth Amboy & Wodbridge Township, New Jersey	Study whether additional river crossings may be necessary based on condition of 3 existing crossings	1.0
Compton, California	For a grade separation project at W. Alameda Street and the Mealy St. Corridor	7.8
Parsippany, New Jersey Troy Hills	Construct interchange and ramp improvements for east and west bound traffic on I–280	1.94
Queens, New York	To rehabilitate 39th Street Bridge over rail tracks at the Sunnside Rail Yard in Queens, New York	12.3
Omaha, Nebraska	For improvmeents to US Highway 6 (W. Dodge Road) from 86th Street to 118th including the intersection with I–680 in Omaha, Nebraska	6.1
Suffolk County/ Long Island, New York	Construct various roadway improvements on 7.1 miles of New York Rt. 112, including, resurfacing, widening, adding turning and parking lanes and improving traffic signals	4.0
San Diego, California	To conduct environmental study on feasibility of constructing 4-Lane highway from State Rt. 805 to International border near Otay Mesa	1.2
Sarasota, Florida	To construct a bridge interchange at US 301 and University Parkway in the vicinity of Sarasota, Florida	2.8
Hartford, Connecticut	To reconstruct Murphy Road in the vicinity of Hartford, Connecticut	1.0
Hartford, Connecticut	To rehabilitate Connecticut Rt. 99 South of Hartford, Connecticut	4.6
Hartford, Connecticut	For improved access to the Connecticut River as in I–91 Mitigation Project, Hartford, Connecticut	2.7
Chattanooga, Tennessee	Construct an urban diamond interchange to improve capacity and a connector road	3.7
Commerce, California	To relocate a portion of Atlantic Blvd. in the vicinity of Telegraph Rd. as part of a grade separation project	5.6
Scranton, Pennsylvania	Realign 3,000 feet of N. Scranton Expressway to connect with Mulberry Street	7.2
Long Island, New York	Southern State Parkway Improvement	5.4
New York	Exit 26 Ridge Project Schenectady, New York	6.7
Capital Beltway, Springfield, Virginia	Upgrade interchanges on I–495, including Virginia Mixing Bowl Improvements	8.9
Utah	Expansion of State Rd. 5600 West	3.9
Chicago, Illinois	Right-of-way preservation projects (Eisenhower & Stevenson Connector)	8.4
Chicago, Illinois	Museum of Science & Industry: Various intermodal facilities, Chicago, Illinois	35.0
Chicago, Illinois	Chicago Skyway Bridge, Chicago, Illinois	16.8
Chicago, Illinois	Cermak Road Bridge reconstruction, Chicago, Illinois	11.8
Chicago, Illinois	Roosevelt Rd. and Bridge Improvements, Chicago, Illinois	14.0
Chicago, Illinois	State Street Mall Improvements, Chicago, Illinois	16.8
Chicago, Illinois	Cicero Avenue Improvements, vicinity of Chicago, Illinois	1.3
Chicago, Illinois	183rd Street Reconstruction, Chicago, Illinois	1.8
Chicago, Illinois	111th Street Reconstruction, Chicago, Illinois	2.9
Chicago, Illinois	111th Street Upgrade: Cicero Avenue to Pulaski Road, Chicago, Illinois	3.0
Chicago, Illinois	111th Street Widening: Central Avenue to Cicero Avenue, Chicago, Illinois	5.5
Muncie, Indiana	State Rd. 67 Widening	11.8
Columbus, Indiana	Columbus Entranceway project, Columbus, Indiana	3.9
New Jersey	Rt. 17/4 Interchange Project, Paramus, New Jersey	5.0
New Jersey	Hackensack Avenue/Kinderkamack Road Bridges over Rt. 4, Hackensack, New Jersey	5.0
Los Angeles	Grade separation projects (3), Los Angeles County, California	8.4
New York	Preservation of Rail Corridor (North Shore Rail Line), Staten Island	12.6
Maryland	Improvement of U.S. Route 1 in Baltimore County, Maryland	14.0
Camden, New Jersey	Renovation of South Jersey Port Corporation's Beckett Street Terminal	8.0
Washington, D.C.	Design and construction of noise barriers along Southeast/Southwest Freeway and Anacostia Freeway in D.C.	5.5
Anaheim, California	Construction of public HOV facilities to provide public access to I–5 in the vicinity of the Anaheim Regional Transportation Intermodal Complex	17.5
Atlanta, Georgia	Construction of I–20 interchange at Lithonia Industrial Boulevard	13.2
Buffalo, New York	The Southtowns Connector Buffalo, New York	10.1
Western New York	Improvements on Route 219 between Springville, New York, and Ellicottville, New York, with funding for this project to have the same high priority as projects identified in section 140 of this Act	11.2
Tucson, Arizona	Veterans Memorial Interchange/Palo Verde Overpass Bridge Replacement	2.8
Providence, Rhode Island	Memorial Boulevard Pedestrian/Traffic Improvements	4.0
Renton, Washington	Houser Way Relocation Expansion	3.5

(3) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by paragraph (2) for each project authorized by paragraph (2) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(4) FEDERAL SHARE.—The Federal share payable on account of any project under this subsection shall be 80 percent of the cost thereof.

(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this subsection to the State in which such project or projects are located upon request of such State.

(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(7) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this subsection shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

SEC. 150. MOLLY ANN'S BROOK, NEW JERSEY.

The Secretary shall carry out a project to make modifications to bridges necessary for the Secretary of the Army to carry out a project for flood control, Molly Ann's Brook, New Jersey, authorized by section 401 of the Water Resources Development Act of 1986 (100 Stat. 4119). Any Federal expenditures under this section and section 149 for such project shall be treated as part of the non-Federal share of the cost of such flood control project.

SEC. 151. PASSAIC AND BERGEN COUNTIES, NEW JERSEY.

The highway project authorized by section 149(a)(1) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 181), shall include improvements to New Jersey State Route 21, the Crooks Avenue interchange between United States Route 46 and New Jersey State Route 20, and the United States Route 46 bridge over the Passaic River between Clifton and Elmwood Park, New Jersey. Notwithstanding any other provision of law, the Governor of the State of New Jersey shall carry out with respect to the construction of such highway project all of the responsibilities of the Secretary under title 23, United States Code, and all other provisions of law. In so doing, the Governor is authorized to waive any and all Federal requirements, the waiver of which the Governor determines to be in the public interest.

SEC. 152. REGULATORY INTERPRETATIONS.

(a) COATING OF STEEL.—Section 635.410 of title 23 of the Code of Federal Regulations and any similar regulation, ruling, or decision of the Department of Transportation shall be applied as if to include coating.

(b) FUNDING OF FUSEES AND FLARES.—Section 393.95 of title 49 of the Code of Federal Regulations shall be applied so that fusees and flares are given equal priority with regard to use as reflecting signs.

SEC. 153. HANDICAPPED PARKING SYSTEM.

(a) STUDY.—The Secretary shall conduct a study of the progress being made by the States in adopting and implementing the uniform system for handicapped parking established in regulations issued by the Secretary pursuant to Public Law 100-641 (102 Stat. 3335).

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit a report to the Committee on Environment and Public Works of the Senate and the Committee on Public Works of the House of Representatives on the results of the study conducted under this section.

SEC. 154. ROADSIDE BARRIER TECHNOLOGY.

(a) REQUIREMENT FOR INNOVATIVE BARRIERS.—Not less than 5 percent of the mileage of new or replacement permanent median barriers included in awarded contracts along Federal-aid highways within the boundaries of a State in each calendar year shall be innovative safety barriers.

(b) CERTIFICATION.—Each State shall annually certify to the Secretary its compliance with the requirements of this section.

(c) DEFINITION OF INNOVATIVE SAFETY BARRIER.—For purposes of this section, the term "innovative safety barrier" means a median barrier, other than a guardrail, classified by the Federal Highway Administration as "experimental" or that was classified as "operational" after January 1, 1985.

SEC. 155. DESIGN STANDARDS.

(a) SURVEY.—The Secretary shall conduct a survey to identify current State standards relating to geometric design, traffic control devices, roadside safety, safety appurtenance design, uniform traffic control devices, and sign legibility and directional clarity for all Federal-aid highways. The purpose of the

survey is to determine the necessity of upgrading such standards in order to enhance highway safety. In conducting the survey, the Secretary shall take into consideration posted speed limits as they relate to the design of the highway.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the survey conducted under this section, and on the crashworthiness of traffic lights, traffic signs, guardrails, impact attenuators, concrete barrier treatments, and breakaway utility poles for bridges and roadways currently used by States, together with any recommendations of the Secretary relating to the purpose of the survey.

SEC. 156. EFFECTIVE DATE; APPLICABILITY; CERTAIN UNOBLIGATED BALANCES.

(a) GENERAL RULE.—This title, including the amendments made by this title, shall take effect on the date of the enactment of this Act.

(b) APPLICABILITY.—The amendments made by this title (other than section 160) shall apply to funds authorized to be appropriated or made available after September 30, 1991, and, except as otherwise provided in subsection (c), shall not apply to funds appropriated or made available on or before September 30, 1991.

(c) UNOBLIGATED BALANCES.—

(1) IN GENERAL.—Unobligated balances of funds apportioned to a State under sections 104(b)(1), 104(b)(2), 104(b)(5)(B), and 104(b)(6) of title 23, United States Code, before October 1, 1991, shall be available for obligation in that State under the law, regulations, policies and procedures relating to the obligation and expenditure of those funds in effect on September 30, 1991.

(2) TRANSFERABILITY.—

(A) PRIMARY SYSTEM.—A State may transfer unobligated balances of funds apportioned to the State for the Federal-aid primary system before October 1, 1991, to the apportionment to such State for 1 or more of the following: the National Highway System, the rural mobility system, the urban mobility system.

(B) SECONDARY SYSTEM.—A State may transfer unobligated balances of funds apportioned to the State for the Federal-aid secondary system before October 1, 1991, to the apportionment to such State for the rural mobility system.

(C) INTERSTATE 4R.—A State may transfer unobligated balances of funds apportioned to the State for resurfacing, restoring, rehabilitating, and reconstructing the Interstate System before October 1, 1991, to the apportionment to such State for the National Highway System.

(D) URBAN SYSTEM.—A State may transfer unobligated balances of funds apportioned to the State for the Federal-aid urban system before October 1, 1991, to the apportionment to such State for the urban mobility system. Any of such unobligated balances which were attributable to an urbanized area must be expended for projects in such urbanized area.

(E) DATE.—A State may only make a transfer under this paragraph on October 1 of a fiscal year or, in the case of fiscal year 1992, on the 30th day following the date of the enactment of this Act.

(F) APPLICABILITY OF CERTAIN LAWS, REGULATIONS, POLICIES, AND PROCEDURES.—Funds transferred under this paragraph shall be subject to the laws, regulations, policies, and procedures relating to the apportionment to which they are transferred.

SEC. 157. INNOVATIVE PROJECTS.

(a) IN GENERAL.—The purpose of this section is to provide assistance for highway projects demonstrating innovative techniques of highway construction and finance. Each State in which 1 of the projects authorized by subsection (b) is located shall select and use, in carrying out such project, innovative techniques in highway construction or finance. Such techniques may include state-of-the-art technology for pavement, safety, or other aspects of highway construction; innovative financing techniques; or accelerated procedures for construction.

(b) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the innovative projects described in this subsection. Subject to subsection (c), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

City/State	Innovative Projects	Amount in millions
Cadiz, Ohio	Construction of 4-lane Limited Access Highway from Cadiz, OH to Interstate 70 Interchange at St. Clairesville, OH along US Rt. 250	17.4
Maryland	Construction of Durham Road Bridge #75 in Harford County, MD	0.5
Maryland	Construction of a replacement bridge at Furnace Road Bridge #74, Harford County, MD	0.6
Maryland	Construction of a replacement bridge at South Hampton Road Bridge #47, Harford County, MD	1.1
Maryland	Construction of a replacement bridge at Wheel Road Bridge #9, Harford County, MD	1.0
Maryland	Construction of a replacement bridge at Watervale Bridge #63, Harford, MD	1.3
Baltimore County, Maryland	Replacement Papermill Road Bridge #123 in Cockeysville Area of Baltimore, MD	6.3
Southern, Oklahoma	Testing of effectiveness of recyclable materials on a resurfacing project on US 70 in Southern, OK	2.4
Tulsa, Oklahoma	Upgrade US 75 to Expressway standards, Tulsa, OK	16.5
Atlanta, Georgia	For various transportation improvements in connection with the 1996 Olympics, including the city of Atlanta advanced traffic management system (IVHS)	58.0
Chicago, Illinois	Computerized infrastructure management systems, Chicago, IL	5.1
Oceanside, California	Construction of A, B, and C segments of State Route 76	17.0
Carlsbad, California	Improvements to the interchange at Palomar Airport Road and Interstate 5	4.0
Danville, Virginia	To replace bridges on Main and Worsham Streets in Danville, VA	11.8
Mokena, Illinois	For construction of Wolf Road to an area between LaPort Road and U.S. Rt. 30 in Mokena, IL	1.6
Frankfort, Illinois	Village of Frankfort Roadway improvement projects	1.5
Plainfield, Illinois	Replacement of E J & E Viaduct over IL Rt. 59 and Dupage River Tributary	1.0
Romeoville, Illinois	Replacement of 135th Street Bridge, Romeoville, IL	7.0
Water Street, Pennsylvania	Construction of a 2 lane bypass around the Borough of Water Street on U.S. 22 of Pennsylvania	8.0
Holidaysburg, Pennsylvania	To relocate U.S. 22 around the Borough of Holidaysburg, Pennsylvania	52.0
Lewistown, Pennsylvania	For safety improvements on the Narrows to eliminate potential problems brought on by rock slides	1.6
Pennsylvania	To relocate U.S. Rt. 22 North of Lewistown, Pennsylvania	40.8
Reedsville, Pennsylvania	For construction of a 4 lane highway between Reedsville and Seven Mountains, Pennsylvania	35.1
Pennsylvania	To relocate section of railroad tracks between Hagerstown, Maryland and Schippensburg, Pennsylvania to eliminate 23 at-grade crossings and to make connection to an existing railroad line	14.4
Roaring Spring, Pennsylvania	To upgrade to 3 lanes by adding a center turning lane a section of Pennsylvania 36 from New US 220 to the intersection at Roaring Spring, Pennsylvania	8.8
Altoona, Pennsylvania	To widen and extend Chestnut Avenue from Altoona to Juniata, Pennsylvania	7.12
Bedford County, Pennsylvania	To widen Rt. 30 from the Narrows in Bedford to Mt. Dallas, Pennsylvania	33.6
Brevard County, Florida	Design, acquire right-of-way and construct a widened bridge on State Road 3 over the Barge Canal	8.1
Blacksburg, Virginia Montgomery County	Construction of 6 mile 4 lane highway to demonstrate intelligent/vehicle highway systems	7.0
Mobile, Alabama	For reconstruction of the West Tunnel Plaza Interchange on I–10 from Virginia Street to Mobile River Tunnel, Mobile, Alabama	8.0
Pennsylvania	To widen US Rt. 202 from King of Prussia to Montgomeryville, Pennsylvania	10.5
Galina, Illinois	To conduct environmental, preliminary engineering and design studies to widen a 47 mile stretch of US 20 to 4 lanes	2.3
Areneck County, Michigan	To improve a 12-mile stretch of US 23 between Rt. 13 and Rt. 65, Michigan	5.5
Brooks, Jim Wells, and Live Oak Counties, Texas	To improve, upgrade and widen U.S. 281 to the Mexican Border	35.0
Alabama	To construct a 4-Lane access controlled highway to bypass Montgomery, Alabama and connect I–65 and I–85	14.0
North Dakota	To design computerized system to inventory and manage off system bridge repairs or replacement statewide; begin repair activities	10.5
Los Angeles, California	For preliminary work on a project to enhance the capacity of I–5 in Los Angeles and Orange County from the downtown area to the State Rt. 91 interchange in Buena Park	7.9
Mendon, Illinois	To construct 14.8 miles of Highway 336 from Illinois Rt. 61 near Mendon, Illinois to West Point Road	5.9
Bryden, Washington	Construct 3 miles of new and improved highways connecting Clarkston, Washington with Lewiston, Idaho	4.6
Missouri	To widen I–55 between Rt. M and Rt. 67 in Jefferson County, Missouri	6.0
Jefferson County, Missouri	To upgrade 7.9 miles of Missouri Highway 21 in Jefferson County, Missouri	6.0
St. Louis, Missouri	To construct a 4-Lane outer beltway connecting I–55 and I–44 in St. Louis and Jefferson County, Missouri	9.0
Hillsborough, Florida	Widen and enhance safety and drainage features of I–4 from Tampa to the Hillsborough County Line	29.0
Wichita, Kansas	To construct a 6 lane access controlled highway and interchange at Oliver Street	7.8
Brigham City, Utah	To construct an interchange on I–15 at Forest St. in Brigham City, Utah	4.3
Utah	For the upgrading of US 89 in Davis and Weber Counties, Utah	3.5
Grand Rapids, Michigan	For construction of a bypass around Grand Rapids, Michigan connecting I–96 and I–196	8.1

City/State	Innovative Projects	Amount in millions
Suffolk County/ Long Island, New York	Avoid erecting costly areas through selective black topping through high noise road segments	2.3
Suffolk County, New York	Evaluate suitability of composting and recycling for use on federal-aid highway medians and perimeters	0.4
Springfield, South Dakota	Plan, engineer and construct a bridge across the Missouri River to connect South Dakota Rt. 37 to Nebraska Highway 12	5.6
Vermillion, South Dakota	Engineer and construct bridge across the Missouri River in the vicinity of Vermillion, South Dakota	4.3
Pennsylvania	Design, engineer and construct 2 exits off Interstate 81 at Wilkes-Barre and Mountaintop, Pennsylvania	11.7
Genesse, Michigan	Widen and improve pavement in Mundy Township, from Baldwin Rd. to Cook Rd.	0.16
Flint, Michigan	Engineer, design and construct improved and widened 5-Lane road	0.5
Flint, Michigan	Engineer, design and construct 1.02 miles of 5-Lane roadway	0.9
Flint, Michigan	Right-of-way acquisition, relocation and construction of Bristol Road	3.7
Salem, Oregon	To construct the Salem Bypass around Salem, Oregon	7.1
Montgomeryville, Pennsylvania	To improve U.S. 202 from Montgomeryville to Doylestown, Pennsylvania	7.6
Amherst/Erie County, New York	Widen 2 miles of Rt. 263 from 2 lanes to 4 lanes and rehabilitate a 4 mile stretch of Rt. 78	9.0
Idaho	To improve the Bryden County Rd. from Washington State Line to Lewiston, Idaho	6.3
Mojave, California	Widen and reconstruct bridge to CALTRANS height standards	2.1
Freemont, Iowa	For construction of Iowa highway #2 from Sidney, Iowa to I–29 in Freemont County, Iowa	10.3
Council Bluffs, Iowa	For a variety of improvements to the Valley View Corridor in Council Bluffs, Iowa	1.2
Indiana	Construct extension of Interstate 69 to link Evansville and Indianapolis, Indiana	4.5
Aberdeen, Ohio	U.S. 62 Ohio River Bridge	18.3
Jacksonville, Illinois	U.S. 67 Jacksonville Bypass	11.1
Snohomish, Washington	Snohomish County, Washington HOV Lanes	7.7
Portland/S. Portland, Maine	Portland-S. Portland Bridge	4.3
Iowa	Highway 63 Improvements, Waterloo to New Hampton, Iowa	17.9
Brook Park, Ohio	Aerospace Technology Clark Access Rd., Brookpark, Ohio	16.8
California	Rt. 156 Hollister Bypass, San Benito, California	0.9
Monterey, California	Rt. 101, Prunedale, California	3.5
New Jersey	Rt. 21 Viaduct, Newark, New Jersey, City of Newark's Project	15.7
New Jersey	Rt. 21 widening, Newark, New Jersey, City of Newark's Project	14.6
North Carolina	U.S. 64 widening in Chatham and Wake Counties, North Carolina	6.2
Tennessee	I–81/Industrial Park South Interchange, Sullivan County, Tennessee	6.8
Tennessee	Foothills Parkway: Pittman Center to Cosby, Tennessee	13.2
Ohio	Kelly Avenue extension, Akron, Ohio	11.2
Exton, Pennsylvania	Exton Bypass, Exton, Pennsylvania	25.8
Alabama	Black Warrier River Bridge, Tuscaloosa County, Alabama	7.6
Maple Grove, Minnesota	Highway 610 crosstown project, Maple Grove, Minnesota	9.0
California	I–880/Alvarado-Niles Road Interchange, Union City, California	11.2
Merrysville, Washington	Interstate 5 Interchange improvement: 88th Street, Merrysville, Washington	2.2
Myrtle Beach, South Carolina	Carolina Bays Parkway, Myrtle Beach, South Carolina	7.0
Mississippi	U.S. 90 improvements including 6 lane bridge and approaches, Pascagoula, Mississippi	5.1
Bakersfield, California	Rt. 58 Improvements, Bakersfield, California	5.6
Sante Fe Springs, California	Norwalk Blvd. grade separation, Santa Fe Springs, California	5.6
Hoquiam, Washington	Gray's Harbor Industrial Corridor Bridge, Hoquiam, Washington	5.6
Traverse City, Michigan	Traverse City Bypass, Traverse City, Michigan	4.5
Nevada	Lamoille Highway widening, Elko County, Nevada	2.8
Reno, Nevada	U.S. 395 Extension, Reno, Nevada	2.1
Carson City, Nevada	Carson City Bypass, Carson City, Nevada	9.0
Columbus, Ohio	I–270 North outerbelt widening, Franklin County, Ohio	12.1
St. Thomas, Virgin Islands	Feasibility study of constructing a second road to the west end of the island	2.0
Illinois	DeQuoin Highway Bridge	3.12
Illinois	Tamarack Street Extension	0.6
Indiana	East Chicago Marina Access Road	10.1
District of Columbia	Hybrid Fuel Cell	4.2
Ohio	Rehabilitation of Bridge on U.S. 224 near State Route 616	1.0
Arkansas	North Belt Freeway Project, Thornton, Arkansas	10.5
Ft. Worth, Texas	I–35 Basswood Interchange, Ft. Worth, Texas	5.6
Illinois	Illinois 17 road replacement, .2 miles west of Spear Road to Illinois 1: 5.3 miles	2.1
Leroy, Illinois	U.S. 150 road replacement, North of Hemlock Street to South of Gilmore Street in Leroy: 1.6 miles	1.2
Ford County, Illinois	U.S. 24 replacement, 1.1 miles east of Forrest to Ford County Line: 8.0 miles	2.1
Illinois	U.S. 24 road replacement: Crescent City to Illinois 1 in Watseka: 6.3 miles	2.9
Emington, Illinois	Emington Spur road replacement Illinois 47 to Emington: 2.9 miles Emington, Illinois	0.65
Illinois	New Lenox Road Improvement	3.0
Illinois	Shorewood Roadway Improvements	1.5
Illinois	Bridge painting of various moveable bridges to prevent rusting, Chicago, Illinois	3.3
Huntington County, Pennsylvania	Jacobs Timber Bridge over Greater Trough Creek	0.35
Chicago, Illinois	Landscaping, resurfacing, repair and replacement of curbs and gutters, bridge cleaning and repair of lights and redesigning and installation of new signs historic 28 mile Boulevard, Chicago, Illinois	9.1
Cadillac, Michigan	Improvements to highway U.S. 131, north of Cadillac	4.2
Durham County, North Carolina	Accelerated construction of a four-lane divided freeway on Route 147	45.3
Corpus Christi to Angleton, Texas	Construct new multi-lane freeway	35.0
Fort Worth, Texas	Construction of an overpass and frontage road at the Fort Worth Hillwood/I–35 interchange	5.6
West Sacramento, California	Construction of Industrial Boulevard Bridge over Sacramento River Barge Canal in West Sacramento, California	9.8
Baltimore County, Maryland	I–695 Improvements in Baltimore County, Maryland	28.2
Hampton Roads, Virginia	I–64 Crossing of Hampton Roads	7.0
Calumet City, Illinois	Reconstruction of 156th Street and 156th Place from Burkham Avenue to State line	1.5
Frankfort Township, Illinois	Improvements of streets in Frankfort Township	1.2
Matteson, Illinois	I–57 Bridge Improvements	4.2
Illinois	Road Improvement, U.S. 150/Ill. 1 from Belguim to South of Westville	4.5
Illinois	Road Improvement, U.S. 45 from Savoy to Tolono	6.6
Alabama	Patton Island Bridge Project	5.5

(c) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) REPORTS.—Not later than 1 year after completion of a project under this section, the State in which such project is located shall submit to the Secretary a report on the innovative techniques used in carrying out such project and on the results obtained through the use of such techniques.

(h) APPLICABILITY OF TITLE 23.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

SEC. 158. ORANGE COUNTY TOLL PILOT PROJECTS.

(a) EXEMPTION OF CERTAIN LANDS.—For the purposes of any approval by the Secretary of proposed highway improvements authorized by section 129(j)(3) of title 23, United States Code, in Orange County, California, pursuant to section 303 of title 49, United States Code, and section 138 of title 23, United States Code, those sections (collectively known as "section 4(f)") shall not be applicable to public park, recreation area, wildlife and waterfowl refuge (collectively referred to hereinafter in this section as "parkland")—

(1) that are acquired by a public entity after a governmental agency's approval of a State or Federal environmental document established the location of a highway adjacent to the parklands; or

(2) where the planning or acquisition documents for the parklands specifically referred to or reserved the specific location of the highway.

(b) APPLICABILITY.—Without limiting its prospective application, this section shall apply to any approval of the proposed highway improvements by the Secretary prior to the effective date of this section only if—

(1) the approximately 360 acres comprising the proposed Upper Peters Canyon Regional Park in Orange County, California, is conveyed to a public agency for use as public park and recreation land or a wildlife or waterfowl refuge, or both, within 90 days of such effective date;

(2) the approximately 100 acres of lands described as the Dedication Area in that certain Option Agreement dated April 16, 1991, by and between the city of Laguna Beach and the owner thereof is conveyed to a public agency for use as public park and recreation land for a wildlife or waterfowl refuge, or both, within 90 days of such effective date.

(c) PURPOSE.—This section is adopted in recognition of unique circumstances in Orange County, California, including a comprehensive land use planning process; the joint planning of thousands of acres of parklands with the locations of the proposed highway improvement; the provision of rights-of-way for high occupancy vehicle lanes and fixed rail transit in the 3 transportation corridors; the use of toll financing, which will discourage excessive automobile travel; and the inclusion of a county-wide growth management element and substantial local transit funding commitment in the county's voter-approved supplemental sales tax for transportation.

(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—In no event shall this section be construed to apply to any other highway projects other than the proposed San Joaquin Hills, Foothill, and Eastern Transportation Corridor highways in Orange County, California. Nothing in this section is intended to waive any provision of law (including the National Environmental Policy Act, the Endangered Species Act, and the National Historic Preservation Act) other than the specific exemptions to section 303 of title 49 and section 138 of title 23, United States Code. Nothing in this section shall be construed to give affect or to approve regulations issued pursuant to section 4(f) and published in the Federal Register on April 1, 1991 (56 Federal Register 62).

SEC. 159. FEASIBILITY OF INTERNATIONAL BORDER HIGHWAY INFRASTRUCTURE DISCRETIONARY PROGRAM.

(a) STUDY.—The Secretary shall conduct a study of the advisability and feasibility of establishing an international border highway infrastructure discretionary program. The purpose of such a program would be to enable States and Federal agencies to construct, replace, and rehabilitate highway infrastructure facilities at international borders when such States, agencies, and the Secretary find that an international bridge or a reasonable segment of a major highway providing access to such a bridge (1) is important; (2) is unsafe because of structural deficiencies, physical deterioration, or functional obsolescence; (3) poses a safety hazard to highway users; (4) by its construction, replacement, or rehabilitation, would minimize disruptions, delays, and costs to users; or (5) by its construction, replacement, or rehabilitation, would provide more efficient routes for international trade and commerce.

(b) REPORT.—Not later than September 30, 1993, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with any recommendations to the Secretary.

SEC. 160. PRIOR DEMONSTRATION PROJECTS.

(a) TAMPA, FLORIDA.—The unobligated balance of funds provided under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 for carrying out subsection (a)(81) of such section shall be available to the Secretary for carrying out a highway project to widen, modernize, and make safety improvements to interstate route I-4 in Hillsborough County, Florida, from its intersection with I-275 in Tampa, Florida, to the Hillsborough-Polk County line.

(b) SANTA FE, NEW MEXICO.—The unobligated balance of funds provided under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 for carrying out subsection (a)(107) of such section shall be available to the Secretary for carrying out a highway project to construct a bypass for Santa Fe, New Mexico.

(c) LARKSPUR TO KORBEL, CALIFORNIA.—The unobligated balance of funds provided under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 for carrying out subsection (a)(41)(B) of such section shall be available to the Secretary for carrying out a highway project to construct a transportation corridor along a right-of-way which is parallel to Route 101 in California and connects Larkspur, California, and Korbel, California.

SEC. 161. WILLIAM H. HARSHA BRIDGE.

The United States Route 68 bridge across the Ohio River between Aberdeen, Ohio, and Maysville, Kentucky, shall be known and designated as the "William H. Harsha Bridge".

SEC. 162. COMMEMORATION OF DWIGHT D. EISENHOWER NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.

(a) STUDY.—The Secretary shall conduct a study to determine an appropriate symbol or emblem to be placed on highway signs referring to the Interstate System to commemorate the vision of President Dwight D. Eisenhower in creating the Dwight D. Eisenhower National System of Interstate and Defense Highways.

(b) REPORT.—Not later than 1 year after the effective date of this title, the Secretary shall report to Congress on the results of the study under this section.

SEC. 163. USE OF HIGH OCCUPANCY VEHICLE LANES BY MOTORBIKES.

Section 163 of the Surface Transportation Assistance Act of 1982 (23 U.S.C. 146 note) is amended—

(1) by inserting before "and acceptance" the following: ", after notice in the Federal Register and an opportunity for public comment,"; and

(2) by adding at the end the following: "Any certification made before the effective date of title 1 of the Intermodal Surface Transportation Infrastructure Act of 1991 shall not be recognized by the Secretary until the Secretary publishes notice of such certification in the Federal Register and provides an opportunity for public comment on such certification.".

SEC. 164. USE OF TOURIST ORIENTED DIRECTIONAL SIGNS.

(a) IN GENERAL.—The Secretary shall encourage the States to provide for equitable participation in the use of tourist oriented directional signs or "logo" signs along the Interstate System and the Federal-aid primary system (as defined under section 131(t) of title 23, United States Code).

(b) STUDY.—Not later than 1 year after the effective date of this title, the Secretary shall conduct a study and report to Congress on the participation in the use of signs referred to in subsection (a) and the practices of the States with respect to the use of such signs.

SEC. 165. PENSACOLA, FLORIDA.

(a) STUDY.—The Secretary shall conduct a study of the feasibility of constructing, in accordance with standards applicable to Interstate System highways, a 4-lane highway connecting Interstate Route 65 and Interstate Route 10 in the vicinity of Pensacola, Florida.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with recommendations for the location of a corridor in which to construct the highway described in subsection (a).

SEC. 166. INCLUSION OF CALHOUN COUNTY, MISSISSIPPI, IN APPALACHIA.

Section 403 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 403) is amended in the fifth undesignated paragraph of such section by inserting "Calhoun," after "Benton,".

SEC. 167. HIGHER FEDERAL SHARE.

If any highway project authorized to be carried out under section 128(h), 134(c), 140, 149, 157, or 505 of this Act is a project which would be eligible for assistance under section 204 of title 23, United States Code, or is a project on a federally owned bridge, the Federal share payable on account of such project shall be 100 percent for purposes of this Act.

SEC. 168. WORK ZONE SAFETY.

(a) PROGRAM DEVELOPMENT.—The Secretary shall develop a proposed work zone safety program which will improve work zone safety at highway construction sites by enhancing the quality and effectiveness of traffic control devices, safety appurtenances, traffic control plans, and bidding practices for traffic control devices and services.

(b) REPORT.—Not later than 2 years after the effective date of this title, the Secretary shall transmit to Congress the proposed program developed under subsection (a) and recommendations for implementation of such program.

SEC. 169. MISCELLANEOUS HIGHWAY PROJECT AUTHORIZATIONS.

(a) BALTIMORE-WASHINGTON PARKWAY.—There is authorized to be appropriated $74,000,000 for renovation and reconstruction of the Baltimore-Washington Parkway in Prince Georges County, Maryland. The Federal share of the cost of such project shall be 100 percent.

(b) EXIT 26 BRIDGE.—There is authorized to be appropriated $22,400,000 for construction of the Exit 26 Bridge in Schenectady County, New York. The Federal share of the cost of such project shall be 80 percent.

(c) CUMBERLAND GAP TUNNEL.—There are authorized to be appropriated such sums as may be necessary to complete construction of the Cumberland Gap Tunnel, Kentucky, including associated approaches and other necessary road work. The Federal share of the cost of such project shall be 100 percent.

(d) RIVERSIDE EXPRESSWAY.—There is authorized to be appropriated $53,400,000 for construction of the Riverside Expressway, including bridges crossing the Monongahela River and Buffalo Creek, in the vicinity of Fairmont, West Virginia. The Federal share of the cost of such project shall be 80 percent.

(e) BUSWAY.—There is authorized to be appropriated $39,500,000 for design and construction of an exclusive busway linking Pittsburgh and Pittsburgh Airport. The Federal share of such project shall be 80 percent.

(f) EXTON BYPASS.—There is authorized to be appropriated $11,004,000 for construction of the Exton Bypass, in Exton, Pennsylvania. The Federal share of such project shall be 80 percent.

(g) PENNSYLVANIA ROUTE 33 EXTENSION.—There is authorized to be appropriated $5,000,000 for extension of Route 33 in Northampton County, Pennsylvania. The Federal share of such project shall be 80 percent.

(h) U.S. ROUTE 202.—There is authorized to be appropriated $4,500,000 for construction of U.S. Route 202. The Federal share of such project shall be 80 percent.

(i) WOODROW WILSON BRIDGE.—There is authorized to be appropriated $15,000,000 for rehabilitation of the Woodrow Wilson Bridge. The Federal share of such project shall be 100 percent.

(j) U.S. ROUTE 222 RELOCATION.—There is authorized to be appropriated $450,000 for engineering studies to relocate U.S. Route 222 in Lehigh County. The Federal share of such project shall be 80 percent.

(k) WARREN OUTERBELT IMPROVEMENT, WARREN, OHIO.—There is authorized to be appropriated $1,000,000 for design and construction of Warren Outerbelt improvements, Warren, Ohio. The Federal share of such project shall be 80 percent.

(l) OHIO STATE ROUTE 46 IMPROVEMENTS.—There is authorized to be appropriated $2,000,000 for design and construction of Ohio State Route 46 improvements. The Federal share of such project shall be 80 percent.

(m) OHIO STATE ROUTE 5 IMPROVEMENTS.—There is authorized to be appropriated $1,000,000 for design and construction of Ohio State Route 5 improvements. The Federal share of such project shall be 80 percent.

(n) U.S. ROUTE 62 IMPROVEMENTS, OHIO.—There is authorized to be appropriated $1,000,000 for design and construction of U.S. Route 62 improvements, Ohio. The Federal share of such project shall be 80 percent.

(o) OHIO STATE ROUTE 534 IMPROVEMENTS.—There is authorized to be appropriated $1,000,000 for design and construction of Ohio State Route 534 improvements. The Federal share of such project shall be 80 percent.

(p) OHIO STATE ROUTE 45 IMPROVEMENTS.—There is authorized to be appropriated $1,000,000 for design and construction of Ohio State Route 45 improvements. The Federal share of such project shall be 80 percent.

(q) ROUTE 120, LOCKHAVEN, PENNSYLVANIA.—There is authorized to be appropriated $4,000,000 for the widening of Route 120 and the removal of unstable rockfill area, Lockhaven, Pennsylvania. The Federal share of such project shall be 80 percent.

(r) TRUSS BRIDGE, TIOGA RIVER, LAWRENCEVILLE, PENNSYLVANIA.—There is authorized to be appropriated $3,200,000 to replace the existing Truss Bridge across the Tioga River, in Lawrenceville, Pennsylvania. The Federal share of such project shall be 80 percent.

(s) U.S. ROUTE 6, BRADFORD COUNTY, PENNSYLVANIA.—There is authorized to be appropriated $3,000,000 for the widening of U.S. Route 6 (Wysox Narrows Road), in Bradford County, Pennsylvania. The Federal share of such project shall be 80 percent.

(t) SEBRING/MANSFIELD BYPASS PENNSYLVANIA.—There is authorized to be appropriated $4,800,000 for design and construction of the Sebring/Mansfield Bypass on U.S. 15, Pennsylvania. The Federal share of such project shall be 80 percent.

(u) I-5 IMPROVEMENTS.—The States of Oregon and Washington should give priority consideration to improvements on the I-5 Corridor. The Secretary shall give priority consideration to funding I-5 improvements from section 118(c)(2) of title 23, United States Code, as amended by this Act.

(v) ROUTE 219.—The Secretary shall designate Route 219 from the Maryland line to Buffalo, New York, as part of the National Highway System.

(w) COALFIELDS EXPRESSWAY.—There is authorized to be appropriated such sums as may be necessary for design and construction of the project known as "Coalfields Expressway" from Beckley, West Virginia, to the West Virginia-Virginia State line, generally following the corridor defined by, but not necessarily limited to, Routes 54, 97, 10, 16, and 93. The Federal share of such project shall be 80 percent.

(x) UNITED STATES ROUTE 119.—There is authorized to be appropriated $70,000,000 for upgrading United States Route 119 to 4 lanes beginning west of Huddy, Kentucky. The Federal share of such project shall be 80 percent.

(y) CHAMBERSBURG, PENNSYLVANIA.—Not later than 30 days after the date of the enactment of this Act, in Chambersburg, Pennsylvania, at both the intersection of Lincoln Way and Sixth Street and the intersection of Lincoln Way and Coldbrook Avenue, the Pennsylvania Department of Transportation shall include an exclusive pedestrian phase in the existing lighting sequence between the hours of 8:00 and 8:30 A.M. and between the hours of 2:45 and 3:45 P.M. on weekdays.

SEC. 170. RAILROAD RELOCATION AND DEMONSTRATION PROGRAM.

Section 163(p) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 130 note) is amended by striking "and 1991," and inserting "1991, 1992, 1993, and 1994,".

SEC. 171. VALUE ENGINEERING REVIEW.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 152 the following new section:

"§ 153. Value engineering review

"(a) GENERAL RULE.—Within 1 year after the effective date of this section, the Secretary shall issue regulations for establishment of value engineering review programs by the States. Such regulations shall apply to highway projects for new construction or major reconstruction, as defined by the Secretary. Beginning in fiscal year 1994, the Secretary shall not approve a highway project covered under this section unless the State has in effect a value engineering review program which complies with the requirements of this section.

"(b) REPORT.—By January 1, 1995, and every 2 years thereafter, the Secretary shall submit to Congress a report on implementation of value engineering programs under this section, including an evaluation of how effectively such programs are being implemented and recommendations on methods to improve implementation of such programs.

"(c) VALUE ENGINEERING REVIEW DEFINED.—For purposes of this section, the term 'value engineering review' means a specialized technique that considers and analyzes all facets of the highway contract under review for the purposes of reducing costs, to the maximum extent feasible, and improving the overall quality of the project.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by inserting after the item relating to section 152 the following new item:

"153. Value engineering review.".

SEC. 172. J. CLIFFORD NAUGLE BYPASS.

The highway bypass being constructed around the Borough of Ligonier in Westmoreland County, Pennsylvania, shall be known and designated as the "J. Clifford Naugle Bypass".

SEC. 173. INTERIM ADVANCE CONSTRUCTION PROGRAM.

(a) GENERAL RULE.—Upon approval of an application of a State, the Secretary is authorized to pay in accordance with section 115 of title 23, United States Code, to the State the Federal share of the cost of a project which was commenced after September 30, 1991, and before the date of the enactment of this Act, notwithstanding that the plans and specifications for the project were not approved in accordance with subsection (a)(2) or (b)(1)(A) of such section before the project was commenced and notwithstanding the limitation set forth in subsection (a)(3) of such section.

(b) LIMITATION.—An application may not be approved under this subsection with respect to a project under section 103(e)(4), 104(b)(1), 104(b)(2), 104(b)(5)(A), 104(b)(5)(B), 104(b)(6), 130, 144, 152, or section 307 of title 23, United States Code, if the Federal share of the cost of such project when added to the Federal share of the costs of projects under such section for which applications have been approved under this section exceeds the amount apportioned to the State under such section for fiscal year 1991.

(c) APPORTIONMENT ACCOUNTS.—Payments made pursuant to applications approved under this section for a project under section 103(e)(4), 104(b)(1), 104(b)(2), 104(b)(5)(A), 104(b)(5)(B), 104(b)(6), 130, 144, 152, or section 307 of title 23, United States Code, shall be made from the apportionments made on or after the date of the enactment of this Act to the State under such section; except that payments for a project which but for this clause would be made under section 104(b)(5)(B) of title 23, United States Code, shall be made from the apportionment of such State under section 104(b)(1) of such title and payments for a project which but for this clause would be made under section 152 of such title shall be made from the apportionment of such State under section 130 of such title.

SEC. 174. PRESIDENTIAL HIGHWAY, FULTON COUNTY, GEORGIA.

(a) GENERAL RULE.—Notwithstanding any other provision of law, the Secretary shall approve the construction of the Department of Transportation project MEACU-9152(2) in Fulton County, Georgia, as described in the legal settlement agreed to for the project by the Georgia Department of Transportation, the city of Atlanta, and CAUTION, Inc. Execution of the settlement agreement by those parties and approval of the settlement agreement by the DeKalb County, Georgia Superior Court shall be deemed to constitute full compliance with all Federal laws applicable to carrying out the project.

(b) LIMITATIONS ON FEDERAL FUNDING.—With the exception of Federal funds expended for construction of the project described in subsection (a) and with the exception of Federal funds appropriated or authorized for the acquisition, creation, or development of parks or battlefield sites, no further Federal funds, including funds from the Highway Trust Fund and funds appropriated for the Federal-aid highway systems, shall be authorized, appropriated, or expended for expanding the capacity of the project described in subsection (a) or for new construction of a Federal-aid highway in any portion of rights-of-way previously acquired for Department of Transportation project MEACU-9152(2) which is not used for construction of such project as described in subsection (a) and in any portion of the rights-of-way previously acquired for Georgia project I-485-1(46) in Fulton County, Georgia; Georgia project U-061-1(14) in Fulton and DeKalb Counties, Georgia; and Georgia project F-056-1(12) in Fulton County, Georgia.

(c) LIMITATION ON EFFECT.—In the event that the settlement agreement referred to in subsection (a) is not executed by the parties or approved by the DeKalb County, Georgia Superior Court in Case No. 88-6429-3, this section shall have no force or effect.

SEC. 175. INFRASTRUCTURE AWARENESS PROGRAM.

(a) IN GENERAL.—For the purpose of creating an awareness by the public and State and

local governments of the state of the Nation's infrastructure and to encourage and stimulate efforts by the public and such governments to undertake studies and projects to improve the infrastructure, the Secretary is authorized to fund the production of a documentary in cooperation with a not-for-profit national public television station.

(b) FUNDING.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000, for fiscal years beginning after September 30, 1991, out of the Highway Trust Fund (other than the Mass Transit Account), which shall be available until expended. All of the provisions of chapter 1 of title 23, United States Code, shall apply to the funds provided under this section. This section shall not be subject to any obligation limitation.

SEC. 176. UNITED STATES-CANADA BRIDGES.

The Secretary shall collect and analyze data, in cooperation with the Niagara Falls Bridge Commission on the volume of traffic crossing the Rainbow, Whirlpool Rapids, and Lewiston-Queenston International bridges. This effort shall assure that data is quality controlled for accuracy and is disseminated to the Niagara Falls Bridge Commission and other interested parties.

SEC. 177. USE OF COMPOST.

It is the sense of Congress that State and local governments should encourage the environmentally safe use of compost, soil amendment, soil conditioner, and composite and fertilizer products derived from treated municipal sewage sludge along the rights-of-way of Federal-aid highways. Uses should include, but not be limited to, highway planting projects, recultivation, and erosion control programs.

SEC. 178. STUDY ON STATE COMPLIANCE WITH REQUIREMENTS FOR REVOCATION AND SUSPENSION OF DRIVERS' LICENSES.

(a) STUDY.—The Secretary shall conduct a study of State efforts to comply with the provisions of section 333 of the Department of Transportation and Related Agencies Appropriation Act, 1991 (104 Stat. 2184), relating to revocation and suspension of drivers' licenses.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this section.

SEC. 179. PRIVATE SECTOR INVOLVEMENT PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a private sector involvement program to encourage States to contract with private firms for engineering and design services in carrying out Federal-aid highway projects.

(b) GRANTS TO STATES.—

(1) IN GENERAL.—In conducting the program under this section, the Secretary shall make grants in each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 to not less than 3 States which the Secretary determines have implemented in the fiscal year preceding the fiscal year of the grant the most effective programs for increasing the percentage of funds expended for contracting with private firms (including small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals) for engineering and design services in carrying out Federal-aid highway projects.

(2) USE OF GRANTS.—A grant received by a State under this subsection may be used by the State only for awarding contracts for engineering and design services to carry out projects and activities for which Federal funds may be obligated under title 23, United States Code.

(3) FUNDING.—The Secretary shall use amounts set aside under section 118(c)(2) of title 23, United States Code, for making grants under this subsection. The aggregate amount of grants made under this subsection shall not exceed $5,000,000 in any fiscal year.

(c) REPORT BY FHWA.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Federal Highway Administration shall submit to the Secretary a report on the amount of funds expended by each State in fiscal years 1980 through 1990 on contracts with private sector engineering and design firms in carrying out Federal-aid highway projects. The Secretary shall use information in the report to evaluate State engineering and design programs for the purpose of awarding grants under subsection (b).

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on implementation of the program established under this section.

(e) ENGINEERING AND DESIGN SERVICES DEFINED.—The term "engineering and design services" means any category of service described in section 112(b) of title 23, United States Code.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary issue regulations to carry out this section.

SEC. 180. NEW HAMPSHIRE FEDERAL-AID PAYBACK.

(a) EFFECT OF REPAYMENT.—The amount of all Federal-aid highway funds paid on account of those completed sections of the Nashua-Hudson Circumferential in the State of New Hampshire referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States before October 1, 1991. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highway (Trust Fund)". Such repayment shall be credited to the unprogrammed balance of funds apportioned to the State of New Hampshire in accordance with section 104(b)(1) of title 23, United States Code. The amount so credited shall be in addition to all other funds then apportioned to such State and shall remain available until expended.

(b) USE OF REPAID FUNDS.—Upon repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-Aid highway program of the projects on the section in subsection (c) as provided in subsection (a) of this section, such section of this route shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) PROJECT DESCRIPTION.—The provisions of this section shall apply to the section of the completed Nashua-Hudson Circumferential between the Daniel Webster Highway in the city of Nashua and New Hampshire Route 3A in the town of Hudson.

TITLE II—HIGHWAY SAFETY

SEC. 201. HIGHWAY SAFETY PROGRAMS.

(a) IN GENERAL.—Section 402 of title 23, United States Code, is amended to read as follows:

"§ 402. Highway safety programs

"(a) REQUIREMENT.—

"(1) IN GENERAL.—Each State shall have a highway safety program designed to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom approved by the Secretary in accordance with this section.

"(2) REQUIRED PROGRAMS.—The Secretary may approve a State highway safety program under this section only if it includes the following programs:

"(A) DRUNK DRIVING PROGRAM.—A program to reduce injuries and deaths resulting from persons driving motor vehicles while under the influence of alcohol or a controlled substance.

"(B) SPEEDING PROGRAM.—A program to reduce injuries and death resulting from motor vehicles being driven at speeds in excess of posted speed limits.

"(C) OCCUPANT PROTECTION PROGRAM.—A program to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles and to increase public awareness of the benefits of motor vehicles which are equipped with air bags.

"(D) EMERGENCY MEDICAL SERVICES PROGRAM.—A program to provide an emergency care response system for quickly identifying motor vehicle accident locations, sustaining lives of persons injured in motor vehicle accidents through first aid at the scene of such accident and in transit, and coordinating the transportation and communications necessary to deliver medical care to such persons in the shortest practicable time without creating additional hazards.

"(E) MOTORCYCLE SAFETY PROGRAM.—A program for reducing injuries and deaths resulting from accidents involving motor vehicles and motorcycles, for encouraging the use of motorcycle helmets by persons riding on motorcycles, and for ensuring that all motorcycles and persons riding on motorcycles are meeting safe operation and injury protection criteria established by the Secretary.

"(F) UNIFORM DATA COLLECTION AND REPORTING PROGRAM.—A program for collecting and reporting to the Secretary data on traffic-related deaths and injuries. The purposes of the program are to ensure national uniform data on such deaths and injuries and to allow the Secretary to determine the causes of such deaths and injuries for use in developing programs to reduce such deaths and injuries and making recommendations to Congress concerning legislation necessary to implement such programs. The program shall include information obtained by the Secretary under section 408 of the Surface Transportation Assistance Act of 1982 and provide for annual reports to the Secretary on the efforts being made by the States in reducing deaths and injuries occurring at highway construction sites and the effectiveness and results of such efforts. The Secretary shall establish minimum reporting criteria for the program. Such criteria shall include, but not be limited to, criteria on deaths and injuries resulting from police pursuits, school bus accidents, and speeding, on traffic-related deaths and injuries at highway construction sites and on the configuration of commercial motor vehicles involved in motor vehicle accidents.

"(G) ACCIDENT LOCATION PROGRAM.—A program to provide surveillance of traffic for detection and correction of high or potentially high traffic accident locations and for establishing priorities for highway improvements, selective enforcement, and other operational practices to reduce or eliminate traffic hazards.

"(H) HIGHWAY DESIGN, CONSTRUCTION, AND MAINTENANCE PROGRAM.—A program to main-

tain existing highways in a safe condition, to modernize existing highways to meet safety standards established by the Secretary (including standards for lighting, markings, and surface treatment), to ensure that new highways meet such standards, and to protect operators of motor vehicles and construction workers from accidents occurring at highway construction sites.

"(I) TRAFFIC ENGINEERING SERVICES PROGRAM.—A program to ensure the application of modern traffic engineering principles and uniform traffic control standards for the purpose of reducing the likelihood and severity of traffic accidents.

"(3) OPTIONAL PROGRAMS.—The Secretary may approve a State highway safety program under this section only if it includes 3 or more of the following programs:

"(A) BICYCLE SAFETY PROGRAMS.—A program for reducing injuries and deaths resulting from traffic-related accidents involving bicycles.

"(B) PEDESTRIAN SAFETY PROGRAMS.—A program for reducing injuries and deaths resulting from traffic-related accidents involving pedestrians and for including consideration of pedestrian safety in community and highway transportation planning.

"(C) SCHOOL BUS SAFETY PROGRAM.—A program for reducing injuries and deaths resulting from accidents involving school buses.

"(D) TRAFFIC RECORD SYSTEM PROGRAM.—A program for establishing, using, and improving the quality of a comprehensive computerized safety recordkeeping system designed to correlate data regarding traffic accidents, drivers, motor vehicles, and roadways, including a statewide trauma data system.

"(E) POLICE TRAFFIC SERVICES PROGRAM.—A program to improve law enforcement services in motor vehicle accident prevention, traffic supervision, and post-accident procedures.

"(F) ADDITIONAL.—Such other programs as the Secretary may establish by regulation.

"(4) ADMINISTRATIVE REQUIREMENTS.—The Secretary may not approve a State highway safety program under this section which does not—

"(A) provide that the Governor of the State shall be responsible for the administration of the program through a State highway safety agency which shall have adequate powers and be suitably equipped and organized to carry out, to the satisfaction of the Secretary, such program;

"(B) authorize political subdivisions of the State to carry out local highway safety programs within their jurisdictions as a part of the State highway safety program if such local highway safety programs are approved by the Governor and are in accordance with the minimum standards established by the Secretary under this section;

"(C) except as provided in paragraph (5), provide that at least 40 percent of all Federal funds apportioned under this section to the State for any fiscal year will be expended by the political subdivisions of the State, including Indian tribal governments, in carrying out local highway safety programs authorized in accordance with subparagraph (B); and

"(D) provide adequate and reasonable access for the safe and convenient movement of individuals with disabilities, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State.

"(5) WAIVER.—The Secretary may waive the requirement of paragraph (4)(C), in whole or in part, for a fiscal year for any State whenever the Secretary determines that there is an insufficient number of local highway safety programs to justify the expenditure in the State of such percentage of Federal funds during the fiscal year.

"(6) REGULATIONS.—

"(A) IN GENERAL.—The Secretary shall issue regulations establishing minimum standards for State highway safety programs to be approved under this section. Such regulations shall establish minimum standards for each program described in paragraphs (2) and (3) of this subsection.

"(B) MANDATORY COMPONENTS.—The regulations issued under this paragraph shall require, at a minimum, that the programs described in paragraphs (2)(A), (2)(B), (2)(C), and (2)(E) each include the following components: public information, education, and law enforcement.

"(C) AUTOMATIC SPEED DETECTION DEVICES.—Regulations issued under this paragraph may require a State highway safety program to encourage the use of technologically advanced traffic enforcement devices (including the use of automatic speed detection devices such as photoradar) by law enforcement officers.

"(7) APPLICABILITY TO FEDERALLY ADMINISTERED AREAS.—The requirements of this section and the regulations issued to carry out this section which are applicable to State highway safety programs shall, to the extent determined appropriate by the Secretary, be applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations.

"(b) USE OF FUNDS.—

"(1) FOR HIGHWAY SAFETY PROGRAMS.—Funds authorized to be appropriated to carry out this section shall be used to aid the States to conduct the highway safety programs approved in accordance with subsection (a), including development and implementation of manpower training programs and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents and deaths and injuries resulting therefrom.

"(2) ADMINISTRATIVE EXPENSES.—Funds authorized to be appropriated to carry out this section shall be subject to a deduction not to exceed 5 percent for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned among the several States.

"(3) PROHIBITIONS ON FUNDING OF HIGHWAY CONSTRUCTION PROJECTS.—Nothing in this section authorizes the appropriation or expenditure of funds for (A) highway construction, maintenance, or design (other than design of safety features of highways), or (B) any purpose for which funds are authorized by section 403 of this title.

"(c) APPORTIONMENT OF FUNDS.—

"(1) FORMULA.—After the deduction under subsection (b)(2), the remainder of the funds authorized to be appropriated to carry out this section shall be apportioned 75 percent in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, and 25 percent in the ratio which the public road mileage in each State bears to the total public road mileage in all States.

"(2) DETERMINATION OF PUBLIC ROAD MILEAGE.—For purposes of this subsection, a 'public road' means any road under the jurisdiction of and maintained by a public authority and open to public travel. Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary.

"(3) MINIMUM PERCENTAGE.—The annual apportionment under this paragraph to each State shall not be less than ½ of 1 percent of the total apportionment; except that the apportionments to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not be less than ¼ of 1 percent of the total apportionment.

"(4) APPROVED HIGHWAY SAFETY PROGRAM REQUIREMENT.—The Secretary shall not apportion any funds under this subsection to any State which is not implementing a highway safety program approved by the Secretary in accordance with this section.

"(5) REDUCTION OF APPORTIONMENT.—Funds apportioned under this section to any State, that does not have a highway safety program approved by the Secretary or that is not implementing an approved program, shall be reduced by amounts equal to not less than 50 percent of the amounts that would otherwise be apportioned to the State under this section, until such time as the Secretary approves such program or determines that the State is implementing an approved program, as appropriate. The Secretary shall consider the gravity of the State's failure to have or implement an approved program in determining the amount of the reduction.

"(6) APPORTIONMENT OF WITHHELD FUNDS.—The Secretary shall promptly apportion to the State the funds withheld from its apportionment if the Secretary approves the State's highway safety program or determines that the State has begun implementing an approved program, as appropriate, prior to the end of the fiscal year for which the funds were withheld. If the Secretary determines that the State did not correct its failure within such period, the Secretary shall reapportion the withheld funds to the other States in accordance with the formula specified in this subsection not later than 30 days after such determination.

"(d) APPLICABILITY OF CHAPTER 1.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, all provisions of chapter 1 of this title that are applicable to National Highway System funds, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to the Federal-aid systems, shall apply to the highway safety funds authorized to be appropriated to carry out this section.

"(2) INCONSISTENT PROVISIONS.—If the Secretary determines that a provision of chapter 1 of this title is inconsistent with this section, such provision shall not apply to funds authorized to be appropriated to carry out this section.

"(3) CREDIT FOR STATE AND LOCAL EXPENDITURES.—The aggregate of all expenditures made during any fiscal year by a State and its political subdivisions (exclusive of Federal funds) for carrying out the State highway safety program (other than planning and administration) shall be available for the purpose of crediting such State during such fiscal year for the non-Federal share of the cost of any project under this section (other than one for planning or administration) without regard to whether such expenditures were actually made in connection with such project.

"(4) INCREASED FEDERAL SHARE FOR CERTAIN INDIAN TRIBE PROGRAMS.—In the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient

funds available to meet the non-Federal share of the cost of such program, the Secretary may increase the Federal share of the cost thereof payable under this title to the extent necessary.

"(5) TREATMENT OF TERM 'STATE HIGHWAY DEPARTMENT'.—In applying provisions of chapter 1 in carrying out this section, the term 'State highway department' as used in such provisions shall mean the Governor of a State.

"(e) APPLICATION TO INDIAN RESERVATIONS.—For the purpose of the application of this section on Indian reservations, 'State' and 'Governor of a State' includes the Secretary of the Interior and 'political subdivision of a State' includes an Indian tribe. Notwithstanding the provisions of subsection (a)(4)(C), 95 percent of the funds apportioned to the Secretary of the Interior under this section shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions.

"(f) PROTECTION OF TRAFFIC RECORD SYSTEM DATA.—Notwithstanding any other provision of law, if a report, list, schedule, or survey is prepared by or for a State or political subdivision thereof under subsections (a)(3)(D) and (a)(2)(F), such report, list, schedule, or survey shall not be admitted as evidence or used in any suit or action for damages arising out of any matter mentioned in such report, list, schedule, or survey.

"(g) ANNUAL REPORT.—Not later than April 1 of each calendar year beginning after December 31, 1993, the Secretary shall transmit to Congress a report on the implementation of this section in the fiscal year preceding the date of such report. Such report shall include the recommendations of the Secretary under the uniform data collection and reporting program described in subsection (a)(2)(F) of this section for legislation necessary to implement programs developed by the Secretary to reduce traffic-related deaths and injuries.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 1992.

SEC. 202. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

(a) GENERAL AUTHORITY; DRUGS, AND DRIVER BEHAVIOR.—Section 403 of title 23, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

"(a) AUTHORITY OF THE SECRETARY.—

"(1) IN GENERAL.—The Secretary is authorized to use funds appropriated to carry out this section to engage in research on all phases of highway safety and traffic conditions.

"(2) ADDITIONAL AUTHORITY.—In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for—

"(A) training or education of highway safety personnel,

"(B) research fellowships in highway safety,

"(C) development of improved accident investigation procedures,

"(D) emergency service plans,

"(E) demonstration projects, and

"(F) related research and development activities which the Secretary deems will promote the purposes of this section.

"(3) SAFETY DEFINED.—As used in this section, the term 'safety' includes highway safety and highway safety-related research and development, including research and development relating to highway and driver characteristics, crash investigations, communications, emergency medical care, and transportation of the injured.

"(b) DRUGS AND DRIVER BEHAVIOR.—In addition to the research authorized by subsection (a), the Secretary, in consultation with other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles.

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver crash involvement to highway safety.".

(b) COLLABORATIVE RESEARCH AND DEVELOPMENT.—Section 403 of such title is amended by striking subsection (f) and inserting the following new subsection:

"(f) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

"(1) IN GENERAL.—For the purpose of encouraging innovative solutions to highway safety problems, stimulating voluntary improvements in highway safety, and stimulating the marketing of new highway safety-related technology by private industry, the Secretary is authorized to undertake, on a cost-shared basis, collaborative research and development with non-Federal entities, including State and local governments, colleges, and universities and corporations, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State or the United States. This collaborative research may include crash data collection and analysis; driver and pedestrian behavior; and demonstrations of technology.

"(2) COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary may enter into cooperative research and development agreements, as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a); except that in entering into such agreements, the Secretary may agree to provide not more than 50 percent of the cost of any research or development project selected by the Secretary under this subsection.

"(3) PROJECT SELECTION.—In selecting projects to be conducted under this subsection, the Secretary shall establish a procedure to consider the views of experts and the public concerning the project areas.

"(4) APPLICABILITY OF STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT.—The research, development, or utilization of any technology pursuant to an agreement under the provisions of this subsection, including the terms under which technology may be licensed and the resulting royalties may be distributed, shall be subject to the provisions of the Stevenson-Wydler Technology Innovation Act of 1980.".

(c) CONFORMING AMENDMENT.—Section 403(c) of such title is amended by striking "subsection (b)" and inserting "subsections (a) and (b)".

SEC. 203. ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.

(a) IN GENERAL.—Section 410 of title 23, United States Code, is amended to read as follows:

"§ 410. Alcohol-impaired driving countermeasures

"(a) GENERAL AUTHORITY.—Subject to the provisions of this section, the Secretary shall make grants to those States which adopt and implement effective programs to reduce traffic safety problems resulting from persons driving while under the influence of alcohol or a controlled substance. Such grants may only be used by recipient States to implement and enforce such programs.

"(b) MAINTENANCE OF EFFORT.—No grant may be made to a State under this section in any fiscal year unless such State enters into such agreements with the Secretary as the Secretary may require to ensure that such State will maintain its aggregate expenditures from all other sources for alcohol traffic safety programs at or above the average level of such expenditures in its 2 fiscal years preceding the date of the enactment of the Intermodal Surface Transportation Infrastructure Act of 1991.

"(c) BASIC GRANT ELIGIBILITY.—A State is eligible for a basic grant under this section in a fiscal year if such State provides—

"(1) for the prompt suspension, for a period not less than 90 days in the case of a first offender and not less than 1 year in the case of any repeat offender, of the driver's license of any individual who a law enforcement officer has probable cause under State law to believe has committed an alcohol-related traffic offense, and (A) to whom is administered one or more chemical tests to determine whether the individual was intoxicated while operating the motor vehicle and who is determined, as a result of such tests, to be intoxicated, or (B) who refuses to submit to such a test as proposed by the officer;

"(2) that the suspension referred to under paragraph (1) take effect not later than 30 days after the date on which the individual was administered the chemical test or tests or refused to submit to such a test;

"(3) for a mandatory sentence, which shall not be subject to suspension or probation, of (A) imprisonment for not less than 48 consecutive hours, or (B) not less than 100 hours of community service, of any person convicted of driving while intoxicated more than once in any 5-year period;

"(4)(A) that, for fiscal years 1992 and 1993, any person with a blood alcohol concentration of 0.10 percent or greater when driving a motor vehicle shall be deemed to be driving while intoxicated; and

"(B) that, for fiscal years 1994 and thereafter, any person with a blood alcohol concentration of 0.08 percent or greater when driving a motor vehicle shall be deemed to be driving while intoxicated;

"(5) for a statewide program for stopping motor vehicles on a nondiscriminatory, lawful basis for the purpose of determining whether or not the operators of such motor vehicles are driving while under the influence of alcohol; and

"(6) for a self-sustaining drunk driving prevention program under which a significant portion of the fines or surcharges collected from individuals apprehended and fined for operating a motor vehicle while under the influence of alcohol are returned, or an equivalent amount of non-Federal funds are provided, to those communities which have comprehensive programs for the prevention of such operations of motor vehicles.

"(d) AMOUNT OF BASIC GRANTS.—The amount of a basic grant to be made in a fiscal year under this section to a State eligible to receive such grant shall be 80 percent of the amount of funds apportioned to such State in such fiscal year under this section.

"(e) SUPPLEMENTAL GRANTS.—

"(1) BLOOD ALCOHOL CONCENTRATION FOR PERSONS UNDER AGE 21.—A State shall be eligible to receive a supplemental grant in a fiscal year of 5 percent of the amount apportioned to the State in the fiscal year under

this section if the State is eligible for a basic grant in the fiscal year and provides that any person under age 21 with a blood alcohol concentration of 0.02 percent or greater when driving a motor vehicle shall be deemed to be driving while intoxicated.

"(2) OPEN CONTAINER LAWS.—A State shall be eligible to receive a supplemental grant in a fiscal year of 5 percent of the amount apportioned to the State in the fiscal year under this section if the State is eligible for a basic grant in the fiscal year and makes unlawful the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle located on a public highway or the right-of-way of a public highway, except—

"(A) as allowed in the passenger area, by persons (other than the driver), of any motor vehicle designed to transport more than 10 passengers (including the driver) while being used to provide charter transportation of passengers; or

"(B) as otherwise specifically allowed by such State, with the approval of the Secretary, but in no event may the driver of such motor vehicle be allowed to possess or consume an alcoholic beverage in the passenger area.

"(3) SUSPENSION OF REGISTRATION OR RETURN OF LICENSE PLATES.—A State shall be eligible to receive a supplemental grant in a fiscal year of 5 percent of the amount apportioned to the State in the fiscal year under this section if the State is eligible for a basic grant in the fiscal year and provides that for the suspension of the registration of, and the return to such State of the license plates for, or for impoundment of not less than 30 days of any motor vehicle owned by an individual who—

"(A) has been convicted on more than 1 occasion of an alcohol-related traffic offense within any 5-year period after the date of the enactment of the Intermodel Surface Transportation Infrastructure Act of 1991; or

"(B) has been convicted of driving while his or her driver's license is suspended or revoked by reason of a conviction for such an offense.

A State may provide limited exceptions to such suspension of registration, return of license plates, or impoundment on an individual basis, to avoid undue hardship to any individual, including any family member of the convicted individual, and any co-owner of the motor vehicle, who is completely dependent on the motor vehicle for the necessities of life. Such exceptions may not result in unrestricted reinstatement of the registration, unrestricted return of the license plates of the motor vehicle, or unrestricted return of the motor vehicle.

"(4) PROGRAM FOR PREVENTION OF OPERATORS UNDER AGE 21 FROM OBTAINING ALCOHOLIC BEVERAGES.—A State shall be eligible to receive a supplemental grant in a fiscal year of 5 percent of the amount apportioned to the State in the fiscal year under this section if the State is eligible for a basic grant in the fiscal year and provides for an effective system for preventing operators of motor vehicles under age 21 from obtaining alcoholic beverages, which may include the issuance of drivers' licenses to individuals under age 21 that are easily distinguishable in appearance from drivers' licenses issued to individuals age 21 years of age or older.

"(f) ADMINISTRATIVE EXPENSES.—Funds authorized to be appropriated to carry out this section shall be subject to a deduction not to exceed 5 percent for the necessary costs of administering the provisions of this section, and the remainder shall be apportioned among the several States.

"(g) APPORTIONMENT OF FUNDS.—

"(1) FORMULA.—After the deduction under subsection (f), the remainder of the funds authorized to be appropriated to carry out this section shall be apportioned 75 percent in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census, and 25 percent in the ratio which the public road mileage in each State bears to the total public road mileage in all States.

"(2) DETERMINATION OF PUBLIC ROAD MILEAGE.—For purposes of this subsection, a 'public road' means any road under the jurisdiction of and maintained by a public authority and open to public travel. Public road mileage as used in this subsection shall be determined as of the end of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary.

"(3) MINIMUM PERCENTAGE.—The annual apportionment under this paragraph to each State shall not be less than ½ of 1 percent of the total apportionment; except that the apportionments to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not be less than one-quarter of 1 percent of the total apportionment.

"(4) REAPPORTIONMENT OF NONELIGIBLE STATE FUNDS.—If a State is not eligible for a basic grant or for a supplemental grant under this section in a fiscal year, the amount of funds apportioned to the State in the fiscal year to make such grant shall be reapportioned to the other States eligible to receive such a grant in the fiscal year in accordance with the formula specified in this subsection. The reapportionment shall be made on the first day of the succeeding fiscal year.

"(h) APPLICABILITY OF CHAPTER 1.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, all provisions of chapter 1 of this title that are applicable to National Highway System funds, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to the Federal-aid systems, shall apply to the funds authorized to be appropriated to carry out this section.

"(2) INCONSISTENT PROVISIONS.—If the Secretary determines that a provision of chapter 1 of this title is inconsistent with this section, such provision shall not apply to funds authorized to be appropriated to carry out this section.

"(3) CREDIT FOR STATE AND LOCAL EXPENDITURES.—The aggregate of all expenditures made during any fiscal year by a State and its political subdivisions (exclusive of Federal funds) for carrying out the State highway safety program (other than planning and administration) shall be available for the purpose of crediting such State during such fiscal year for the non-Federal share of the cost of any project under this section (other than one for planning or administration) without regard to whether such expenditures were actually made in connection with such project.

"(4) INCREASED FEDERAL SHARE FOR CERTAIN INDIAN TRIBE PROGRAMS.—In the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, the Secretary may increase the Federal share of the cost thereof payable under this title to the extent necessary.

"(5) TREATMENT OF TERM 'STATE HIGHWAY DEPARTMENT'.—In applying provisions of chapter 1 in carrying out this section, the term 'State highway department' as used in such provisions shall mean the Governor of a State and, in the case of an Indian tribe program, the Secretary of the Interior.

"(i) DEFINITIONS.—In this section, the following definitions apply:

"(1) ALCOHOLIC BEVERAGE.—The term 'alcoholic beverage' has the meaning such term has under section 158(c) of this title.

"(2) MOTOR VEHICLE.—The term 'motor vehicle' has the meaning such term has under section 154(b) of this title.

"(3) OPEN ALCOHOLIC BEVERAGE CONTAINER.—The term 'open alcoholic beverage container' means any bottle, can, or other receptacle—

"(A) which contains any amount of an alcoholic beverage; and

"(B)(i) which is open or has a broken seal, or

"(ii) the contents of which are partially removed.

"(j) FUNDING FOR FISCAL YEARS 1993–1997.—From sums made available to carry out section 402 of this title, the Secretary shall make available $17,000,000 for each of fiscal years 1993 through 1997 to carry out this section.".

(b) STATES ELIGIBLE FOR GRANTS UNDER SECTION 410 BEFORE DATE OF ENACTMENT.—A State which, before the date of the enactment of this Act, was eligible to receive a grant under section 410 of title 23, United States Code, as in effect on the day before such date of enactment, may elect to receive in a fiscal year grants under such section 410, as so in effect, in lieu of receiving in such fiscal year grants under such section 410, as amended by this Act.

(c) CONFORMING AMENDMENT.—The analysis for chapter 4 of such title is amended by striking the item relating to section 410 and inserting:

"410. Alcohol-impaired driving countermeasures.".

SEC. 204. GRANTS TO STATES WHICH ADOPT NATIONAL SAFETY BELT AND MOTORCYCLE HELMET USE REQUIREMENTS.

(a) ESTABLISHMENT OF GRANT PROGRAM.—Chapter 4 of title 23, United States Code, is amended by adding at the end the following new section:

"§ 411. State adoption of national safety belt and motorcycle helmet use requirements incentive grants

"(a) AUTHORITY TO MAKE GRANTS.—The Secretary may make grants to a State in a fiscal year in accordance with this section if the State has in effect in such fiscal year—

"(1) a law which makes unlawful throughout the State the operation of a motorcycle by an individual who is not wearing a motorcycle helmet; and

"(2) a law which makes unlawful throughout the State the operation of a passenger vehicle whenever an individual in a front seat of the vehicle (other than a child who is secured in a child restraint system) does not have a safety belt properly fastened about the individual's body.

"(b) USE OF GRANTS.—A grant made to a State under this section shall be used to adopt and implement a traffic safety program to carry out the following purposes:

"(1) EDUCATION.—To educate the public about motorcycle and passenger vehicle safety and motorcycle helmet, safety belt, and

child restraint system use and to involve public health education agencies and other related agencies in these efforts.

"(2) TRAINING.—To train law enforcement officers in the enforcement of State laws described in subsection (a).

"(3) MONITORING.—To monitor the rate of compliance with State laws described in subsection (a).

"(4) ENFORCEMENT.—To enforce State laws described in subsection (a).

"(c) MAINTENANCE OF EFFORT.—A grant may not be made to a State under this section in any fiscal year unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all other sources for any traffic safety program described in subsection (b) at or above the average level of such expenditures in the State's 2 fiscal years preceding the date of the enactment of this section.

"(d) FEDERAL SHARE.—A State may not receive a grant under this section in more than 3 fiscal years. The Federal share payable for a grant under this section shall not exceed—

"(1) in the first fiscal year the State receives a grant, 75 percent of the cost of implementing in such fiscal year a traffic safety program described in subsection (b);

"(2) in the second fiscal year the State receives a grant, 50 percent of the cost of implementing in such fiscal year such traffic safety program; and

"(3) in the third fiscal year the State receives a grant, 25 percent of the cost of implementing in such fiscal year such traffic safety program.

"(e) MAXIMUM AGGREGATE AMOUNT OF GRANTS.—The aggregate amount of grants made to a State under this section shall not exceed 90 percent of the amount apportioned to such State for fiscal year 1990 under section 402.

"(f) ELIGIBILITY FOR GRANTS.—

"(1) GENERAL RULE.—A State is eligible in a fiscal year for a grant under this section only if the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State implements in such fiscal year a traffic safety program described in subsection (b).

"(2) SECOND-YEAR GRANTS.—A State is eligible for a grant under this section in a fiscal year succeeding the first fiscal year in which a State receives a grant under this section only if the State in the preceding fiscal year—

"(A) had in effect at all times a State law described in subsection (a)(1) and achieved a rate of compliance with such law of not less than 75 percent; and

"(B) had in effect at all times a State law described in subsection (a)(2) and achieved a rate of compliance with such law of not less than 50 percent.

"(3) THIRD-YEAR GRANTS.—A State is eligible for a grant under this section in a fiscal year succeeding the second fiscal year in which a State receives a grant under this section only if the State in the preceding fiscal year—

"(A) had in effect at all times a State law described in subsection (a)(1) and achieved a rate of compliance with such law of not less than 85 percent; and

"(B) had in effect at all times a State law described in subsection (a)(2) and achieved a rate of compliance with such law of not less than 70 percent.

"(g) MEASUREMENTS OF RATES OF COMPLIANCE.—For the purposes of subsections (f)(2) and (f)(3), a State shall measure compliance with State laws described in subsection (a) using methods which conform to guidelines issued by the Secretary ensuring that such measurements are accurate and representative.

"(h) PENALTY.—

"(1) FISCAL YEAR 1995.—If, at any time in fiscal year 1994, a State does not have in effect a law described in subsection (a)(1) and a law described in subsection (a)(2), the Secretary shall transfer 1½ percent of the funds apportioned to the State for fiscal year 1995 under each of subsections (b)(1), (b)(2), and (b)(6) of section 104 of this title to the apportionment of the State under section 402 of this title.

"(2) THEREAFTER.—If, at any time in a fiscal year beginning after September 30, 1994, a State does not have in effect a law described in subsection (a)(1) and a law described in subsection (a)(2), the Secretary shall transfer 3 percent of the funds apportioned to the State for the succeeding fiscal year under each of subsections (b)(1), (b)(2), and (b)(6) of section 104 of this title to the apportionment of the State under section 402 of this title.

"(i) DEFINITIONS.—For the purposes of this section, the following definitions apply:

"(1) CHILD RESTRAINT SYSTEM.—The term 'child restraint system' means a device which is designed for use in a passenger vehicle to restrain, seat, or position a child who weighs 40 pounds or less and is under the age of 4.

"(2) MOTORCYCLE.—The term 'motorcycle' means a motor vehicle which is designed to travel on not more than 3 wheels in contact with the surface.

"(3) MOTOR VEHICLE.—The term 'motor vehicle' has the meaning such term has under section 154 of this title.

"(4) PASSENGER VEHICLE.—The term 'passenger vehicle' means a motor vehicle which is designed for transporting 10 individuals or less, including the driver, except that such term does not include a vehicle which is constructed on a truck chassis, a motorcycle, a trailer, or any motor vehicle which is not required on the date of the enactment of this section under a Federal motor vehicle safety standard to be equipped with a belt system.

"(5) SAFETY BELT.—The term 'safety belt' means—

"(A) with respect to open-body passenger vehicles, including convertibles, an occupant restrain system consisting of a lap belt or a lap belt and a detachable shoulder belt; and

"(B) with respect to other passenger vehicles, an occupant restrain system consisting of integrated lap shoulder belts.

"(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $18,000,000 for fiscal year 1992. From sums made available to carry out section 402 of this title, the Secretary shall make available $22,000,000 for each of fiscal years 1993 and 1994 to carry out this section.

"(k) APPLICABILITY OF CHAPTER 1 PROVISIONS.—All provisions of chapter 1 of this title that are applicable to National Highway System funds, other than provisions relating to the apportionment formula and provisions limiting the expenditures of such funds to Federal-aid systems, shall apply to funds authorized to be appropriated to carry out this section, except as determined by the Secretary to be inconsistent with this section and except that sums authorized by this section shall remain available until expended.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 4 of such title is amended by adding at the end the following new item:

"411. State adoption of national safety belt and motorcycle helmet use requirements incentive grants.".

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

For purposes of carrying out the provisions of title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) NHTSA HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code, by the National Highway Traffic Safety Administration $121,000,000 for fiscal year 1992; $190,000,000 for each of fiscal years 1993, 1994, and 1995; and $168,000,000 for each of fiscal years 1996 and 1997.

(2) NHTSA HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 by the National Highway Traffic Safety Administration $25,000,000 for fiscal year 1992 and $30,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(3) ALCOHOL TRAFFIC SAFETY INCENTIVE GRANT PROGRAM.—For carrying out section 410 of such title $14,000,000 for fiscal year 1992.

SEC. 206. DRUG RECOGNITION EXPERT TRAINING PROGRAM.

(a) ESTABLISHMENT.—The Secretary, acting through the National Highway Traffic Safety Administration, shall establish a regional program for implementation of drug recognition programs and for training law enforcement officers to recognize and identify individuals who are operating a motor vehicle while under the influence of alcohol or one or more controlled substances or other drugs.

(b) REPORT TO CONGRESS.—The Secretary shall establish a citizens advisory committee that shall report to Congress annually on the progress of the implementation of subsection (a). Members of the committee shall include 1 member of Mothers Against Drunk Driving and 1 member of a narcotics control organization.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $5,000,000 for fiscal year 1992. From sums made available to carry out section 402 of title 23, United States Code, the Secretary shall make available $6,000,000 for each of fiscal years 1993 through 1997 to carry out this section.

(d) DEFINITIONS.—For purposes of this section, the term "controlled substance" means any controlled substance, as defined under section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), whose use the Secretary has determined poses a risk to transportation safety.

SEC. 207. NATIONAL DRIVER REGISTER ACT AUTHORIZATIONS.

Section 211(b) of the National Driver Register Act of 1982 (23 U.S.C. 401 note) is amended—

(1) by striking "and" the second place it appears; and

(2) by inserting before the period at the end the following: ", and not to exceed $4,000,000 for fiscal year 1992. From sums made available to carry out section 402 of title 23, United States Code, the Secretary shall make available $4,000,000 for each of fiscal years 1993 and 1994 to carry out this section.".

SEC. 208. EFFECTIVE DATE; APPLICABILITY.

Except as otherwise provided, this title, including the amendments made by this title, shall take effect on the date of the enactment of this Act, shall apply to funds authorized to be appropriated or made available after September 30, 1991, and shall not

apply to funds appropriated or made available on or before such date of enactment.

SEC. 209. LIMITATION.

Nothing in this Act affects safety authorities or other matters under the National Traffic and Motor Vehicle Safety Act of 1966 or the Motor Vehicle Information and Cost Savings Act.

SEC. 210. OBLIGATION CEILING FOR FISCAL YEAR 1992.

Sums authorized for fiscal year 1992 by sections 205(3) and 206(c) of this Act, section 411(j) of title 23, United States Code, and section 211(b) of the National Driver Register Act of 1982 shall be subject to the obligation limitation established by section 102 of this Act for fiscal year 1992.

TITLE III—FEDERAL TRANSIT ACT OF 1991

SEC. 301. SHORT TITLE.

This title may be cited as the "Federal Transit Act of 1991".

SEC. 302. AMENDMENTS TO URBAN MASS TRANSPORTATION ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1601-1621).

SEC. 303. FEDERAL TRANSIT ADMINISTRATION.

(a) REDESIGNATION OF UMTA.—The Urban Mass Transportation Administration of the Department of Transportation shall be known and designated as the "Federal Transit Administration".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Urban Mass Transit Administration shall be deemed to be a reference to the "Federal Transit Administration".

(c) AMENDMENTS TO TITLE 49.—

(1) AMENDMENT TO TEXT.—Section 107(a) of title 49, United States Code, is amended by striking "Urban Mass Transportation Administration" and inserting "Federal Transit Administration".

(2) AMENDMENT TO SECTION HEADING.—The heading for section 107 of such title is amended to read as follows:

"§ 107. Federal Transit Administration.".

(3) AMENDMENT TO CHAPTER ANALYSIS.—The analysis for chapter 1 of such title is amended by striking the item relating to section 107 and inserting the following:

"107. Federal Transit Administration.".

SEC. 304. MAJOR CAPITAL INVESTMENT PROGRAM.

(a) LETTERS OF INTENT.—Section 3(a) is amended by striking paragraphs (4) and (6) and by redesignating paragraph (5) as paragraph (4).

(b) SPECIAL RULES FOR RAIL MODERNIZATION, GUIDEWAY MODERNIZATION, NEW STARTS, AND BUS FACILITIES.—Section 3 is amended by striking subsection (h) and inserting the following new subsection:

"(h) SPECIAL RULES FOR RAIL MODERNIZATION, GUIDEWAY MODERNIZATION, NEW STARTS, AND BUS FACILITIES.—

"(1) RAIL AND GUIDEWAY MODERNIZATION APPORTIONMENTS.—The Secretary shall apportion the sums made available for rail and guideway modernization under this section for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 as follows:

"(A) The first $455,000,000 made available shall be apportioned for expenditure in the following urbanized areas according to the following percentages:

"(i) Baltimore, 0.6642 percent.

"(ii) Boston, 8.7504 percent.

"(iii) Chicago/Northwestern Indiana, 15.8994 percent.

"(iv) Cleveland, 2.9415 percent.

"(v) New Orleans, 0.7722 percent.

"(vi) New York, 30.2257 percent.

"(vii) New Jersey, 10.9793 percent.

"(viii) Philadelphia/Southern New Jersey, 12.7503 percent.

"(ix) Pittsburgh, 6.1419 percent.

"(x) San Francisco, 7.3633 percent.

"(xi) Southwestern Connecticut, 3.5118 percent.

"(B) The next $70,000,000 made available shall be apportioned for expenditure on any fixed guideway modernization project eligible for assistance under this section—

"(i) 50 percent in the urbanized areas listed in subparagraph (A) according to the percentages listed in such subparagraph; and

"(ii) 50 percent in other urbanized areas eligible for assistance under section 9(b)(2) of this Act according to the apportionment formula contained in such section.

"(C) Any remaining amounts made available shall be apportioned for expenditure on any fixed guideway modernization project eligible for assistance under this section for all urbanized areas eligible for assistance under section 9(b)(2) of this Act according to the apportionment formula contained in such section.

"(D) Notwithstanding any other provision of law, rail modernization funds allocated to the New Jersey Transit Corporation under this paragraph may be spent in any urbanized area in which the New Jersey Transit Corporation operates rail service regardless of the urbanized area which generates the funding.

"(2) NEW STARTS.—

"(A) SET-ASIDE FOR CERTAIN DISCRETIONARY PROJECTS.—The Secretary shall set aside $10,000,000 of the amounts made available for construction of new fixed guideway systems and extensions to fixed guideway systems by subsection (k)(1)(B) for each fiscal year beginning after September 30, 1991, for obligation at the discretion of the Secretary only for systems planning, alternative analysis, and preliminary engineering for such systems.

"(B) SPECIFIC AUTHORIZATIONS REQUIRED.—Except as provided in subparagraph (A), funds made available for construction of new fixed guideway systems and extensions of fixed guideway systems by subsection (k)(1)(B) for any fiscal year beginning after September 30, 1991, shall be obligated for projects for construction and extension of such systems which are specifically authorized by the Federal Transit Act of 1991 or by a law approved after the date of the enactment of this subparagraph. Such obligations shall be made in accordance with such Act or law. Whenever such a project is so specifically authorized, the Secretary shall enter into, in accordance with such Act or law, a grant agreement which establishes the terms and conditions for the construction of the project and which includes the schedule for commitment of Federal funds for the project.

"(3) GRANTS FOR INCREASED SECURITY IN TRANSIT SYSTEMS.—

"(A) SET ASIDE OF BUS FACILITY FUNDS.—The Secretary shall set aside $10,000,000 of the amounts made available for replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities by subsection (k)(1)(C) for each fiscal year beginning after September 30, 1991, for obligation at the discretion of the Secretary for making grants to States and local public bodies and agencies for the prevention of crime, and to increase security, in existing and future transit systems. Such grants may be made for 1 or more of the following purposes:

"(i) Increasing lighting within or adjacent to transit systems, including bus stops, subway stations, parking lots, and garages.

"(ii) Increasing camera surveillance of areas within and adjacent to transit systems, including bus stops, subway stations, parking lots, and garages.

"(iii) Providing emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to transit systems, including bus stops, subway stations, parking lots, and garages.

"(iv) Any other project intended to increase the security and safety of existing or planned transit systems.

"(B) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit the financing of projects under this paragraph where law enforcement responsibilities are vested in a local public body other than the grant applicant.".

(c) CRITERIA FOR NEW STARTS.—Section 3(i) is amended—

(1) by striking "the Secretary determines that";

(2) by striking paragraph (2) and inserting the following new paragraph:

"(2) has undergone a cost-effectiveness analysis;";

(3) by striking the period at the end of paragraph (3) and inserting "; and";

(4) by inserting after paragraph (3) the following new paragraph:

"(4) is included, after September 30, 1992, in a transportation improvement program developed under section 134 or 135 of title 23, United States Code."; and

(5) by striking the second sentence.

(d) REPORT ON NEW STARTS FACTORS.—Section 3(j) is amended to read as follows:

"(j) REPORT ON NEW STARTS FACTORS.—

"(1) IN GENERAL.—Not later than January 31 of calendar year 1993 and of each calendar year thereafter, the Secretary shall prepare and transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report—

"(A) on the factors which the Secretary considers appropriate for such committees to utilize in the process of authorizing projects for construction of new fixed guideway systems and extensions to fixed guideway systems; and

"(B) on the application of such factors to those of projects which are specifically authorized by the Federal Transit Act of 1991 or by a law approved after the date of the enactment of this Act or for which the Secretary has allocated funds under subsection (h)(2)(A) or subsection (k)(1)(D).

"(2) MINIMUM FACTORS.—Each report under paragraph (1) shall include at a minimum recommendations of the Secretary with regard to the following factors:

"(A) Cost-effectiveness factors, including cost per rider data adjusted for inflation and for differences in regional wage rates.

"(B) Projected time savings for commuters.

"(C) Status of the project relative to the State implementation plan required by the Clean Air Act.

"(D) The Secretary's and the local authority's analysis of transportation options in the corridor.

"(E) Identification of stable and reliable funding sources for the project.

"(F) The Secretary's and the local authority's review of the results of the alternatives analysis, including an assessment of the energy conservation potential of each alternative.

"(G) Projected ridership for the segment of the system on which the project is to be carried out.

"(H) Cost of project construction in constant dollars and dollars adjusted for inflation.".

(e) FUNDING OF PROJECTS.—Section 3(k)(1) is amended—

(1) by striking "1987, 1988, 1989, 1990, and 1991" and inserting "1992, 1993, 1994, 1995, 1996, and 1997";

(2) by inserting before the semicolon at the end of subparagraph (A) "in accordance with subsection (h)(1)"; and

(3) by striking subparagraph (D) and inserting the following new subparagraph:

"(D) 10 percent shall be available for making minimum apportionments to the States under subsection (m), and any amounts of such 10 percent remaining after such minimum apportionment shall be available for the purposes described in subparagraphs (A) through (C) as determined by the Secretary.".

(f) MINIMUM APPORTIONMENT.—Section 3 is further amended by adding at the end the following new subsection:

"(m) MINIMUM APPORTIONMENT.—

"(1) GENERAL RULE.—Except as provided in paragraphs (2) and (3), no State (other than the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands) shall receive for any fiscal year beginning after September 30, 1991, less than ⅓ of 1 percent of the total amount of funds made available from the Mass Transit Account of the Highway Trust Fund for such fiscal year for carrying out this Act. In determining a State's minimum apportionment each year under this subsection, the Secretary shall establish the amount attributable to each State on the basis of ⅓ of 1 percent of the total amount of funds made available from the Mass Transit Account of the Highway Trust Fund each year and shall reduce such amount by an amount equal to the total amount of funds apportioned or allocated to such State from the Mass Transit Account of the Highway Trust Fund in the previous fiscal year (excluding any amounts provided under this subsection).

"(2) EXCEPTION FOR LACK OF AVAILABLE FUNDS.—If the funds made available for carrying out this subsection by subsection (k)(1)(D) are not sufficient to provide each State with ⅓ of 1 percent for a fiscal year as provided in paragraph (1), the amount each State would otherwise receive under this subsection shall be reduced proportionately.

"(3) TREATMENT OF CERTAIN TERRITORIES.—For purposes of this subsection, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands shall be treated as 1 State. Funds made available to such territories under this subsection shall be divided equally among them.

"(4) USE OF FUNDS.—Funds made available to a State under this subsection shall be available to the Governor for carrying out in the State any capital project eligible for assistance under this Act and for carrying out any project or activity for which Federal funds may be obligated by a State under title 23, United States Code.

"(5) SPECIAL RULES FOR TITLE 23 PROJECTS.—

"(A) APPLICABILITY OF OTHER PROVISIONS OF TITLE 23.—All applicable provisions of title 23, United States Code, which apply with respect to a project or activity carried out under such title shall apply to such a project or activity when carried out by a State with funds made available to it under this subsection; except that the Federal share of the cost of such project or activity shall be 80 percent or, in any case in which a lower Federal share is provided for such a project or activity under such title, such lower Federal share.

"(B) PROJECT APPROVAL.—Any project or activity which a State intends to carry out under title 23, United States Code, with funds made available to it under this subsection shall be subject to approval by the Secretary in accordance with the program of projects approval process of section 105 of such title.

"(C) MAINTENANCE OF EFFORT.—No Federal funds expended by a State under title 23, United States Code, from funds made available to it under this subsection shall be counted as expenditures for a State for purposes of any maintenance of effort requirement of such title.".

(g) FEDERAL SHARE.—Section 4(a) is amended—

(1) by striking "75 per centum" and inserting "80 percent"; and

(2) by inserting before the period at the end of the second sentence the following: ", unless the recipient of the grant requests a lower Federal grant percentage as a part of a larger undertaking".

(h) LOCAL SHARE FOR CERTAIN PLANNED EXTENSIONS OF FIXED GUIDEWAY SYSTEMS.—Section 4(a) is amended by adding at the end the following new sentence: "The remainder of the net project cost of a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant demonstrates to the satisfaction of the Secretary that—

"(1) such purchase was made solely with non-Federal funds; and

"(2) such purchase was made for use on the extension.".

SEC. 305. PLANNING.

Section 8 is amended—

(1) by striking subsections (a) and (b);

(2) by redesignating subsections (c), (d), and (e) as subsections (a), (b), and (c), respectively; and

(3) by inserting before the period at the end of subsection (a), as redesignated by paragraph (2), the following: "carried out under sections 134 and 135 of title 23, United States Code".

SEC. 306. BLOCK GRANT PROGRAM.

(a) PERCENTAGE OF FUNDS AVAILABLE FOR URBANIZED AREAS WITH LESS THAN 200,000.—Section 9(a)(1) is amended by striking "8.64 per centum" and inserting "10 percent".

(b) PERCENTAGE OF FUNDS AVAILABLE FOR URBANIZED AREAS WITH 200,000 OR MORE.—Section 9(a)(2) is amended by striking "88.43 per centum" and inserting "85 percent".

(c) EXTENSION OF SAFETY AUTHORITY TO BLOCK GRANT PROGRAM.—Section 9(e)(1) is amended by striking "and 19" and inserting "19, and 22".

(d) ASSOCIATED CAPITAL MAINTENANCE ITEM.—The last sentence of section 9(j)(1) is amended—

(1) by striking "tubes, and materials" and inserting "and tubes";

(2) by striking "and materials are" and inserting ", tires, and tubes are"; and

(3) by inserting "and other materials and supplies (except for fuels and lubricants)" before the period at the end.

(e) INFLATION ADJUSTMENT FOR OPERATING ASSISTANCE.—Section 9(k)(2)(B) is amended—

(1) by striking "1988," and inserting "1991,"; and

(2) by striking "of less than 200,000 population" the first place it appears.

(f) TRANSFERABILITY.—Section 9(n) is amended by adding at the end the following new paragraph:

"(3) HIGHWAY PROJECTS.—The Governor of a State may transfer—

"(A) not to exceed 25 percent of the State's apportionment under subsection (d), and

"(B) not to exceed an additional 10 percent of such apportionment if the Governor determines that the transit services for which such funds would be available but for such transfer are being adequately maintained,

to any apportionment of such State under title 23, United States Code.".

(g) GRANDFATHER OF CERTAIN URBANIZED AREAS.—Any area designated as an urbanized area under the 1980 census which is not so designated under the 1990 census shall be treated as an urbanized area for purposes of section 12(c)(11) of the Urban Mass Transportation Act of 1964 in fiscal years 1992 and 1993.

SEC. 307. REPEAL OF EXPIRED PROVISION.

Section 9A, relating to Mass Transit Account distribution for fiscal year 1983, is repealed.

SEC. 308. CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.

Section 12(b) is amended by adding at the end the following new paragraph:

"(5) SPECIAL RULES FOR ENGINEERING AND DESIGN CONTRACTS.—

"(A) PERFORMANCE AND AUDITS.—Any contract or subcontract awarded in accordance with paragraph (4), whether funded in whole or in part with Federal transit funds, shall be performed and audited in compliance with cost principles contained in the Federal acquisition regulations of part 31 of title 48 of the Code of Federal Regulations.

"(B) INDIRECT COST RATES.—In lieu of performing its own audits, a recipient of funds under a contract or subcontract awarded in accordance with paragraph (4) shall accept indirect cost rates established in accordance with the Federal acquisition regulations for 1-year applicable accounting periods by a cognizant government agency or independent certified public accountant if such rates are not currently under dispute. Once a firm's indirect cost rates are accepted, the recipient of such funds shall apply such rates for the purposes of contract estimation, negotiation, administration, reporting, and contract payment and shall not be limited by administrative or de facto ceilings in accordance with section 15.901(c) of such title 48. A recipient of such funds requesting or using the cost and rate data described in this subparagraph shall notify any affected firm before such request or use. Such data shall be confidential and shall not be accessible or provided, in whole or in part, to any other firm or to any government agency which is not part of the group of agencies sharing cost data under this subparagraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.".

SEC. 309. TRANSIT DEFINITION.

Section 12(c)(7) is amended—

(1) by striking "term" and inserting "terms"; and

(2) by inserting "and 'transit'" before "means".

SEC. 310. PREAWARD AND POSTDELIVERY AUDITS.

Section 12(j) is amended—

(1) by inserting ", not later than January 31, 1992," after "the Secretary";

(2) by inserting after "for the purchase of" the following: "rail rolling stock and for the purchase of 15 or more"; and

(3) by inserting "or purchaser" after "manufacturer".

SEC. 311. TRANSFER OF FACILITIES AND EQUIPMENT.

Section 12 is amended by adding at the end the following new subsection:

"(k) TRANSFER OF CAPITAL ASSET.—

"(1) AUTHORIZATION.—If a recipient of assistance under this Act determines that facilities and equipment and other assets (including land) acquired, in whole or part, with such assistance are no longer needed for the purposes for which they were acquired, the Secretary may authorize the transfer of such assets to any public body to be used for any public purpose with no further obligation to the Federal Government.

"(2) DETERMINATIONS.—The Secretary may authorize a transfer under paragraph (1) for any public purpose other than mass transportation only if the Secretary first determines—

"(A) that the asset being transferred will remain in public use for not less than 5 years after the date of the transfer;

"(B) that there are no purposes eligible for assistance under this Act for which the asset should be used;

"(C) the overall benefit of allowing the transfer outweighs the Federal Government interest in liquidation and return of the Federal financial interest in the asset, after consideration of fair market value and other factors; and

"(D) that, in any case in which the asset is a facility or land, there is no interest in acquiring the asset for Federal use.

The determination under subparagraph (D) shall be made through an appropriate screening or survey process.

"(3) DOCUMENTATION.—Determinations required by paragraph (2) shall be made, in writing, and shall include the rationale for such determinations.

"(4) RELATION TO OTHER PROVISIONS.—The provisions of this section shall be in addition to and not in lieu of any other provision of law governing use and disposition of facilities and equipment under an assistance agreement.".

SEC. 312. SPECIAL PROCUREMENT.

Section 12 is further amended by adding at the end the following:

"(l) SPECIAL PROCUREMENT INITIATIVES.—

"(1) TURNKEY SYSTEM PROCUREMENTS.—

"(A) IN GENERAL.—In order to advance new technologies and lower the cost of constructing new transit systems, the Secretary may allow the solicitation for a turnkey system project to be funded under this Act to be conditionally awarded before Federal requirements have been met on the project so long as the award is made without prejudice to the implementation of those Federal requirements. Federal financial assistance under this Act may be made available for such a project when the recipient has complied with relevant Federal requirements.

"(B) INITIAL DEMONSTRATION PHASE.—In order to develop regulations applying generally to turnkey system projects, the Secretary is authorized to approve not to exceed 4 projects for an initial demonstration phase. The results of such demonstration projects shall be taken into consideration in the development of the regulations implementing this subsection.

"(C) TURNKEY SYSTEM PROJECT DEFINED.—As used in this subsection, the term 'turnkey system project' means a project under which a recipient contracts with a consortium of firms, individual firms, or a vendor to build a transit system that meets specific performance criteria and which is operated by the vendor for a period of time.

"(2) MULTIYEAR ROLLING STOCK PROCUREMENTS.—

"(A) IN GENERAL.—A recipient procuring rolling stock with Federal financial assistance under this Act may enter into a multiyear agreement for the purchase of such rolling stock and replacement parts pursuant to which the recipient may exercise an option to purchase additional rolling stock or replacement parts for a period not to exceed 5 years from the date of the original contract.

"(B) CONSORTIA.—The Secretary shall permit 2 or more recipients to form a consortium (or otherwise act on a cooperative basis) for purposes of procuring rolling stock in accordance with this paragraph and other Federal procurement requirements.".

SEC. 313. MASS TRANSIT SERVICES FOR ELDERLY AND DISABLED INDIVIDUALS.

(a) GRANTS AND LOANS FOR CERTAIN OPERATING EXPENSES.—Section 16(b) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting "(1)" after "(b)";

(3) by striking "and" at the end of subparagraph (A) as so redesignated;

(4) in subparagraph (B) as so redesignated by striking "paragraph (1)" each place it appears and inserting "subparagraph (A)"; and

(5) by striking "this paragraph." and all that follows through the period at the end of such section and inserting the following:

"; and

"(C) to private nonprofit corporations and associations to be used by such corporations and associations for the specific purpose of paying operating expenses related to new and existing transportation services meeting the special needs of elderly and handicapped persons.

"(2) Recipients of grants or loans under paragraph (1) shall consult with any local transit authority which is coordinating, in accordance with the Americans With Disabilities Act of 1990, transportation services provided in accordance with this section with other local transportation services designed to meet the special needs of elderly and handicapped persons, including those assisted under this Act, the Older Americans Act of 1965, and the Rehabilitation Act of 1973, for the purpose of preventing duplication of such services.".

(b) MEAL DELIVERY SERVICE TO HOMEBOUND PERSONS.—Section 16 is amended by striking subsection (e) and inserting the following:

"(e) MEAL DELIVERY SERVICE TO HOMEBOUND PERSONS.—Transit service providers receiving assistance under this section or section 18(a) may coordinate and assist in providing meal delivery service for homebound persons on a regular basis if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers.".

SEC. 314. RURAL PROGRAM.

(a) TRANSFERABILITY OF FUNDS.—Section 18 is amended by adding at the end the following new subsection:

"(i) TRANSFERABILITY.—The Governor of a State may transfer—

"(1) not to exceed 25 percent of the State's apportionment under subsection (a), and

"(2) not to exceed an additional 10 percent of such apportionment if the Governor determines that the mass transit services for which such funds would be available but for such transfer are being adequately maintained,

to any apportionment of such State under title 23, United States Code.".

(b) ACQUISITION OF MATERIALS AND SUPPLIES AS CONSTRUCTION.—Section 18(e) is amended by inserting before the period at the end of the last sentence "and the term 'construction' includes acquisition of materials and supplies".

SEC. 315. INTERCITY BUS TRANSPORTATION.

Section 18 is further amended by adding at the end the following new subsection:

"(j) INTERCITY BUS TRANSPORTATION.—Before apportioning any amounts under subsection (a) for a fiscal year beginning after September 30, 1991, the Secretary shall set aside $20,000,000 to carry out a program for the development and support of intercity bus transportation. In carrying out such program, the Secretary is authorized to make grants to States for activities which further the purposes of the program, including planning and marketing for intercity bus transportation, capital grants for intercity bus shelters, joint-use stops and depots, operating grants through purchase-of-service agreements, user-side subsidies and demonstration projects, and coordination of rural connections between small transit operations and intercity bus carriers.".

SEC. 316. AUTHORIZATION OF APPROPRIATIONS.

Section 21 is amended to read as follows:

"SEC. 21. AUTHORIZATIONS.

"(a) SECTIONS 9 AND 18.—

"(1) FROM THE GENERAL FUND.—There is authorized to be appropriated to carry out sections 9 and 18 of this Act not to exceed $2,130,000,000 for fiscal year 1992, $2,125,000,000 for fiscal year 1993, $2,025,000,000 for fiscal year 1994, $2,125,000,000 for fiscal year 1995, $2,225,000,000 for fiscal year 1996, and $2,305,000,000 for fiscal year 1997. Such funds shall remain available until expended.

"(2) FROM THE MASS TRANSIT ACCOUNT.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 9 and 18 of this Act $555,000,000 for each of fiscal years 1993 through 1996 and $1,555,000,000 for fiscal year 1997. For fiscal years 1993 through 1997 only, such funds shall be available only for the purpose of construction projects (including capital maintenance items). Such funds shall remain available until expended.

"(b) SECTION 3.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 3 of this Act $1,350,000,000 for fiscal year 1992, $1,680,000,000 for fiscal year 1993, $1,580,000,000 for fiscal year 1994, $1,680,000,000 for fiscal year 1995, $1,780,000,000 for fiscal year 1996, and $2,485,000,000 for fiscal year 1997. Such funds shall remain available until expended.

"(c) SECTIONS 3 AND 9B.—In addition to the amounts set forth in subsection (b), to carry out sections 3 and 9B of this Act, there shall be available from the Mass Transit Account of the Highway Trust Fund $360,000,000 for fiscal year 1992, $600,000,000 for fiscal year 1993, $800,000,000 for fiscal year 1994, $600,000,000 for fiscal year 1995, $400,000,000 for fiscal year 1996, and $550,000,000 for fiscal year 1997. Such funds shall remain available until expended.

"(d) TREATMENT OF CERTAIN SECTION 3 AND SECTION 9B FUNDS.—Of the amounts made available by subsection (c), 50 percent shall be available for capital grants under section

3, and 50 percent shall be available for grants under section 9B. If an obligation ceiling in effect for any fiscal year is less than the sum of the new budget authority authorized by subsections (b) and (c), the ceiling shall first be applied to the budget authority provided by subsection (c).

"(e) INTERSTATE TRANSFER.—For substitute mass transportation projects under section 103(e)(4) of title 23, United States Code, there is authorized to be appropriated $160,000,000 for each of fiscal years 1992 and 1993.

"(f) RURAL PROGRAM.—For each of fiscal years 1992 through 1996, 5 percent of the aggregate funds made available for sections 9 and 18 and section 9B under subsections (a) and (c) of this section shall be available to carry out section 18. All amounts made available for section 18 shall be from funds appropriated under subsection (a)(1).

"(g) SECTIONS 4(i) AND 16(b).—

"(1) FROM GENERAL FUND.—There is authorized to be appropriated to carry out section 16(b) of this Act not to exceed $20,000,000 for fiscal year 1992, $25,000,000 for each of fiscal years 1993 through 1996, and $35,000,000 for fiscal year 1997. Such sums shall remain available until expended.

"(2) FROM MTA.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 4(i) and 16(b) of this Act $25,000,000 for fiscal year 1992, $35,000,000 for each of fiscal years 1993 through 1996, and $45,000,000 for fiscal year 1997. Such sums shall remain available until expended.

"(h) SECTIONS 6, 8, 11(a), 18(h), 20, AND 27.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 6, 8, 11(a), 18(h), 20, and 27 of this Act and transit-related planning under sections 134 and 135 of title 23, United States Code, $67,000,000 for fiscal year 1992, $123,000,000 for each of fiscal years 1993 through 1996, and $158,000,000 for fiscal year 1997, of which 10 percent shall be available only for section 18(h) and of which $12,000,000 for fiscal year 1992 shall be available only for part C of title VI of the Intermodal Surface Transportation Infrastructure Act of 1991. Such sums shall remain available until expended.

"(i) SECTION 12(a).—There is authorized to be appropriated to carry out section 12(a) of this Act not to exceed $50,000,000 for each of fiscal years 1992 through 1996 and $60,000,000 for fiscal year 1997. Such sums shall remain available until expended.

"(j) SECTION 11(b).—

"(1) FROM MTA.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 11(b) $7,000,000 for each of fiscal years 1992 through 1997.

"(2) FROM HTF.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 11(b) $5,000,000 for fiscal year 1992 and $6,000,000 for each of fiscal years 1993 through 1997. Sums made available by this paragraph shall be subject to the obligation limitation imposed by section 102 of the Intermodal Surface Transportation Infrastructure Act of 1991.

"(k) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant with funds made available under subsections (a)(2), (b), (c), (g)(2), (h), and (j) of this section shall be deemed a contractual obligation of the United States for payment of the Federal share of the cost of the project.".

SEC. 317. PLANNING AND RESEARCH.

(a) IN GENERAL.—The Act is amended by adding at the end the following new section:

"SEC. 26. PLANNING AND RESEARCH PROGRAM.

"(a) NATIONAL PROGRAM.—

"(1) RESEARCH AND TRAINING AGREEMENT.—Of the funds made available under section 21(h), ⅓ shall be available to the Secretary for making grants, or entering into contracts, for carrying out the purposes of sections 6, 8, 10, 11(a), 18(h), or 20 of this Act or section 307(e) of title 23, United States Code, as the Secretary deems appropriate.

"(2) COMPLIANCE WITH ADA.—Of the amounts available under paragraph (1), the Secretary shall make available not less than $2,000,000 annually to provide transit-related technical assistance, demonstration programs, research, public education, and other activities that the Secretary deems appropriate to help transit providers achieve compliance with the Americans With Disabilities Act of 1990. To the extent practicable, the Secretary shall carry out this paragraph through contract with a national nonprofit organization serving persons with disabilities with demonstrated capacity to carry out these activities.

"(3) ENTREPRENEURIAL TRANSPORTATION SERVICES PROGRAM.—

"(A) ESTABLISHMENT.—Of the amounts available under paragraph (1), the Secretary shall make available $3,000,000 annually to establish an entrepreneurial transportation services program to provide grants and loans to assist in the development of private transportation services to meet new transportation needs and complement public transportation services funded under this Act.

"(B) ELIGIBILITY.—Public bodies and nonprofit entities shall be eligible to receive assistance under this paragraph to assist private entrepreneurs in the provision of transportation services. Any grant or loan made under this paragraph shall be available to such entrepreneurs for a period of not more than 2 years. A recipient is authorized to retain funds returned to it in connection with such a grant or loan and such funds shall continue to be used for the purposes of subparagraph (A).

"(C) USE OF GRANTS AND LOANS.—Grants and loans made under this paragraph may be used to fund capital, planning, and operating costs, as determined by the Secretary.

"(4) INERTIAL NAVIGATION TECHNOLOGY TRANSFER.—

"(A) DEMONSTRATION PROJECT.—Of the amounts available under paragraph (1) for fiscal years 1992, 1993, and 1994, the Secretary shall make available $1,000,000 for fiscal year 1992, $2,000,000 for fiscal year 1993, and $2,000,000 for fiscal year 1994 to support an inertial navigation system demonstration project for the purpose of determining the safety, economic, and environmental benefits of deploying inertial navigation tracking and control systems in urban and rural environments.

"(B) PUBLIC-PRIVATE SECTOR PARTICIPANTS.—The project described in subparagraph (A) shall be conducted by the Transit Safety Research Alliance, a nonprofit public-private sector consortium based in Pittsburgh, Pennsylvania.

"(5) SPECIAL DEMONSTRATION INITIATIVES.—Of the amounts available under paragraph (1), an amount not to exceed 25 percent shall be available to the Secretary for special demonstration initiatives subject to such terms, conditions, requirements, and provisions as the Secretary deems appropriate; except that the provisions of section 3(e)(4) shall apply to operational grants funded under this section.

"(6) TECHNOLOGY DEVELOPMENT.—

"(A) IN GENERAL.—The Secretary is authorized to undertake a program of transit technology development in coordination with affected entities.

"(B) INDUSTRY TECHNICAL PANEL.—The Secretary shall establish an industry technical panel consisting of representatives of transportation suppliers and operators and others involved in technology development. A majority of the panel members shall represent the supply industry. The panel shall assist the Secretary in the identification of priority technology development areas for public transportation and in establishing guidelines for project development, project cost sharing, and project execution for public transportation.

"(C) COST-SHARING GUIDELINES.—The Secretary shall develop guidelines for cost sharing in technology development projects funded under this section. Such guidelines shall be flexible in nature and reflect the extent of technical risk, market risk, anticipated supplier benefits, and pay back periods.

"(7) SUPPLEMENTATION OF COOPERATIVE RESEARCH PROGRAM.—The Secretary may use funds made available pursuant to paragraph (1) to supplement funds available under subsection (b)(1).

"(8) FEDERAL SHARE.—Where there would be a clear and direct financial benefit to an entity under a grant or contract funded under this subsection (other than paragraph (2) or subsection (b)(1), the Secretary shall establish a Federal share consistent with that benefit.

"(b) STATE AND LOCAL PROGRAM.—Of the funds made available under section 21(h), ⅔ shall be available for State and local programs as follows:

"(1) TRANSIT COOPERATIVE RESEARCH PROGRAM.—16½ percent of that amount shall be available for a transit cooperative research program to be administered as follows:

"(A) GOVERNING BOARD.—The Secretary shall establish an independent governing board for such program to recommend transit research, development, and technology transfer activities as the Secretary deems appropriate.

"(B) GRANTS TO NAS.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such transit research activities as the Secretary determines are appropriate.

"(2) STATE AND LOCAL PLANNING, RESEARCH, AND TRAINING.—The remaining 83½ percent of that amount shall be apportioned to the States for making grants, and entering into contracts, to carry out sections 6, 8, 10, 11, 18(h), and 20 of the Act and transit-related planning under sections 134 and 135 of title 23, United States Code, as follows:

"(A) APPORTIONMENT FORMULA.—Amounts shall be apportioned to the States in the ratio which the population in urbanized areas of each State bears to the total population in urbanized areas of all the States, as shown by the latest available decennial census; except that no State shall receive less than ½ of 1 percent of the amount apportioned under this subparagraph.

"(B) ALLOCATION WITHIN A STATE.—

"(i) STATE PROGRAMS.—Of the funds apportioned to each State under subparagraph (A), 25 percent shall be available for State programs to carry out the objectives of this subsection. A State may authorize a portion of its funds made available under this clause to be used to supplement funds available under paragraph (1) or clause (ii) of this subparagraph, as the State deems appropriate. Of the funds allocated pursuant to this clause, at least 33⅓ percent shall be used for purposes of section 18(h).

"(ii) MPOs.—Of the funds apportioned to each State under subparagraph (A), 75 percent shall be, by a formula developed by each State in cooperation with local elected officials acting through the metropolitan planning organizations representing urbanized areas of the State and approved by the Secretary which considers population in urbanized areas and provides an appropriate distribution for urbanized areas to carry out the cooperative processes described in section 8 of this Act and sections 134 and 135 of title 23, United States Code, made available by the State to those of such metropolitan planning organizations which are designated the State as being responsible together with the State for carrying out the objectives of this section.

"(3) FEDERAL SHARE PAYABLE.—The Federal share payable for a project under paragraph (2) shall be 80 percent—

"(A) except in any case in which the Secretary determines that it is in the Federal interest not to require a State or local match; and

"(B) except for funds used for the purposes of section 18(h), in which case the Federal share payable shall be 100 percent.

"(c) HOLD HARMLESS.—The amounts made available under this section shall be adjusted as follows:

"(1) AMOUNT TO STATES.—The amount made available under subsection (a) shall be reduced and the amount made available under subsection (b)(2) shall be increased so that the aggregate amount provided to the States for allocation to metropolitan planning organizations under subsection (b)(2)(B)(ii) is no less than the aggregate amount provided to metropolitan planning organizations by administrative formula under section 8 of this Act in fiscal year 1991.

"(2) MPO ALLOCATIONS.—The amount apportioned to each State by formula under subsection (b) shall be adjusted so that the aggregate amount apportioned to each State to be made available to metropolitan planning organizations under subsection (b)(2)(B)(ii) is no less than the aggregate amount provided to metropolitan planning organizations in the State by administrative formula under section 8 of this Act in fiscal year 1991.

"(3) STATE PROGRAMS.—Of the funds allocated to a State under subsection (b), a larger amount than provided for under subsection (b)(2)(B)(i) may be available for State programs to the extent that the amount otherwise available to the State for State programs is less than the amount made available to the State by administrative formula under section 8 of this Act in fiscal year 1991 and under section 18(h) of this Act in fiscal year 1991; except that the aggregate amount made available by the State to metropolitan planning organizations under subsection (b)(2)(B)(ii) shall in no event be less than the aggregate amount made available to metropolitan planning organizations in that State by administrative formula under section 8 of this Act in fiscal year 1991.".

(b) SUSPENDED LIGHT RAIL SYSTEM TECHNOLOGY PILOT PROJECT.—

(1) FULL FUNDING GRANT AGREEMENT.—Not later than 60 days after the fulfillment of the requirements under paragraph (5), the Secretary shall negotiate and enter into a full funding grant agreement under section 3 of the Urban Mass Transportation Act of 1964 with a public entity selected under paragraph (4) for construction of a suspended light rail system technology pilot project.

(2) PROJECT PURPOSE.—The purpose of the project under this subsection shall be to assess the state of new technology for a suspended light rail system and to determine the feasibility and costs and benefits of using such a system for transporting passengers.

(3) PROJECT DESCRIPTION.—The project under this subsection shall—

(A) utilize new rail technology with individual vehicles on a prefabricated, elevated steel guideway;

(B) be stability seeking with a center of gravity for the detachable passenger vehicles located below the point of wheel-rail contact; and

(C) utilize vehicles which are driven by overhead bogies with high efficiency, low maintenance electric motors for each wheel, operating in a slightly sloped plane from vertical for both the wheels and the running rails, to further increase stability, acceleration, and braking performance.

(4) COMPETITION.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall conduct a national competition to select a public entity with which to enter into a full funding grant agreement under paragraph (1) for construction of the project under this subsection.

(B) PUBLICATION OF NOTICE.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall publish in the Federal Register notice of the competition to be conducted under this paragraph, together with procedures for public entities to participate in the competition.

(C) SELECTION OF FINALISTS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall select 3 public entities to be finalists in the competition under this paragraph.

(D) AWARD OF GRANTS.—The Secretary shall award grants to each of the finalists selected under subparagraph (C). Such grants shall be used by the finalists to participate in the final phase of the competition under this paragraph in accordance with procedures to be established by the Secretary. The amount of such grants shall not exceed 80 percent of the costs of such participation. No finalists may receive more than ⅓ of the amount made available under paragraph (9)(C).

(E) SELECTION OF WINNER.—Not later than 210 days after the date of the enactment of this Act, the Secretary shall select from among the finalists selected under subparagraph (C) the public entity with which to enter into a full funding grant agreement under paragraph (1).

(F) CONSIDERATIONS.—In conducting the competition and selecting public entities under this paragraph, the Secretary shall consider the following:

(i) The public entity's demonstrated understanding and knowledge of the project under this section.

(ii) The public entity's technical, managerial, and financial capacity to undertake construction, management, and operation of the project.

(iii) Maximization of potential contributions to the cost of the project by State, local, and private sector entities, including the donation of in-kind services and materials.

(5) EXPEDITED PROCEDURES.—Not later than 270 days after the date of selection of a public entity under paragraph (4), the Secretary shall approve and publish in the Federal Register a notice announcing either (A) a finding of no significant impact, or (B) a draft environmental impact statement for the project under this subsection. The alternative analysis for the project shall be limited to determining whether or not to actually construct such project. If a draft environmental impact statement is published, the Secretary shall, not later than 180 days after the date of such publication, approve and publish in the Federal Register a notice of completion of a final environmental impact statement.

(6) NOTICE TO PROCEED WITH CONSTRUCTION.—Not later than 30 days following the execution of the full funding grant agreement under paragraph (1), the Secretary shall issue a notice to proceed with construction.

(7) OPTION NOT TO CONSTRUCT.—Not later than the 30th day following the completion of preliminary engineering and design for the project, the public entity selected under paragraph (1) will make a determination on whether or not to proceed to actual construction of the project. If such public entity makes a determination not to proceed to such actual construction—

(A) the Secretary shall not enter into the grant agreement under paragraph (1);

(B) any remaining sums received shall be returned to the Secretary and credited to the Mass Transit Account of the Highway Trust Fund; and

(C) the Secretary shall use the amount so credited and all other amounts to be provided under this section to award to entities selected under paragraph (4)(E) grants under section 3 of the Urban Mass Transportation Act of 1964 for construction of the project described in paragraph (1).

Any grants under subparagraph (C) shall be awarded after completion of a competitive process for selection of a grant recipient. Such process shall be completed not later than the 180th day following the date of the determination under this subsection.

(8) OPERATING COST DEFICITS.—The full funding grant agreement under paragraph (1) shall provide that—

(A) the system vendor for the project under this section shall fund 100 percent of any deficit incurred in operating the project in the first two years of revenue operations of the project; and

(B) the system vendor for the project under this section shall fund 50 percent of any deficit incurred in operating the project in the third year of revenue operations of the project.

(9) FUNDING.—

(A) PRECONSTRUCTION.—If the systems planning, alternatives analysis, preliminary engineering, and design and environmental impact statement are required by law for the project under this subsection, the Secretary shall pay by grant the Federal share of such costs (as determined under section 3 of the Urban Mass Transportation Act of 1964) from amounts provided under such section as follows: not less than $4,000,000 for fiscal year 1993. Such funds shall remain available until expended.

(B) CONSTRUCTION.—The grant agreement under paragraph (1) shall provide that the Federal share of the construction costs of the project under this section shall be paid by the Secretary from amounts provided under section 3 of the Urban Mass Transportation Act of 1964 as follows: not less than $30,000,000 for fiscal year 1994. Such funds shall remain available until expended.

(C) GRANTS.—Grants under paragraph (4) shall be paid by the Secretary from amounts provided under section 3 of the Urban Mass Transportation Act of 1964 as follows: not less than $1,000,000 for fiscal year 1992. Any amounts not expended for such grants shall be available for the Federal share of costs described in subparagraphs (A) and (B).

(D) OPERATION.—Notwithstanding any other provision of law, the grant agreement under paragraph (1) shall provide with respect to the third year of revenue operations of the project under this subsection that the Federal share of operating costs of the project shall be paid by the Secretary from amounts provided under section 26 of the Urban Mass Transportation Act of 1964 in a sum equal to 50 percent of any deficit incurred in operating the project in such year of revenue operations or $300,000, whichever is less.

(10) FEDERAL SHARE.—The Federal share of the cost of construction of the project under this subsection shall be 80 percent of the net cost of the project.

(11) REPORT.—Not later than January 30, 1993, and annually thereafter, the Secretary shall transmit to Congress a report on the progress and results of the project under this subsection.

SEC. 318. NEEDS SURVEY.

The Act is further amended by adding at the end the following new section:

"SEC. 27. NEEDS SURVEY AND TRANSFERABILITY STUDY.

"(a) NEEDS STUDY.—In January 1993 and in January of every second year thereafter, the Secretary shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Public Works and Transportation of the House of Representatives an estimate of the future transit needs of the Nation, including transit needs in rural areas (particularly access to health care facilities). Such report shall include an assessment of needs related to rail modernization, guideway modernization, replacement, rehabilitation, and purchase of buses and related equipment, construction of bus related facilities, and construction of new fixed guideway systems and extensions to fixed guideway systems.

"(b) TRANSFERABILITY STUDY.—

"(1) IN GENERAL.—In January 1993 and in January of every second year thereafter, the Secretary shall transmit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on implementation of the transferability provisions of sections 3(m), 9(n)(3), and 18(i) of this Act.

"(2) CONTENTS.—The report shall identify, by State, the amount of transit funds transferred for nontransit purposes under such sections during the previous fiscal year and shall include an assessment of the impact of such transfers on the transit needs of individuals and communities within the State. Specifically, the report shall assess the impact of such transfers (A) on the State's ability to meet the transit needs of elderly individuals, individuals with disabilities, and individuals residing in rural areas, (B) on efforts to meet the objectives of the Americans With Disabilities Act of 1990 and the Clean Air Act, and (C) on the State's efforts to extend public transit services to unserved rural areas. The report shall also include an examination of the relative levels of Federal transit assistance and services in urban and rural areas in fiscal year 1991 and the extent to which such assistance and service has increased or decreased in subsequent fiscal years as a result of transit resources made available under this Act and the Intermodal Surface Transportation Infrastructure Act of 1991.".

SEC. 319. NEW JERSEY URBAN CORE PROJECT.

(a) CONTRACTUAL COMMITMENTS.—

(1) FULL FUNDING GRANT AGREEMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall negotiate and enter into a full funding grant agreement under section 3 of the Urban Mass Transportation Act of 1964 for those elements of the New Jersey Urban Core Project which can be fully funded in fiscal years 1992 through 1997. Such grant agreement shall not preclude the allocation of Federal funds for those elements of the project not covered under such grant agreement.

(2) PAYMENT.—The grant agreement under paragraph (1) shall provide that the Federal share of the cost of the New Jersey Urban Core Project shall be paid by the Secretary from amounts provided under section 3 of the Urban Mass Transportation Act of 1964 as follows:

(A) Not less than $95,900,000 for fiscal year 1992.

(B) Not less than $71,700,000 for fiscal year 1993.

(C) Not less than $64,800,000 for fiscal year 1994.

(D) Not less than $146,000,000 for fiscal year 1995.

(E) Not less than a total of $256,000,000 for fiscal years 1996 and 1997.

Nothing in this section shall be construed as precluding other Federal funds from being committed to the project.

(b) NON-FEDERAL SHARE.—For the purpose of calculating non-Federal contributions to the net cost of the New Jersey Urban Core Project, the Secretary shall include all non-Federal contributions made on or after January 1, 1987, for construction of any element of the project. Non-Federal funds committed to one element of the project may be used to meet the non-Federal share requirement for any other element of the project.

(c) EXEMPTION FROM CERTAIN REQUIREMENTS.—The requirements contained in section 3(i) of the Urban Mass Transportation Act of 1964 (relating to criteria for new starts) shall not apply with respect to the New Jersey Urban Core Project; except that an alternative analysis and draft environmental impact statement shall be completed with respect to the Hudson River Waterfront element of the project and the Secretary shall approve the recommended locally preferred alternative for such element. No element of the project shall be subject to the major capital investment policy of the Urban Mass Transportation Administration.

(d) ELEMENTS OF URBAN CORE PROJECT.—For the purposes of this section, the New Jersey Urban Core Project consists of the following elements: Secaucus Transfer, Kearny Connection, Waterfront Connection, Northeast Corridor Signal System, Hudson River Waterfront Transportation System, Newark-Newark International Airport-Elizabeth Transit Link, a rail connection between Penn Station Newark and Broad Street Station, Newark, New York Penn Station Concourse, and the equipment needed to operate revenue service associated with improvements made by the project. The project includes elements advanced with 100 percent non-Federal funds.

SEC. 320. MULTIYEAR FUNDING FOR SAN FRANCISCO BAY AREA RAIL EXTENSION PROGRAM.

(a) DRAFT ENVIRONMENTAL IMPACT STATEMENT.—

(1) COMPLETION DEADLINE.—Not later than 60 days after the date of the enactment of this Act and in accordance with the National Environmental Policy Act of 1969, the Secretary shall complete a draft environmental impact statement for an extension of the San Francisco Bay Area Rapid Transit District (hereinafter in this section referred to as "BART") to the San Francisco International Airport.

(2) NOTICE OF AVAILABILITY AND REPORTING.—The Secretary shall publish a notice of availability of the draft environmental impact statement for public review. If the Secretary has not published such notice on or before the 60th day following the date of the enactment of this Act, the Secretary shall report to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the status of the completion of such draft environmental impact statement. The Secretary shall continue to report to such committees every 30 days on the status of the completion of the draft environmental impact statement, including any proposed revisions to the statement or to the work plan, until a notice of availability of such document is published in the Federal Register.

(b) PRELIMINARY ENGINEERING GRANT.—

(1) TO BART.—Not later than 30 days after the date of submittal of a locally preferred alternatives report and notwithstanding any other provision of law, the Secretary shall make a grant to BART to conduct preliminary engineering and to complete an environmental impact statement on the locally preferred alternative for the extension of BART to the San Francisco International Airport. The amount of such grant shall be 75 percent of preliminary engineering costs, unless the matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent.

(2) TO SANTA CLARA COUNTY.—Not later than 90 days after the date of the enactment of this Act and notwithstanding any other provision of the law, the Secretary shall make a grant to the Santa Clara County Transit District (hereinafter in this section referred to as "SCCTD") to conduct preliminary engineering and to complete an environmental impact statement on the locally preferred alternative for the Tasman Corridor Project. The amount of such grant shall be $12,750,000; except that the Federal share for all project costs may not exceed 50 percent, unless the matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent. Local funds expended on the Tasman Corridor Project after the locally preferred alternative was approved by the Metropolitan Transportation Commission on July 31, 1991, shall be considered eligible project costs under the Urban Mass Transportation Act of 1964.

(c) CONTRACTUAL COMMITMENTS.—

(1) APPROVAL OF CONSTRUCTION.—Notwithstanding any other provision of law, the Secretary shall approve the construction of the locally preferred alternative for the BART San Francisco International Airport Extension (Phase 1a to Colma and Phase 1b to San Francisco Airport) and the Tasman Corridor Project according to the following schedule:

(A) Not later than 90 days after the date of the enactment of this Act, the Secretary shall approve such construction for BART Phase 1a to Colma.

(B) Not later than 90 days after the date of the completion of preliminary engineering, the Secretary shall approve such construction for BART Phase 1b to San Francisco International Airport.

(C) Not later than 90 days after the date of the completion by SCCTD of preliminary en-

gineering, the Secretary shall approve such construction for the Tasman Corridor Project.

(2) EXECUTION OF CONTRACT.—Upon approving construction under paragraph (1), the Secretary shall execute a multiyear grant agreement with BART to permit the expenditure of funds for the construction of the BART San Francisco International Airport Extension (Phase 1a and Phase 1b) and with SCCTD for the construction of the Tasman Corridor Project.

(d) FEDERAL SHARE.—

(1) BART EXTENSION.—The grant agreement under subsection (c)(2) shall provide that the Federal share of the project cost for the locally preferred alternative for the BART San Francisco International Airport Extension (Phase 1a and Phase 1b) shall be 75 percent, unless the matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent.

(2) TASMAN CORRIDOR PROJECT.—The grant agreement under subsection (c)(2) shall provide that the Federal share of the project cost for the locally preferred alternative for the Tasman Corridor Project, including costs for preliminary engineering, shall be 50 percent, unless that matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent.

(e) PAYMENT.—The grant agreement under subsection (c)(2) shall provide that the Federal share of the cost of the projects shall be paid by the Secretary from amounts provided under section 3 of the Urban Mass Transportation Act of 1954 for construction of new fixed guideway systems and extensions to fixed guideway systems, as follows:

(1) Not less than $28,500,000 for fiscal year 1990.

(2) Not less than $40,000,000 for fiscal year 1991.

(3) Not less than $100,000,000 for each of fiscal years 1992 through 1995.

(4) Not less than $100,000,000 for fiscal years 1996 and 1997.

Apportionment of payments between BART and SCCTD shall be consistent with the Metropolitan Transportation Commission Resolution No. 1876.

(f) ADVANCE CONSTRUCTION.—The grant agreements under subsection (c)(2) shall provide that the Secretary shall reimburse BART and SCCTD from any amounts provided under section 3 of the Urban Mass Transportation Act of 1964 for fiscal years 1992 through 1997 for the Federal share of the net project costs incurred by BART and SCCTD under subsections (c)(1) and (c)(2), including the amount of any interest earned and payable on bonds as provided in section 3(1)(2) of the Urban Mass Transportation Act of 1964, as follows:

(1) Not later than September 30, 1994, the Secretary shall reimburse BART and SCCTD a total of $368,500,000 (plus such interest), less amounts provided under subsection (e) for fiscal years 1992 through 1994.

(2) Not later than September 30, 1997, the Secretary shall reimburse BART and SCCTD a total of $568,500,000 (plus such interest), less amounts provided under subsection (e) for fiscal years 1992 through 1997.

(g) FULL FUNDING GRANT AGREEMENTS.—

(1) SCHEDULE.—Notwithstanding any other provision of law, the Secretary shall negotiate and execute full funding grant agreements that are consistent with Metropolitan Transportation Commission Resolution No. 1876 with BART for Phase 1a to Colma and Phase 1b to the San Francisco International Airport, and with SCCTD for the Tasman Corridor Project according to the following schedule:

(A) Not later than 90 days after the date of completion by SCCTD of preliminary engineering, the Secretary shall execute such agreement for the Tasman Corridor Project.

(B) Upon completion by BART of 85 percent of final design, the Secretary shall execute such agreement for Phase 1a to Colma.

(C) Upon completion by BART of 85 percent of final design, the Secretary shall execute such agreement for Phase 1b to the San Francisco International Airport.

(2) ADDITIONAL AMOUNTS.—In addition to the $568,500,000 provided under this section, the Secretary shall, subject to annual appropriations, issue full funding grant agreements to complete the projects utilizing the full amount of the unobligated balance in the Mass Transit Account of the Highway Trust Fund.

(h) ALTERNATIVES ANALYSIS.—The Secretary shall permit the Santa Clara County Transit District, in cooperation with the Metropolitan Transportation Commission, to conduct an Alternatives Analysis to examine transit alternatives including a possible BART extension from southern Alameda County through downtown San Jose to Santa Clara, California.

SEC. 321. MULTIYEAR CONTRACT FOR METRO RAIL PROJECT.

(a) SUPPLEMENTAL EIS.—Not later than April 1, 1992, and in accordance with the National Environmental Policy Act of 1969, the Secretary shall complete preparation of a final supplemental environmental impact statement for Minimum Operable Segment-3 (other than the East Side Extension) and publish a notice of the completion of such statement in the Federal Register. Such statement shall reflect any alignment changes in the Los Angeles Metro Rail Project and any determination of an amended locally preferred alternative for the project. In preparing such statement, the Secretary shall rely, to the maximum extent feasible, upon existing environmental studies and analyses conducted with respect to the project, including the Draft Supplemental Environmental Impact Statement (dated November 1987) and the Final Supplemental Environmental Impact Statement (dated July 1989).

(b) AMENDMENT TO CONTRACT TO INCLUDE CONSTRUCTION OF MOS-3.—

(1) NEGOTIATION.—Not later than April 1, 1992, the Secretary shall begin negotiations with the Commission on an amendment to the full funding contract under section 3 of the Urban Mass Transportation Act of 1964 (dated April 1990) for construction of Minimum Operable Segment-2 of the Los Angeles Metro Rail Project in order to include construction of Minimum Operable Segment-3 (including the commitment described in paragraph (4) to provide Federal funding for the East Side Extension) in such contract.

(2) EXECUTION.—Not later than October 15, 1992, the Secretary shall—

(A) complete negotiations and execute the amended contract under paragraph (1); and

(B) issue a record of decision approving the construction of Minimum Operable Segment-3 (other than the East Side Extension).

(3) PAYMENT OF FEDERAL SHARE.—

(A) FEDERAL SHARE.—The amended contract under paragraph (1) shall provide that the Federal share of the cost of construction of Minimum Operable Segment-3 for fiscal years 1993 through 1997 shall be $695,000,000.

(B) PAYMENT.—The amended contract under paragraph (1) shall provide that the Federal share of the cost of construction of Minimum Operable Segment-3 shall be paid by the Secretary from amounts available under section 3 of the Urban Mass Transportation Act of 1964 in accordance with a schedule for annual payments set forth in such contract.

(4) EAST SIDE EXTENSION.—The amended contract under paragraph (1) shall include a commitment to provide Federal funding for the East Side Extension, subject to completion of alternatives analysis and satisfaction of Federal environmental requirements.

(5) ADVANCE CONSTRUCTION.—

(A) IN GENERAL.—The amended contract under paragraph (1) shall provide that the Commission may construct any portion of Minimum Operable Segment-3 in accordance with section 3(1) of the Urban Mass Transportation Act of 1964.

(B) AMOUNT.—The Commission may use advance construction authority in an amount not to exceed the sum of $535,000,000 plus the difference (if any) between the Federal share specified in paragraph (3) for fiscal years 1993 through 1997 and the amount of Federal funds actually provided in those fiscal years.

(C) CONVERSION TO GRANTS.—In the event the Commission uses advance construction authority under this paragraph, the Secretary shall convert that authority into a grant and shall reimburse the Commission, from funds available under section 3 of the Urban Mass Transportation Act of 1964, for the Federal share of the amounts expended. Such conversion and reimbursement shall be made by the Secretary in fiscal years 1998, 1999, and 2000 and shall be equal to the Federal share of the amounts expended by the Commission pursuant to this paragraph (plus any eligible bond interest under section 3(1)(2) of the Urban Mass Transportation Act of 1964).

(c) FURTHER AMENDMENT TO CONTRACT.—Not later than October 15, 1996, the Secretary shall negotiate and enter into a further amendment to the contract described in subsection (b)(1) in order to provide Federal funding for Minimum Operable Segment-3 for fiscal years 1998 through 2000. The amended contract shall include provisions for the use and reimbursement of advance construction in the manner set forth in subsection (b)(5).

(d) CONTINUING PRELIMINARY ENGINEERING.—Before the date on which an amended contract is executed under subsection (b), the Secretary shall, upon receipt of an application from the Commission, make a grant to the Commission from amounts available under section 3 of the Urban Mass Transportation Act of 1964 for continuing preliminary engineering and environmental analysis work for Minimum Operable Segment-3.

(e) ADDITION OF EAST SIDE EXTENSION.—

(1) ALTERNATIVES ANALYSIS AND ENVIRONMENTAL REVIEW.—The Secretary shall cooperate with the Commission in alternatives analysis and environmental review, including preparation of a draft environmental impact statement, for the East Side Extension. Upon receipt of an application from the Commission, the Secretary shall make a grant to the Commission, from amounts available under section 3 of the Urban Mass Transportation Act of 1964, for preliminary engineering, design, and related expenses for the East Side Extension, in an amount equal to 50 percent of the cost of such activities. Such funds shall be provided from the amounts made available by the Secretary under subsection (b)(3).

(2) SUPPLEMENTAL EIS.—Not later than December 1, 1993, and in accordance with the National Environmental Policy Act of 1969, the Secretary shall complete preparation of a final supplemental environmental impact statement for the East Side Extension and shall publish a notice of completion of such statement in the Federal Register.

(3) AMENDMENT TO CONTRACT TO INCLUDE EAST SIDE EXTENSION.—

(A) NEGOTIATION.—Immediately upon the completion of alternatives analysis and preliminary engineering for the East Side Extension, the Secretary shall begin negotiations with the Commission on a further amendment to the contract referred to in subsection (b)(1) in order to include construction of the East Side Extension.

(B) EXECUTION.—Not later than June 1, 1994, the Secretary shall—

(i) complete negotiations and execute the amended contract under subparagraph (A); and

(ii) issue a record of decision approving the construction of the East Side Extension.

(C) CONTENTS.—The amended contract under subparagraph (A) shall be consistent with the commitment made under subsection (b)(4) and shall include appropriate changes to the existing scope of work to include the East Side.

(f) APPLICABILITY OF FEDERAL REQUIREMENTS.—The amended contracts under this section shall provide that any activity under Minimum Operable Segment-3 that is financed entirely with non-Federal funds shall not be subject to any Federal statute, regulation, or program guidance, unless the Federal statute or regulation in question, by its terms, otherwise applies to and covers such activity.

(g) CRITERIA FOR NEW STARTS.—Minimum Operable Segment-3 shall be deemed to be a project described in and covered by section 303(b) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(h) NOTIFICATION OF NONCOMPLIANCE.—If the Secretary is unable to comply with a deadline established by this section, the Secretary shall notify the Committee on Public Works and Transportation and the Committee on Appropriations of the House of Representatives and the Committee on Banking, Finance, and Urban Affairs of the Senate of the reasons for the noncompliance and shall provide such Committees a firm schedule for taking the action required.

(i) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) COMMISSION.—The term "Commission" means the Los Angeles County Transportation Commission (or any successor thereto).

(2) EAST SIDE EXTENSION.—The term "East Side Extension" means that portion of Minimum Operable Segment-3 described in paragraph (3)(C).

(3) MINIMUM OPERABLE SEGMENT-3.—The term "Minimum Operable Segment-3" means that portion of the Los Angeles Metro Rail Project which consists of 7 stations and approximately 11.6 miles of heavy rail subway on the following lines:

(A) One line running west and northwest from the Hollywood/Vine station to the North Hollywood station, with 2 intermediate stations.

(B) One line running west from the Wilshire/Western station to the Pico/San Vicente station, with one intermediate station.

(C) One line consisting of an initial line of approximately 3 miles in length, with at least 2 stations, beginning at Union Station and running generally east.

SEC. 322. MISCELLANEOUS MULTIYEAR CONTRACTS.

(a) HAWTHORNE, NEW JERSEY-WARWICK, NEW YORK, SERVICE.—No later than 120 days after the date of the enactment of this Act, the Secretary shall negotiate and sign a multiyear grant agreement with the New Jersey Transit Corporation which includes not less than $35,710,000 in fiscal year 1992 and not less than $11,156,000 in fiscal year 1993 from funds made available under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964 to carry out the construction of a project to provide commuter rail service from Hawthorne, New Jersey, to Warwick, New York (including a connection with the New Jersey Transit Main Line in Hawthorne, New Jersey, and improvements to the New Jersey Transit Main Line station in Paterson, New Jersey). Such agreement shall provide that amounts provided under the agreement may be used for purchasing equipment and for rehabilitating and constructing stations, parking facilities, and other facilities necessary for the restoration of such commuter rail service.

(b) WESTSIDE LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Tri-County Metropolitan Transportation District of Oregon which includes $515,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 at the Federal share contained in House Report 101-584 to carry out the construction of the locally preferred alternative for the Westside Light Rail Project, including system related costs, set forth in Public Law 101-516 and as defined in House Report 101-584. Such agreement shall also provide for the completion of alternatives analysis, the final Environmental Impact Analysis, and preliminary engineering for the Hillsboro extension to the Westside Project as set forth in Public Law 101-516.

(c) NORTH BAY FERRY SERVICE.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Vallejo, California, which includes $8,000,000 in fiscal year 1992 and $9,000,000 in fiscal year 1993 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out capital improvements under the North Bay Ferry Service Demonstration Program.

(d) STATEN ISLAND-MIDTOWN MANHATTAN FERRY SERVICE.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the New York City Department of Transportation in New York, New York, which includes $1,000,000 in fiscal year 1992 and $11,000,000 in fiscal year 1993 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out capital improvements under the Staten Island-Midtown Ferry Service Demonstration Program.

(e) QUEENS LOCAL/EXPRESS CONNECTION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Metropolitan Transportation Authority which includes $306,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative for the Queens Local/Express Connection project.

(f) METRO LINK LIGHT RAIL EXTENSIONS.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the East-West Gateway Coordinating Council which includes (1) $16,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to complete preliminary engineering and final design for the St. Clair extension to the Metro Link light rail system, (2) $450,000 to complete alternatives analysis for the Cross-County extension to the Metro Link System, and (3) $450,000 to complete alternatives analysis for the St. Charles extension to the Metro Link System.

(g) CENTRAL AREA CIRCULATOR PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Chicago, Illinois, which includes $260,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative for the Central Area Circulator Project.

(h) SALT LAKE CITY LIGHT RAIL PROJECT.—No later than August 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Utah Transit Authority, which includes $131,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the initial segment of the locally preferred alternative for the Salt Lake City Light Rail Project, including feeder bus and other system related costs.

(i) LAKEWOOD-FREEHOLD-MATAWAN OR JAMESBURG RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the New Jersey Transit Corporation, which includes, from funds made available to the Northeastern New Jersey urbanized area under section 3(h) of the Urban Mass Transportation Act of 1964, $1,800,000 in fiscal year 1992 and $3,000,000 in each of fiscal years 1993 and 1994 to provide for the completion of alternatives analysis, preliminary engineering, and environmental impact statement for the Lakewood-Freehold-Matawan or Jamesburg Rail Project.

(j) NORTHEAST PHILADELPHIA COMMUTER RAIL STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Southeastern Pennsylvania Transportation Authority, which includes $400,000 from funds made available to the Philadelphia urbanized area under section 3(h) of the Urban Mass Transportation Act of 1964 to provide for a study of the feasibility of instituting commuter rail service as an alternative to automobile travel to Center City Philadelphia on I-95.

(k) ATLANTA COMMUTER RAIL STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Atlanta Regional Commission which includes, from funds made available to the Atlanta urbanized area under section 3(h) of the Urban Mass Transportation Act of 1964, $100,000 to study the feasibility of instituting commuter rail service in the Greensboro corridor.

(l) PITTSBURGH LIGHT RAIL REHABILITATION PROJECT.—No later than 90 days after the date of the enactment of this Act, the Secretary shall negotiate and sign a multiyear grant agreement with the Port Authority of Allegheny County which includes $5,000,000 from funds made available to the Pittsburgh urbanized area under section 3(h) of the Urban Mass Transportation Act of 1964, to complete preliminary engineering for Stage II LRT rehabilitation in Allegheny County, Pennsylvania.

(m) LOS ANGELES-SAN DIEGO (LOSSAN) RAIL CORRIDOR IMPROVEMENT PROJECT.—No

later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Los Angeles-San Diego Rail Corridor Agency which includes $20,000,000 from funds made available under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964 to provide for capital improvements to the rail corridor between Los Angeles and San Diego, California.

(n) GILROY COMMUTER RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the responsible operating entity for the San Francisco Peninsula Commute Service which includes, from funds made available under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964, $13,000,000 for capital improvements and trackage rights related to the extension of commuter rail service in Gilroy, California. The Secretary shall allocate to the Santa Clara County Transit District in fiscal year 1992, from funds made available under such section 3(k)(1)(A), $8,000,000 for the purpose of a one-time purchase of perpetual trackage rights between the existing terminus in San Jose and Gilroy, California, to run passenger rail service.

(o) DALLAS LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with Dallas Area Rapid Transit which includes $160,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative for the initial 6.4 miles and 10 stations of the South Oak Cliff light rail line.

(p) SOUTH BOSTON PIERS TRANSITWAY/LIGHT RAIL PROJECT.—No later than June 1, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Massachusetts Bay Transportation Authority which includes $278,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative for the South Boston Piers Transitway/Light Rail Project. Not later than December 31, 1991, the Secretary shall allocate from such $278,000,000 such sums as may be necessary to carry out preliminary engineering and design for such preferred alternative.

(q) ATLANTA NORTH LINE EXTENSION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Metropolitan Atlanta Rapid Transit Authority which includes $329,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative for a 3.1 mile extension of the North Line of the heavy rail rapid transit system in Atlanta, Georgia.

(r) HOUSTON PRIORITY CORRIDOR FIXED GUIDEWAY PROJECT.—Provided that a locally preferred alternative for the Priority Corridor fixed guideway project has been selected by March 1, 1992, no later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Metropolitan Transit Authority of Harris County which includes $500,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of such locally preferred alternative.

(s) JACKSONVILLE AUTOMATED SKYWAY EXPRESS EXTENSION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Jacksonville Transportation Authority which includes $71.2 million from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative for a 1.8 mile extension to the Automated Skyway Express starter line.

(t) HONOLULU RAPID TRANSIT PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City and County of Honolulu which includes $618,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternative of a 17.3 mile fixed guideway system.

(u) BALTIMORE CENTRAL LRT EXTENSIONS.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Mass Transit Administration of the Maryland Department of Transportation which includes $60,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964 to carry out the construction of the locally preferred alternatives for the Hunt Valley, Baltimore-Washington International Airport, and Penn Station extensions to the 22.5 light rail transit line in Baltimore.

(v) SACRAMENTO LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Sacramento Regional Transit District which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $26,000,000 to provide for the completion of alternatives analysis, preliminary engineering, and final design on proposed extensions to the light rail system in Sacramento, California.

(w) KANSAS CITY LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Kansas City Area Transportation Authority which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $1,500,000 in fiscal year 1992, and $4,400,000 in fiscal year 1993 to provide for the completion of alternatives analysis and preliminary engineering for Phase I of the Kansas City Light Rail Project.

(x) ORLANDO STREETCAR (OSCAR) DOWNTOWN TROLLEY PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Orlando, Florida, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $5,000,000 to provide for the completion of alternatives analysis and preliminary engineering for the Orlando Streetcar (OSCAR) Downtown Trolley Project.

(y) PHILADELPHIA CROSS-COUNTY METRO RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Southeastern Pennsylvania Transportation Authority which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $2,400,000 to provide for the completion of alternatives analysis and preliminary engineering for the Philadelphia Cross-County Metro Rail Project.

(z) DETROIT LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the city of Detroit, Michigan, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $20,000,000 to provide for the completion of alternatives analysis and preliminary engineering for the Detroit Light Rail Project.

(aa) CLEVELAND BLUE LINE LIGHT RAIL EXTENSION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Greater Cleveland Regional Transit Authority which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $1,200,000 to provide for the completion of alternatives analysis and preliminary engineering for an extension of the Blue Line to Highland Hills, Ohio.

(bb) CHARLOTTE LIGHT RAIL STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Charlotte, North Carolina which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $125,000 in 1992 and $375,000 in fiscal year 1993 to provide for the completion of systems planning and alternatives analysis for a priority light rail corridor in the Charlotte metropolitan area.

(cc) LONG BEACH METRO LINK FIXED RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Los Angeles County Transportation Commission which includes $4,000,000 from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, to provide for the completion of alternatives analysis and preliminary engineering for the Metro Link Project in Long Beach, California.

(dd) BUCKHEAD PEOPLE MOVER CONCEPTUAL ENGINEERING STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Atlanta Regional Commission which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $200,000 in fiscal year 1992, to provide for the completion of a conceptual engineering study for a people mover system in Atlanta, Georgia.

(ee) CLEVELAND DUAL HUB RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Greater Cleveland Regional Transit Authority which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $2,000,000 in fiscal year 1992, $2,000,000 in fiscal year 1993, and $1,000,000 in fiscal year 1994, to provide for the completion of alternatives analysis on the Cleveland Dual Hub Rail Project.

(ff) SAN DIEGO MID COAST LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the San Diego Metropolitan Transit Development Board which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $2,000,000 in fiscal year 1992, $5,000,000 in fiscal year 1993, and $20,000,000 in fiscal year 1994, to provide for the completion of alternatives analysis and the final environmental impact statement, and to purchase right-of-way, for the San Diego Mid Coast Light Rail Project.

(gg) CHATTANOOGA DOWNTOWN TROLLEY PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Chattanooga Area Regional Transportation Authority which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $1,000,000 in fiscal year 1992 and $1,000,000 in

fiscal year 1993 to provide for the completion of alternatives analysis on a proposed trolley circulator in downtown Chattanooga, Tennessee.

(hh) NORTHEAST OHIO COMMUTER RAIL FEASIBILITY STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Northeast Ohio Areawide Coordinating Agency which includes, from funds made available under section 3(h) of the Urban Mass Transportation Act of 1964, $800,000 in fiscal year 1992 and $800,000 in fiscal year 1993 to study the feasibility of providing commuter rail service connecting urban and suburban areas in northeast Ohio.

(ii) RAILTRAN COMMUTER RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Cities of Dallas and Fort Worth, Texas, which includes, from funds made available under section 3(h) of the Urban Mass Transportation Act of 1964, $2,480,000, in fiscal year 1992, and $3,200,000 in fiscal year 1993 to provide for preliminary engineering and construction of improvements to the Dallas/Fort Worth RAILTRAN System.

(jj) BUS AND BUS RELATED EQUIPMENT PURCHASES IN ALTOONA, PENNSYLVANIA.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with Altoona Metro Transit for $2,000,000 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964 to provide for the purchase of 10 buses, a fuel storage tank, a bus washer and 2 service vehicles.

(kk) BUS AND BUS RELATED EQUIPMENT PURCHASES IN JOHNSTOWN, PENNSYLVANIA.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with the Cambria County Transit Authority for $1,600,000 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964 to provide for the purchase of 6 midsize buses; spare engines, transmissions, wheels, tires; wheelchair lifts for urban buses; 20 2-way radios; 29 electronic fareboxes and related equipment; computer hardware and software; and shop tools, equipment and parts for the Cambria County Transit System; and a new 400 HP electric motor and related components; cable replacement; hillside erosion control; park-and-ride facilities; and a handicapped pedestrian crosswalk for the Johnstown Inclined Plane.

(ll) BUS PURCHASE FOR EUREKA SPRINGS, ARKANSAS.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with Eureka Springs Transit for $63,600 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964 to provide for the purchase of an electrically powered bus which is accessible to and usable by individuals with disabilities.

(mm) TUCSON DIAL-A-RIDE PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the City of Tucson, Arizona which includes, from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $8,000,000 in fiscal year 1992 to make capital improvements related to the Tucson dial-a-ride project.

(nn) LONG BEACH BUS FACILITY PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the Long Beach Transportation Company to include, from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $13,875,000 in fiscal year 1992, to provide for the construction of a bus maintenance facility in the service area of such company.

(oo) PARK-AND-RIDE LOT.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the Southeastern Pennsylvania Transportation Authority which includes, from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $4,000,000 in fiscal year 1992 to construct a park-and-ride lot in suburban Philadelphia, Pennsylvania.

(pp) NASHVILLE INTERMODAL TERMINAL.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the City of Nashville, Tennessee which includes, from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $3,700,000 in fiscal year 1992 to provide for the construction of an intermodal passenger terminal in Nashville, Tennessee.

(qq) METRO NORTH COMMUTER RAIL FEASIBILITY STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the State of Connecticut, which includes, from funds made available to that State under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964, $100,000 in fiscal year 1992 to study the feasibility of providing commuter rail service in West Haven, Connecticut.

(rr) MAIN STREET TRANSIT MALL.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the City of Akron, Ohio, which includes, from funds made available to that State under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $1,450,000 in fiscal year 1992 to provide for preliminary engineering and construction of an extension to the Main Street Transit Mall.

(ss) PEOPLE MOBILIZER.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with PACE which includes, from funds made available to the suburban Chicago urbanized area under section 9, $3,000,000 in fiscal year 1992 to make capital purchases necessary for implementing the people mobilizer project in such area.

(tt) DULLES CORRIDOR RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the State of Virginia, or its assignee, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $6,000,000 to provide for the completion of alternatives analysis and preliminary engineering for a rail corridor from the West Falls Church Washington Metropolitan Area Transit Authority rail station to Dulles International Airport.

(uu) PECK BRIDGE REPLACEMENT PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the State of Connecticut, which includes, from funds made available to such State under sections 3(h) and 9 of the Urban Mass Transportation Act of 1964, $30,000,000 to provide for the replacement of a Metro North commuter rail bridge.

(vv) PUGET SOUND CORE RAPID TRANSIT PROJECT.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the municipality of metropolitan Seattle, Washington, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $5,000,000 for the Puget Sound Core Rapid Transit Project.

(ww) SEATTLE-TACOMA COMMUTER RAIL.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the municipality of metropolitan Seattle, Washington, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $5,000,000 for the Seattle-Tacoma Commuter Rail Project.

(xx) ALTOONA PEDESTRIAN CROSSOVER.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the city of Altoona, Pennsylvania, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $3,200,000 for construction of the 14th Street Pedestrian Crossover in Altoona, Pennsylvania.

(yy) COLUMBIA RAIL CORRIDOR REVITALIZATION PROJECT.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the city of Columbia, South Carolina, which includes, from funds made available under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964, $4,000,000 for the Columbia Rail Corridor Revitalization Project.

(zz) BAY AREA RAPID TRANSIT DISTRICT PARKING.—Not later than April 30, 1992, the Secretary shall negotiate and enter into a multiyear grant agreement with the San Francisco Bay Area Rapid Transit District which includes, from funds made available under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964, $12,600,000 for construction of a parking structure for the planned East Dublin/Pleasontan BART station.

(aaa) MULTI-MODAL TRANSIT PARKWAY.—Not later than April 30, 1992, the Secretary shall negotiate and enter into a multiyear grant agreement with the State of California which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $15,000,000 for construction of a multi-modal transit parkway in western Los Angeles, California.

(bbb) CANAL STREET CORRIDOR LIGHT RAIL, NEW ORLEANS, LOUISIANA.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the city of New Orleans, Louisiana, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $4,800,000 to provide for the completion of alternatives analysis, preliminary engineering, and an environmental impact statement for the Canal Street Corridor Light Rail System in New Orleans, Louisiana.

(ccc) LARGO, MARYLAND.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the State of Maryland, or its assignee, which includes, from funds made available under section 3(k)(1)(B) of the Urban Mass Transportation Act of 1964, $5,000,000 to provide for alternatives analysis, the preparation of an environmental impact statement, and preliminary engineering for a proposed rail transit project to be located in the corridor between the Addison Road Washington, Metropolitan Area Transit Authority rail station and Largo, Maryland.

(ddd) CENTRE AREA TRANSPORTATION AUTHORITY REIMBURSEMENT.—Notwithstanding any other provision of law, the Secretary shall reimburse the Centre Area Transportation Authority in State College, Pennsylvania, from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $1,000,000 in fiscal year 1992 for costs incurred by the Centre Area Transportation Authority between August 1989 and October 1991 in connection with the construction of an administrative maintenance and bus storage facility.

(eee) MARC IMPROVEMENTS.—Not later than April, 30, 1992, the Secretary shall negotiate and enter into a multiyear agreement with MARC which includes, from funds made available under section 3(k)(1)(A) of the Urban Mass Transportation Act of 1964, $160,000,000 to provide for improvements to the MARC commuter rail system, including a service extension from Point of Rocks to the city of Frederick; planning and engineering for Southern Maryland extension from Waldorf to Union Station, Washington; purchase of rolling stock; and station expansions and improvements on existing lines.

(fff) KEY WEST, FLORIDA.—Not later than April 30, 1992, the Secretary shall negotiate and enter into a grant agreement with the city of Key West, Florida, which includes, from funds made available under section 3(k)(1)(C) of the Urban Mass Transportation Act of 1964, $239,666 in fiscal year 1992 for the cost of purchasing 3 buses.

SEC. 323. PETROLEUM VIOLATION ESCROW ACCOUNT FUNDS.

Notwithstanding any other provision of law, the Federal Transit Administration shall allow petroleum violation escrow account funds spent by the New Jersey Transit Corporation on transit improvements to be applied as credit towards the non-Federal match for any transit project funded under the Urban Mass Transportation Act of 1964. The New Jersey Transit Corporation shall demonstrate that the use of such a credit does not result in the reduction in non-Federal funding for transit projects within the fiscal year in which the credit is applied.

SEC. 324. 1993 WORLD UNIVERSITY GAMES.

Notwithstanding any other provision of law, before apportionment under section 9 of the Urban Mass Transportation Act of 1964 of funds provided under section 21(a)(1) of such Act for fiscal year 1992, $4,000,000 of such funds shall be made available to the State of New York or to any public body to which the State further delegates authority, as the designated recipient for the purposes of this section, to carry out projects by contracts with private or public service providers to meet the transportation needs associated with the staging of the 1993 World University Games in the State of New York. Such funds shall be available for any purpose eligible under section 9 of such Act without limitation. The matching requirement for operating assistance under section 9(k)(1) of such Act shall not apply to funds made available under this section.

SEC. 325. OPERATING ASSISTANCE LIMITATION FOR STATEN ISLAND FERRY.

The limitation of operating assistance which, but for this section, would apply to the Staten Island Ferry for fiscal year 1992 under section 9(k)(2)(A) of the Urban Mass Transportation Act of 1964 shall be increased by $2,700,000.

SEC. 326. FORGIVENESS OF CERTAIN OUTSTANDING OBLIGATIONS.

Notwithstanding the fifth sentence of section 4(a), the outstanding balance on grant agreement number NC-05-0021 made to the Fayetteville Transit Authority, North Carolina is forgiven.

SEC. 327. EXTENSION OF LOAN REPAYMENT PERIOD.

Notwithstanding any other provision of law (including any regulation), the outstanding balances on the loan agreements do have to be repaid before October 1, 2001:

(1) Loan agreement number PA-03-9002 made to the Southeastern Pennsylvania Transit Authority.

(2) Loan agreement number PA-03-9003 made to the Southeastern Pennsylvania Transit Authority.

SEC. 328. ELIGIBILITY DETERMINATIONS FOR DISABILITY.

(a) STUDY.—The Secretary shall conduct a study of procedures for determining disability for the purpose of obtaining off peak reduced fares under section 5(m) of the Urban Mass Transportation Act of 1964. The study should review different requirements, degree of uniformity, and degree of reciprocity between transit systems.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall report to Congress on the results of the study conducted under this section.

SEC. 329. ELDERLY AND HANDICAPPED TRANSPORTATION SERVICES.

Before apportioning in fiscal year 1992 any amounts under sections 9 and 18 from the Mass Transit Account, the Secretary shall make available $1,000,000 in such fiscal year to the State of Pennsylvania for the purposes of capital expenses to assist in the provision of elderly and handicapped transportation services.

SEC. 330. UNOBLIGATED M ACCOUNT BALANCES.

Notwithstanding any other provision of law, any obligated M account balances remaining available for expenditure as of August 1, 1991, under "Urban Discretionary Grants" and "Interstate Transfer Grants-Transit" of the Urban Mass Transportation Administration program shall be exempt from the application of the provisions of section 1405(b)(4) and (b)(6) of Public Law 101-510 and section 1552 of title 31, United States Code, and shall be available until expended.

SEC. 331. EFFECTIVE DATE; APPLICABILITY.

This title, including the amendments made by this title, shall take effect on the date of the enactment of this Act, shall apply to funds authorized to be appropriated or made available after September 30, 1991, and shall not apply to funds appropriated or made available on or before September 30, 1991.

SEC. 332. REDUCTION IN AUTHORIZATIONS FOR BUDGET COMPLIANCE.

If the total amount authorized by this Act (including amendments made by this Act) out of the Mass Transit Account of the Highway Trust Fund exceeds $1,800,000,000 for fiscal year 1992, or exceeds $13,800,000,000 for fiscal years 1992 through 1996, then each amount so authorized shall be reduced proportionately so that the total equals $1,800,000,000 for fiscal year 1992, or equals $13,800,000,000 for fiscal years 1992 through 1996, as the case may be.

SEC. 333. MILWAUKEE ALTERNATIVES ANALYSIS APPROVAL.

No later than January 15, 1992, the Secretary shall enter into an agreement with the Wisconsin Department of Transportation giving approval to undertake an alternatives analysis for the East-West Central Milwaukee Corridor. The alternatives analysis shall be funded entirely from non-Federal sources.

TITLE IV—MOTOR CARRIER ACT OF 1991

SEC. 401. SHORT TITLE.

This title may be cited as the "Motor Carrier Act of 1991".

SEC. 402. MOTOR CARRIER SAFETY GRANT PROGRAM AMENDMENTS.

(a) CONTENTS OF STATE PLANS.—Section 402(b)(1) of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2302(b)(1)) is amended—

(1) by striking "and" at the end of subparagraph (F);

(2) by striking the period of subparagraph (G) and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

"(H) ensures that activities described in paragraphs (1), (2), and (3) of subsection (e) if funded with grants under this section will not diminish the effectiveness of development and implementation of commercial motor vehicle safety programs described in subsection (a);

"(I) ensures that fines imposed and collected by the State for violations of commercial motor vehicle safety regulations will be reasonable and appropriate; and

"(J) ensures that such State agency will coordinate the plan prepared under this section with the State highway safety plan under section 402 of title 23, United States Code.".

(b) MAINTENANCE OF EFFORT.—Section 402(d) of such Act is amended by inserting "and for enforcement of commercial motor vehicle size and weight limitations, for drug interdiction, and for enforcement of State traffic safety laws and regulations described in subsection (d)" after "programs".

(c) USE OF GRANT FUNDS FOR ENFORCEMENT OF CERTAIN OTHER LAWS.—Section 402 of such Act is amended by adding at the end the following new subsection:

"(e) USE OF GRANT FUNDS FOR ENFORCEMENT OF CERTAIN OTHER LAWS.—A State may use funds received under a grant under this section—

"(1) for enforcement of commercial motor vehicle size and weight limitations at locations other than fixed weight facilities, at specific geographical locations (such as steep grades or mountainous terrains) where the weight of a commercial motor vehicle can significantly effect the safe operation of such vehicle, or at seaports where intermodal shipping containers enter and exit the United States;

"(2) for detecting the unlawful presence of a controlled substance (as defined under section 102 of the Controlled Substances Act (21 U.S.C. 802)) in a commercial motor vehicle or on the person of any occupant (including the operator) of such a vehicle; and

"(3) for enforcement of State traffic laws and regulations designed to promote safe operation of commercial motor vehicles;

if such activities are carried out in conjunction with an inspection of the commercial motor vehicle for enforcement of Federal or State commercial motor vehicle safety regulations.".

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 404 of such Act (49 U.S.C. App. 2304) is amended—

(1) in subsection (a)(2) by striking "and" before "$60,000,000" and inserting a comma; and

(2) by striking the period at the end of subsection (a)(2) and inserting "$65,000,000 for fiscal year 1992, $79,000,000 for fiscal year 1993, $131,000,000 for fiscal year 1994, $87,000,000 for fiscal year 1995, $90,000,000 for fiscal year 1996, and $93,000,000 for fiscal year 1997.".

(e) PERIOD OF GRANTS.—Section 404(c) of such Act is amended by striking "shall be for periods not to exceed one year" and inserting "to a State shall be available for expenditure by such State for a period of 3 years".

(f) PERIOD OF AVAILABILITY.—Section 404(e) of such Act is amended by striking "for the fiscal year" and all that follows through the period at the end and inserting "until expended.".

(g) ALLOCATION OF FUNDS.—Section 404(f) of such Act is amended—

(1) by inserting "(1)" before "On";

(2) by striking "one-half of"; and

(3) by adding at the end the following new paragraph:

"(2) On October 1 of each fiscal year, or as soon thereafter as is practicable, the Secretary, after making the deduction under paragraph (1), shall allocate, among the States whose applications for grants have been approved, the funds authorized to be appropriated for such fiscal year pursuant to criteria established by the Secretary.".

(h) INSPECTOR TRAINING; COMMERCIAL MOTOR VEHICLE INFORMATION.—Section 404 of such Act is further amended by adding at the end of such section the following new subsection:

"(g) INSPECTOR TRAINING; COMMERCIAL MOTOR VEHICLE INFORMATION SYSTEM.—

"(1) TRAINING OF HAZMAT INSPECTORS.—The Secretary shall obligate from funds made available by subsection (a)(2) for each fiscal year beginning after September 30, 1991, not less than $5,000,000 to make grants to States for training inspectors for enforcement of regulations which are issued by the Secretary and pertain to transportation by commercial motor vehicle of hazardous materials.

"(2) COMMERCIAL MOTOR VEHICLE INFORMATION SYSTEM REVIEW.—The Secretary may obligate from funds made available by subsection (a)(2) for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 not to exceed $2,000,000 to carry out section 407 of this title, relating to the commercial motor vehicle information system.

"(3) TRUCK AND BUS ACCIDENT DATA GRANT PROGRAM.—The Secretary may obligate from funds made available by subsection (a)(2) for each of fiscal years 1993, 1994, 1995, 1996, and 1997 not to exceed $3,000,000 to carry out section 408 of this title, relating to the truck and bus accident data grant program.

"(4) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND TRAINING MANUALS.—The Secretary shall obligate from funds made available by subsection (a)(2) for each fiscal year beginning after September 30, 1991, not less than $500,000 and not more than $2,000,000 for research, development, demonstrations, and training manuals under section 409 of this title.".

(i) MOTOR CARRIER SAFETY FUNCTIONS.—There is authorized to be appropriated for the motor carrier safety functions of the Federal Highway Administration $49,317,000 for fiscal year 1992.

(j) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the effective date of this title, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives reports on each of the following:

(A) The effectiveness of the efforts of the private sector to ensure adequate training of entry-level drivers of commercial motor vehicles, including recommendations of the Secretary on the feasibility, desirability, and cost-effectiveness of establishing mandatory Federal training requirements for such entry-level drivers.

(B) The effectiveness of the motor carrier inspection decal issued by the Commercial Vehicle Safety Alliance, methods to increase the use of the decal, and an analysis of whether the Federal Highway Administration should require the acceptance of the decal by States participating in the motor carrier safety assistance program under section 402 of the Surface Transportation Assistance Act of 1982.

(C) The effectiveness and acceptance of the uniform financial penalty recommendations of the Commercial Vehicle Safety Alliance and the need for and practicality and feasibility of the Secretary issuing regulations requiring uniformity (within certain ranges) in the issuance of financial penalties resulting from violations found during inspections carried out with funds provided under such program.

(2) FUNDING.—The Secretary may expend in each of fiscal years 1992 and 1993 to carry out this subsection not to exceed $150,000 of funds made available to carry out section 402 of the Surface Transportation Assistance Act of 1982 for each of such fiscal years.

SEC. 403. COMMERCIAL MOTOR VEHICLE INFORMATION SYSTEM.

Part A of title IV of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2301-2305) is amended by adding at the end the following new section:

"SEC. 407. COMMERCIAL VEHICLE INFORMATION SYSTEM PROGRAM.

"(a) INFORMATION SYSTEM.—

"(1) REGISTRATION SYSTEMS REVIEW.—Not later than 1 year after the effective date of this section, the Secretary, in cooperation with the States, shall conduct a review of State motor vehicle registration systems pertaining to license tags for commercial motor vehicles in order to determine whether or not such systems could be utilized in carrying out this section.

"(2) ESTABLISHMENT.—The Secretary, in cooperation with the States, may establish, as part of the motor carrier safety information network system of the Department of Transportation and similar State systems, an information system which will serve as a clearinghouse and depository of information pertaining to State registration and licensing of commercial motor vehicles and the safety fitness of the registrants of such vehicles.

"(3) OPERATION.—Operation of the information system established under paragraph (2) shall be paid for by a system of user fees. The Secretary may authorize the operation of the information system by contract, through an agreement with a State or States, or by designating, after consultation with the States, a third party which represents the interests of the States.

"(4) DATA COLLECTION AND REPORTING STANDARDS.—The Secretary shall establish standards to ensure uniform data collection and reporting by all States necessary to carry out this section and to ensure the availability and reliability of the information to the States and the Secretary from the information system established under paragraph (2).

"(5) TYPE OF INFORMATION.—As part of the information system established under paragraph (2), the Secretary shall include information on the safety fitness of the registrant of the commercial motor vehicle and such other information as the Secretary considers appropriate, including data on vehicle inspections and out-of-service orders.

"(b) DEMONSTRATION PROJECT.—The Secretary shall make grants to States to carry out a project to demonstrate methods of establishing an information system which will link the motor carrier safety information network system of the Department of Transportation and similar State systems with the motor vehicle registration and licensing systems of the States. The purposes of the project shall be—

"(1) to allow a State when issuing license plates for a commercial motor vehicle to determine through use of the information system the safety fitness of the person seeking to register the vehicle; and

"(2) to determine the types of sanctions which may be imposed on the registrant, or the types of conditions or limitations which may be imposed on the operations of the registrant, to ensure the safety fitness of the registrant.

"(c) REGULATIONS.—The Secretary shall issue such regulations as may be necessary to carry out this section.

"(d) FUNDING.—Funds necessary to carry out this section may be made available by the Secretary as provided in section 404(g)(2) of this title.

"(e) COMMERCIAL MOTOR VEHICLE DEFINED.—For purposes of this section, the term 'commercial motor vehicle' means any self-propelled or towed vehicle used on highways in intrastate or interstate commerce to transport passengers or property—

"(1) if such vehicle has a gross vehicle weight rating of 10,001 or more pounds;

"(2) if such vehicle is designed to transport more than 15 passengers, including the driver; or

"(3) if such vehicle is used in the transportation of materials found by the Secretary to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. App. 1801 et seq.) and are transported in a quantity requiring placarding under regulations issued by the Secretary under such Act.".

SEC. 404. TRUCK AND BUS ACCIDENT DATA GRANT PROGRAM.

Part A of title IV of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2301-2305) is further amended by adding at the end the following new section:

"SEC. 408. TRUCK AND BUS ACCIDENT DATA GRANT PROGRAM.

"(a) GENERAL AUTHORITY.—The Secretary shall make grants to States which agree to adopt or have adopted the recommendations of the National Governors' Association with respect to police accident reports for truck and bus accidents.

"(b) GRANT PURPOSES.—Grants may only be made under this section for assisting States in the implementation of the recommendations referred to in subsection (a), including—

"(1) assisting States in designing appropriate forms;

"(2) drafting instruction manuals;

"(3) training appropriate State and local officers; and

"(4) such other activities as the Secretary determines are appropriate to carry out the objectives of this section.

"(c) COORDINATION.—The Secretary shall coordinate grants made under this section with the highway safety programs being carried out under section 402 of title 23, United States Code, and may require that the data from the reports described in subsection (a) be included in the reports made to the Secretary under the uniform data collection and reporting program carried out under such section.

"(d) FUNDING.—Funds necessary to carry out this section may be made available by the Secretary as provided in section 404(g)(3) of this title.".

SEC. 405. RESEARCH, DEVELOPMENT, DEMONSTRATIONS, AND TRAINING MANUALS.

Part A of title IV of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2301-2305) is amended further by adding at the end the following new section:

"SEC. 409. RESEARCH, DEVELOPMENT, DEMONSTRATIONS, AND TRAINING MANUALS.

"(a) GRANTS.—The Secretary shall make grants—

"(1) to States and to other persons for research, development, and demonstrations of

technologies, methodologies, analyses, and information systems which are designed to promote commercial motor vehicle safety and will be beneficial to all jurisdictions of the United States; and

"(2) to States to assist in educating the motoring public on its shared responsibility with operators of commercial motor vehicles for highway safety.

"(b) AWARDING OF GRANTS.—Grants made under this section shall be announced publicly and awarded on a competitive basis whenever practicable.

"(c) TRAINING MANUALS.—The Secretary may pay for the development, printing, and publication of manuals or other materials used in training roadside inspectors of commercial motor vehicles.

"(d) PUBLIC EDUCATION SET-ASIDE.—Not less than $250,000 of the funds made available to carry out this section in any fiscal year shall be made available by the Secretary for making grants described in subsection (a)(2).".

SEC. 406. STATE REGISTRATION.

(a) IN GENERAL.—Section 11506 of title 49, United States Code, is amended to read as follows:

"§ 11506. Registration of motor carriers by a State

"(a) GENERAL RULE.—Effective January 1, 1994, no State may require a motor carrier holding a certificate or permit issued under this subtitle—

"(1) to file and maintain such certificate or permit;

"(2) to register motor vehicles operated under such certificate or permit;

"(3) to display or carry on any vehicle a decal, stamp, cab card, or other means of identification evidencing the lawfulness of any transportation or service provided under such certificate or permit; or

"(4) to pay a fee with respect to any activity described in paragraphs (1), (2), or (3) of this subsection.

"(b) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as limiting the authority of a State to require a motor carrier holding a certificate or permit issued under this subtitle from filing and maintaining proof of insurance or qualification as a self-insurer.".

(b) REIMBURSEMENTS FOR LOST REVENUES IN FY 1992.—

(1) IN GENERAL.—Subject to amounts made available under paragraph (4), the Secretary shall pay each eligible State in fiscal year 1994 an amount equal to the amount of revenues which such State derived in fiscal year 1991 from fees described in section 11506(a)(4) of title 49, United States Code, as amended by subsection (a) of this section.

(2) ELIGIBLE STATE.—A State is eligible for payments under this subsection if the State in fiscal year 1991 imposed and collected fees referred to in paragraph (1).

(3) APPLICATION.—Each State interested in receiving payments under this subsection shall submit to the Secretary applications for such payments containing such information as the Secretary may require. Such an application must contain, at a minimum, the amount of fees referred to in paragraph (1) collected by the State in fiscal year 1991.

(4) FUNDING.—From sums made available under section 404 of the Surface Transportation Assistance Act of 1982 for fiscal year 1994, the Secretary shall provide $48,000,000 to carry out this subsection. Such funds shall remain available until expended.

SEC. 407. VEHICLE LENGTH LIMITATION.

(a) CARGO CARRYING UNIT LIMITATION.—Section 411 of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2311(j)) is further amended by adding at the end the following new subsection:

"(j) CARGO CARRYING UNIT LIMITATION.—

"(1) PROHIBITION.—Except as provided in paragraph (2), no State shall allow by statute, regulation, permit, or any other means the operation on any segment of the National System of Interstate and Defense Highways and those classes of qualifying Federal-aid primary system highways as designated by the Secretary pursuant to subsection (e) of any commercial motor vehicle combination with 2 or more cargo carrying units (not including the truck tractor), whose cargo carrying units as measured from the front of the first cargo carrying unit to the rear of the last carrying unit are of a total length greater than were authorized by State statute or regulation and were being lawfully operated on such system and classes of highways on or before June 1, 1991.

"(2) CONTINUATION OF CERTAIN VEHICLES LAWFULLY OPERATED ON JUNE 1, 1991.—A State may continue to allow to be operated within its boundaries on the National System of Interstate and Defense Highways and those classes of qualifying Federal-aid primary system highways as designated by the Secretary under subsection (e) a commercial motor vehicle combination with 2 or more cargo carrying units (not including the truck tractor)—

"(A) if the State determined, on or before June 1, 1991, that such a commercial motor vehicle combination could lawfully be operated on such system and classes of highways pursuant to a State statute or regulation in effect on June 1, 1991;

"(B) if such a commercial motor vehicle combination was in lawful operation on a regular or periodic basis (including seasonal operation or operation pursuant to a permit issued by the State) on such system and classes of highways on or before June 1, 1991; and

"(C) if all operations of such a commercial motor vehicle combination on such system and classes of highways continue to be subject, at a minimum, to all State statutes, regulations, limitations, and conditions (including routing-specific and configuration-specific designations and all other restrictions) in effect on June 1, 1991; except that, subject to the guidelines established by the Secretary under paragraph (6), the State may make minor adjustments to routing-specific designations and vehicle operation restrictions in effect on June 1, 1991, for safety purposes and for road construction purposes.

"(3) WYOMING.—In addition to vehicles which the State of Wyoming may continue to allow to be operated under paragraph (2), such State may allow commercial motor vehicle combinations with 2 or more cargo carrying units (not including the truck tractor) not in actual operation on June 1, 1991, to be operated within its boundaries on the Interstate System and those classes of qualifying Federal-aid primary system highways as designated by the Secretary under subsection (e) by enactment of a State law on or before November 3, 1992—

"(A) if the gross vehicle weight of the vehicle in such a combination does not exceed 117,000 pounds;

"(B) if the vehicle in such a combination complies with the single axle, tandem axle, and bridge formula limits set forth in section 127(a) of title 23, United States Code; and

"(C) if such State notifies the Secretary of the enactment of such law before the 30th day following the date of such enactment. The Secretary shall publish a notice of the enactment of such law in the Federal Register.

"(4) ADDITIONAL STATE RESTRICTIONS.—Nothing in this subsection shall prevent any State from further restricting in any manner or prohibiting the operation of commercial motor vehicle combinations otherwise authorized under this subsection, except that such restrictions or prohibitions shall be consistent with the requirements of subsections (a) and (b) and sections 412 and 416 of this Act. Any State which further restricts or prohibits the operations of commercial motor vehicle combinations or makes minor adjustments pursuant to the exception set forth in paragraph (2)(C) shall notify the Secretary of the restriction, prohibition, or adjustment before the 30th day following the date of the action resulting in the restriction, prohibition, or adjustment, and the Secretary shall publish a notice of the restriction, prohibition, or adjustment in the Federal Register.

"(5) PUBLICATION OF STATE LAWS.—

"(A) STATE LISTS.—Not later than 90 days after the effective date of this subsection, each State shall file, in writing, with the Secretary a complete list of those State statutes, regulations, limitations, and conditions (including routing-specific and configuration-specific designations and all other restrictions) governing only the operation of commercial motor vehicle combinations with 2 or more cargo carrying units (not including the truck tractor). If the State does not file such list by the 90th day, the Secretary shall complete and file such list for the State not later than the 120th day following such effective date.

"(B) CERTIFICATION.—Not later than 90 days after the effective date of this subsection, each State interested in continuing to allow commercial motor vehicle combinations with 2 or more cargo carrying units (not including the truck tractor) to be operated under paragraph (2) shall submit to the Secretary a written certification that the requirements of paragraphs (2)(A) and (2)(B) were complied with.

"(C) PUBLICATION.—Not later than 150 days after the effective date of this subsection, the Secretary shall publish in the Federal Register the lists filed under subparagraph (A).

"(D) REVIEW OF CERTIFICATION.—After publication under subparagraph (C), the Secretary shall review State certifications made under subparagraph (B) and may commence, on the Secretary's own initiative or pursuant to a challenge by any person, a proceeding to determine whether or not a certification made under subparagraph (B) made with regard to paragraph (2)(A) or (2)(B) is inaccurate. In such proceeding, the State shall have the burden of proof to show that the certification is accurate. If the Secretary determines that the State certification is inaccurate, the Secretary shall amend the publication under subparagraph (C) to reflect the determination of the Secretary.

"(E) LIMITATION.—No statute or regulation shall be included on the lists published by the Secretary under this paragraph merely on the grounds that it authorized, or could have authorized, by permit or otherwise, the operation of commercial motor vehicle combinations, not in actual operation on a regular or periodic basis on or before June 1, 1991.

"(F) FINALITY.—Except as modified pursuant to paragraphs (2)(C), (3), and (4) and subparagraph (D) of this paragraph, the lists published under this paragraph shall become final on the 30th day following the date of

their publication in the Federal Register and, thereafter, commercial motor vehicle combinations with 2 or more cargo carrying units (not including the truck tractor) may not be operated on the National System of Interstate and Defense Highways and those classes of qualifying Federal-aid primary system highways as designated by the Secretary pursuant to subsection (e) of this section, except as provided in the laws and regulations on the lists and as modified pursuant to such paragraphs.

"(6) REGULATIONS REGARDING CERTAIN MINOR ADJUSTMENTS.—Not later than 180 days after the effective date of this subsection, the Secretary shall issue regulations establishing guidelines for States to follow in making minor adjustments under paragraph (2)(C).

"(7) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed—

"(A) to allow the operation on any segment of the National System of Interstate and Defense Highways of any commercial motor vehicle prohibited under section 127(d) of title 23, United States Code; and

"(B) to affect in any way the operation of commercial motor vehicles having only one cargo carrying unit.

"(8) CARGO CARRYING UNIT DEFINED.—For purposes of this subsection, the term 'cargo carrying unit' means any portion of a commercial motor vehicle combination used for the carrying of cargo which is other than the noncargo carrying power unit, including a trailer, semitrailer, or cargo carrying section of a single unit truck.".

(b) APPLICABILITY TO BUSES.—

(1) GENERAL RULE.—Section 411(a) of such Act is amended by inserting "of less than 45 feet on the length of any bus," after "vehicle length limitation".

(2) ACCESS TO POINTS OF LOADING AND UNLOADING.—Section 412(a)(2) of such Act (49 U.S.C. App. 2312(a)(2)) is amended by inserting ", motor carrier of passengers," after "household goods carriers".

(c) CONFORMING AMENDMENT.—Section 411(e)(1) of such Act is amended by striking "those Primary System highways" and inserting "those highways of the Federal-aid primary system in existence on June 1, 1991,".

SEC. 408. LONGER COMBINATION VEHICLE REGULATIONS, STUDIES, AND TESTING.

(a) TRAINING REQUIREMENTS.—

(1) INITIATION OF RULEMAKING PROCEEDING.—Not later than 60 days after the effective date of this title, the Secretary shall initiate a rulemaking proceeding to establish minimum training requirements for operators of longer combination vehicles.

(2) FINAL RULE.—Not later than 2 years after the effective date of this title, the Secretary shall issue a final regulation establishing minimum training requirements for operators of longer combination vehicles.

(b) SAFETY CHARACTERISTICS.—

(1) STUDY.—The Comptroller General shall conduct a study of the safety of longer combination vehicles for the purpose of comparing the safety characteristics and performance, including engineering and design safety characteristics, of such vehicles to other truck-trailer combination vehicles and for the purpose of reviewing the history and effectiveness of State safety enforcement pertaining to such vehicles for those States in which such vehicles are permitted to operate, including—

(A) the current procedures and controls used by such States to ensure the safety of operation of such vehicles;

(B) whether such States actively monitor the safety of such operations;

(C) what enforcement action has been taken in such States to ensure the safety of such operations; and

(D) whether or not any special inspections and equipment maintenance is required for operation of such vehicles.

(2) REPORT.—Not later than 2 years after the effective date of this title, the Comptroller General shall transmit a report on the results of the study conducted under paragraph (1) to the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives.

(c) DRIVER FATIGUE.—

(1) STUDY.—The Secretary shall conduct a study for the purpose of comparing the effects of driving longer combination vehicles and driving other truck-trailer combination vehicles on drivers, including driver fatigue, and for the purpose of determining whether or not any modifications are necessary to the hours of service and other regulations of the Department of Transportation as they apply to operators of longer combination vehicles.

(2) REPORT.—Not later than 2 years after the effective date of this title, the Secretary shall transmit a report on the results of the study conducted under paragraph (1) to the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives.

(d) OPERATIONS OF LCVs.—

(1) TESTS.—The Secretary shall conduct tests with respect to the operations of longer combination vehicles for the purpose of determining whether or not any modifications are necessary to the Federal commercial motor vehicle safety regulations of the Department of Transportation as they apply to longer combination vehicles.

(2) REPORT.—Not later than 3 years after the effective date of this title, the Secretary shall transmit a report on the results of the tests conducted under paragraph (1) to the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives.

(e) FUNDING.—There shall be available to the Secretary for carrying out this section, out of the Highway Trust Fund (other than the Mass Transit Account), $1,000,000 per fiscal year for each of fiscal years 1992, 1993, and 1994. Such sums shall remain available until expended.

(f) LONGER COMBINATION VEHICLE DEFINED.—For purposes of this section, the term "longer combination vehicle" means any combination of a truck tractor and 2 or more trailers or semitrailers which operate on the National System of Interstate and Defense Highways with a gross vehicle weight greater than 80,000 pounds.

SEC. 409. PARTICIPATION IN INTERNATIONAL REGISTRATION PLAN AND INTERNATIONAL FUEL TAX AGREEMENT.

(a) WORKING GROUP.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a working group comprised of State and local government officials, including representatives of the National Governors' Association, the American Association of Motor Vehicle Administrators, the National Conference of State Legislatures, the Federation of Tax Administrators, and the Board of Directors for the International Fuel Tax Agreement, for the purpose of—

(1) establishing procedures for resolving disputes among States participating in the International Registration Plan and among States participating in the International Fuel Tax Agreement, including designation of the Department of Transportation or any other person for resolving such disputes; and

(2) providing technical assistance to States participating or seeking to participate in the Plan or in the Agreement.

(b) CONSULTATION REQUIREMENT.—The working group established under this section shall consult with members of the motor carrier industry in carrying out subsection (a).

(c) REPORTS.—Not later than 24 months after the date of the enactment of this Act, the working group established under this section shall transmit a report to the Secretary, to the Committee on Commerce, Science, and Transportation of the Senate, to the Committee on Public Works and Transportation of the House of Representatives, to those States participating in the International Registration Plan, and to those States participating in the International Fuel Tax Agreement. The report shall contain a detailed statement of the findings and conclusions of the working group, together with its joint recommendations concerning the matters referred to in subsection (a). After transmission of such report, the working group may periodically review and modify the findings and conclusions and the joint recommendations as appropriate and transmit a report containing such modifications to the Secretary and such committees.

(d) APPLICABILITY OF ADVISORY COMMITTEE ACT.—The working group established under this section shall not be subject to the Federal Advisory Committee Act.

(e) GRANTS.—

(1) IN GENERAL.—The Secretary may make grants to States and appropriate persons for the purpose of facilitating participation in the International Registration Plan and participation in the International Fuel Tax Agreement, including providing technical assistance, personnel training, travel costs, and technology and equipment associated with such participation.

(2) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant with funds made available under this section shall be deemed a contractual obligation of the United States for payment of the Federal share of the grant.

(f) VEHICLE REGISTRATION.—After September 30, 1996, no State (other than a State which is participating in the International Registration Plan) shall establish, maintain, or enforce any commercial motor vehicle registration law, regulation, or agreement which limits the operation of any commercial motor vehicle within its borders which is not registered under the laws of the State if the vehicle is registered under the laws of any other State participating in the International Registration Plan.

(g) FUEL USE TAX.—

(1) REPORTING REQUIREMENTS.—After September 30, 1996, no State shall establish, maintain, or enforce any law or regulation which has fuel use tax reporting requirements (including tax reporting forms) which are not in conformity with the International Fuel Tax Agreement.

(2) PAYMENT.—After September 30, 1996, no State shall establish, maintain, or enforce

any law or regulation which provides for the payment of a fuel use tax unless such law or regulation is in conformity with the International Fuel Tax Agreement with respect to collection of such a tax by a single base State and proportional sharing of such taxes charged among the States where a commercial motor vehicle is operated.

(h) ENFORCEMENT.—On the request of the Secretary, the Attorney General of the United States is authorized and directed to institute any civil action for injunctive relief as may be appropriate to assure compliance with the provisions of subsections (f) and (g). Such action may be instituted in any district court of the United States in any State where such relief is required to assure compliance with the terms of such subsections. In any action under this subsection, the court shall, upon a proper showing, issue a temporary restraining order or preliminary or permanent injunction. In any such action, the court may also issue a mandatory injunction commanding any State or person to comply with any applicable provision of such subsections, or any rule issued to carry out such subsections.

(i) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in subsections (f) and (g) shall be construed as limiting the amount of money a State may charge for registration of a commercial motor vehicle or the amount of any fuel use tax a State may impose.

(j) FUNDING.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 1992 $1,000,000 for funding the activities of the working group under this section and $5,000,000 for making grants under subsection (e). Amounts authorized by the preceding sentence shall be subject to the obligation limitation established by section 102 of this Act for fiscal year 1992. From sums made available under section 404 of the Surface Transportation Assistance Act of 1982, the Secretary shall provide for each of fiscal years 1993 through 1997 $1,000,000 for funding the activities of the working group under this section and $5,000,000 for making grants under subsection (e). Such sums shall remain available until expended.

(k) DEFINITIONS.—In this section, the following definitions apply:

(1) COMMERCIAL MOTOR VEHICLE.—The term "commercial motor vehicle"—

(A) as used with respect to the International Registration Plan, has the meaning the term "apportionable vehicle" has under such plan; and

(B) as used with respect to the International Fuel Tax Agreement, has the meaning the term "qualified motor vehicle" has under such agreement.

(2) FUEL USE TAX.—The term "fuel use tax" means a tax imposed on or measured by the consumption of fuel in a motor vehicle.

(3) INTERNATIONAL FUEL TAX AGREEMENT.—The term "International Fuel Tax Agreement" means the interstate agreement for the collection and distribution of fuel use taxes paid by motor carriers, developed under the auspices of the National Governors' Association.

(4) INTERNATIONAL REGISTRATION PLAN.—The term "International Registration Plan" means the interstate agreement for the apportionment of vehicle registration fees paid by motor carriers, developed by the American Association of Motor Vehicle Administrators.

(5) STATE.—The term "State"means the 48 contiguous States and the District of Columbia.

SEC. 410. COMMON CARRIERS PROVIDING TRANSPORTATION FOR CHARITABLE PURPOSES.

Section 10723(b) of title 49, United States Code, is amended—

(1) in paragraph (2) by inserting "(other than a motor carrier of passengers)" after "carrier"; and

(2) by adding at the end the following new paragraph:

"(3) In the case of a motor carrier of passengers, that carrier may also establish a rate and related rule equal to the rate charged for the transportation of 1 individual when that rate is for the transportation of—

"(A) a totally blind individual and an accompanying guide or a dog trained to guide the individual;

"(B) a disabled individual and accompanying attendant, or animal trained to assist the individual, or both, when required because of disability; or

"(C) a hearing-impaired individual and a dog trained to assist the individual.".

SEC. 411. EFFECTIVE DATE; APPLICABILITY.

This title, including the amendments made by this title, shall take effect on the date of the enactment of this Act, shall apply to funds authorized to be appropriated or made available after September 30, 1991, and shall not apply to funds appropriated or made available on or before September 30, 1991.

TITLE V—INTERMODAL TRANSPORTATION

SEC. 501. NATIONAL GOAL TO PROMOTE INTERMODAL TRANSPORTATION.

Section 302 of title 49, United States Code (relating to policy standards for transportation), is amended by adding at the end the following new subsection:

"(d) INTERMODAL TRANSPORTATION.—It is the policy of the United States Government to encourage and promote development of a national intermodal transportation system in the United States to move people and goods in an energy-efficient manner, provide the foundation for improved productivity growth, strengthen the Nation's ability to compete in the global economy, and obtain the optimum yield from the Nation's transportation resources.".

SEC. 502. DUTIES OF SECRETARY; OFFICE OF INTERMODALISM.

(a) DUTIES OF SECRETARY.—Section 301 of title 49, United States Code (relating to duties of the Secretary), is amended by redesignating paragraphs (3) through (7), and any references thereto, as paragraphs (4) through (8), respectively, and by inserting after paragraph (2) the following new paragraph:

"(3) coordinate Federal policy on intermodal transportation and initiate policies to promote efficient intermodal transportation in the United States;".

(b) OFFICE OF INTERMODALISM.—

(1) ESTABLISHMENT.—The Secretary shall establish within the Department of Transportation an Office of Intermodalism.

(2) DIRECTOR.—The Office shall be headed by a Director who shall be appointed by the Secretary not later than 6 months after the date of the enactment of this Act.

(3) FUNCTION.—The Director shall be responsible for carrying out the responsibilities of the Secretary described in section 301(3) of title 49, United States Code.

(4) INTERMODAL TRANSPORTATION DATA BASE.—The Director shall develop and maintain an intermodal transportation data base. The Director shall coordinate the collection of data for the data base with the States and metropolitan planning organizations. The data base shall include—

(A) information on the volume of goods and number of people carried in intermodal transportation by relevant classification;

(B) information on patterns of movement of goods and people carried in intermodal transportation by relevant classification in terms of origin and destination; and

(C) information on public and private investment in intermodal transportation facilities and services.

The Director shall make information from the data base available to private individuals and public agencies.

(5) RESEARCH.—The Director shall be responsible for coordinating Federal research on intermodal transportation and for carrying out additional research needs identified by the Director.

(6) TECHNICAL ASSISTANCE.—The Director shall provide technical assistance to States and to metropolitan planning organizations in urban areas having a population of 1,000,000 or more in collecting data relating to intermodal transportation in order to facilitate the collection of such data by such States and metropolitan planning organizations.

SEC. 503. MODEL INTERMODAL TRANSPORTATION PLANS.

(a) GRANTS.—The Secretary shall make grants to not more than 6 States for the purpose of developing model State intermodal transportation plans. Such model plans shall include systems for collecting data relating to intermodal transportation.

(b) DISTRIBUTION.—The Secretary shall award grants to States under this section which represent a variety of geographic regions and transportation needs, patterns, and modes.

(c) TRANSMITTAL OF PLANS.—As a condition to receiving a grant under this section, the Secretary shall require that a State provide assurances that the State will transmit to the Secretary a State intermodal transportation plan not later than 18 months after the date of receipt of such grant.

(d) AGGREGATE AMOUNT.—The Secretary shall reserve from amounts made available under section 504 $3,000,000 for the purpose of making grants under this section. The aggregate amount which a State may receive in grants under this section shall not exceed $500,000.

SEC. 504. SURFACE TRANSPORTATION ADMINISTRATION.

(a) STUDY.—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Public Administration to continue a study of options for organizing the Department of Transportation to increase the effectiveness of program delivery, reduce costs, and improve intermodal coordination among surface transportation-related agencies.

(b) REPORT.—The Secretary shall report to Congress on the findings of the study and recommend appropriate organizational changes no later than January 1, 1993. No organizational changes shall be implemented until such changes are approved by law.

SEC. 505. PRIORITY INTERMODAL PROJECTS.

(a) PURPOSE.—The purpose of this section is to provide for the construction of innovative intermodal transportation projects.

(b) AUTHORIZATION OF PRIORITY PROJECTS.—The Secretary is authorized to carry out the priority intermodal transportation projects described in this subsection. Subject to subsection (c), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out

each such project the amount listed for each such project:

City/Style	Intermodal Projects	Amount in millions
Long Beach, California	Interchange at Terminal Island Freeway and Ocean Boulevard	14.0
Wilmington/Los Angeles, California	Widening of Anaheim Street Viaduct	14.0
Wilmington/Los Angeles, California	Grade Separation Project of Pacific Coast Highway near Alameda Suite	14.0
Compton City/Los Angeles County, California	Widening of Alameda Street and grade separation between Rt. 91 and Del Amo Boulevard	14.0
Pennsylvania	Upgrading U.S. Highway 30 from Ohio Border to Pittsburgh International Airport	2.6
Philadelphia, Pennsylvania	Reconstruction of the Old Delaware Avenue Service Road	2.8
Ardmore, Oklahoma	Study of upgraded State Route 53 off U.S. 35 leading to improved Ardmore Airport	3.0
Detroit, Michigan	To relocate Van Dyke Street and construct a road depression under the runway at McNichols Road at the Detroit City Airport ($1,000,000 of the Federal funds shall be for the relocation of Van Dyke Street)	5.1
E. Haven/Wallingford, Connecticut	Improvement of highway and transit projects in East Haven/Wallingford, Connecticut	11.9
St. Louis, Missouri	Rehabilitation of Eads Bridge, St. Louis, Missouri	10.5
Atlanta, Georgia	Study of 5-Points Intermodal Terminal-Atlanta, Georgia	2.8
Buffalo, New York	Construction of Buffalo River/Gateway Tunnel Project	38.5
Northern California	For the acquisition of right-of-way for future transportation corridor development in the Highway 101 Corridor in Northern California	17.9
Portland, Oregon	To widen 2.7 miles of U.S. 26 from the Zoo interchange to the Sylvan Interchange to accommodate highway lanes and light rail alignment	16.8
Los Angeles, California	For construction of a multimodal transit parkway that includes both highway and transit improvements on Santa Monica Blvd. from the San Diego Freeway to Hollywood Freeway, Los Angeles, California	10.5
Jacksonville, Florida	Construct new I-295 Interchange and arterial access road to link Jacksonville's seaport, airport terminals and the interstate	8.4
Las Vegas, Nevada	Conduct environmental studies and preliminary engineering for the portion of the project linking McCaran International Airport with I-15 and I-95	4.5
Ontario, California	To complete construction of access roads to Ontario International Airport, Ontario, California	5.6
Allegheny County, Pennsylvania	For an expansion of the existing Martin Luther King, Jr. Busway in the vicinity of Allegheny County, Pennsylvania to serve the Greater Pittsburgh International Airport and adjoining communities	21.7
Pierce County, Washington	Conduct feasibility study and analyze expanding Tacoma Narrows Bridge and other transportation alternatives between State Rd. 16 and I-5	0.7
San Jose, California	Upgrade Rt. 87 from 4 to 6 lanes including 2 HOV Lanes, a new freeway interchange and local circulation system for San Jose International Airport	17.5
American Samoa	Rehabilitate 8 miles of Tau Road from Falessao to Fatuita American Samoa	1.3
Manu'a Island, American Samoa	Rehabilitate and otherwise improve 8 miles of roadway from Ofu to Olosfaga and Slie	1.4
Spokane, Washington	Conduct feasibility study of future transportation needs of Southeastern, Washington	0.8
Detroit, Michigan	To provide for construction of an access road to Detroit Metropolitan Airport including access on the southern end of the airport in order to provide a link to I-275	40.0
Pittsburgh, Pennsylvania	For design and construction of an exclusive busway linking Pittsburgh and the Pittsburgh Airport	9.8
St. Louis, Missouri	To construct a multi-modal transportation facility in St. Louis, Missouri	7.0
Orange & Rockland, New York	To construct park and ride facilities and establish innovative traffic management system measures to promote efficient transportation usage	5.6
Philadelphia, Pennsylvania	To improve mobility for a variety of traffic flow projects in the vicinity of the Pennsylvania Convention Center, Philadelphia, Pennsylvania	10.2
Oxnard, California	To extend Rice Rd., widen Hueneme Rd. and construct Rt. 1/Rice Rd. interchange in order to improve access to Port Hueneme, Oxnard, California	10.5
Los Angeles, California	To improve ground access from Sepulveda Blvd. to Los Angeles, California	10.5
Mt. Vernon, New York	To construct an intermodal facility at the Mt. Vernon Rail Station, Mt. Vernon, New York	8.4
Orange County, New York	I-87/I-84 Stuart Airport Interchange Project	18.6
Mississippi	I-20 Interchange at Pirate	4.0
Jackson, Mississippi	Jackson Airport Connectors	3.7
Palmdale, California	Avenue P8 Improvements	4.2
Lafayette, Indiana	Lafayette Railroad Relocation Project	24.3
Provo, Utah	South Access Rd. to Provo Municipal Airport	1.1
Pennsylvania	Eastside Connector Project/Port of Erie Access, Erie County, Pennsylvania	5.3
Minneapolis, Minnesota	Intermodal Urban connection project, Minneapolis, Minnesota	7.0
Kansas City, Missouri	Bruce Watkins Roadway Improvements	1.7
Missouri	Smith Riverfront Expressway, Jackson/Kansas City, Missouri	15.0
Portland, Oregon	Columbia Slough Intermodal Expansion Bridge, Portland, Oregon	2.5
Ft. Worth, Texas	Ft. Worth Intermodal Center	14.0
Gary, Indiana	Extension of U.S. Highway 12/20 to Lake Michigan	2.6
Carson/Los Angeles Counties, California	Grade Separation Project at Sepulveda Boulevard and Alameda Street	11.2
Williamson, Travis, Caldwell, and Guadalupe, Texas	Feasibility studies (including the effect of closing Bergstrom AFB on traffic corridor), Route studies, preliminary engineering, and right-of-way acquisition for Alternate Route to relieve I-H35 traffic congestion	7.0
Augusta, Georgia	Railroad relocation demonstration project, overpass at 15th Street and Greene Street	7.0
Louisiana	Saint Bernard Intermodal Facility Engineering, Design, and Construction	12.0
Illinois	Interstate 255 Interchange	4.0
Long Beach, California	Long Beach Airport Access	10.0

(c) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) APPLICABILITY OF TITLE 23.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

(h) HIGHWAY AND MASS TRANSIT PROJECTS.—Each project authorized by this section or by any other section of this Act is a highway or an urban mass transportation project.

TITLE VI—RESEARCH

PART A—PROGRAMS, STUDIES, AND ACTIVITIES

SEC. 601. RESEARCH AND TECHNOLOGY PROGRAM.

(a) IN GENERAL.—Section 307(a) of title 23, United States Code, is amended to read as follows:

"(a) RESEARCH AND TECHNOLOGY PROGRAM.—

"(1) AUTHORITY OF THE SECRETARY.—The Secretary may engage in research, development, and technology transfer activities on motor carrier transportation and all phases of highway planning and development including construction, operation, modernization, development, design, maintenance, safety, financing, and traffic conditions, including the effect of State laws and is authorized to test, develop, or assist in the testing and developing of any material, invention, patented article, or process. The

Secretary may carry out the authority granted by this section, either independently, or in cooperation with any other branch of the Government or by making grants to, and entering into contracts and cooperative agreements with the National Academy of Sciences, the American Association of State Highway and Transportation Officials, or any State agency, authority, association, institution, corporation (profit or nonprofit), organization, or person. The Secretary is also authorized, acting independently or in cooperation with other Federal departments, agencies, or instrumentalities, to make grants for research fellowships for any purpose for which research is authorized by this section.

"(2) COLLABORATIVE RESEARCH AND DEVELOPMENT.—For purposes of encouraging innovative solutions to highway problems and stimulating the marketing of new technology by private industry, the Secretary is authorized to undertake on a cost-shared basis, collaborative research and development with non-Federal entities, including State and local governments, foreign governments, colleges and universities, corporations, institutions, partnerships, sole proprietorships, and trade associations which are incorporated or established under the laws of any State. In carrying out this section, the Secretary may enter into a cooperative research and development agreement, as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a). The average Federal share in these agreements shall not exceed 50 percent; except that, if there is substantial public interest or benefit, the Secretary may approve a higher Federal level of participation. Cooperative research and development agreements shall recognize all directly related costs to the non-Federal partners, including personnel, travel, and hardware development. The research, development, or utilization of any technology pursuant to an agreement under this paragraph, including the terms under which technology may be licensed and the resulting royalties may be distributed, shall be subject to provisions of such Act.

"(3) FUNDS.—The funds required to carry out the provisions of this subsection and subsections (b), (d), and (e) shall be taken out of the administrative funds authorized by section 104(a) and funds as may be deposited in a special account with the Secretary of the Treasury for those purposes by any cooperating organization or person. Not less than 15 percent of these funds shall be used for long-term research projects. The term 'long-term research project', as used in this paragraph, means a research project which is unlikely to be completed within 10 years. The provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) shall not be applicable to contracts or agreements made under the authority of this section.".

(b) SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT PLAN.—

(1) FINDINGS.—The Congress finds that—

(A) despite an annual expenditure in excess of $10,000,000,000 on surface transportation and its infrastructure, the Federal Government has not developed a clear vision of—

(i) how the surface transportation systems of the 21st century will differ from the present;

(ii) how they will interface with each other and with other forms of transportation;

(iii) how such systems will adjust to changing American population patterns and lifestyles; and

(iv) the role of federally funded research and development in ensuring that appropriate transportation systems are developed and implemented;

(B) the population of the United States is projected to increase by over 30,000,000 people within the next 20 years, mostly in existing major metropolitan areas, which will result in increased traffic congestion within and between urban areas, more accidents, loss of productive time, and increased cost of transportation unless new technologies are developed to improve public transportation within cities, and to move people and goods between cities;

(C) 18,000,000 crashes, 4,000,000 injuries, and 45,000 fatalities each year on the Nation's highways are intolerable, and substantial research is required in order to develop safer technologies in their most useful and economic forms;

(D) current research and development funding for surface transportation is insufficient to provide the United States with the technologies essential to providing its own advanced transportation systems in the future, and as a result the United States is becoming increasingly dependent on foreign surface transportation technologies and equipment to meet its expanding surface transportation needs;

(E) a more active, focused surface transportation research and development program involving cooperation among the Federal Government, United States based industry, and United States universities should be organized on a priority basis;

(F) intelligent vehicle highway systems represent the best near-term technology for improving surface transportation for public benefit by providing equipment which can improve traffic flow and provide for enhanced safety;

(G) research and development programs related to surface transportation are fragmented and dispersed throughout government, and need to be strengthened and incorporated in an integrated framework within which a consensus on the goals of a national surface transportation research and development program must be developed;

(H) the inability of government agencies to cooperate effectively, the difficulty of obtaining public support for new systems and rights-of-way, and the high cost of capital financing discourage private firms from investing in the development of new transportation equipment and systems; therefore the Federal Government should sponsor and coordinate research and development of new technologies to provide safer, more convenient, and affordable transportation systems for use in the future; and

(I) an effective high technology applied research and development program should be implemented quickly by strengthening the Department of Transportation research and development staff and by contracting with private industry for specific development projects.

(2) PLAN.—The Secretary shall develop an integrated national plan (hereafter in this part referred to as the "Plan") for surface transportation research and development, including details of the programs described in this part, with provisions for appropriate funding levels and a schedule with milestones, preliminary cost estimates, appropriate work scopes, personnel requirements, and estimated costs and goals for the next 3 years for each area of research and development. The Plan shall also include a 10-year projection of long-term research and development. Recommendations for the appropriate source or mechanism for surface transportation research and development funding, taking into account the recommendations of the Research and Development Coordinating Council of the Department of Transportation shall also be included. The initial Plan shall be submitted to the Congress by January 15, 1992. The Plan shall be reviewed and updated, with comments and recommendations submitted to the Congress, annually. The Plan shall focus on those surface transportation systems needed for future urban, suburban, and rural areas in the next decade. A primary component of the Plan shall be cooperation with industry in carrying out this part and to strengthen the manufacturing capabilities of United States firms in order to produce products for surface transportation systems. In any case where a different technology or alternative program can accomplish the same or better results than those described in this part, the Secretary may make recommendations for the alternative, and shall promptly report such recommendations to the Congress.

(3) CONFORMANCE WITH PLAN.—All surface transportation research and development within the Department of Transportation shall be included in the Plan and shall be evaluated in accordance with the Plan.

(4) OBJECTIVES OF PLAN.—The Plan shall provide for the development of a range of technologies, within the shortest time possible, needed to produce convenient, safe, affordable, modes of surface transportation to be available for public use beginning in the mid 1990's, and for maintaining a long-term advanced research and development program to provide for next generation surface transportation systems.

(5) COORDINATION.—In developing the Plan and in carrying out this part, the Secretary shall consult with and, where appropriate, use the expertise of other Federal agencies and their laboratories.

(c) SHORT HAUL PASSENGER TRANSPORTATION SYSTEMS.—The Secretary shall conduct necessary systems research in order to develop a concept for a lightweight, rubber-tired multiple-unit system powered by deep discharge batteries in conjunction with recharging stations beneath paved roadways at strategic locations. The Secretary shall create a potential systems concept and, as part of the Plan, shall make recommendations to the Congress by July 1, 1992.

(d) SUPPORTING INFRASTRUCTURE.—The Secretary shall strengthen and expand surface transportation infrastructure research and development. The expanded program shall include the following elements:

(1) Methods and materials for improving the durability, thereby extending the life of bridge structures, including new and innovative technologies to reduce corrosion.

(2) Expansion of the Department of Transportation's inspection and mobile nondestructive examination capabilities, including consideration of the use of high energy field radiography for more thorough and more frequent inspections of bridge structures as well as added support to State highway departments.

(3) The development of a concept for robotic highway and road repair machinery consisting of a highly mobile unit with the capability for removing bituminous paving and concrete and replacing the damaged material using nonlabor intensive technologies and which would result in a durable, smooth, and level surface.

(4) The Secretary shall conduct a research and development program on new materials which are compatible with technologies developed under paragraph (3) and will set rap-

idly, support heavy wheel loadings, and retain structural integrity through repeated loading cycles over a minimum of 10 years of high volume use.

(5) The Secretary shall determine whether to initiate a construction equipment research and development program directed toward the reduction of costs associated with the construction of highway and mass transit systems. The results of the inquiry shall be submitted to the Congress by July 1, 1992.

(6) The Secretary shall undertake or supervise surface transportation infrastructure research to develop—

(A) nondestructive evaluation equipment for use with existing structures and for the "next generation" structures that utilize advanced materials;

(B) information technologies, including—

(i) appropriate computer programs to collect and analyze data on the status of the existing infrastructure facilities for enhancing management, for growth, and for capacity; and

(ii) dynamic simulation models of surface transportation systems for predicting capacity, safety, and infrastructure durability problems, for evaluating planned research projects, and for testing the strengths and weaknesses of proposed revisions in surface transportation operations programs; and

(C) new and innovative technologies to enhance and facilitate field construction and rehabilitation techniques for minimizing disruption during repair and maintenance of existing structures.

(e) STRATEGIC HIGHWAY RESEARCH PROGRAM.—

(1) IMPLEMENTATION OF RESULTS.—Section 307(b) of such title is amended—

(A) by inserting "MANDATORY CONTENTS OF RESEARCH PROGRAM.—" after "(b)";

(B) by inserting "(1) INCLUSION OF CERTAIN STUDIES.—" before "The Secretary"; and

(C) by adding at the end the following new paragraph:

"(2) IMPLEMENTATION OF SHRP RESULTS.—The highway research program under subsection (a) shall include a program to implement results of the strategic highway research program carried out under subsection (d) (including results relating to automatic intrusion alarms for street and highway construction work zones) and to continue the long-term pavement performance tests being carried out under such program. Of amounts deducted under section 104(a) for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, the Secretary shall expend not less than $12,000,000 in fiscal year 1992, $16,000,000 in fiscal year 1993, and $20,000,000 per fiscal year for fiscal years 1994, 1995, 1996, and 1997 to carry out this paragraph.".

(2) CONFORMING AMENDMENT.—Subsection (b) of section 307 of such title is further amended by indenting paragraph (1) of such subsection, as designated by paragraph (1)(B) of this subsection, and aligning such paragraph (1) with paragraph (2) of such subsection, as added by paragraph (1)(C) of this subsection.

(f) STATE AUTHORITY TO PROGRAM FUNDS.—Section 307(c) is amended to read as follows:

"(c) STATE PLANNING AND RESEARCH.—

"(1) GENERAL RULE.—One and ½ percent of the sums apportioned for each fiscal year beginning with fiscal year 1992 to any State under sections 104 and 144 of this title and for highway projects under section 103(e)(4) shall be available for expenditure by the State highway department in consultation with the Secretary only for engineering and economic surveys and investigations; for the planning of future highway programs and local public transportation systems and for planning for the financing thereof, including statewide planning under section 135 of this title; for development and implementation of management systems under section 303 of this title; for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for research, development, and technology transfer activities necessary in connection with the planning, design, construction, and maintenance of highway, public transportation, and intermodal systems and for study, research, and training on engineering standards and construction materials, including evaluation and accreditation of inspection and testing, and the regulation and taxation of their use. Not less than 25 percent of the sums made available to a State in a fiscal year under this paragraph shall be expended by the State for research, development, and technology transfer activities described in this paragraph relating to highway, public transportation, and intermodal systems.

"(2) STATE MATCH.—Sums made available under paragraph (1) shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching.

"(3) ADMINISTRATION OF SUMS.—Sums made available under paragraph (1) shall be combined and administered by the Secretary as a single fund which shall be available for obligation for the same period as funds apportioned under section 104(b)(1) of this title.".

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 602. NATIONAL HIGHWAY INSTITUTE.

Section 321 of title 23, United States Code, is amended to read as follows:

"§ 321. National Highway Institute

"(a) ESTABLISHMENT AND AUTHORITY TO CONDUCT TRAINING.—The Secretary shall establish and operate in the Federal Highway Administration a National Highway Institute (hereinafter in this section referred to as the 'Institute'). The Institute shall develop and administer, in cooperation with the State transportation or highway departments, and any national or international entity, training programs of instruction for Federal Highway Administration, State and local transportation and highway department employees, State and local police, public safety and motor vehicle employees, and United States citizens and foreign nationals engaged or to be engaged in highway work of interest to the United States. Programs may include courses in modern developments, techniques, management, and procedures relating to highway planning, environmental factors, acquisition of rights-of-way, relocation assistance, engineering, safety, construction, maintenance, contract administration, motor carrier activities, and inspection. The Secretary shall administer through the Institute the authority vested in the Secretary by this title or by any other provision of law for the development and conduct of education and training programs relating to highways.

"(b) SET-ASIDE.—Not to exceed ¼ of 1 percent of funds apportioned under section 104(b)(1) to a State shall be available for expenditure by the State highway department for payment of not to exceed 80 percent of the cost of tuition and direct educational expenses (but not travel, subsistence, or salaries) in connection with the education and training of State and local highway department employees as provided in this section.

"(c) FEDERAL RESPONSIBILITY.—Education and training of Federal, State and local highway employees authorized by this section shall be provided—

"(1) by the Secretary at no cost to the States and local governments for those subject areas which are a Federal program responsibility; or

"(2) in any case where education and training are to be paid for under (b) by the State, subject to the approval of the Secretary, through grants and contracts with public and private agencies, institutions, individuals, and the Institute; except that private agencies and individuals shall pay the full cost of any education and training received by them.

"(d) TRAINING FELLOWSHIPS; COOPERATION; COLLECTION OF FEES.—The Institute is authorized, subject to approval of the Secretary, to engage in all phases of contract authority for training purposes authorized by this section, including the granting of training fellowships. The Institute is also authorized to carry out its authority independently or in cooperation with any other branch of the Government, State agency, authority, association, institution, corporation (profit or nonprofit), any other national or international entity, or any other person. The Institute is authorized to establish and collect fees from any entity and place them in a special account for the purpose of this section.

"(e) FUNDS.—The funds required to carry out this section may be from the sums deducted for administration purposes under section 104(a). The provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) shall not be applicable to contracts or agreements made under the authority of this section. The sums provided pursuant to this subsection may be combined or held separate from the fees or memberships collected and be administered by the Secretary as a fund which shall be available until expended.".

SEC. 603. EDUCATION AND TRAINING PROGRAM.

Chapter 3 of title 23, United States Code, is amended by adding at the end the following new section:

"§ 325. Education and training program

"(a) AUTHORITY.—The Secretary is authorized to carry out a transportation assistance program that will provide highway and transportation agencies, in urbanized areas of 50,000 to 1,000,000 population and in rural areas, access to modern highway technology.

"(b) GRANTS AND CONTRACTS.—The Secretary may make grants and enter into direct contracts for education and training, technical assistance, and related support services that will—

"(1) assist rural local transportation agencies to develop and expand their expertise in road and transportation areas, improve roads and bridges, enhance programs for the movement of passengers and freight, and deal effectively with specific road related problems by preparing and providing training packages, manuals, guidelines, and technical resource materials;

"(2) identify, package, and deliver usable highway technology to local jurisdictions to assist urban transportation agencies in developing and expanding their ability to deal effectively with road related problems; and

"(3) establish, in cooperation with State transportation or highway departments and universities, local technical assistance program centers to deliver technology and technology assistance to—

"(A) local rural transportation agencies, and

"(B) urban transportation agencies in States with 2 or more urbanized areas of 50,000 to 1,000,000 population.

The Secretary shall provide technical and financial support for the centers.

"(c) RURAL PRIORITY LOCAL ROAD AND BRIDGE SYSTEM.—Local technical assistance program centers established pursuant to subsection (b)(3) may provide technical assistance to local rural transportation agencies for the purpose of identifying, in consultation with appropriate Federal, State, and local government officials, a rural priority local road and bridge system.".

SEC. 604. INTERNATIONAL TRANSPORTATION OUTREACH PROGRAM.

(a) IN GENERAL.—Chapter 3 of title 23, United States Code, is further amended by adding at the end the following new section:

"§ 326. International transportation outreach program

"(a) ACTIVITIES.—The Secretary, in cooperation with appropriate United States Government agencies, shall engage in activities to inform the domestic highway, transit, and intermodal transportation communities of technological innovations developed outside the United States that could significantly improve transportation in the United States, to promote United States transportation expertise internationally, and to increase transfers of United States transportation technology to foreign countries. Such activities may include—

"(1) develop, monitor, assess, and domestically disseminate information about foreign transportation innovations that could significantly improve transportation in the United States;

"(2) research, development, demonstration, training, and other forms of technology transfer and exchange;

"(3) inform other countries about the technical quality of American transportation goods and services through participation in trade shows, seminars, expositions, and other such activities;

"(4) offer, subject to recovery of Federal costs, those Department of Transportation technical services which cannot be readily obtained from the United States private sector to be incorporated into the proposals of United States firms undertaking foreign transportation projects; and

"(5) conduct studies to assess the need for or feasibility of transportation improvements in countries that are not members of the Organization for Economic Cooperation and Development as of the date of the enactment of this section and in Greece and Turkey.

"(b) COOPERATION.—The Secretary may carry out the authority granted by this section, in cooperation with appropriate United States Government agencies and any State or local agency, authority, association, institution, corporation (profit or nonprofit), foreign government, multinational institution, or any other organization or person.

"(c) FUNDS.—The funds available to carry out the provisions of this section shall include funds deposited in a special account with the Secretary of the Treasury for such purposes by any cooperating organization or person. The funds shall be available for promotional materials, travel, reception, and representation expenses necessary to carry out the activities authorized by this section. Reimbursements for services provided under this section shall be credited to the appropriation concerned.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of such title is amended by adding at the end thereof the following new items:

"325. Education and training program.

"326. International transportation outreach program.".

SEC. 605. APPLIED RESEARCH AND TECHNOLOGY PROGRAM; SEISMIC RESEARCH PROGRAM.

(a) IN GENERAL.—Section 307 of title 23, United States Code, is amended by redesignating subsections (e) and (f) as subsections (g) and (h), respectively, and by inserting after subsection (d) the following new subsections:

"(e) APPLIED RESEARCH AND TECHNOLOGY PROGRAM.—

"(1) ESTABLISHMENT.—The Secretary shall establish and implement in accordance with this subsection an applied research and technology program for the purpose of accelerating testing, evaluation, and implementation of technologies which are designed to improve the durability, efficiency, environmental impact, productivity, and safety of highway, transit, and intermodal transportation systems.

"(2) GUIDELINES.—Not later than 18 months after the date of the enactment of this subsection, the Secretary shall issue guidelines to carry out this subsection. Such guidelines shall include:

"(A) TECHNOLOGIES.—Guidelines on the selection of both foreign and domestic technologies to be tested.

"(B) TEST LOCATIONS.—Guidelines on the selection of locations at which tests will be conducted. Such guidelines shall ensure that testing is conducted in a range of climatic, traffic, geographic, and environmental conditions, as appropriate for the technology being tested.

"(C) DATA.—Guidelines for the scientific collection, evaluation, and dissemination of appropriate test data.

"(3) TECHNOLOGIES.—Technologies which may be tested under this subsection include, but are not limited to—

"(A) accelerated construction materials and procedures;

"(B) environmentally beneficial materials and procedures;

"(C) materials and techniques which provide enhanced serviceability and longevity under adverse climactic, environmental, and load effects;

"(D) technologies which increase the efficiency and productivity of vehicular travel; and

"(E) technologies and techniques which enhance the safety and accessibility of vehicular transportation systems.

"(4) HEATED BRIDGE TECHNOLOGIES.—

"(A) PROJECTS.—As part of the program under this subsection, the Secretary shall carry out projects to assess the state of technology with respect to heating the decks of bridges and the feasibility of, and costs and benefits associated with, heating the decks of bridges. Such projects shall be carried out by installing heating equipment on the decks of bridges which are being replaced or rehabilitated under section 144 of this title.

"(B) MINIMUM NUMBER OF BRIDGES.—The number of bridges for which heating equipment is installed under this subsection in a fiscal year shall not be less than 10 bridges.

"(5) ELASTOMER MODIFIED ASPHALT.—As part of the program under this subsection, the Secretary shall carry out a project in the State of New Jersey to demonstrate the environmental and safety benefits of elastomer modified asphalt.

"(6) HIGH PERFORMANCE BLENDED HYDRAULIC CEMENT.—As part of the program under this subsection, the Secretary shall carry out a project in the State of Missouri to demonstrate the durability and construction efficiency of high performance blended hydraulic cement.

(7) THIN BONDED OVERLAY AND SURFACE LAMINATION OF PAVEMENT.—As part of the program under this subsection, the Secretary shall carry out projects to assess the state of technology with respect to thin bonded overlay (including inorganic bonding systems) and surface lamination of pavement, and to assess the feasibility of, and costs and benefits associated with, the repair, rehabilitation, and upgrading of highways and bridges with overlay. Such projects shall be carried out so as to minimize overlay thickness, minimize initial laydown costs, minimize time out of service, and maximize lifecycle durability.

"(8) ALL WEATHER PAVEMENT MARKINGS.—As part of the program under this subsection, the Secretary shall carry out a program to demonstrate the safety and durability of all weather pavement markings.

"(9) TESTING OF HIGHWAY TECHNOLOGIES.—Projects carried out under this subsection to test technologies related to highways shall be carried out on highways on the Federal-aid system.

"(10) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States and localities in carrying out projects under this subsection.

"(11) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this subsection, and annually thereafter, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the progress and research findings of the program carried out under this subsection.

"(12) FEDERAL SHARE.—The Federal share of the cost of a project carried out under this subsection shall not exceed 80 percent.

"(13) FUNDING.—The Secretary shall expend from administrative and research funds deducted under section 104(a) of this title and funds made available under section 26(a)(1) of the Urban Mass Transportation Act of 1964 "$35,000,000 for fiscal year 1992 and $41,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, 1996, and 1997 to carry out this subsection. Of such amounts, in each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, the Secretary shall expend not less than $4,000,000 per fiscal year to carry out projects related to heated bridge technologies under paragraph (4), not less than $2,500,000 per fiscal year to carry out projects related to thin bonded overlay and surface lamination of pavements under paragraph (7), and not less than $2,000,000 per fiscal year to carry out projects related to all weather pavement markings under paragraph (8). Amounts made available under this subsection shall remain available until expended and shall not be subject to any obligation limitation.

"(f) SEISMIC RESEARCH PROGRAM.—

"(1) ESTABLISHMENT.—The Secretary shall establish a program to study the vulnerability of highways, tunnels, and bridges on the Federal-aid system to earthquakes and develop and implement cost-effective methods of retrofitting such highways, tunnels, and bridges to reduce such vulnerability.

"(2) COOPERATION.—The Secretary shall conduct the program under this section in cooperation with the National Center for Earthquake Engineering Research at the University of Buffalo.

"(3) FUNDING.—Of amounts deducted under section 104(a) for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 the Secretary

shall expend not more than $2,000,000 in each of such fiscal years to carry out this subsection.

"(4) REPORT.—Not later than 2 years after the date of the enactment of this section, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the progress and research findings of the program carried out under this section.".

(b) HIGHWAY AND BRIDGE CONDITIONS AND PERFORMANCE REPORT.—Section 307(h) of title 23, United States Code, as redesignated by subsection (a), is amended by adding at the end the following new sentence: "The biennial reports required under this subsection shall provide the means, including all necessary information, to relate and compare the conditions and service measures used in different years when such measures are changed.".

SEC. 606. UNIVERSITY TRANSPORTATION CENTERS.

(a) ADDITIONAL RESPONSIBILITY.—Section 11(b)(2) of the Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1607c(b)(2)) is amended by inserting "transportation safety and" after "training concerning".

(b) ESTABLISHMENT OF NEW CENTERS; PROGRAM COORDINATION.—Section 11(b) of such Act (49 U.S.C. App. 1607c(b)) is amended by striking paragraphs (7) and (8), by redesignating paragraphs (9) and (10) as paragraphs (11) and (12), respectively, and by inserting after paragraph (6) the following new paragraphs:

"(7) NATIONAL CENTER.—To accelerate the involvement and participation of minority individuals and women in transportation-related professions, particularly in the science, technology, and engineering disciplines, the Secretary shall make grants under this section to Morgan State University to establish a national center for transportation management, research, and development. Such center shall give special attention to the design, development, and implementation of research, training, and technology transfer activities to increase the number of highly skilled minority individuals and women entering the transportation workforce.

"(8) CENTER FOR TRANSPORTATION AND INDUSTRIAL PRODUCTIVITY.—

"(A) IN GENERAL.—The Secretary shall make grants under this section to the New Jersey Institute of Technology to establish and operate a center for transportation and industrial productivity. Such center shall conduct research and development activities which focus on methods to increase surface transportation capacity, reduce congestion, and reduce costs for transportation system users and providers through the use of transportation management systems.

"(B) JAMES AND MARLENE HOWARD TRANSPORTATION INFORMATION CENTER.—

"(i) GRANT.—The Secretary shall make a grant to Monmouth College, West Long Branch, New Jersey, for modification and reconstruction of Building Number 500 at Monmouth College.

"(ii) ASSURANCES.—Before making a grant under clause (i), the Secretary shall receive assurances from Monmouth College that—

"(I) the building referred to in clause (i) will be known and designated as the 'James and Marlene Howard Transportation Information Center'; and

"(II) transportation-related instruction and research in the fields of computer science, electronic engineering, mathematics, and software engineering conducted at the building referred to in clause (i) will be coordinated with the Center for Transportation and Industrial Productivity at the New Jersey Institute of Technology.

"(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) $2,242,000 in fiscal year 1992 for making the grant under clause (i).

"(iv) APPLICABILITY OF TITLE 23.—Funds authorized by clause (iii) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of activities conducted with the grant under clause (i) shall be 80 percent and such funds shall remain available until expended. Funds authorized by clause (iii) shall not be subject to any obligation limitation.

"(9) NATIONAL RURAL TRANSPORTATION STUDY CENTER.—The Secretary shall make grants under this section to the University of Arkansas to establish a national rural transportation center. Such center shall conduct research, training, and technology transfer activities in the development, management, and operation of intermodal transportation systems in rural areas.

"(10) PROGRAM COORDINATION.—

"(A) IN GENERAL.—The Secretary shall provide for the coordination of research, education, training, and technology transfer activities carried out by grant recipients under this subsection, the dissemination of the results of such research, and the establishment and operation of a clearinghouse between such centers and the transportation industry. The Secretary shall review and evaluate programs carried out by such grant recipients at least annually.

"(B) FUNDING.—Not to exceed 1 percent of the funds made available from Federal sources to carry out this subsection may be used by the Secretary to carry out this paragraph.

"(11) OBLIGATION CEILING.—Amounts authorized out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection shall be subject to obligation limitations established by section 102 of the Intermodal Surface Transportation Infrastructure Act of 1991.".

SEC. 607. UNIVERSITY RESEARCH INSTITUTES.

Section 11 of the Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1607c) is amended by adding at the end the following new subsection:

"(c) UNIVERSITY RESEARCH INSTITUTES.—

"(1) INSTITUTE FOR NATIONAL SURFACE TRANSPORTATION POLICY STUDIES.—The Secretary shall make grants under this section to San Jose State University to establish and operate an institute for national surface transportation policy studies. Such institute shall—

"(A) include both male and female students of diverse socioeconomic and ethnic backgrounds who are seeking careers in the development and operations of surface transportation programs; and

"(B) conduct research and development activities to analyze ways of improving aspects of the development and operation of the Nation's surface transportation programs.

"(2) INFRASTRUCTURE TECHNOLOGY INSTITUTE.—The Secretary shall make grants under this section to Northwestern University to establish and operate an institute for the study of techniques to evaluate and monitor infrastructure conditions, improve information systems for infrastructure construction and management, and study advanced materials and automated processes for construction and rehabilitation of public works facilities.

"(3) URBAN TRANSIT INSTITUTE.—The Secretary shall make grants under this section to the University of South Florida and a consortium of Florida A and M, Florida State University, and Florida International University to establish and operate an interdisciplinary institute for the study and dissemination of techniques to address the diverse transportation problems of urban areas experiencing significant and rapid growth.

"(4) INSTITUTE FOR INTELLIGENT VEHICLE-HIGHWAY CONCEPTS.—The Secretary shall make grants under this section to the University of Minnesota, Center for Transportation Studies, to establish and operate a national institute for intelligent vehicle-highway concepts. Such institute shall conduct research and recommend development activities which focus on methods to increase roadway capacity, enhance safety, and reduce negative environmental effects of transportation facilities through the use of intelligent vehicle-highway systems technologies.

"(5) FUNDING.—There is authorized to be appropriated out of the Highway Trust Fund, other than the Mass Transit Account, for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 $250,000 per fiscal year to carry out paragraph (1), $3,000,000 per fiscal year to carry out paragraph (2), $1,000,000 per fiscal year to carry out paragraph (3), and $1,000,000 per fiscal year to carry out paragraph (4).".

SEC. 608. NATIONAL COUNCIL ON SURFACE TRANSPORTATION RESEARCH.

(a) ESTABLISHMENT.—There is established a National Council on Surface Transportation Research.

(b) FUNCTION.—The Council shall make a complete investigation and study of current surface transportation research and technology developments in the United States and internationally. The Council shall identify gaps and duplication in current surface transportation research efforts, determine research and development areas which may increase efficiency, productivity, safety, and durability in the Nation's surface transportation systems, and develop a national surface transportation research and development plan for immediate implementation.

(c) SPECIFIC MATTERS TO BE ADDRESSED.—The Council shall—

(1) survey current surface transportation public and private research efforts in the United States and internationally;

(2) examine factors which lead to fragmentation of surface transportation research efforts and determine how increased coordination in such efforts may be achieved;

(3) compare the role of the Federal Government with the role of foreign governments in promoting transportation research and evaluate the appropriateness of United States policy on government-sponsored research;

(4) identify barriers to innovation in surface transportation systems;

(5) examine the range of funding arrangements available for surface transportation research and development and the level of resources currently available for such purposes; and

(6) identify surface transportation research areas and opportunities, including opportunities for international cooperation, offering potential benefit to the Nation's surface transportation system, assess their relative priority, and develop a plan for national surface transportation research and development which includes short- and long-range objectives.

(d) MEMBERSHIP.—

(1) APPOINTMENT.—The Council shall be composed of 7 members as follows:

(A) Three members appointed by the President.

(B) One member appointed by the Speaker of the House of Representatives.

(C) One member appointed by the minority leader of the House of Representatives.

(D) One member appointed by the majority leader of the Senate.

(E) One member appointed by the minority leader of the Senate.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Members appointed pursuant to paragraph (1) shall be appointed from among individuals involved in surface transportation research, including representatives of Federal, State, and local governments, other public agencies, colleges and universities, public, private, and nonprofit research organizations, and organizations representing transportation providers, shippers, labor, and the financial community.

(B) INTERNATIONAL ADVISOR.—One of the members appointed by the President pursuant to paragraph (1)(A) shall serve as an international research advisor for the Council.

(3) TERMS.—Members shall be appointed for the life of the Council.

(4) VACANCIES.—A vacancy in the Council shall be filled in the manner in which the original appointment was made.

(5) TRAVEL EXPENSES.—Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(6) CHAIRMAN.—The Chairman of the Council shall be elected by the members.

(e) STAFF.—The Council may appoint and fix the pay of such personnel as it considers appropriate.

(f) STAFF OF FEDERAL AGENCIES.—Upon request of the Council, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist it in carrying out its duties under this section.

(g) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Council, the Administrator of General Services shall provide to the Council, on a reimbursable basis, the administrative support services necessary for the Council to carry out its responsibilities under this section.

(h) OBTAINING OFFICIAL DATA.—The Council may secure directly from any department or agency of the United States information necessary for it to carry out its duties under this section. Upon request of the Council, the head of that department or agency shall furnish that information to the Council.

(i) REPORT.—Not later than September 30, 1993, the Council shall transmit to Congress a final report on the results of the investigation and study conducted under this section. The report shall include recommendations of the Council, including a proposed national surface transportation research agenda for immediate implementation.

(j) TERMINATION.—The Council shall terminate on the 180th day following the date of transmittal of the report under subsection (i). All records and papers of the Council shall thereupon be delivered to the Administrator of General Services for deposit in the National Archives.

SEC. 609. RESEARCH ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 180 days after the transmittal of the report to Congress under section 608, the Secretary shall establish an independent surface transportation research advisory committee.

(b) PURPOSES.—The advisory committee shall provide ongoing advice and recommendations to the Secretary regarding needs, objectives, plans, approaches, content, and accomplishments with respect to short-term and long-term surface transportation research and development. The advisory committee shall also assist in ensuring that such research and development is coordinated with similar research and development being conducted outside of the Department of Transportation.

(c) MEMBERSHIP.—The advisory committee shall be composed of not less than 20 and not more than 30 members appointed by the Secretary from among persons who are not employees of the Department of Transportation and who are specially qualified to serve on the committee by virtue of their education, training, or experience. A majority of the members of the advisory committee shall be individuals with experience in conducting surface transportation research and development. The Secretary in appointing the members of the advisory committee shall ensure that universities, corporations, associations, consumers, and other Federal and State Government agencies are represented on an equitable basis.

(d) CHAIRMAN.—The Chairman of the advisory committee shall be designated by the Secretary.

(e) PAY AND EXPENSES.—Members of the advisory committee shall serve without pay, except that the Secretary may allow any member, while engaged in the business of the advisory committee or a subordinate committee, travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(f) SUBORDINATE COMMITTEES.—The Secretary shall establish a subordinate committee to the advisory committee to provide advice on advanced highway vehicle technology research and development, and may establish other subordinate committees to provide advice on specific areas of surface transportation research and development. Such subordinate committees shall be subject to subsections (e), (g), and (i) of this section.

(g) ASSISTANCE OF SECRETARY.—Upon request of the advisory committee, the Secretary shall provide such information, administrative services, support staff, and supplies as the Secretary determines are necessary for the advisory committee to carry out its functions.

(h) REPORTS.—The advisory committee shall, within one year after the date of establishment of the advisory committee, and annually thereafter, submit to the Congress a report summarizing its activities under this section.

(i) TERMINATION.—Section 14 of the Federal Advisory Committee Act shall not apply to the advisory committee established under this section.

SEC. 610. DOT DATA NEEDS.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Sciences to conduct a study on the adequacy of data collection procedures and capabilities of the Department of Transportation.

(b) CONTENTS.—The study under this section shall include an evaluation of the Department of Transportation's data collection resources, needs, and requirements and an assessment and evaluation of the systems, capabilities, and procedures established by the Department to meet such needs and requirements, including the following:

(1) Data collection procedures and capabilities.

(2) Data analysis procedures and capabilities.

(3) Ability of data bases to integrate with one another.

(4) Computer hardware and software capabilities.

(5) Management information systems, including the ability of management information systems to integrate with one another.

(6) Personnel of the Department.

(7) Budgetary needs and resources of the Department for data collection, including an assessment of the adequacy of the budgetary resources provided to the Department and budgetary resources used by the Department for data collection needs and purposes.

(c) REPORT.—Not later than 18 months after the date of the agreement under subsection (a), the National Academy of Sciences shall transmit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Public Works and Transportation of the House of Representatives a report on the results of the study under this section, including recommendations for improving the Department of Transportation's data collection systems, capabilities, procedures, and analytical hardware and software and for improving the Department's management information systems.

SEC. 611. STATE LEVEL OF EFFORT.

(a) STUDY.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall begin a comprehensive study of the most appropriate and accurate methods of calculating State level of effort in funding surface transportation programs.

(b) CONTENTS.—The study under this section shall include collection of data relating to State and local revenues collected and spent on surface transportation programs. Such revenues include income from fuel taxes, toll revenues (including bridge and ferry tolls), sales taxes, general fund appropriations, property taxes, bonds, administrative fees, taxes on commercial vehicles, and other appropriate State and local revenue sources.

(c) REPORT.—Not later than 12 months after the date of enactment of this Act, the Secretary shall transmit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on the results of the study under this section, including recommendations on the most appropriate measure of State level of effort in funding surface transportation programs and comprehensive data, by State, on revenue sources and amounts collected by States and local governments and devoted to surface transportation programs.

SEC. 612. EVALUATION OF STATE PROCUREMENT PRACTICES.

(a) STUDY.—The Secretary shall conduct a study to evaluate whether or not current procurement practices of State departments and agencies, including statistical acceptance procedures, are adequate to ensure that highway and transit systems are designed, constructed, and maintained so as to achieve a high quality for such systems at the lowest overall cost.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the

House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under this section, together with an assessment of the need for establishing a national policy on transportation quality assurance and recommendations for appropriate legislative and administrative actions.

SEC. 613. HIGHWAY CONSTRUCTION WORK ZONES.

(a) STUDY.—The Secretary shall conduct a study of occupational injury and fatality statistics for street and highway construction workers.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under this section, together with appropriate recommendations for revisions to the Department of Transportation's manual for uniform traffic control devices.

SEC. 614. BUS TESTING.

(a) DEFINITION OF NEW BUS MODEL.—Section 12(h) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1608(h)) is amended by inserting "(including any model using alternative fuels)" after "means a bus model".

(b) DUTIES OF BUS TESTING FACILITY.—Section 317(b)(1) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (49 U.S.C. App. 1608 note) is amended—

(1) by inserting "(including braking performance)" after "performance"; and

(2) by inserting "emissions," after "fuel economy,".

(c) FUNDING.—The first sentence of section 317(b)(5) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 is amended by inserting before the period at the end the following: ", for expansion of such facility $1,500,000 for fiscal year 1992, and for establishment of a revolving fund under paragraph (6) $2,500,000 for fiscal year 1992".

(d) REVOLVING LOAN FUND.—Section 317(b) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 is amended by adding at the end the following new paragraph:

"(6) REVOLVING LOAN FUND.—The Secretary shall establish a bus testing revolving loan fund with amounts authorized for such purpose under paragraph (5). The Secretary shall make available as repayable advances amounts from the fund to the person described in paragraph (3) for operating and maintaining the facility.".

SEC. 615. NATIONAL TRANSIT INSTITUTE.

The Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1601-1621) is further amended by adding at the end the following new section:

"SEC. 28. NATIONAL TRANSIT INSTITUTE.

"(a) ESTABLISHMENT.—The Secretary shall make grants to Rutgers University to establish a national transit institute. The institute shall develop and administer, in cooperation with the Federal Transit Administration, State transportation departments, and public transit agencies, training programs of instruction for Federal, State, and local transportation employees engaged or to be engaged in Federal-aid transit work. Such programs may include courses in recent developments, techniques, and procedures relating to transit planning, management, environmental factors, acquisition and joint use of rights-of-way, engineering, procurement strategies for transit systems, turnkey approaches to implementing transit systems, new technologies, emission reduction technologies, means of making transit accessible to individuals with disabilities, construction, maintenance, contract administration, and inspection. The Secretary shall delegate to the institute the authority vested in the Secretary for the development and conduct of educational and training programs relating to transit.

"(b) FUNDING.—Not to exceed one-half of 1 percent of all funds made available for a fiscal year beginning after September 30, 1991, to a State or public transit agency in the State for carrying out sections 3 and 9 of the Urban Mass Transportation Act of 1964 shall be available for expenditure by the State and public transit agencies in the State, subject to approval by the Secretary, for payment of not to exceed 80 percent of the cost of tuition and direct educational expenses in connection with the education and training of State and local transportation department employees as provided in this section.

"(c) PROVISION OF TRAINING.—Education and training of Federal, State, and local transportation employees authorized by this section shall be provided—

"(1) by the Secretary at no cost to the States and local governments for those subject areas which are a Federal program responsibility; or

"(2) in any case where such education and training are to be paid for under subsection (b) of this section, by the State, subject to the approval of the Secretary, through grants and contracts with public and private agencies, other institutions, individuals, and the institute.

"(d) FUNDING.—The Secretary shall make available from amounts provided under section 21(h) $3,000,000 per fiscal year for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 for carrying out this section.".

SEC. 616. RESEARCH AND DEVELOPMENT AUTHORITY OF SECRETARY OF TRANSPORTATION.

Section 301(6) of title 49, United States Code, as redesignated by section 502(a) of this Act, is amended by inserting ", and including basic highway vehicle science" after "to aircraft noise".

SEC. 617. PURPOSES OF DEPARTMENT OF TRANSPORTATION.

Section 101(b)(4) of title 49, United States Code, is amended by inserting ", through research and development or otherwise" after "advances in transportation".

SEC. 618. ADVANCED AUTOMOTIVE CONFERENCE AND AWARD.

The Stevenson-Wydler Technology Innovation Act of 1980 is amended by inserting after section 17 the following new sections, and by redesignating subsequent sections and all references thereto accordingly:

"SEC. 18. CONFERENCE ON ADVANCED AUTOMOTIVE TECHNOLOGIES.

"Not later than 180 days after the date of the enactment of this section, the Secretary, through the Under Secretary of Commerce for Technology, in consultation with other appropriate officials, shall convene a conference of domestic motor vehicle manufacturers, parts suppliers, Federal laboratories, and motor vehicle users to explore ways in which cooperatively they can improve the competitiveness of the United States motor vehicle industry by developing new technologies which will enhance the safety and energy savings, and lessen the environmental impact, of domestic motor vehicles, and the results of such conference shall be published and then submitted to the President and to the Committees on Science, Space, and Technology and Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

"SEC. 19. ADVANCED MOTOR VEHICLE RESEARCH AWARD.

"(a) ESTABLISHMENT.—There is established a National Award for the Advancement of Motor Vehicle Research. The award shall consist of a medal, and a cash prize if funding is available for the prize under subsection (c). The medal shall be of such design and materials and bear inscriptions as is determined by the Secretary of Transportation.

"(b) MAKING AND PRESENTING AWARD.—The Secretary of Transportation shall periodically make and present the award to domestic motor vehicle manufacturers, suppliers, or Federal laboratory personnel who, in the opinion of the Secretary of Transportation, have substantially improved the domestic motor vehicle in safety, energy savings, or environmental impact. No person may receive the award more than once every 5 years.

"(c) FUNDING FOR AWARD.—The Secretary of Transportation may seek and accept gifts of money from private sources for the purpose of making cash prize awards under this section. Such money may be used only for that purpose, and only such money may be used for that purpose.".

SEC. 619. NONAPPLICABILITY TO RAIL.

This title and the amendments made by this title do not apply to transportation by rail.

PART B—INTELLIGENT VEHICLE-HIGHWAY SYSTEMS ACT

SEC. 651. SHORT TITLE.

This part may be cited as the "Intelligent Vehicle-Highway Systems Act of 1991".

SEC. 652. ESTABLISHMENT AND SCOPE OF PROGRAM.

(a) ESTABLISHMENT.—Subject to the provisions of this part, the Secretary shall conduct a program to research, develop, and operationally test intelligent vehicle-highway systems and promote implementation of such systems as a component of the Nation's surface transportation systems.

(b) GOALS.—The goals of the program to be carried out under this part shall include, but not be limited to—

(1) the widespread implementation of intelligent vehicle-highway systems to enhance the capacity, efficiency, and safety of the Federal-aid highway system and to serve as an alternative to additional physical capacity of the Federal-aid highway system;

(2) the enhancement, through more efficient use of the Federal-aid highway system, of the efforts of the several States to attain air quality goals established pursuant to the Clean Air Act;

(3) the enhancement of safe and efficient operation of the Nation's highway systems;

(4) the development and promotion of intelligent vehicle-highway systems and an intelligent vehicle-highway systems industry in the United States;

(5) the reduction of societal, economic, and environmental costs associated with traffic congestion; and

(6) the enhancement of United States industrial and economic competitiveness and productivity by improving the free flow of people and commerce and by establishing a significant United States presence in an emerging field of technology.

SEC. 653. GENERAL AUTHORITIES AND REQUIREMENTS.

(a) CONSULTATION WITH OTHER FEDERAL AGENCIES.—In carrying out the program

under this part, the Secretary shall consult with the Secretary of Commerce, the Administrator of the Environmental Protection Agency, the Director of the National Science Foundation, and the heads of other interested Federal departments and agencies.

(b) STANDARDS.—The Secretary shall develop and implement standards and protocols to promote the widespread use and evaluation of intelligent vehicle-highway systems technology as a component of the Nation's surface transportation systems. To the extent practicable, such standards and protocols shall promote compatibility among intelligent vehicle-highway systems technologies implemented throughout the States. In carrying out this subsection, the Secretary may use the services of such existing standards-setting organizations as the Secretary determines appropriate.

(c) EVALUATION GUIDELINES.—The Secretary shall establish guidelines and requirements for the evaluation of field and related operational tests carried out pursuant to section 655. Any survey, questionnaire, or interview which the Secretary considers necessary to carry out the evaluation of such tests shall not be subject to the requirements of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

(d) INFORMATION CLEARINGHOUSE.—

(1) ESTABLISHMENT.—The Secretary shall establish and maintain a repository for technical and safety data collected as a result of federally sponsored projects carried out pursuant to this part and shall make, upon request, such information (except for proprietary information and data) readily available to all users of the repository at an appropriate cost.

(2) DELEGATION OF AUTHORITY.—The Secretary may delegate the responsibility of the Secretary under this subsection, with continuing oversight by the Secretary, to an appropriate entity not within the Department of Transportation. If the Secretary delegates such responsibility, the entity to which such responsibility is delegated shall be eligible for Federal assistance under this part.

(e) ADVISORY COMMITTEES.—The Secretary may utilize one or more advisory committees in carrying out this part. Any advisory committee so utilized shall be subject to the Federal Advisory Committee Act. Funding provided for any such committee shall be available from moneys appropriated for advisory committees as specified in relevant appropriations Acts and from funds allocated for research, development, and implementation activities in connection with the intelligent vehicle-highway systems program under this part.

SEC. 654. STRATEGIC PLAN, IMPLEMENTATION, AND REPORT TO CONGRESS.

(a) STRATEGIC PLAN.—

(1) DEVELOPMENT AND IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop, submit to Congress, and commence implementation of a plan for the intelligent vehicle-highway systems program.

(2) SCOPE.—The plan shall—

(A) specify the goals and objectives of the intelligent vehicle-highway program and how specific projects relate to the goals and objectives, including consideration of the 5, 10, and 20-year timeframes for the goals and objectives;

(B) detail the status of and challenges and nontechnical constraints facing the program;

(C) establish a course of action necessary to achieve the program's goals and objectives;

(D) provide for the development of standards and protocols by the Department of Transportation to promote and ensure compatibility in the implementation of intelligent vehicle-highway systems technologies; and

(E) provide for the accelerated use of advanced technology to enhance traffic safety and reduce traffic congestion.

(b) INTELLIGENT VEHICLE HIGHWAY SYSTEMS.—The Secretary shall develop a completely automated highway and vehicle system which can become a prototype from which future fully automated intelligent vehicle-highway systems can be developed. Such development shall include research in human factors to ensure the success of the man-machine relationship. The goal of this program is to have the first fully automated roadway in operation by the end of 1997. This system shall accommodate installation of equipment in new and existing motor vehicles.

(c) IMPLEMENTATION REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on the implementation of the plan developed under subsection (a).

(2) SCOPE OF IMPLEMENTATION REPORTS.—In preparing reports under this subsection, the Secretary shall—

(A) analyze the possible and actual accomplishments of intelligent vehicle-highway systems projects in achieving congestion, safety, environmental, and energy conservation goals and objectives of the program;

(B) specify cost-sharing arrangements made, including the scope and nature of Federal investment, in any research, development, or implementation project under the program;

(C) assess nontechnical problems and constraints identified as a result of each such implementation project; and

(D) include any recommendations of the Secretary for legislation or modification to the plan developed under subsection (a).

(d) NONTECHNICAL CONSTRAINTS.—

(1) REPORT TO CONGRESS.—In cooperation with the Attorney General and the Secretary of Commerce, the Secretary shall prepare and submit, within 2 years after the date of the enactment of this Act, a report to Congress addressing the nontechnical constraints and barriers to implementation of the intelligent vehicle-highway systems program.

(2) SCOPE OF REPORT.—The report shall—

(A) address antitrust, privacy, educational and staffing needs, patent, liability, standards, and other constraints, barriers, or concerns relating to the intelligent vehicle-highway systems program;

(B) recommend legislative and administrative actions necessary to further the program; and

(C) address ways to further promote industry and State and local government involvement in the program.

(3) UPDATE OF REPORT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress an update of the report under this subsection.

SEC. 655. TECHNICAL, PLANNING, AND OPERATIONAL TESTING PROJECT ASSISTANCE.

(a) TECHNICAL ASSISTANCE AND INFORMATION.—The Secretary may provide planning and technical assistance and information to State and local governments seeking to use and evaluate intelligent vehicle-highway systems technologies. In doing so, the Secretary shall assist State and local officials in developing plans for areawide traffic management control centers, necessary laws pertaining to establishment and implementation of such systems, and plans for infrastructure for such systems and in conducting other activities necessary for the intelligent vehicle-highway systems program.

(b) PLANNING GRANTS.—The Secretary may make grants to State and local governments for feasibility and planning studies for development and implementation of intelligent vehicle-highway systems. Such grants shall be made at such time, in such amounts, and subject to such conditions as the Secretary may determine.

(c) ELIGIBILITY OF CERTAIN TRAFFIC MANAGEMENT ENTITIES.—Any interagency traffic and incident management entity, including independent public authorities or agencies, contracted by a State department of transportation for implementation of a traffic management system for a designated corridor is eligible to receive Federal assistance under this part through the State department of transportation.

(d) OPERATIONAL TESTING PROJECTS.—The Secretary may make grants to State and local governments for operational tests relating to intelligent vehicle-highway systems. In deciding which projects to fund under this subsection, the Secretary shall—

(1) give the highest priority to those projects that—

(A) will contribute to the goals and objectives specified in plan developed under section 654; and

(B) will minimize the relative percentage of Federal contributions (excluding funds apportioned under section 104 of title 23, United States Code) to total project costs;

(2) seek to fund operational tests that advance the current state of knowledge and, where appropriate, build on successes achieved in previously funded work involving such systems; and

(3) require that operational tests utilizing Federal funds under this part have a written evaluation of the intelligent vehicle-highway systems technologies investigated and of the results of the investigation which is consistent with the guidelines developed pursuant to section 653(c).

(e) AUTHORITY TO USE FUNDS.—Each State and eligible local entity is authorized to use funds provided under this part for implementation purposes in connection with the intelligent vehicle-highway systems program.

SEC. 656. APPLICATIONS OF TECHNOLOGY.

(a) IVHS CORRIDORS PROGRAM.—The Secretary shall designate transportation corridors in which application of intelligent vehicle-highway systems will have particular benefit and, through financial and technical assistance under this part, shall assist in the development and implementation of such systems.

(b) PRIORITIES.—In providing funding for corridors under this section, the Secretary shall allocate not less than 50 percent of the funds made available to carry out this section to eligible State or local entities for application of intelligent vehicle-highway systems in not less than 3 but not more than 10 corridors with the following characteristics:

(1) Traffic density (as a measurement of vehicle miles traveled per highway mile) at least 1.5 times the national average for such class of highway.

(2) Severe or extreme nonattainment for ozone under the Clean Air Act, as determined by the Administrator of the Environmental Protection Agency.

(3) A variety of types of transportation facilities, such as highways, bridges, tunnels, and toll and nontoll facilities.

(4) Inability to significantly expand capacity of existing surface transportation facilities.

(5) A significant mix of passenger, transit, and commercial motor carrier traffic.

(6) Complexity of traffic patterns.

(7) Potential contribution to the implementation of the Secretary's plan developed under section 654.

(c) OTHER CORRIDORS AND AREAS.—After the allocation pursuant to subsection (b), the balance of funds made available to carry out this section shall be allocated to eligible State and local entities for application of intelligent vehicle-highway systems in corridors and areas where the application of such systems and associated technologies will demonstrate benefits related to any of the following:

(1) Improved operational efficiency.

(2) Reduced regulatory burden.

(3) Improved commercial productivity.

(4) Improved safety.

(5) Enhanced motorist and traveler performance.

Such corridors and areas may be in both urban and rural areas and may be interstate and intercity corridors. Urban corridors shall have a significant number of the characteristics set forth in subsection (b).

SEC. 657. COMMERCIAL MOTOR VEHICLE SAFETY TECHNOLOGY.

(a) STUDY.—The Secretary shall conduct a study to evaluate technology which is designed for installation on a commercial motor vehicle to provide the individual operating the vehicle with a warning if a turn, lane change, or other intended movement of the vehicle by the operator will place the vehicle in the path of an adjacent object or vehicle.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing findings and recommendations concerning the study conducted under this section.

SEC. 658. FUNDING.

(a) IVHS CORRIDORS PROGRAM.—There is authorized to be appropriated to the Secretary for carrying out section 656, out of the Highway Trust Fund (other than the Mass Transit Account), $71,000,000 for fiscal year 1992 and $86,000,000 per fiscal year for each of fiscal years 1993 through 1997. In addition to amounts made available by subsection (b), any amounts authorized by this subsection and not allocated by the Secretary for carrying out section 656 for fiscal years 1992 and 1993 may be used by the Secretary for carrying out other activities authorized under this part.

(b) OTHER IVHS ACTIVITIES.—There is authorized to be appropriated to the Secretary for carrying out this part (other than section 656), out of the Highway Trust Fund (other than the Mass Transit Account), $24,000,000 for fiscal year 1992 and $28,000,000 per fiscal year for each of fiscal years 1993 through 1997.

(c) RESERVATION OF FUNDS.—Of the funds made available pursuant to subsection (a), not less than 5 percent shall only be available for innovative, high-risk operational or analytical tests that do not attract substantial non-Federal commitments but are determined by the Secretary as having significant potential to help accomplish long-term goals established by the plan developed pursuant to section 654.

(d) FEDERAL SHARE PAYABLE.—The Federal share payable on account of activities carried out under this part shall not exceed 80 percent of the cost of such activities. The Secretary may waive application of the preceding sentence for projects undertaken pursuant to subsection (c) of this section.

(e) APPLICABILITY OF TITLE 23.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any activity under this section shall be determined in accordance with this section and such funds shall remain available until expended. Such funds shall be subject to the obligation limitation imposed by section 102 of this Act.

SEC. 659. DEFINITIONS.

For the purposes of this part, the following definitions apply:

(1) IVHS.—The term "intelligent vehicle-highway systems" means the development or application of electronics, communications, or information processing (including advanced traffic management systems, commercial vehicle operations, advanced traveler information systems, commercial and advanced vehicle control systems, advanced public transportation systems, satellite vehicle tracking systems, and advanced vehicle communications systems) used singly or in combination to improve the efficiency and safety of surface transportation systems.

(2) CORRIDOR.—The term "corridor" means any major transportation route which includes parallel limited access highways, major arterials, or transit lines; and, with regard to traffic incident management, such term may include more distant transportation routes that can serve as viable options to each other in the event of traffic incidents.

(3) STATE.—The term "State" has the meaning such term has under section 101 of title 23, United States Code.

PART C—ADVANCED TRANSPORTATION SYSTEMS AND ELECTRIC VEHICLES

SEC. 671. ADVANCED TRANSPORTATION SYSTEM AND ELECTRIC VEHICLE RESEARCH AND DEVELOPMENT CONSORTIA.

(a) GENERAL AUTHORITY.—

(1) PROPOSAL.—Not later than 3 months after the date of the enactment of this Act, an eligible consortium may submit to the Secretary a proposal for receiving grants made available under this section for electric vehicle and advanced transportation research and development.

(2) CONTENTS OF PROPOSAL.—A proposal submitted under paragraph (1) shall include—

(A) a description of the eligible consortium making the proposal;

(B) a description of the type of additional members targeted for inclusion in the consortium;

(C) a description of the eligible consortium's ability to contribute significantly to the development of vehicles, transportation systems, or related subsystems and equipment, that are competitive in the commercial market and its ability to enable serial production processes;

(D) a description of the eligible consortium's financing scheme and business plan, including any projected contributions of State and local governments and other parties;

(E) assurances, by letter of credit or other acceptable means, that the eligible consortium is able to meet the requirement contained in subsection (b)(6); and

(F) any other information the Secretary requires in order to make selections under this section.

(3) GRANT AUTHORITY.—Except as provided in paragraph (4), not later than 6 months after the date of the enactment of this Act, the Secretary shall award grants to not less than 3 eligible consortia. No one eligible consortium may receive more than one third of the funds made available for grants under this section.

(4) EXTENSION.—If fewer than 3 complete applications from eligible consortia have been received in time to permit the awarding of grants under paragraph (3), the Secretary may extend the deadlines for the submission of applications and the awarding of grants.

(b) ELIGIBILITY CRITERIA.—To be qualified to receive assistance under this section, an eligible consortium shall—

(1) be organized for the purpose of designing and developing electric vehicles and advanced transportation systems, or related systems or equipment, or for the purpose of enabling serial production processes;

(2) facilitate the participation in the consortium of small- and medium-sized businesses in conjunction with large established manufacturers, as appropriate;

(3) to the extent practicable, include participation in the consortium of defense and aerospace suppliers and manufacturers;

(4) to the extent practicable, include participation in the consortium of entities located in areas designated as nonattainment areas under the Clean Air Act;

(5) be designed to use State and Federal funding to attract private capital in the form of grants or investments to further the purposes stated in paragraph (1); and

(6) ensure that at least 50 percent of the costs of the consortium, subject to the requirements of subsection (a)(3), be provided by non-Federal sources.

(c) SERVICES.—Services to be performed by an eligible consortium using amounts from grants made available under this part shall include—

(1) obtaining funding for the acquisition of plant sites, conversion of plant facilities, and acquisition of equipment for the development or manufacture of advanced transportation systems or electric vehicles, or other related systems or equipment, especially for environmentally benign and cost-effective manufacturing processes;

(2) obtaining low-cost, long-term loans or investments for the purposes described in paragraph (1);

(3) recruiting and training individuals for electric vehicle- and transit-related technical design, manufacture, conversion, and maintenance;

(4) conducting marketing surveys for services provided by the consortium;

(5) creating electronic access to an inventory of industry suppliers and serving as a clearinghouse for such information;

(6) consulting with respect to applicable or proposed Federal motor vehicle safety standards;

(7) creating access to computer architecture needed to simulate crash testing and to design internal subsystems and related infrastructure for electric vehicles and advanced transportation systems to meet applicable standards; and

(8) creating access to computer protocols that are compatible with larger manufacturers' systems to enable small- and medium-sized suppliers to compete for contracts for advanced transportation systems and electric vehicles and other related systems and equipment.

SEC. 672. DEFINITIONS.

For purposes of this part, the following definitions apply:

(1) ADVANCED TRANSPORTATION SYSTEM.—The term "advanced transportation system" means a system of mass transportation, such as an electric trolley bus or alternative fuels bus, which employs advanced technology in order to function cleanly and efficiently;

(2) ELECTRIC VEHICLE.—The term "electric vehicle" means a passenger vehicle, such as a van, primarily powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current, and that may include a nonelectrical source of supplemental power; and

(3) ELIGIBLE CONSORTIUM.—The term "eligible consortium" means a consortium of—

(A) businesses incorporated in the United States;

(B) public or private educational or research organizations located in the United States;

(C) entities of State or local governments in the United States; or

(D) Federal laboratories.

SEC. 673. FUNDING.

Funding to carry out this part shall be as provided by section 21(h) of the Urban Mass Transportation Act of 1964.

TITLE VII—EXTENSION OF HIGHWAY-RELATED TAXES AND TRUST FUND.

SEC. 701. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This title may be cited as the "Surface Transportation Revenue Act of 1991".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 702. EXTENSION OF HIGHWAY-RELATED TAXES AND TRUST FUND.

(A) EXTENSION OF TAXES.—The following provisions are each amended by striking "1995" each place it appears and inserting "1999":

(1) Section 4051(c) (relating to tax on heavy trucks and trailers sold at retail).

(2) Section 4071(d) (relating to tax on tires and tread rubber).

(3) Section 4081(d)(1) (relating to Highway Trust Fund financing rate on gasoline).

(4) Section 4091(b)(6)(A) (relating to Highway Trust Fund financing rate on diesel fuel).

(5) Sections 4481(c), 4482(c)(4), and 4482(d) (relating to highway use tax).

(b) EXTENSION OF EXEMPTIONS.—The following provisions are each amended by striking "1995" each place it appears and inserting "1999":

(1) Section 4041(f)(3) (relating to exemptions for farm use).

(2) Section 4041(g) (relating to other exemptions).

(3) Section 4221(a) (relating to certain tax-free sales).

(4) Section 4483(g) (relating to termination of exemptions for highway use tax).

(5) Section 6420(h) (relating to gasoline used on farms).

(6) Section 6421(i) (relating to gasoline used for certain nonhighway purposes, etc.).

(7) Section 6427(g)(5) (relating to advance repayment of increased diesel fuel tax).

(8) Section 6427(o) (relating to fuels not used for taxable purposes).

(c) OTHER PROVISIONS.—

(1) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) (relating to floor stocks refunds) is amended—

(A) by striking "1995" each place it appears and inserting "1999", and

(B) by striking "1996" each place it appears and inserting "2000".

(2) INSTALLMENT PAYMENTS OF HIGHWAY USE TAX.—Section 6156(e)(2) (relating to installment payments of highway use tax on use of highway motor vehicles) is amended by striking "1995" and inserting "1999".

(d) EXTENSION OF DEPOSITS INTO, AND CERTAIN TRANSFERS FROM, TRUST FUND.—

(1) IN GENERAL.—Subsection (b), and paragraphs (2) and (3) of subsection (c), of section 9503 (relating to the Highway Trust Fund) are each amended—

(A) by striking "1995" each place it appears and inserting "1999", and

(B) by striking "1996" each place it appears and inserting "2000".

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (4)(A)(i) and (5)(A) of section 9503(c) are each amended by striking "1995" and inserting "1997".

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-11) is amended—

(i) by striking "1995" and inserting "1997", and

(ii) by striking "1996" each place it appears and inserting "1998".

(C) EXTENSION OF EXPENDITURES FROM BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 is amended by striking "1994" and inserting "1998".

(e) EXTENSION AND EXPANSION OF EXPENDITURES FROM TRUST FUND.—

(1) EXPENDITURES.—Subsections (c)(1) and (e)(3) of section 9503 are each amended by striking "1993" and inserting "1997".

(2) PURPOSES.—Paragraph (1) of section 9503(c) is amended by striking subparagraph (D) and inserting the following:

"(D) authorized to be paid out of the Highway Trust Fund under the Intermodal Surface Transportation Infrastructure Act of 1991.

In determining the authorizations under the Acts referred to in the preceding subparagraphs, such Acts shall be applied as in effect on the date of the enactment of the Intermodal Surface Transportation Infrastructure Act of 1991."

(f) EXPANSION OF MASS TRANSIT ACCOUNT EXPENDITURE PURPOSES.—Paragraph (3) of section 9503(e) is amended—

(1) by inserting "or capital-related" after "capital" the first place it appears,

(2) by striking "section 21(a)(2)" and inserting "subsection (a)(2), (b), (c), (g)(2), (h), or (j)(1) of section 21", and

(3) by inserting before the period "or in accordance with the Intermodal Surface Transportation Infrastructure Act of 1991 (as such Acts are in effect on the date of the enactment of the Intermodal Surface Transportation Infrastructure Act of 1991)".

(g) USE OF REVENUES FOR ENFORCEMENT OF HIGHWAY TRUST FUND TAXES.—The Secretary of Transportation shall not impose any condition on the use of funds transferred under section 144 of this Act to the Internal Revenue Service. The Secretary of the Treasury shall, at least 60 days before the beginning of each fiscal year (after fiscal year 1992) for which such funds are to be transferred, submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate detailing the increased enforcement activities to be financed with such funds with respect to taxes referred to in section 9503(b)(1) of the Internal Revenue Code of 1986.

(h) TAX EVASION REPORT.—The Secretary of Transportation shall also submit each report prepared pursuant to section 144(f) of this Act to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate not later than the applicable date specified therein.

SEC. 703. BUDGET COMPLIANCE.

(a) IN GENERAL.—If obligations provided for programs pursuant to this act for fiscal year 1992 will cause—

(1) the total outlays in any of the fiscal years 1992 through 1995 which result from this Act, to exceed

(2) the total outlays for such programs in any such fiscal year which result from appropriation Acts for fiscal year 1992 and are attributable to obligations for fiscal year 1992, then the Secretary of Transportation shall reduce proportionately the obligations provided for each program pursuant to this Act for fiscal year 1992 to the extent required to avoid such excess outlays.

(b) COORDINATION WITH OTHER PROVISIONS.—The provisions of this section shall apply, notwithstanding any provision of this Act to the contrary.

The CHAIRMAN. No amendment to said substitute, as modified, is in order except those amendments printed in part 2 of House Report 102-265. Said amendments shall be considered in the order and manner specified in said report and shall be considered as read. Debate time specified for each amendment shall be equally divided and controlled by the proponent of the amendment and a Member opposed thereto. Said amendments shall not be subject to amendment, except as specified in House Report 102-265.

Where House Report 102-265 specifies consideration of amendments en bloc, said amendments shall be so considered and shall not be subject to a demand for a division of the question.

It is in order at any time for the chairman of the Committee on Public Works and Transportation to offer amendments en bloc consisting of amendments, and modifications in the text of any amendments which are germane thereto, printed in part 2 of House Report 102-265. Said amendments en bloc except modifications shall be considered as read and shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation. The original proponents of the amendments en bloc shall have permission to insert statements in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc. Said amendments en bloc shall not be subject to amendment or to a demand for a division of the question.

The Chair will announce the number of the amendment made in order by House Resolution 252 in order to give notice to the Committee of the Whole as to the order of recognition.

PREFERENTIAL MOTION OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the preferential motion.

The Clerk read as follows:

Mr. WALKER of Pennsylvania moves that the committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Mr. Chairman, I use this procedural way of getting time because under the process of the rule, the fact is that the opposition to this bill was very limited in the amount of time that we were able to get. I think that is a shame, because there really are some important questions to be raised about the content of the bill.

I think that it is entirely appropriate to suggest that the enacting clause be stricken out when we do, in fact, find true problems in the content of the bill itself.

Many of my colleagues have come to the floor today explaining why their particular special project in this bill is a wonderful thing. I have no doubt that many of them are.

The question is that there are 460 of them. The chances are that we are not going to discuss even half of them, let alone probably not even a quarter of them, and there are some in there that bear some questions.

But more importantly, there is language in the bill that I have raised earlier today. I would like to explore what some of this language means. The gentleman from New Jersey took some umbrage with respect to my bringing these up, but I would like to know what the language means.

For example, in section 150 of the bill where it says:

Any Federal expenditures under this section and section 149 for such project shall be treated as part of the non-Federal share of the cost of such flood control project.

Does that mean that for purpose of this section of the bill that the State's share is now going to be replaced by Federal money alone and that that is going to be taken out of the highway trust fund in order to do the completion of this flood control project?

I would appreciate an answer on it. Does anybody from the committee know what the effect of that language is? Nobody can explain to me what that language means?

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I was sitting in the back there. Does that mean that the 20-percent match that is required by the State is waived in the chairman's district?

Mr. WALKER. That is what it appears to me. I am not certain, because I have had a couple lawyers tell me that it is very confusing language, but it would appear as though in this one project that the State's share is being waived. That, I think, is a concern when we find it buried down in the language of the bill.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield further?

Mr. WALKER. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, there are 460 special projects in this bill. Do any of the other Members who have these special projects get the benefit of this 20-percent waiving of the match?

Mr. WALKER. I do not know. I have to tell the gentleman, I do not know, because I have not been able to go through all of them, but these were two provisions that were found in here that are questionable.

Well, if I cannot get an answer to that one, and it appears as though no one has any answer to it, maybe somebody can answer for me and tell me what the language means that says with regard to section 151 of the bill:

Notwithstanding any other provision of law, the Governor of the State of New Jersey shall carry out with respect to the construction of the highway project authorized by section 149(a)(1) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 181) all of the responsibilities of the Secretary under title 23, United States Code, and all other provisions of law.

In so doing, the Governor is authorized to waive any and all Federal requirements, the waiver of which the Governor determines to be in the public interest.

Now, can anybody explain whether or not there are any limits on that particular provision? Does the Governor, in fact, have the right to waive civil rights law? Does the Governor have the right to waive child labor laws? Does the Governor have the right to waive OSHA laws? Does the Governor have the right to waive environmental laws? Does the Governor have the right to cancel an environmental impact statement? Does the Governor have the right to ignore the environmental impact statement? Does the Governor have the right to waive Federal contracting law? Can anybody tell me?

There is no one who can tell me what that provision means?

Well, I will tell you, it is a little disturbing, because that kind of language is totally contrary to all kinds of Federal practice. You cannot designate essentially a special project and then suggest that Federal law of no kind applies to it, and yet no one on the committee can explain to me what the language really means?

I am willing to accept an interpretation that this language is fairly narrow in scope, but the fact is that there is no explanation that it is narrow in scope, then one has to assume that it is very broad in scope and that is what the language seems to say. I will tell you, I find that very disturbing.

Let me suggest that there is one other thing coming up in a few minutes.

□ 1640

There was one amendment made in order, only one that actually cut spending in the bill. Only one amendment cut spending. That was my amendment that takes out $11.5 million for the Office of Intermodalism.

Now, I realize that most of you do not have any idea of what intermodalism means.

Intermodality does not appear in any dictionary I know of. At least I was not able to find it.

So we are creating this Office of Intermodalism, and, as nearly as I can tell, intermodalism is something that is not discussed in polite company and as nearly as I can tell, maybe it is something that is only discussed before the Senate Judiciary Committee.

But the fact is, the fact is that this is a very serious problem because it is $11.5 million in spending.

Mr. ROE. Mr. Chairman, I believe this gentleman from New Jersey is entitled to the other 5 minutes, am I not correct?

The CHAIRMAN. The gentleman from New Jersey will be recognized for 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, you know, it is near Halloween, and I thought to myself when we were working last night, most of last night, getting ready for this morning, because I am so proud of the Committee on Public Works and Transportation, because on both sides there is bipartisanship; you know, it is a funny thing, we work together and we work in truth and we work in fact, we listen to everybody, we are cordial, we are decent, we do not play this political game that is played here.

Where does anybody have the right—and I will not yield—where does anybody have the right to get up on this floor and suggest that the Governor of the State of New Jersey, because this language, which they do not understand and will not listen to and really do not care about—I am from New Jersey, and I am chairman of the committee—what they are trying to do is to belittle so and run people down in some surreptitious way. I do not know what you gain by that. I do not know what you have achieved.

You could not hurt me if you hit me with a baseball bat because you people are princes of darkness, princes of darkness is what you are.

We are trying to elevate the country. This bill is an American bill. It is for the people of this country.

They dare to say to you that the 2½ cents that they are paying now is going to collapse this country—when the OPEC nations got together 3 months ago, they agreed they were going to

raise the price of oil from $19.50 a barrel to $23 a barrel, and who is going to pay for it? Each and every American citizen was going to pay for it. It was going to cost us 35 cents more per gallon of gasoline.

You know what they were going to do with that 35 cents that we were going to pay, which translates into billions of dollars? They were going to rebuild Kuwait.

Now, I say to you, princes of darkness, that all day we have been listening, listening, listening how bad Members are, how bad the bipartisan Committee on Public Works is. Fifty-three Members against three voted unanimously, not once, not twice, but three times. This bill has been scrubbed. This bill has been discussed with every Member.

Ah, but the princes of darkness would tell you that this is not an all-American bill. Is it not about time in this country that 2½ cents or a nickel or a dollar was spent for the people of the United States? That is the issue.

We are fed up and tired of running down and belittling people who come to this floor and quote things they do not know, say things that are not true, do not even do their homework, and have the temerity to suggest in the sovereign State of New Jersey, because of the language they do not know, that maybe the Governor of the State of New Jersey would award a contract to some other person who has contributed to his or her campaign.

I say to you shame on you, shame on you; you ought to really be ashamed of yourselves to lower the debate to that level. And I thank the gentleman.

Mr. Chairman, I yield to the distinguished gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. I thank the chairman for yielding.

I say to my friend, I thought I had answered my good friend from Pennsylvania in the general debate when I said it is my understanding, reading the amendment, that the Governor of New Jersey must act in the public interest and, therefore, if he were to somehow destroy the environmental laws or the civil rights laws, he would be hauled into court in a lawsuit faster than you could say "Jack Robinson."

Mr. ROE. Or princes of darkness.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Pennsylvania [Mr. WALKER].

The preferential motion was rejected.

AMENDMENTS EN BLOC, AS MODIFIED, OFFERED BY MR. ROE

Mr. ROE. Mr. Chairman, pursuant to the rule, I offer en bloc amendments Nos. 4, 5, 7, 9, 10, and 11.

The CHAIRMAN. The Clerk will designate the amendments en bloc and report the modifications.

Mr. ROE. Mr. Chairman, I ask unanimous consent that the modifications be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The texts of the amendments en bloc, as modified, are as follows:

Amendments offered by Mr. Roe: Page 66, line 17, before "shall" insert "(other than Massachusetts)".

Page 66, line 19, after the period insert the following: "Sums apportioned during such period for the Interstate System in the State of Massachusetts shall remain available until expended.".

Page 72, line 13, strike the closing quotation marks and the final period.

Page 72, after line 13, insert the following: "(c) INCREASED FEDERAL SHARE FOR CERTAIN SAFETY PROJECTS.—The Federal share payable on account of any project for traffic control signalization, pavement marking, commuter carpooling and vanpooling, or installation of traffic signs, traffic lights, guardrails, impact attenuators, concrete barrier entreatments, or breakaway utility poles may amount to 100 percent of the cost of construction of such projects; except that not more than 10 percent of all sums apportioned for all the Federal-aid systems for any fiscal year in accordance with section 104 of this title shall be used under this subsection.".

Page 72, lines 17 and 18, strike "(c), (d), (e), (f), (g), and (h)," and insert "(d), (e), (f), (g), (h), and (i),".

Page 72, line 22, strike "subsection (a)" and insert "this section".

Page 72, line 23, after "affect" insert "(1)".

Page 72, line 25, before the period insert the following: ", and (2) the Federal share established by section 120(k) of such title, as in effect on the day before the date of the enactment of this Act, with respect to United States Highway 71 in Arkansas from the I-40 intersection to the Missouri-Arkansas State line".

Page 84, after line 20, insert the following: (f) MONTANA-CANADA TRADE.—The Secretary shall not withhold funds from the State of Montana on the basis of actions taken by the State of Montana pursuant to a draft memorandum of understanding with the Province of Alberta, Canada, regarding truck transportation between Canada and Shelby, Montana; except that such actions do not include actions not permitted by the State of Montana on or before June 1, 1991.

Page 107, line 22, after "economic," insert "energy,".

Page 109, line 5, strike "and tunnels," and insert ", tunnels, and pavements,".

Page 109, line 7, strike "or tunnel" and insert ", tunnel, or pavement".

Page 115, line 15, after "economic," insert "energy,".

Page 116, line 23, strike "and tunnels," and insert ", tunnels, and pavements,".

Page 116, line 25, strike "or tunnel" and insert ", tunnel, or pavement".

In the table on page 150, insert at the end the following:

Ohio	Construction of a bicycle/pedestrian facility from Greene County, Ohio, to Dayton, Ohio.	3.5

Page 153, line 11, insert "(a) INCLUSION OF IRON.—" before "Section 165(a)".

Page 153, line 17, strike "(a) INCLUSION OF IRON.—".

Move subsection (b) beginning on line 3 of page 154 and ending on line 21 of page 155 to page 153, after line 13.

Page 161, line 3, strike "The" and all that follows through "of" on line 5 and insert the following: "A feasibility study shall be conducted under this subsection with respect to the corridor described in subsection (c)(2), relating to Avenue of the Saints, to determine".

In the table on page 163, in the item relating to California, Nevada, Arizona, strike "/I-95" and insert "/U.S. 95".

In the table on page 163 in the item relating to Missouri, Iowa, Minnesota, Illinois, Wisconsin, strike "Illinois, Wisconsin".

Page 167, after line 2, insert the following: (8) SPECIAL RULE.—Amounts allocated by subsection (f) to the State of California for improvements on I-15 and I-40 shall not be subject to any State or local law relating to apportionment of funds available for the construction or improvement of highways.

Page 189, after line 23, insert the following: (h) TREATMENT OF SCENIC HIGHWAYS IN OREGON.—For purposes of this section, a highway designated as a scenic highway in the State of Oregon shall be treated as a scenic byway.

In the table on page 191, strike "2.8" and insert "3.0".

In the table on page 193, strike the item relating to Texas.

In the table on page 194, strike "13.9" and insert "12.3".

In the table on page 194, strike "7.0" and insert "8.8".

In the table on page 195, strike "2.5" and insert "0.9".

In the table on page 195, strike "2.7" and insert "0.9".

In the table on page 196, strike "8.4" and insert "7.9".

In the table on page 196, strike "1.1" and insert "1.5".

In the table on page 196, strike "11.8" and insert "11.4".

In the table on page 197, strike "35.0" and insert "51.9".

In the table on page 197, strike "Fort Worth to Springtown, Texas" and insert "Parker County, Texas (SH199)" and strike "70.0" and insert "39.6".

In the table on page 197, strike "14.0" and insert "13.5".

In the table on page 212, strike "Clairesville" and insert "Clairsville" and strike "17.4" and insert "20.0".

In the table on page 214, strike "35.0" and insert "32.6".

In the table on page 216, strike "11.1" and insert "15.8".

In the table on page 216, strike "Aerospace Technology Clark Access Rd., Brookpark, Ohio" and insert "Aerospace Technology Park Access Rd., Brook Park, Ohio".

In the table on page 216, strike "3.5" and insert "5.0".

In the table on page 217, strike "Maple Grove" each place it appears and insert "Brooklyn Park".

In the table on page 217, strike "5.6" the last place it appears and insert "21.0".

In the table on page 218, strike "35.0" and insert "49.3".

In the table on page 218, strike "5.6" and insert "15.0".

In the table on page 218, insert at the end the following:

Borough of Paulsboro, New Jersey.	Construction of a new bridge to improve safety.	1.4

Page 229, line 24, strike "$5,000,000" and insert "$5,400,000".

Page 230, strike lines 10 through 13 and redesignate subsequent subsections of section 169 of the bill accordingly.

Page 232, line 14, insert "in Oregon and Washington" after "improvements".

Page 232, line 16, after the period insert the following: "The Secretary shall give the highest priority to those Oregon projects identified in the State's transportation improvement plan.".

Page 242, line 15, strike "1991" and insert "1992".

Page 243, after line 13, insert the following new sections:

"SEC. 181. METRIC SYSTEM SIGNING.

"Section 144 of the Federal-aid Highway Act of 1978 (92 Stat. 2713; 23 U.S.C. 109 note) is repealed.

"SEC. 182. CLEVELAND HARBOR, OHIO.

"(a) DEAUTHORIZATION OF PORTION OF PROJECT FOR HARBOR MODIFICATION.—That portion described in subsection (b) of the project for harbor modification, Cleveland Harbor, Ohio, authorized by section 202(a) of the Water Resources Development Act of 1986 (100 Stat. 4095), is not authorized after the date of the enactment of this Act.

"(b) AREA SUBJECT TO DEAUTHORIZATION.—The portion of the project for harbor modification, Cleveland Harbor, Ohio, described in this subsection is that portion situated in the City of Cleveland, Cuyahoga County, and State of Ohio, T7N, R13W and being more fully described as follows:

"Beginning at an iron pin monument at the intersection of the centerline of East 9th Street (99 feet wide) with the centerline of relocated Erieside Avenue N.E. (70 ft. wide).

"Thence South 50°06'52" West on the centerline of relocated Erieside Avenue N.E. a distance of 112.89 feet to a point.

"Thence southwesterly continuing on the centerline of relocated Erieside Avenue N.E. along the arc of a curve to the left, with a radius of 300.00 feet and whose chord bears South 42°36'52" West 140.07 feet, an arc distance of 141.37 feet to a point.

"Thence North 60°53'08" West a distance of 35.00 feet to a point on the northwesterly right-of-way line of relocated Erieside Avenue N.E.

"Thence South 29°06'52" West on the northwesterly right-of-way line of relocated Erieside Avenue N.E. a distance of 44.36 feet to a point.

"Thence North 33°53'08" West a distance of 158.35 feet to a point.

"Thence South 56°06'52" West a distance of 76.00 feet to a point.

"Thence North 78°53'08" West a distance of 18.39 feet to a point.

"Thence North 33°53'08" West a distance of 33.50 feet to a point, said point being the true place of beginning of the parcel herein described.

"Thence South 56°06'52" West a distance of 84.85 feet to a point.

"Thence North 33°53'08" West a distance of 137.28 feet to a point.

"Thence North 11°06'52" East a distance of 225.00 feet to a point.

"Thence South 78°53'08" East a distance of 160.00 feet to a point.

"Thence South 11°06'52" West a distance of 46.16 feet to a point.

"Thence South 56°06'52" West a distance of 28.28 feet to a point.

"Thence South 11°06'52" West a distance of 89.70 feet to a point.

"Thence South 33°53'08" East a distance of 28.28 feet to a point.

"Thence South 11°06'52" West a distance of 83.29 feet to a point.

"Thence South 56°06'52" West a distance of 4.14 feet to a true place of beginning containing 42,646 square feet more or less.

"(c) REIMBURSEMENT NOT REQUIRED.—The Ohio Department of Natural Resources shall not be required to reimburse the Federal Government any portion of the credit received by the non-Federal project sponsor as provided for in Public Law 100-202 (101 Stat. 1329-108).

"SEC. 183. SIGNING OF UNITED STATES HIGHWAY 71.

"The Arkansas State Highway and Transportation Department shall erect the signs along United States Highway 71 from the I-40 intersection to the Missouri-Arkansas State line which are required to be erected by the Arkansas State law designated as Act 6 of 1989.

"SEC. 184. DISPOSITION OF PAVEMENT MATERIALS.

"Not later than 60 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding to establish minimum requirements for the economic reuse and environmentally sound disposition of pavement materials removed during construction, reconstruction, or repaving in any federally-assisted highway project.".

Page 290, line 9, strike the closing quotation marks and the final period.

Page 290, after line 9, insert the following:

"(4) GRANTS FOR BUS TESTING.—The Secretary shall set aside $1,500,000 in fiscal year 1992, $2,000,000 in each of fiscal years 1993 through 1996, and $3,000,000 in fiscal year 1997 of the amounts made available for replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus related facilities by subsection (k)(1)(C) for such fiscal year for obligation by the Secretary for making grants to the bus testing facility established under section 317 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (49 U.S.C. App. 1608) for the cost of testing small- and medium-duty buses, vans, and paratransit vehicles and for the lost value of such buses, vans, and vehicles.".

Page 356, line 4, strike "GILROY" and insert "SAN JOSE-GILROY-HOLLISTER".

Page 356, line 12, strike "in Gilroy," and insert "from San Jose, through Gilroy, to Hollister,".

Page 357, line 9, before "locally" insert "South Station to World Trade Center segment of the".

Page 357, line 11, strike "December 31, 1991," and insert "February 28, 1992,".

Page 357, line 14, after "for" insert "the entirety of".

Page 357, line 14, after the period insert the following: Section 330 of the Department of Transportation and Related Agencies Appropriations Act, 1992 is amended by striking "—", by striking "(a)", by striking "; and" at the end of paragraph (a) and all that follows through the period at the end of such section and inserting a period, and by running in the remaining matter of paragraph (a) following "Administration".

Page 383, after line 20, insert the following: "The reports shall also include an assessment of the availability and adequacy of commercial motor vehicle driver training schools and programs.".

Page 400, line 21, after the period insert the following: "This training shall include certification of an operator's proficiency by an instructor who has met the requirements established by the Secretary.".

Page 404, line 19, strike "establishing" and insert "proposing".

Page 405, line 13, after "Transportation" insert "and the Committee on the Judiciary".

Page 407, line 6, strike "1996" and insert "1998".

Page 407, line 11, strike "1996" and insert "1998".

Page 407, after line 19, insert the following:

(3) LIMITATION.—For purposes of paragraphs (1) and (2), in the event of an amendment to the International Fuel Tax Agreement, conformity by a State that is not participating in such Agreement when such amendment is made may not be required with respect to such amendment until a reasonable time period for such conformity has elapsed, but in no case earlier than—

(A) the expiration of the 365-day period beginning on the first day that the corresponding compliance with such amendment is required of States that are participating in such Agreement; or

(B) the expiration of the 365-day period beginning on the day the relevant office of the State receives written notice of such amendment from the Secretary.

Page 407, strike line 20 and all that follows through line 9 on page 408 and insert the following:

(h) ENFORCEMENT.—

(1) ACTION.—On the request of the Secretary, the Attorney General may commence, in a court of competent jurisdiction, a civil action for such injunctive relief as may be appropriate to ensure compliance with subsections (f) and (g).

(2) VENUE.—Such action may be commenced only in the State in which relief is required to ensure such compliance.

(3) RELIEF.—Subject to section 1341 of title 28, United States Code, such court, upon a proper showing—

(A) shall issue a temporary restraining order or a preliminary or permanent injunction; and

(B) may require in such injunction that the State or any person comply with such subsections.

In the table on page 416, after "transit projects in East Haven/Wallingford, Connecticut" insert "($8.8 million for East Haven Route 80, $2.4 million for Wallingford I-91, and $0.7 million for Wallingford Oakdale)".

In the table on page 416, in the item relating to Northern California, strike "For the acquisition" and all that follows through "California" and insert "Purchase right-of-way and develop a transportation corridor in existing rail right-of-way from Larkspur to Korbel, and Novato to Lombard".

In the table on page 417, in the item relating to Las Vegas, Nevada, strike "and I-95".

In the table on page 418, strike "14.0" and insert "15.8".

In the table on page 418, strike "7.0" the last place it appears and insert "6.2".

Page 427, line 25, strike "1992" and insert "1993".

Page 464, line 18, after "bridge" insert ", tunnel,".

Page 468, line 10, strike "and".

Page 468, line 11, after "agencies," insert "and national and international entities,".

Page 468, line 12, after "employees" insert ", United States citizens, and foreign nationals".

Page 472, after line 9, insert the following:

SEC. 619. UNDERGROUND PIPELINES.

(a) STUDY.—The Secretary shall conduct a study to evaluate the feasibility, costs, and benefits of constructing and operating pneumatic capsule pipelines for underground movement of commodities other than hazardous liquids and gas.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation

of the Senate a report on the results of the study conducted under this section.

Page 472, line 10, strike "619" and insert "620".

Page 480, line 19, after "grants to" insert "non-Federal entities, including".

Page 480, line 19, after "governments" insert ", universities, and other persons,".

Page 485, line 20, after the period insert the following: "The Secretary shall seek maximum private participation in the funding of such activities.".

MODIFICATION TO THE AMENDMENT OFFERED BY MR. WAXMAN OF CALIFORNIA

The amendment as modified is as follows:

Page 115, line 4, strike "develop the" and all that follows down through line 6 and insert "carry out its responsibilities for the transportation portion of the State implementation plan to the extent required by the Clean Air Act.".

Amendment offered by Mr. BEREUTER: Page 243, after line 13, insert the following:

SEC. 181. STUDY ON IMPACT OF CLIMATIC CONDITIONS.

(a) STUDY.—The Secretary shall conduct a study of the effects of climatic conditions on the costs of highway construction and maintenance. The study shall take into account such climatic conditions as freezing, thawing, and precipitation and the impact of climatic conditions on increased highway design costs and decreased highway service life in the various regions of the United States.

(b) REPORT.—Not later than September 30, 1993, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with such recommendations as the Secretary considers appropriate. The report shall include a description of the implications of the differing costs on the allocation of highway funds to the States.

MODIFICATION TO THE AMENDMENT OFFERED BY MR. HOCHBRUECKNER OF NEW YORK

The amendment as modified is as follows:

Page 243, after line 13, insert the following new section:

SEC. 181. METHODS TO REDUCE TRAFFIC CONGESTION DURING CONSTRUCTION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that many highway projects are carried out in a way which unnecessarily disrupts traffic flow during construction and that methods need to be adopted to eliminate or reduce these disruptions.

(b) STUDY.—The Secretary shall conduct a study on methods of enhancing traffic flow and minimizing traffic congestion during construction of Federal-aid highway projects and on costs associated with implementing such methods.

(c) CONSIDERATIONS.—In conducting the study under this section, the Secretary shall consider—

(1) the feasibility of carrying out construction of Federal-aid highway projects during off-peak periods and limiting closure of highway lanes of Federal-aid highways to portions of highways for which construction is in progress and for which safety concerns require closure; and

(2) the need for establishment and operation by each State of a toll-free telephone number to receive complaints and provide information regarding the status of construction on Federal-aid highways in the State.

(d) REPORT.—Not later than September 30, 1992, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with such recommendations as the Secretary considers appropriate.

Amendment offered by Mr. SCHUMER: Page 376, after line 26, insert the following new section:

SEC. 334. MODIFIED BUS SERVICE TO ACCOMMODATE THE NEEDS OF STUDENTS.

Nothing in the Urban Mass Transportation Act of 1964, including the regulations issued to carry out such Act, shall be construed to prohibit the use of buses acquired or operated with Federal assistance under such Act to provide modified bus service in New York City, New York, to accommodate the needs of students if such buses are operating within the regular route but making limited, express stops during periods of heavy use and such buses carry normal designations and clear markings that such buses are open to the general public.

AMENDMENT OFFERED BY MR. COUGHLIN OF PENNSYLVANIA

At the end of title III of the bill, add the following new section:

SEC. 334. STATE RESPONSIBILITY FOR FIXED GUIDEWAY SYSTEM SAFETY.

The Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1601–1621) is further amended by adding at the end the following new section:

"SEC. 29. STATE RESPONSIBILITY FOR FIXED GUIDEWAY SYSTEM SAFETY.

"(a) WITHHOLDING OF FUNDS FOR NONCOMPLIANCE.—

"(1) FIRST 2 YEARS.—The Secretary shall withhold 5 percent of the amount required to be apportioned for use in any State or urbanized area in such State under section 9 of this Act on the first day of each fiscal year which begins after the second calendar year following the date of the enactment of this section if the State does not meet the requirements of subsection (b) on such day.

"(2) THEREAFTER; ADDITIONAL WITHHOLDING.—The Secretary shall withhold 10 percent (including any amounts withheld under paragraph (1)) of the amount required to be apportioned for use in any State or urbanized area in such State under section 9 of this Act on the first day of each fiscal year which begins after the fourth calendar year following the date of the enactment of this section if the State does not meet the requirements of subsection (b) on the first day of such fiscal year.

"(b) STATE REQUIREMENTS.—A State meets the requirements of this section if—

"(1) the State establishes and is implementing a safety program plan for each fixed guideway mass transportation system in the State which establishes, at a minimum, safety requirements, lines of authority, levels of responsibility and accountability, and methods of documentation for such system; and

"(2) the State designates an agency of the State with responsibility to—

"(A) require, review and approve, and monitor implementation of such plans; and

"(B) investigate hazardous conditions and accidents on such systems and require corrective actions to correct or eliminate such conditions.

"(c) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE.—

"(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

"(A) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 1996.—Any funds withheld under subsection (a) from apportionment for use in any State on or before September 30, 1996, shall remain available for apportionment for use in such State until the end of the second fiscal year following the fiscal year for which such funds are authorized to be appropriated.

"(B) FUNDS WITHHELD AFTER SEPTEMBER 30, 1996.—No funds withheld under this section from apportionment to any State after September 30, 1996, shall be available for apportionment for use in the State.

"(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period for which funds withheld under subsection (a) from apportionment are to remain available for apportionment for use in a State under paragraph (1)(A), the State meets the requirements of subsection (b), the Secretary shall, on the first day on which the State meets the requirements of subsection (b), apportion to the State the funds withheld under subsection (a) that remain available for apportionment for use in the State.

"(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—Any funds apportioned pursuant to paragraph (2) shall remain available for expenditure until the end of the third fiscal year succeeding the fiscal year in which such funds are apportioned pursuant to paragraph (2). Sums not obligated at the end of such period shall be apportioned for use in other States under section 9 of this Act.

"(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (a) from apportionment are available for apportionment for use in a State under paragraph (1), the State does not meet the requirements of subsection (b), such funds shall be apportioned for use in other States under section 9 of this Act.

"(d) LIMITATION OF APPLICABILITY.—This section only applies to States that have rail fixed guideway mass transportation systems which are not subject to regulation by the Federal Railroad Administration.".

The CHAIRMAN. Pursuant to the rule, the gentleman from New Jersey [Mr. ROE] will be recognized for 10 minutes and the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 10 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, these amendments are noncontroversial.

The first is a committee amendment that contains a series of technical and conforming amendments and various provisions members have requested of the committee. These include, in part, the following provisions:

To continue the increased Federal share for certain safety projects and priority primary routes;

To include energy as one the factors of the overall effects on transportation decisions;

To repeal the prohibition for the placement of metric signs along Federal-aid highways;

To require the Secretary to initiate a rulemaking for the disposition of pavement materials;

To authorize funding for costs associated with testing small- and medium-duty buses, vans, and paratransit vehicles;

To include an assessment of commercial motor vehicle driver training schools and programs;

To provide for uniformity of forms and procedures for the payment of fuel use taxes by commercial motor carriers by 1998; and

To evalute the constructing and operating pneumatic capsule pipelines for

underground movement of certain commodities.

In addition, the amendment proposed by the gentleman from Nebraska [Mr. BEREUTER] requires the Secretary of Transportation to conduct a study of the effects of climatic conditions on the costs of highway construction and maintenance. At a minimum, the study will investigate the effects of freezing and thawing on pavement conditions and will provide the Federal Highway Administration with valuable and much needed information regarding the design of our highways.

The amendment proposed by Mr. SCHUMER ensures that schools in New York City will be permitted to continue to provide express bus service to school children along regularly scheduled transit routes.

The amendment simply ensures that a practice which currently benefits all passengers—adults and children—is allowed to continue in the face of ambiguous Federal regulations. The amendment has no impact on transit funding and is limited in scope to New York City.

The amendment proposed by the gentleman from California [Mr. WAXMAN] as modified strikes the language in section 135(b) on statewide planning that could be interpreted to give the State complete authority to develop the transportation portion of the State implementation plan required by the Clean Air Act. Our intent was not to preclude the participation of representatives of local governments, State air quality planning agencies, metropolitan planning agencies, and State transportation planning agencies in the development of this important plan. Nor was it the committee's intent to conflict with section 174 of the Clean Air Act which mandates the preparation of the State implementation plan by an organization which includes representatives of these organizations.

The amendment proposed by the gentleman from New York [Mr. HOCHBRUECKNER] as modified, would provide for sense of the Congress language that the performance of highway construction work should be enhanced to minimize congestion at highway work zone areas. It would also call for the secretary to study cost-effective means of such enhancement and the installation of a telephone hoteline.

The amendment proposed by the gentleman from Pennsylvania [Mr. COUGHLIN] requires States to establish rail transit safety programs establishing minimum safety requirements and to certify and monitor their enforcement. This amendment came to our attention late in the process. On its face, it appears to be a good idea and we will take a more indepth look in conference.

Mr. Chairman, I am not aware of any controversy regarding these matters and I urge adoption of the en bloc amendment.

□ 1650

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

PARLIAMENTARY INQUIRIES

Mr. WALKER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. WALKER. Mr. Chairman, under the provision of the rule, do the opponents of this amendment get time?

The CHAIRMAN. Under the rule, the chairman, the gentleman from New Jersey [Mr. ROE], receives 10 minutes of time, and the ranking minority member receives 10 minutes of time on this en bloc amendment.

Mr. WALKER. So, if the ranking minority member is in favor of the amendment, the fact is that the opponents of the amendment receive no time allocated under the rule.

Is that correct?

The CHAIRMAN. The Chair would state that the fact is that time is allocated at the discretion of the chairman, the gentleman from New Jersey [Mr. ROE], and the ranking minority member.

Mr. WALKER. But there is no time allocated under the rule to the opposition; is that correct?

The CHAIRMAN. The gentleman from Pennsylvania is correct.

Mr. HAMMERSCHMIDT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. HAMMERSCHMIDT. Mr. Chairman, this is relative to the inquiry from the gentleman from Pennsylvania. I think subsequent amendments will be offered and the opposition will be allowed the time. Is that correct?

The CHAIRMAN. The gentleman is correct on the following amendments, the individual amendments.

Mr. WALKER. Mr. Chairman, I have a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. WALKER. Mr. Chairman, is there any indication as to why there is a difference on this amendment and the opponents are not being given an opportunity to ask questions about this amendment?

The CHAIRMAN. The Chair cannot speculate about that.

POINT OF ORDER

Mr. ABERCROMBIE. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ABERCROMBIE. Mr. Chairman, we should make this man obey the rules of the House. That is not a parliamentary inquiry.

The CHAIRMAN. The Chair so responded. The committee will now resume regular order.

The gentleman from Arkansas [Mr. HAMMERSCHMIDT] is recognized.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in support of this en bloc amendment. It contains a package of technical committee amendments and amendments offered by the gentleman from New York [Mr. SCHUMER], the gentleman from Nebraska [Mr. BEREUTER], the gentleman from California [Mr. WAXMAN], the gentleman from New York [Mr. HOCHBRUECKNER], and the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. Chairman, Mr. SCHUMER's amendment would permit buses funded with UMTA funds to provide modified express service to transport school children along a regular fixed route. Mr. BEREUTER's amendment would require a study of climate-related stresses on highways. Mr. WAXMAN's amendment makes a clarifying change in H.R. 2950 to ensure that nothing in this bill conflicts with requirements of the Clean Air Act. Mr. HOCHBRUECKNER's amendment would require an examination of ways to improve traffic flow during construction. Mr. COUGHLIN's amendment requires States to set up rail transit safety programs, set minimum safety standard requirements for these systems and enforce those requirements.

While the committee has not resolved all its difficulties with each of these amendments, we will accept these amendments with the intention of working with amendment sponsors during the Conference process to resolve the remaining concerns.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. EVANS].

Mr. EVANS. Mr. Chairman, I rise to express my concerns in this en bloc amendment because it includes a provision that identifies Avenue of the Saints as traveling through Missouri, Iowa, and Minnesota. Several routes have been proposed for this highway, including one that utilizes U.S. 67, Highway 67, and goes through my State, Illinois.

This transportation bill specifically designates 20 high priority corridors in the National Highway System of which the Avenue of the Saints is one. This bill gives the Secretary of Transportation the authority to prepare a long-range plan and feasibility study for these corridors. It is, therefore, completely inconsistent with the intent of this legislation to single out one segment in Illinois to be removed from feasibility studies for this overall plan.

So, Mr. Chairman, I believe that it would be a mistake to include this provision in the transportation bill.

Mr. DURBIN. Mr. Chairman, will the gentleman yield?

Mr. EVANS. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Chairman, I thank the gentleman from Illinois [Mr. EVANS] for yielding to me.

Mr. Chairman, it is the nature of our debate on the floor of the House that,

when an en bloc amendment is offered, it is usually noncontroversial, and most of us have accepted that at face value. I might tell my colleagues that the amendment which the gentleman from Illinois [Mr. EVANS] makes reference to is very controversial. It is controversial within our State of Illinois.

Mr. Chairman, this is an attempt by one of the Members of this body to direct that a decision be made which benefits his State to the detriment of others. We believe that the decision should be made on the basis of the best service to the greatest number of people and that the State of Illinois should be considered, along with other States, for the Avenue of the Saints.

I want to stand behind the statement made by my colleague, the gentleman from Illinois [Mr. EVANS]. I would sincerely hope that the committee will not let this issue stop at this moment, but will consider it again at a later date.

Mr. ROE. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I rise in support of the gentleman from New Jersey [Mr. ROE] in this effort to get the committee amendment en bloc adopted at this point.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER], the sponsor of one of the amendments.

Mr. BEREUTER. Mr. Chairman, this Member rises in specific support of one particular section in this en bloc amendment to H.R. 2950.

Mr. Chairman, this Member would also like to take this time to thank the chairman of the Public Works and Transportation Committee, the distinguished gentleman from New Jersey [Mr. ROE] and the ranking minority member on the committee, the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT] for offering the provision within the en bloc amendment that this Member had proposed.

Mr. Chairman, it is obvious that certain climatic conditions have an adverse impact on our Nation's highways. The Federal Highway Administration and the American Association of State Highway and Transportation Officials have recognized the need for special pavement design for highways which experience hard freezes and spring thaws in various regions of the country.

Such climatic conditions result in increased construction and maintenance costs and decreased service life of the highways. Proper design of highways in certain regions require considerably stronger pavements that may have a shorter service life than in other regions. In some regions, climatic conditions have required an increase in the thickness of asphaltic concrete by up to 30 percent from the best climatic conditions to the worst.

Although climatic conditions clearly and greatly affect the construction and maintenance costs of highways, this matter has not been adequately studied to accurately measure the climatic import. Contained herein is a straightforward effort to examine this situation and determine the need for any possible improvements. It calls for the Secretary of Transportation to study the effects of climatic conditions on the costs of highway construction and maintenance. Following the study, the Secretary would provide Congress with a report of the study results as well as appropriate recommendations.

As the United States moves forward with improvements in the various surface transportation programs, it is essential that the best available data is utilized. This amendment is an important step toward recognizing the problems associated with different climatic conditions and developing solutions.

This Member urges his colleagues to support the en bloc amendment and expresses sincere appreciation to the committee for including in H.R. 2950 an authorization for the Niobrara, NE to Springfield, SD, bridge and the Newcastle, NE to Vermilion, SD, bridge which this Member has sought to meet pressing transportation needs between our two States.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Chairman, I would like to clarify a portion of the committee amendment. In the committee amendment, we have included a provision based on existing law that increases the Federal share for certain safety projects. Traffic control signalization projects are among those for which a higher share is available. Our intent is that traffic control signalization includes priority control systems for emergency vehicles at signalized intersections.

Mr. VOLKMER. Mr. Chairman, as the country prepares itself for the 21st century, a national highway system including viable feeder routes and important thoroughfares and corridors is necessary to enable Americans to compete globally and on an equal playing field. This country's economic welfare depends on it.

Not only is it important for farmers and manufacturers in northeast Missouri to transport their goods to distributors, marketplaces, et cetera in neighboring towns and States, now these producers must think about world markets, foreign buyers and the Nation's increasing and important emphasis on exporting.

Consequently, the new Intermodal Surface Transportation Infrastructure Act of 1991 is one of the most significant pieces of legislation in this session.

The House Public Works Committee understands the importance of this legislation which will meet the transportation needs of all segments of this country. It has been a struggle and considerable hard work has gone into it, but this legislation will provide the transportation infrastructure required by a 21st-century society.

One of the most prominent sections in this legislation is the designation of corridors of national significance or highways deemed by the committee as the "most efficient and effective way of integrating regions and improving efficiency and safety of commerce and travel and further promoting economic development." I am proud that the committee recognized the Avenue of the Saints which will connect the cities of St. Louis, MO, and St. Paul, MN.

For the past several years, I have worked hard on this project. When the project was first proposed, I immediately concluded it was a valid proposal and I began working for it. I realized how important a total highway system that runs north and south through our area would be. I worked with the chairman of the Public Works Committee, Members from the Iowa and Minnesota delegations and other Members of Congress to bring this project to its completion. I also enjoyed the support from a vibrant grassroots effort made up of several groups along the Highway 61 corridor in my district.

After a thorough study and review of proposed route A—Illinois and Wisconsin—and route B—Missouri, Iowa, and Minnesota—for the Avenue of the Saints, Secretary of Transportation Samuel Skinner determined that route B was the most efficient and cost-effective route for Avenue of the Saints.

However, last-minute efforts were made by members of the State delegations included in route A to have language included in the bill with Missouri, Iowa, and Minnesota for Illinois and Wisconsin.

I am very pleased to work with Congressmen DAVID NAGLE and FRED GRANDY of Iowa to convince the Public Works Committee that route B—Missouri, Iowa, and Minnesota—was the most viable route and that route A—Illinois and Wisconsin—should not be considered.

As a result, Chairman ROE has included in en bloc an amendment to exclude Illinois and Wisconsin from consideration as the corridor for Avenue of the Saints and that route B clearly establishes itself as the most efficient and cost-effective route for Avenue of the Saints.

I am in strong support of this amendment and I urge my colleagues to vote for it.

Mr. HOCHBRUECKNER. Mr. Chairman, I rise today to strongly support the en bloc amendment offered by Chairman ROE to the surface transportation bill. I am pleased that Chairman ROE and the Public Works and Transportation Committee have included in the amendment a sense-of-the-Congress provision highlighting the fact that the problem of traffic congestion associated with the maintenance of our Nation's Federal-aid highways needs to be addressed. It also incorporates a measure requiring the Secretary of Transportation to conduct a study on methods to enhance traffic flow and minimize traffic congestion due to road construction and to report back to Congress on its findings.

With the completion of our National System of Interstate and Defense Highways, we will finally begin to redirect spending to rehabilitate the over 60 percent of our Nation's highways which now require some form of surface rehabilitation.

While the reconstruction and maintenance of our Nation's roads improves the efficiency

of our highway system, an increasing amount of highway projects also means increased congestion and frustrating delays for motorists, resulting in a waste of energy and increased air pollution. Each year the Federal Government funds billions of dollars in projects throughout the country, implemented by the States, affecting each of our districts. Currently, we do not have a policy in place to help control the amount of congestion associated with the maintenance of our Nation's Federal-aid highways.

Mr. Speaker, Chairman ROE'S en bloc amendment adequately addresses my concerns about the need for our Nation to more fully address the problem of increased traffic congestion during periods of construction on our Nation's highways. I strongly urge my colleagues to support Chairman ROE'S amendment.

Mr. HAMMERSCHMIDT. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. ROE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendments en bloc as modified, offered by the gentleman from New Jersey [Mr. ROE].

The amendments en bloc, as modified, were agreed to.

PREFERENTIAL MOTION OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. BURTON of Indiana moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes in support of his preferential motion.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to engage the gentleman from Pennsylvania [Mr. WALKER] in a brief colloquy because I think this is extremely important, especially where fairness in this body is concerned.

On page 206 of the bill on line 12 it says that any Federal expenditures under this section and section 149 for such projects shall be treated as part of the non-Federal share of the cost of such flood control project.

Now, as I understand it, this involves 14 bridges, and there is supposed to be on these special projects 80 percent paid by the Federal Government and 20 percent paid for by the State, and the way this reads, and I want to make sure we understand it, this gives the Federal Government the ability to waive that 20 percent that all the other special projects are going to have to pay around the country.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I hope that the gentleman from Indiana [Mr. BURTON] is not afraid of talking to the Prince of Darkness here on the floor. The dark cloud may enshroud him here in this discussion. But let us examine the reality of it because we did not get much of an answer a few minutes ago when we had a discussion about it.

The fact is that under this provision there is $9.5 million authorized for the projects over the next 6 years of the bill. The estimates of the cost is $17.8 million. The question that nobody has been able to answer for us here on the floor today is is the $9.5 million the 20 percent non-Federal share which this bill is going to pay and whether the Army Corps of Engineers is going to pay the other 80 percent. The chances are that that is the case.

□ 1700

The money then for payment of the State's share would come out of the highway trust fund. The Secretary is obligated to come up with any additional money that might not be there, and the total project would be paid for by the Federal Government with no matching share.

Mr. BURTON of Indiana. Mr. Chairman, let me ask the gentleman one further question.

Of the 460 or 459 other projects in the country, is there any language that the gentleman has been able to find in the bill that would exempt the other projects from that 20 percent match?

Mr. WALKER. Mr. Chairman, I must say to the gentleman that I have not been through the whole bill, but I would say that no, I am not aware of that. We find some places where obligational authority was forgiven and where grant money was forgiven. There are some things like that, but there is nothing precise where a State was treated in a special way to be relieved of its entire matching authority, as is the case under this particular provision.

Mr. BURTON of Indiana. Mr. Chairman, I thank the gentleman.

What I would like to do with the remainder of my time, Mr. Chairman, is to run through very quickly the reasons that the administration has for opposing this legislation and threatening a veto of it.

This bill extends the gas tax for 4 years, and that is in effect a tax increase on the backs of the American people. It is going to be a 2.5-cent-a-gallon gas tax increase from 1995 through 1999.

The administration authorized and proposed a 39-percent increase in highway funding over the 5 years without extension of the 2½-cent gas tax. The fact of the matter is, this body and this committee wants that gas tax levied.

The language in section 104 that requires CBO estimates to be used for purposes of pay-as-you-go scoring violates last year's budget summit agreement, so this legislation does violate the summit agreement that was agreed to last year. There are 27 projects that are going to cost $1.2 billion, but of those 27 projects, 20 of them are going to cost $23 billion in the out-years, and that is not in this bill.

Of the other 460 projects that are going to cost $3.8 billion—that is, special projects; some people call a lot of these pork barrel projects—they are going to cost $50 billion in the out-years, thus adding to and exacerbating the deficit problem of this Nation. The bill not only reduces but also allows temporary waivers of current State and local matching requirements, one of which we just talked about a few minutes ago.

The bill does not adequately fund the National Highway System. It provides $37.7 billion over 6 years instead of the administration's request for $43.5 billion, so they are setting priorities different than what the Department of Transportation feels is absolutely necessary.

The bill contains mandatory allocations of highway obligation authority to urban areas. These allocations deny States the necessary flexibility to target spending to their most pressing transportation needs. The Federal Government is going to tell them how to take care of the problems in their States.

The bill increases annual mass transit operating subsidies from $800 million, and—get this—to $2.3 billion over the next 5 years, and it goes up after that.

More than three-quarters of mass transit new start projects earmarked by the bill either fail to meet the basic cost effectiveness criteria, or lack sufficient information for a meaningful evaluation.

Furthermore, the total of the earmarks for new transit starts exceeds $4.9 billion provided in the bill for this purpose, and there is $13.7 billion coming out of the general fund.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

Does the gentleman from New Jersey [Mr. ROE] wish to be recognized in opposition to the preferential motion?

Mr. ROE. No, Mr. Chairman. I just want to thank the Chair and the Members for indulging us, and indulging our colleagues.

Mr. WALKER. Mr. Chairman, I rise in opposition to the preferential motion.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. ROE. Mr. Chairman, I thought it was 5 minutes for and 5 minutes against.

The CHAIRMAN. Any Member may be recognized in opposition to the preferential motion for 5 minutes.

Mr. WALKER. Mr. Chairman, I rise in opposition to the preferential motion at this time, because I do hope that at some point we can get to my amendment that actually would have the potential of saving us a little bit of money. Now, understand, it is just a little bit of money. It is less than one one-hundredths of 1 percent of all of the money that is in the bill. Nevertheless, it is an important subject area, because what this bill does in one section is, it creates an Office of Intermodalism.

Now, again, I say to the Members, most of you probably do not know what that word means. If you come up here to our dictionary you will find that it is not in there, and that will probably lead you to an understanding that this is probably something that you may not care to understand what it means.

As nearly as I can tell, the reason why we ended up with this office in the bill is because there were some groups who came before the committee and testified in favor of intermodalism. It was interesting when they testified. Most of them testified against private automobiles. They do not like the idea that people have private automobiles to get out and go wherever they want whenever they want. So they decided that what we need is some office in the Transportation Department that will in fact try to get people out of their private automobiles and take other forms of transportation.

So the committee has complied with this by forming an Office of Intermodalism. The Office of Intermodalism is an anticar office that will be formulated under the bill. Now, it is interesting to have such an office created. The automobile industry contributes one of every seven jobs in the country. If ever there is a job-killing action, it would be to create an office aimed at trying to destroy an industry that provides one-seventh of the total employment in the country. But that is what this bill does.

Now, it is interesting to note that particular office, for administrative costs, costs $11.5 million a year. We are going to spend $11.5 million a year in the Department of Transportation trying to kill off private automobiles in the country. That does not seem to me to be a very rational thing to do.

My amendment would strike the Office of Intermodalism from the bill, and thereby giving the Secretary the obligation to carry forth the intermodal activities. After all, intermodal activities are supposed to be those things that cause transportation to be treated as a network. That is the reason why the Department of Transportation was formed in the first place. That is what it was supposed to do. Now we have to create a brand new $11.5 million bureaucracy to do what the Department of Transportation is supposed to be doing all the way along.

All I am suggesting in my amendment is that we should not create any new bureaucracy. If you want to spend the money on all these special projects in your district, if you think they are all worthwhile, fine. But we ought not to be about the job of trying to form new bureaucracies to do heaven knows what. But from the indication of the groups that supported this concept, the "heaven knows what" is, they are trying to destroy the private automobile sector of our economy.

Now, one other thing I ought to mention is, my amendment in no way touches anybody's intermodal projects. I knew that that would probably set off all kinds of concerns, if we tried in this amendment to knock out projects that were put in the bill for intermodal activities.

I know a lot of you have a lot of intermodalism going on in your districts and you want to continue that. So, therefore, I do not want to do anything about those projects. You keep intermodaling all you want in your districts. It is just that the Secretary will take care of that, rather than this new director of the Office of Intermodalism.

So I do not want to touch anyone's project. All that I suggest is that this brand new $11.5 million bureaucracy is probably unnecessary. If we want to intermodal all over the country and we want to have a hearing in the Judiciary Committee on intermodaling all over the country, that is fine with me, but let us not create new bureaucracies to do all that intermodality. Let us at least have a little bit of sense about this whole process and not come up with brandnew bureaucracies.

That is all my amendment will do. It will be offered later in the process. Since I was only allocated 15 minutes on the whole amendment, and I assume I would only get 7½ minutes of that, I thought at least an initial explanation of intermodalism might be beneficial to the Members. So when Members get to the question of whether or not there ought to be a brand new Office of Intermodalism, I would hope that the Members would vote no on that. It will save $11.5 million. It is a pittance of what is in this bill, but it is an important pittance, because at least we will tell the American people that there is $11.5 million of their money that we do not have to spend on intermodaling all over the country.

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

The CHAIRMAN. All time has expired.

The question is on the preferential motion offered by the gentleman from Indiana [Mr. BURTON].

The preferential motion was rejected.

□ 1710

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in part 2 of House Report 102-265.

AMENDMENTS EN BLOC OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer amendments en bloc.

The Clerk read as follows:

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Ms. NORTON: Page 22, strike lines 11 through 16 and insert the following:

The Secretary determines otherwise—

(A) not less than 10 percent of the amounts authorized to be appropriated under titles I, III, and VI of this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals, and

(B) not less than 5 percent of the amounts authorized to be appropriated under such titles shall be expended with small business concerns owned and controlled by women.

Page 23, line 11, strike the semicolon and all that follows through the period on line 14 and insert a period.

The CHAIRMAN. Under the rule, the gentlewoman from the District of Columbia [Ms. NORTON] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my decoupling amendment seeks to correct a mistake made when the Congress simply incorporated women into the existing 10-percent minority procurement goal for disadvantaged businesses in the 1987 transportation bill. The resulting polarization between women and minorities has been fierce. When Federal legislation is the direct cause of intergroup conflict, the Congress has an obligation to eliminate that polarization.

In 1982, the Congress set a goal of 10 percent of Federal highway and transit funds to be spent with minority businesses, omitting women. At that same time, the data showed that women experienced the same pattern of almost total exclusion. Because the concerns and needs of women were not brought forward, women were not included in the original program. This omission has had three unintended consequences. It has shortchanged women. It has been unfair to minorities. And it pitted one group against the other. Let me explain.

In 1987, while the House was considering a reauthorization measure, a floor amendment that had never been presented in committee was adopted without debate on the floor. It made women eligible to participate in the DBE Program, but squeezed them into the same 10-percent goal that in 1982 had been carved out by this body for minorities alone. This was unprecedented and unprofessional in affirmative action methodology. Just how damaging the consequences would be was unforeseen at the time. In State after State, reports indicate internecine conflicts among minorities and women—both

disadvantaged groups. Their energies should more properly be focused on competing with those who have long enjoyed a monopoly over the majority of these construction contracts. These monopoly contractors have been the beneficiaries of congressional action that has thrown minorities and women into the same small share.

My amendment will allow minorities and women to compete separately for a fair and realistic portion of the total dollars we spend on highway and transit projects, providing a goal of 10 percent for minority businesses, and 5 percent for women businesses. Nationwide, minority firms have demonstrated a capacity to achieve beyond this goal. Women-owned firms have achieved 5 percent. Both goals, therefore, reflect actual experience.

I preferred a 10-percent goal for each group and argued for it in the Rules Committee. I believe that if the two groups had been before the Congress in 1982, both would have been separately and equally designated, as they are in other affirmative action programs. I support the amendment reported out because it allows both groups to participate according to their actual experience and therefore, shortchanges neither, and because it rids us of polarization neither the country nor the DBE Program can afford.

The opposition usually raises two canards—higher fraud and lower standards. The occasional fraud earlier found in some State programs is no longer a significant problem because it was exposed and cleaned out.

The argument that standards will be compromised to meet the goal is resoundingly refuted by the data. Since the program's inception, State DBE procurement figures have always fluctuated from year to year according to the availability of qualified firms. This experience shows that States adjust to the prevailing realities of the DBE marketplace. They do not go forward in a rigid manner bound and determined to meet unattainable numbers but pursue flexible goals.

I urge support of the amendment.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for 10 minutes.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in strong opposition to this amendment.

Five years ago, I stood on this very floor where I am standing now and proposed an amendment to add women-owned businesses as a socially and economically disadvantaged group for purposes of the Federal-aid highway and transit programs. Since then, minority-owned businesses and women-owned businesses have both been eligible under the 10-percent set-aside goal.

I did that because in the highly competitive, capital intensive construction industry, both minorities and women are equally disadvantaged. The Black Caucus and its chairman at the time did not object to the amendment. The amendment passed unanimously and became the law of the land. It has worked well and should not be changed.

Today, I stand here again and defend the good policy decision made in 1986. Unfortunately, some of my colleagues, whom I greatly respect, believe that minority-owned businesses deserve to have a separate goal of 10 percent reserved for them, and women-owned business only deserve half that goal, or 5 percent. The amendment not only caps WBE's at 5 percent, it removes the presumption that women-owned businesses are socially and economically disadvantaged with regard to the Federal surface transportation programs.

In both subcommittee and full committee markups on H.R. 2950, this same amendment was offered and soundly defeated with bipartisan opposition. The reason for its defeat is clear; the amendment is wrong, unfair, unreasonable, and should not be enacted into law.

Let us take a look at the facts. First, the amendment would result in a majority of States being unable to reach the overall 15-percent goal. Prior to the inclusion of WBE's in the program, 21 States could not reach the 10-percent goal. Since 1987, 7 States have voluntarily set higher DBE goals, 42 States have achieved a percentage in excess of the established 10-percent minimum, and only 4 States have had difficulty attaining their goals. The DBE national average is currently 14.3 percent.

Despite these impressive figures, 37 States are currently not able to achieve a 15-percent goal that would be required as a result of this amendment. The amendment will penalize States which do not have the available DBE capacity.

Second, it is unfair to set two separate and unequal goals for two equally disadvantaged groups. Of the 14.3 percent achieved nationally in 1990, minority-owned businesses achieved 9.3 percent and women-owned businesses achieved 5 percent. Twenty-eight States surpassed a 5-percent goal requirement for WBE's that would be set up as a result of this amendment. In the first 6 months of 1991, women-owned businesses were achieving 5.2 percent, and 36 States surpassed the proposed 5-percent requirement.

Third, a dual goal program will result in States having burdensome, divided DBE goals on construction contracts between minority- and women-owned businesses. In other words, the available work percentage for minority-owned businesses will have to match the available, qualified MBE's for that specific work. The same situation will have to occur with the WBE goal. It is very unlikely that a typical contract would be able to be divided very easily on this basis. The sheer population of women and minorities varies nationwide and varies significantly from State to State. A single goal system is far superior, because set-aside requirements can be fulfilled from drawing from a larger total pool of qualified MBE's and WBE's.

Fourth, the amendment will result in capacity problems. Under H.R. 2950, highway construction funding will be increased by 40 percent. As a result of this increase, DBE's will be capturing significantly more dollar volume. To raise the overall goal at a time when funding is expanding will cause serious capacity problems, which will cause more States to have to apply for waivers.

A final fact is that there is not one piece of Federal legislation that contains a set-aside goal in excess of 10 percent. Not one.

I strongly urge my colleagues to oppose this amendment.

Mr. Chairman, I would like to elaborate on what these facts say to us. First, though a majority of States are achieving percentages beyond 10 percent, a majority of them cannot achieve a goal of 15 percent.

Second, since WBE's are already exceeding 5 percent, it is unfair to limit their opportunities to a 5-percent, goal when they can currently compete for a full 10 percent.

Third, a dual goal program puts added burdens and extra costs on construction contracts.

Fourth, increased funding levels will increase the dollar volume for DBE firms. If the goal is increased, it is questionable whether sufficient capacity exists to fulfill the goal.

And finally, no piece of Federal legislation contains a goal beyond 10 percent. Mr. Chairman, the facts point us in only one direction; the current program should not be changed.

I strongly urge my colleagues to oppose this amendment.

Ms. NORTON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from the District of Columbia.

I believe that this amendment is both an appropriate change to the current Disadvantaged Business Enterprise [DBE] Program and an adequate compromise to the issue of decoupling women and minorities in the DBE Program.

This amendment would create two separate goals: a 10-percent goal for minority-owned businesses and 5-percent goal for women-owned businesses.

The overall percentage involvement by disadvantaged businesses has remained constant since 1984. However, the 1987 inclusion of women-owned

businesses in the DBE Program has had a significant impact of the participation of minority-owned businesses.

The total minority business percentage per year has declined from 12.7 percent in fiscal year 1985 to 9.3 percent in fiscal year 1990. At the same time, the participation of women-owned enterprises increased from 2.7 to 5 percent.

According to the Federal Highway Administration, between 1987 and 1990, the DBE Program has seen a 75-percent increase in reported women-owned business participation. However, there has been a dramatic decrease of 32 percent by minority-owned businesses.

This amendment will return the program to the pre-1987 status for minority-owned businesses and set a goal for women-owned businesses that correlates with the national average for women's enterprises.

Perhaps most important, these percentages are not quotas or ceilings—they are goals. There is nothing stopping any group from surpassing this goal. In fact, I'd like to see both women and minority-owned businesses exceed all past goals.

There is data, however, that illustrates minority business participation has decreased consistently under the post-1987 DBE goal system. For example, in 1985, minority businesses were achieving 12.7 participation and womens' enterprises were achieving 2.7 percent participation. In 1990, the minority participation dropped to 9.3, while women enterprises increased to 5 percent.

Our goal today should be to return this program to its original state. I urge my colleagues to support this amendment.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. CLEMENT], a member of the committee.

□1720

Mr. CLEMENT. Mr. Chairman, I rise in opposition to the amendment offered by my friend, the gentlewoman from the District of Columbia.

During the markup at the Committee on Public Works and Transportation, I offered an amendment which was adopted directing the General Accounting Office to study the effectiveness of the disadvantaged business enterprise program. Until the study is completed, which will be no more than 12 months after the date of this bill's enactment, I believe it is premature to include the gentlewoman's amendment in the bill.

Issues to be studied concern the graduation rate of DBE firms, whether the graduation date should be accelerated, what the average length of time small nondisadvantaged firms take in successfully competing for highway construction projects and how that average compares to DBE firms.

The bill also directs the GAO to evaluate the certification process and whether the process should be uniform and permit reciprocity between States.

The study also includes several issues which I understand the gentlewoman herself asked our chairman be included at the full committee markup. These issues include out-of-State contracting, program adjustments, revising the performance, and financial capabilities used to evaluate DBE's, and whether there should be revisions to the enforcement provisions.

I would hope that the gentlewoman's contribution to the report language would indicate her interest in learning the study's result before altering the program in the way her amendment does.

I oppose the amendment. Let the General Accounting Office undertake the study provided for in the bill. Then we can make such corrections as necessary to improve the DBE Program.

I do think we should look at it very seriously, whether women are cannibalizing the minority program, but we do not have enough facts or information yet. That is why the Committee on Public Works and Transportation in the markup placed this study in the record. I recommend to oppose this amendment.

The CHAIRMAN. The Chair notes the gentleman from Arkansas [Mr. HAMMERSCHMIDT] has 6 minutes remaining. He does have the right to close debate.

The gentlewoman from the District of Columbia [Ms. NORTON] has 4 minutes remaining.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentlewoman from the District of Columbia. Her amendment would replace the current set aside of 10 percent for women and minorities as two separate and unequal goals: 10 percent for minorities and 5 percent for women. Quite simply, this amendment is unfair and it is unnecessary.

Delegate NORTON's amendment sends a message loud and clear that providing contracting opportunities for women is only half as important as providing such opportunities for minorities. The fact is that women face many of the same barriers as minorities in establishing their businesses and obtaining contracts.

This amendment is unnecessary for several reasons. H.R. 3566 requires the Comptroller General to conduct a study of the Disadvantaged Business Enterprise Program. This bill requires the study to address very specific items, and it defies common sense to make this drastic change to the current program before this study has been completed.

There is a lot of misinformation floating around about this issue, and I would like to take just a minute to provide Members with the facts.

Advocates of this unequal split claim that minority participation in the program has been severely eroded. The fact is that in 1990, minority businesses received 9.3 percent of the contracts under the Federal Aid Highway Program. Women received 5 percent of the contracts last year due to the fact that some States are exceeding the 10 percent, resulting in an overall goal of 14.3.

Now, those States with large numbers of minority-and/or women-owned businesses are voluntarily increasing their goals, but of the mandate, minorities get 9.3 percent of the contracts.

Second, some Members believe that a new set aside of 15 percent is in step with current program participation and will be easily achieved by the States. Far from meeting a 15-percent goal before women were added to the DBE, 21 States were unable to meet even the 10 percent.

Mr. Chairman, this same amendment was defeated twice in the Committee on Public Works and Transportation. It is not endorsed by the Women's Caucus. It is not endorsed by the Women's Contractors.

I urge my colleagues to follow the committee's lead and to oppose this amendment.

Ms. NORTON. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. SAVAGE].

Mr. SAVAGE. Mr. Chairman, just to dispel this nonsense about figures are pending, the figures are out. The Department of Transportation has the figures. The figures are very simple.

The original bill was adopted in 1978 to improve the participation of minority-owned businesses, and it started, as we can see here, down at only 3 percent. And then the bill worked.

It went from 3 percent to 4.3 in 1981, 5.3 in 1982, 9.8 in 1983, 13.2 in 1984. The bill was working, and its purpose was being served.

And what happened? In 1986 and 1987, an amendment passed on this floor that never saw the light of day in committee, never discussed in committee, never debated on this floor. Was not even a recorded vote.

What it did was to collapse what was then a 3.2-percent goal for women businesses, meaning effectively white women businesses, of course, minority women businesses are included in the original set aside.

The 3.2 percent that Elizabeth Dole, then Secretary of Transportation, set aside for women was collapsed into the 10 percent set aside for minorities.

As a consequence, we got a combined goal of only 10 percent of what was 13.2. It was a one-third reduction, and we can look at the chart and that is exactly what we see happening.

The combined has steadily gone down, every year until last year.

While the women's participation as a percentage of the whole has increased, the whole has decreased.

What will happen if we adopt this amendment? We will take it back to a combined total of 15 percent, which is closer to where it once was at 13.2, rather than where it is now at 10 percent.

The reason it needs to be more than 10 percent is because this particular affirmative action includes more than disadvantaged businesses and minorities. It includes women-owned businesses as well.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Chairman, I rise in strong opposition to the amendment offered by my distinguished committee colleague, the gentlewoman from the District of Columbia [Ms. NORTON].

Any effort to create separate and unequal goals within the Disadvantage Business Enterprise Program is unfair and unreasonable. It sets the tone that, somehow, women are a lower class of citizens and deserve a less than favorable treatment by the Federal Government.

A separate, lower set aside goal for women is discrimination, and no one should support discrimination in any form.

The DBE program works. Minority-owned and women-owned have benefited, and this body should not tinker with a program that has been advantageous to all socially and economically disadvantaged groups employed in the highway construction industry.

This amendment is a step backward for women and I vigorously urge my colleagues to reject this discriminatory measure.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from the District of Columbia.

Under current law, which the bill continues, States must award 10 percent of their Federal highway moneys to disadvantaged business enterprises owned by minorities and women. This policy has been very successful in my State of Nevada.

In fact, in fiscal year 1990, 29.2 percent of the Federal highway construction moneys have been awarded to women owned businesses, 7.6 percent to minority owned businesses.

I am concerned that the gentlelady's sweeping mandate of 10 percent to minorities and 5 percent to women will, in the long run, reduce the number of contracts awarded to women owned companies in my State of Nevada and across the country.

I urge defeat of this amendment.

□1730

Ms. NORTON. Mr. Chairman, I yield 1 minute to the distinguished chairman of our committee, the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, I thank the very distinguished gentlewoman, a member of our committee, for yielding time to me.

I regret that this issue has taken on such contention, and in my support over the years I have strongly supported the situation that we find ourselves in, and I did support the amendment in subcommittee, and I did support the amendment in full committee, and I do support the amendment today.

I think that a better understanding is beginning to emerge. I think that as I recall back in our deliberations in committee we do need more information, we do need a better understanding of this issue. On balance, however, I strongly support the gentlewoman's amendment that she has offered here today.

Ms. NORTON. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I want to commend the gentlewoman from the District of Columbia on resolving a problem that has been a very difficult one for those of us seeking fairness for many years within disadvantaged business enterprises.

Mr. CHAIRMAN. I rise in support of the Norton amendment.

Under current law, States must award a minimum of 10 percent of their Federal highway funds to disadvantaged business enterprises, or DBE's. When this program was conceived in 1982, only racial minorities fell into this classification.

However, in 1987 this definition was amended to include nonminority women—forcing these groups into fierce competition with each other for the same 10 percent goal. The impact of this modification has resulted in a dramatic reduction in the participation of minority businesses in the program as prime contractors avoid their utilization.

It is important to remember, Mr. Chairman, that this 10 percent goal is just that—a goal—for the awarding of Federal highway dollars to these businesses. Currently, those goals are easily exceeded: DBE's are currently awarded 15 percent of all Federal highway contract moneys and have been increasing their share every year. Minorities currently obtain about 9.5 percent while women are awarded about 5.5 percent. This program has been an unqualified success—except for the unfortunate competition that has resulted between women and minority contractors.

The Norton amendment simply seeks to codify the current performance trend of 10 percent for minority firms and 5 percent for women.

What the Norton amendment will do, Mr. Chairman is:

Eliminate the competition between these worthy entrepreneurs by setting separate goals for both;

It will automatically preclude prime contractors from utilizing one DBE group over the other;

It will allow both minority and women contractors to fully develop in the highway construction industry without having to eliminate the other from competition, as is presently the case;

It will increase the minimum award to DBE's from 10 percent to 15 percent—guaranteeing opportunities for these groups.

What the Norton amendment will not do is:

Take hard-fought opportunities away from women contractors.

It will not impose undue burden upon prime contractors, since most nonhighway State and local government disadvantaged business utilization programs already require separate goals for minorities and women, and since the current DBE participation is already 15 percent and growing.

The idea of establishing separate goals is nothing new. Currently, in the Business Opportunity Development Reform Act of 1988, Public Law 100-656, the President is required to establish two Governmentwide goals: One for small business concerns, the other for small disadvantaged businesses. Congress recognized that the only way to accurately monitor progress of small businesses and small disadvantaged businesses was to separate those goals. The Norton amendment builds on that policy by establishing a separate goal for women.

The Norton amendment is good public policy, Mr. Chairman. It establishes a rational way to measure the participation of both women- and minority-owned businesses in the multibillion dollar business of constructing our transportation infrastructure. I urge my colleagues to join in supporting it.

Ms. NORTON. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland [Mr. MFUME].

Mr. MFUME. Mr. Chairman, I rise in support of the gentlewoman's amendment.

Let me just say this about the people most affected, the women and minorities of this country. They want the best in America, in their neighborhoods, in their communities, and an opportunity just like the rest of us. They too pay taxes every day. They travel the roadways and the highways and the byways affected by this bill. They pay taxes every day. Some work at menial jobs, even for minimum pay, but they pay taxes every day. And they have supported, ladies and gentleman, foreign aid. But they want some domestic aid because they pay taxes every day.

As someone said, let us wait for another study, we have had studies on the studies, proposals on the proposals, and another plan B for the plan A that failed. It is always wait until tomorrow, and the next tomorrow, or the next election or the next generation.

These are American citizens who desire an opportunity. This is a ceiling that we can break.

People who argue that it is going to stifle their opportunities need only to look at the current record in this country and they will see they have had no real, meaningful opportunity to participate.

We have played by the rules, but the rules have been changed. I ask Members to pass this amendment and create real and meaningful opportunity for the women and the minorities of this Nation who do not deserve anything less.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SCHUSTER] to close debate for the opposition.

Mr. SHUSTER. Mr. Chairman, the subcommittee defeated this amendment very handily. The full committee defeated this amendment very handily, and for very good reasons.

This amendment should be defeated because it is a quota bill. Members can call it goals, but the State highway departments tell us that they administer it as a quota system because they are so fearful of the lawsuits which will be brought against them if they do not.

The second reason this should be defeated is because even if we maintain the 10 percent, because of the spending increase in this bill there will be a very substantial increase in the dollars available for this program, from $1.4 billion to $1.9 billion a year, a 35-percent increase in dollars even without increasing some 10 percent.

Another reason why this should be defeated is because of the allegations of fraud and abuse. Many people have heard these stories, but more important than the stories are the facts. Let me quote:

> A federally funded study of highway set-aside programs in nine States estimated that roughly 20 percent of minority contractors engaged in fraudulent activities.

That is the reason we passed the GAO study. That is why we should have a study before we go increasing this from 10 percent to 15 percent.

Finally, many women oppose this increase. I had a Member on this floor tell me today, who is going to vote against this, "You don't help women by placing a cap on them which is below where they already have achieved."

So let us have the GAO study. Let us proceed carefully before we initiate a 50-percent increase from 10 percent to 15 percent, which means that we will be increasing not a 35-percent increase, but well over a 50-percent increase. Let us proceed with a study before we increase this from 10 percent to 15 percent.

Mr. OWENS of New York. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, as we debate surface transportation legislation, I rise to support the principle of separating the minority set-asides from the set-asides reserved for women. Mr. Chairman, today I offer the same argument that I presented in an article published in the September, 1989 issue of the Congressional Black Caucus magazine Point of View. This is a statement addressing the philosophical and historical background which justifies the use of set-asides by the U.S. Government. We maintain that set-sides for women and other groups are needed. But it is important to make a distinction with respect to the rationale for other set-asides and the rationale governing set-asides for descendants of African slaves. Mr. Chairman, I offer the following statement:

A PHILOSOPHICAL FOUNDATION FOR SET-ASIDES

(By Major R. Owens)

Attacks continue to come from those who seek to wipe out the concept of set-asides by classifying all minorities or disadvantaged set-asides as "vested interest" legislation. Despite the earlier Supreme Court decisions supporting set-asides at the federal level, this form of attack has continued unabated at State and Municipal levels.

Now, the Supreme Court, in a regressive and reactionary decision, has delivered a temporary but devastating blow to State and Local set-aside programs.

Attack by dilution or overload is the primary problem at the federal level. Federal legislative language evolved from "minorities" to "disadvantaged minorities" to the broader term "disadvantaged." With the addition of white women as another component of the "disadvantaged," we have now arrived at a point where the majority of Americans are theoretically able to apply for the status of "disadvantaged."

The original intent of bringing governmental relief to damaged classes of persons has yielded to a process of determining who is disadvantaged on an individual case-by-case basis.

In other words, the burden of proving a disadvantaged condition has become an individual responsibility with society refusing to acknowledge that whole groups have been damaged to the degree where each individual within the group is *automatically* disadvantaged.

The time has come for the Congressional Black Caucus, the originators of the concept of setasides, to clarify the intent of the original concept. "Reparations" for African-Americans as a class was the original intent. The language of the Supreme Court opinion which upheld the original set-aside in the Public Works Act also reinforces the argument that favorable treatment of a class is justified as a means to correct "past injustices."

Individuals can never be victims of "historic injustices"; only long suffering groups can qualify. The "past" must not be interpreted in a petty and narrow fashion which limits the time period to the life of one person or even several generations. The "past" must be defined as the time span which began with slavery.

Individuals are the victims of "current conditions" such as low incomes which may be used as a determining factor in qualifying as a "disadvantaged" person. While it may be proper for a society to provide relief to such individuals, we must recognize that this is favorable treatment for a different reason.

Although there are now a number of categories or classes that are under the umbrella of "disadvantaged" and all deserve special treatment, *all of the disadvantaged are not equally damaged* and thus do not deserve to be treated equally.

At one extreme of the scale of damage are African-Americans and American Indians or Native Americans. So great has the official and governmental damage to these groups been that they deserve, as groups, special treatment as a matter of *reparations* for long-term, widespread, debilitating damage.

The definition of their "past injustices" must begin with the founding of the nation.

At the other end of the spectrum are physically or mentally disabled individuals who are "disadvantaged" through no fault of the government, but who are in a position to be victimized by the larger society if no official effort is made to assist them. As a matter of general societal compassion and high governmental morality, these individuals are placed under the umbrella of the "disadvantaged."

To better illuminate these arguments, a chart accompanies this article which indicates the major disadvantaging conditions and the degree and extent of disadvantage among eight major groups: African-Americans, Native Americans, Hispanic Americans, Other Ethnic Minorities, Women, Individuals with Temporary or Permanent Disabling Conditions, Political Refugees, and the Temporarily Disadvantaged.

The analysis of the extent and degree of disadvantage should take into account the following:

The *duration* of the disadvantage, which ranges from as little as a few years, or even a few months, to as long as three centuries.

Enslavement, which, because it involves a total denial and destruction of all human rights and dignity, is completely different in intensity and degree from all other disadvantaging conditions.

De jure exploitation and mistreatment: use of the power of government and laws to sanction and encourage the exploitation and violation of its victims' rights produces a massive greater degree of injury than governmental neglect or unsanctioned de facto mistreatment.

The cumulative and compounding effect when a number of highly injurious disadvantaging conditions are present, so that they reinforce each other, and when this continues for many generations.

In structuring federal policies and programs to compensate the disadvantaged, recognition should be given to all of the disadvantaging conditions cited above. However, it is also necessary to give substantial additional weight to the particularly injurious results of human slavery and of government-sanctioned (de jure) exploitation and discrimination, especially when they continued for centuries.

It is especially and critically necessary to give great weight to the *cumulative* effect that results from a massive and overpowering use of all the resources and voices of society to exploit and violate its victims.

When all of the leaders and spokespersons of religion, education, business, the arts and the intellectual community add their voices and their support to the neighbors, storekeepers, employers and others who are encountered in day-to-day living—and when

the violence committed (or condoned) by all of these is aggravated and augmented by the sanction and support of the government and the laws—there is an overwhelming power. The whole is much greater than the sum of the parts.

This massive accumulation had a compounding effect on the slaves and later victims of discrimination who felt totally surrounded and could find help and support only in their own group, with its tragically limited material resources. When all elements of a society joined together to degrade and humiliate an entire people, and when this continued unceasingly and without respite for many generations, the majority of the victims inevitably lost all hope, and began to believe, as society told them, that they were inferior.

It is not requesting too much when we assert that a great nation should be willing to "set-aside" as much as 25% of its resources to provide special opportunities to all groups under the umbrella of the "disadvantaged." It would be a gross injustice to lump or crowd all of these groups, together, treat them equally, and then make no additional resources available to them. The following distribution formula is recommended:

1. 10% for descendants of African-American slaves and Native Americans.
2. 5% for Hispanics and Other Ethnic Minorities.
3. 5% for Women.
4. 5% for Individuals with Temporary or Permanent Disabling Conditions Not Caused By The Government.

Another vitally necessary adjustment to provide a new collective "mind-set" on the question of set-asides and to return to the original intent of the law is embodied in the following language for a legislative amendment:

All descendants of African slaves and all descendants of Native Americans shall be deemed to be automatically disadvantaged. No means test or other conditions shall be imposed on these two classes of disadvantaged persons.

An amendment of this nature would return to the focus of the original legislation. Special treatment to compensate for past injustices committed against an entire group must be implemented in a manner which does not raise the question of whether or not each individual is currently entitled to such treatment. The "reparations" rationale for the group must take precedence over the "compassion" rationale for the single individual.

And furthermore, by limiting the first and largest category of set-aside programs to African-Americans and Native Americans, we pinpoint two groups for which the proof of "past injustices" is readily available. Part of the evidence of official mistreatment is in the Constitution of the United States with its "three-fifths of a man" designation. Generous amounts of evidence of "past injustices" may be found in the recorded history and laws of most of the States and Localities.

Until the late 1960's, laws denied African-Americans the right to a license to work as a plumber, an electrician, plasterer, etc., were still on the books of most of the Southern states. Even today, de facto rules, regulations, traditions, apprenticeship requirements, etc., still deny African-Americans access to these vital trades. Experience as workers and craftspersons is the natural stepping-stone to subcontracting and contracting.

The Supreme Court Richmond decision will force us to dig up the evidence, expose stinking skeletons and open many rancid wounds. There is an abundant supply of evidence to prove arguments for, not less, but more set-asides for the long-suffering African-Americans.

The Eskimos, Aleuts, Pacific Islanders and others are not the descendants of American slaves and we should not dilute our efforts by attempting to bring them under the special umbrella reserved only for African-Americans and Native Americans. The position which contended that we could gain more support by being more inclusive has proven to be a self-defeating approach. With the customary African-American compassion and generosity we welcomed white women into federal set-aside legislation and were victimized by this gesture as contracts and subcontracts were given to them as a way to avoid giving them to African-Americans for whom they were intended by law. Certainly we should continue to fight for and with, other categories of disadvantaged persons. But the Supreme Court ruling now makes it impossible to keep everybody under one umbrella. Each group must make its own case separately and offer its own historic evidence.

In some ways, Sandra Day O'Connor's mean-spirited distortion of the Fourteenth Amendment, and her order to "prove" that past injustices did occur may clear the air. Too much cluttering under the set-aside concept was smothering the originators. Now we may return to the original thrust of set-asides as one part of a much-deserved program to massive reparations for the descendants of slaves.

Mr. LEWIS of Georgia. Mr. Chairman, I rise in strong support of the amendment. It is fair. It is right. It is just.

Mr. HAYES of Illinois. Mr. Chairman, I rise in support of this amendment.

Mrs. SCHROEDER. Mr. Chairman, we will soon be expected to vote on a measure that will replace the Department of Transportation's 10 percent combined procurement goal for minority business enterprises [MBE] and women business enterprises [WBE] with separate procurement goals of 5 percent of women and 10 percent for minorities. This amendment will negatively affect women-owned businesses.

Women business owners are one of the most significant economic resources in America today—and the most underutilized. Gains women have made in the business community are doubly impressive because subtle and not-so-subtle discrimination remain pervasive problems for women running their own businesses.

For example, women are virtually excluded from government procurement activities. In 1979, a Presidential report identified lack of access to procurement contracts as one of the major barriers facing women-owned businesses. Still, more than a decade later, less than 1 percent of Federal prime contracts were awarded to women-owned firms.

The Department of Transportation [DOT] is the only agency that has any kind of a procurement goal for women. The result since the inclusion of women in 1979: A 100-percent increase in women's participation in the highway industry, and a 46-percent increase of minority women's participation in the industry.

Under the current combined goal women are receiving 5.2 percent of DOT contracts, minority firms are receiving 9.4 percent. Clearly, setting a 5-percent goal for women-owned businesses is a setback.

Obviously, this is a controversial issue. However, the combined goal was established to aid groups disadvantaged by biases in the system. Clearly, both minorities and women are subject to those biases. Therefore, we need a solution that is fair to both minority-owned and women-owned businesses. Separate goals of 10 percent and 5 percent are not.

Mrs. LLOYD. Mr. Chairman, I rise in opposition to the Norton amendment to H.R. 2950. I am sympathetic to encouraging greater numbers of minority- and women-owned business receiving highway contracts. However, in recognition that Tennessee is currently having difficulty meeting the mandated 10 percent DBE set aside, I feel that increasing the DBE goal to 15 percent would only exacerbate the problem. Nothing in the current law prohibits States from raising the DBE goals on their own. But raising the DBE goal nationwide without respect for the labor pool within individual States will force States to hire out of State DBE applicants. I feel that State flexibility in setting DBE goals reflective of their situation, should not be taken away.

Mr. TOWNS. Mr. Chairman, today, I speak to urge my colleagues to adopt the amendment introduced by my colleague, the delegate from the District of Columbia, which would establish separate contracting goals for minority-owned and women-owned businesses. These dual goals for minority- and women-owned business are essential to maintain the worthwhile participation of minorities in this sector.

In 1982, this Government made a decision to assist the development of minority businesses in the Federal Highway Program. After years of intentional exclusion, this was the right decision. In 1987, the act was amended to make nonminority women eligible to participate as disadvantaged business enterprises. Again, after years of exclusion, this was the right decision. However, even though this second and substantial group was added, the percentage of contract moneys which States had to make available to the disadvantaged business enterprise program was not increased.

The result of this decision was to keep the substantial group of women from participating against established white firms and to pit two disadvantaged groups against each other and force them to fight for a minuscule portion of a large pie. The intangible and indelible effect has been a significant increase in the animosity between these two traditionally disadvantaged groups.

I cannot believe that the devastating impact which these collapsed categories would have on the minority business community was foreseen in 1987. It seems to me that the laudable, noble, and necessary objective of encouraging and fostering the economic development of groups which are underrepresented in this industry and in the governmental contracting process in general would not have been purposely frustrated in this manner. I would like to believe that this body is not that Machiavellian and uncaring about the economic development of two groups which together comprise about 70 percent of the population of this country.

By amending this act to establish dual categories this body will take advantage of an opportunity which few people ever have—to set right a horrible and harmful mistake. As leaders, we have a duty to be fair and keep in perspective what this country is and what we hope it to be. I believe it to be a place where all people are given a real and meaningful opportunity to pursue their hopes and dreams—unfettered by exclusion based on bigotry. However, this vision of a peaceful America where people are valued solely on the content of their character will only come to pass if we first pursue justice for those who have been excluded and denied based on race and gender.

I urge you to vote for the language which establishes two categories for two groups who deserve an opportunity for inclusion in this system.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of the amendment offered by my colleague from the District of Columbia. Over the years, minority and women business enterprises have made great strides in achieving an equal footing with nonminority businesses when competing for contracts backed by Federal dollars. However, under current law, both of these worthy groups are pitted against each other in their quest for a mere 10 percent of contracts set aside for all disadvantaged business enterprises. In fact, under current law, the participation of minority-owned firms has steadily declined over recent years. Certainly this was not the intention of this important set-aside program when it was originated in 1982.

With over $150 billion in funds set to be allocated for transportation projects, it is essential that we create safeguards to assure that minorities and women receive their fair share of Federal contracts. In an effort to promote the growth and development of these small businesses, this important amendment will create two distinct categories of disadvantaged business enterprises; One for minority-owned businesses which would receive 10 percent of the contracts in the Federal Highway Program, and one for women-owned firms who would be guaranteed 5 percent of the contracts.

Mr. Chairman, the original Disadvantaged Business Program was never meant to include women businesses, and because of that, both women and minorities are being shortchanged by having to fight against each for the same limited number of contracts.

In my own district, I have had personal experience with the problem of only a single disadvantaged business category. In the upgrading of the Dan Ryan Expressway, one of Chicago's most vital highways, nearly all of the DBE contracts went to women-owned businesses over minority-owned businesses. Ms. NORTON's important amendment would have prevented this inequitable distribution of these contracts.

I urge my colleagues to support this amendment.

Mr. PACKARD. Mr. Chairman, the language in the bill is consistent with current law. A total of 10 percent set-asides with 3.2 percent of that being reserved for women.

Any expansion of this provision would only decrease economic competition. Contracts and business agreements should be awarded to the most qualified bidder regardless of racial, ethnic, or gender criteria.

We should not be discouraging businessmen from bidding for contracts with requirements that do not pertain to the job needed to be done. Instead we should be encouraging all businesses to seek Government contracts, in order to ensure that all the available options are considered before contracts are awarded.

With limited resources available to meet our transportation needs, our primary objective must be to use these dollars in the most cost-effective way. We must be able to bid contracts in a cost-benefit manner.

The restrictions which would be created by this amendment would unduly interfere with our ability to produce the best transportation system.

The CHAIRMAN. The question is on the amendment en bloc offered by the gentlewoman from the District of Columbia [Ms. NORTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SAVAGE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 133, noes 295, not voting 5, as follows:

[Roll No. 335]

AYES—133

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
AuCoin
Bacchus
Beilenson
Bennett
Berman
Bevill
Bonior
Borski
Boxer
Bustamante
Campbell (CO)
Cardin
Clay
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Costello
Cox (IL)
Coyne
de la Garza
DeFazio
Dellums
Dixon
Downey
Dwyer
Dymally
Eckart
Edwards (CA)
Engel
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gephardt
Gibbons
Gonzalez
Hall (OH)
Hayes (IL)
Hochbrueckner
Hoyer
Jacobs
Jefferson
Jones (GA)
Jontz
Kennedy
Kennelly
Kildee
Kopetski
Lantos
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lowey (NY)
Manton
Markey
Martinez
Matsui
McDermott
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Moran
Mrazek
Nagle
Natcher
Nowak
Oberstar
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Pastor
Payne (NJ)
Pelosi
Perkins
Pickle
Rahall
Rangel
Richardson
Roe
Ros-Lehtinen
Roth
Sabo
Sanders
Savage
Sawyer
Scheuer
Schumer
Serrano
Sikorski
Smith (FL)
Solarz
Staggers
Stark
Stokes
Studds
Swift
Torres
Torricelli
Towns
Traficant
Unsoeld
Vento
Visclosky
Washington
Weiss
Wheat
Whitten
Wolpe
Wyden
Yates

NOES—295

Allard
Andrews (TX)
Anthony
Applegate
Archer
Armey
Aspin
Atkins
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bentley
Bereuter
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Carper
Carr
Chandler
Chapman
Clement
Clinger
Coble
Coleman (MO)
Combest
Condit
Cooper
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
DeLauro
DeLay
Derrick
Dickinson
Dicks
Dingell
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Durbin
Early
Edwards (OK)
Edwards (TX)
Emerson
English
Erdreich
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Holloway
Horn
Horton
Houghton
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Kanjorski
Kaptur
Kasich
Kleczka
Klug
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
LaRocco
Laughlin
Leach
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Luken
Machtley
Marlenee
Martin
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison
Murphy
Murtha
Myers
Neal (MA)
Nichols
Nussle
Oakar
Obey
Olin
Orton
Oxley
Packard
Parker
Patterson
Paxon
Payne (VA)
Pease
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Porter
Poshard
Price
Pursell
Quillen
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sangmeister
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schroeder
Schulze
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stallings
Stearns
Stenholm
Stump
Sundquist
Swett
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Traxler
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Waxman
Weber
Williams
Wilson
Wise
Wolf

Wylie	Young (AK)	Zeliff
Yatron	Young (FL)	Zimmer

NOT VOTING—5

Hopkins	Slaughter (VA)	Weldon
Neal (NC)	Waters	

□ 1757

Messrs. WILLIAMS, NEAL of Massachusetts, CRAMER and HEFNER changed their vote from "aye" to "no."

Mr. ROTH changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider Amendment No. 2 printed in part 2 of House Report 102-265.

□ 1800

AMENDMENT OFFERED BY MR. SAVAGE

Mr. SAVAGE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SAVAGE:

On page 23, after line 14, insert the following new paragraph:

(3) ADDITIONAL ASSISTANCE FOR MEMBERS OF ESPECIALLY DISADVANTAGED GROUPS.—

(A) GENERAL RULE.—In order to be eligible to receive funds authorized to be appropriated under titles I and III of this Act for fiscal years beginning after September 30, 1992, a State or other governmental entity must provide small business concerns in the State, owned and controlled by members of any especially disadvantaged group in the State, with such assistance as may be necessary to substantially improve that especially disadvantaged group's proportion of contracting in the State under title 23, United States Code, and the Urban Mass Transportation Act of 1964 towards attaining for that group opportunity for such contracting equal to others in the State who are not especially disadvantaged. In compliance with this paragraph, priority should be given such business concerns from which the especially disadvantaged group specially benefits through employment and other expenditures.

(B) ESPECIALLY DISADVANTAGED GROUP DEFINED.—For the purposes of this paragraph, the term "especially disadvantaged group" means any group of United States citizens historically disadvantaged economically and socially, that is identifiable by race, sex, or national origin; and, in the preceeding five calendar years—

(i) had an unemployment rate at least 50 percent higher than such rate for the State;

(ii) had a medium family income rate at least 20 percent lower than such rate for the State;

(iii) had a proportion of contracting (in value) in the State under title 23, United States Code, and the Urban Mass Transportation Act of 1964, which is less than 50 percent of that group's proportion of the State's total population; and

(iv) constituted more than five percent of the State's total population.

Page 23, line 15, strike "(3)" and insert "(4)".

Page 24, line 1, strike "(4)" and insert "(5)".

Page 24, line 11, strike "(5)" and insert "(6)".

The CHAIRMAN. Under the rule, the gentleman from Illinois [Mr. SAVAGE] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Mr. SAVAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I come before you with an amendment that cannot be much milder nor attractive. It does not even ask for boots. It only asks for the straps.

Mr. Chairman, this amendment is to be known as the straps-for-the-boots amendment. It does not ask for any money. There is already in the bill a program to provide the necessary assistance. This amendment does not ask for any money. It simply asks that the program, the money already in the budget for that purpose, be so targeted so that we can get the biggest bang for our buck.

Now, this straps-for-the-boots amendment simply says, since we do not have enough money to provide adequate technical assistance and financial assistance and management assistance and bonding assistance, as provided in the bill, it says at least target what remains. It asks that the assistance be targeted based upon some very commonly used and well-known figures.

Mr. Chairman, it says that you should emphasize, you should focus on those groups that are most severely disadvantaged.

For instance, if you were talking about South Dakota or North Dakota, you may be talking about native Americans rather than African-Americans or Hispanic-Americans.

If you are talking about the State of Michigan, you may be talking about African-Americans as the most disadvantaged. But then if you were in the State of New Mexico, you may be talking about Hispanic-Americans as the most disadvantaged.

This amendment simply says use the programs where they are most needed, targeted to the groups that suffer the most.

How do you determine which groups suffer the most? Very simple: It says any group will be considered especially disadvantaged, requiring special assistance or targeting, if that group has had an unemployment rate at least 50 percent higher than such rate for that State for the past 5 calendar years.

It says, further, that if for the past 5 calendar years that group would be considered especially disadvantaged, if it has a median family income rate at least 20 percent below that for the State. In other words, it says if the person obviously has no straps on the boots, give the straps to the strapless one. That is all it simply asks.

So it says that the States would give priority to such groups that meet these criteria. We are not talking about tiny groups. The group would have to constitute more than 5 percent of the State's total population or the impact of assistance to it would not be of any great consequence.

It also indicates that it must be a group that was receiving a proportion of that State's surface transportation procurement dollars, less than half of that group's numerical proportion in the total population. In other words, it is an amendment to simply target the little we have provided so that the voters will get a better bang for the buck.

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

The CHAIRMAN. Under the rule, a Member will be recognized in opposition for 10 minutes.

Mr. HAMMERSCHMDIT. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Arkansas [Mr. HAMMERSCHMIDT] for 10 minutes.

The Chair recognizes the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Subcommittee on Surface Transportation, the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I reluctantly rise in opposition to the amendment offered by the gentleman from Illinois.

This amendment will add a totally new category of eligibility to the disadvantaged business enterprise program.

Additionally, the amendment requires a State or other governmental entity to provide assistance "as may be necessary" to aid in the improvement of participation in contracting opportunities by any especially disadvantaged business.

I have concerns about the ambiguity of the amendment. The language is vague and does not define the requirements imposed upon governmental entities in their efforts to provide assistance.

It is also important to note that the participants eligible under the Savage proposal already qualify to participate in the current DBE Program as economically disadvantaged individuals.

Mr. Chairman, the intent of the gentleman's amendment is language one. However, I am concerned that creating a new subcategory for unique participation will hurt the small economically disadvantaged businesses participating in the current program. Therefore, I must oppose the gentleman's amendment.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield such time as he may consume to the chairman of the full committee, the distinguished gentleman from New Jersey [Mr. ROE].

Mr. ROE. I thank the gentleman for yielding.

Mr. Chairman, again this could be a contentious area of debate. I really do not think it should be.

□ 1810

Mr. Chairman, what we are really doing here today in this very tortuous journey while laboring hard in the vineyard is to create intermodal, up-to-date, 20th century transportation legislation. It seems to me that this particular matter that the distinguished gentleman from Illinois [Mr. SAVAGE] has raised was brought up in committee, and we did discuss it in committee, but it was deferred because the substance of what was attempted to be achieved did not really enter into what transportation should be all about. I think a transportation bill ought to be transportation. I think that when we get issues that have arisen such as this, that they do not really fit here in my opinion.

But I want to make a point very clear to all the Members of the House. There was an occasion when the gentleman from Illinois [Mr. SAVAGE] and I did not agree on everything, but I want him to know that possibly today, in his effort and with his energies, in spite of all of that, I know of no one in this House that I have more personal regard for than Mr. SAVAGE. We do not agree on every occasion, but that does not mean that I do not mean that I do not support him when he needs support and when he has got an issue that is up front.

There is one thing I like about the gentleman from Illinois [Mr. SAVAGE], and I want to share it with my colleagues. He believes in something. He has something he genuinely believes in. Now that does not necessarily make him right or wrong.

On this issue his heart is in the right direction in my opinion, but the substance of the issue that he has presented is not. We have listened in committee, we are sympathetic, and I think that the gentleman from California [Mr. MINETA] has presented his view, and, as chairman of this committee, the Committee on Public Works and Transportation, I want him to know that I will continue to work with him personally to help resolve a number of these longstanding matters, and I think he knows that.

Mr. Chairman, I genuinely believe that this amendment does not belong on this bill, as it was discussed in committee, and I would hope and ask the gentleman from Illinois [Mr. SAVAGE] to do something for me, if he would consider it. It is to debate the issue, have the thoughts out here today, but let us work on it. Let us perfect it. Let us get a chance to get into it. Then we can maybe bring something together here.

Mr. Chairman, I would have to be opposed to this amendment because it is not germane to our transportation legislation that is before us.

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Chairman, I must reluctantly oppose the amendment of my friend, the gentleman from Illinois [Mr. SAVAGE], because it is so vague and also not really germane to this transportation bill.

This legislation requires a State to promote unlimited assistance to any business concerns owned and operated by, quote, especially disadvantaged groups in the State. Now how much is that? Is that $1 billion a year? Is it $5 billion? Is it $10 billion? Is it $50 billion? It is undefined.

Mr. Chairman, this is a lawyer's bonanza. This will be in the courts by the lawyers in order to define this, and indeed it is so vague that we really do not know what it means.

Further, this is the creation of another program without any structure, and, while there is a definition of an especially disadvantaged group in this bill, there is no qualifying criteria, and there is nothing that would limit, for example, a billion-dollar corporation, owned and run by an especially disadvantaged group, from being eligible for assistance under this program.

So, while helping the less fortunate is a laudable goal, this amendment gives us a mandatory program with little or no structure and is an open-ended, bottomless pit for spending.

Therefore, Mr. Chairman, we should oppose the amendment.

Mr. SAVAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, of course that is as far from the truth as one can get. This amendment does not propose any kinds of extra costs. The language regarding the program is already contained in the bill, as is the funding authorization. This amendment changes nothing such as that. What it does is to merely target the meager resources we have for assisting the disadvantaged to participate more fully on the Surface Transportation Act.

Mr. Chairman, I say to my colleagues, "You must look at ourselves. Every time we get on this floor to ask for any relief, one thing we get is more jail terms, longer terms, more severe terms, easier terms. I tell you, when you look around you, and you see that young black male, one out of four, is already involved in the criminal justice system, when you see that the college enrollment of young black males is already on the way down, when you look and see that the prison population here is greater than in South Africa, and you keep talking about never any assistance? You talk about drug abuse and crime. The alternative to drug abuse and crime, my colleagues, is some hope. Give us some straps. You put us all in jail."

Mr. Chairman, this will not turn around the plague that is upon this country. Just the other day we found that in acquiring mortgages, if a black has a higher income that the white, he still has a more difficult time. The high school dropout rate is up. Will my colleagues not be satisfied until genocide wipes us all out?

We are not asking for a dime, not asking to change any programs, simply to target a program so that the meager resources we have will be focused on those who have the greatest need.

But I say to my colleagues that the mood of this body is such that I do not think it would get anything but more prison time for the disadvantaged, and I think I am probably wasting my time to even pursue this matter. I think that our ears are closed and our eyes are blind, but one day we will see, and I hope that day that we will see it before there is such a conflagration in our country that this could have saved our entire history.

But I say to my colleagues that no people can just continue to take more, and more and more and more. There must be some redress to our grievances, some relief. In this instance a request will not even be heard that asks for more money and requiring more language.

Mr. MFUME. Mr. Chairman, will the gentleman yield?

Mr. SAVAGE. I yield 30 seconds to the gentleman from Maryland [Mr. MFUME], my colleague.

Mr. MFUME. Mr. Chairman, I want to thank the gentleman from Illinois [Mr. SAVAGE] for yielding and say to the gentleman, as the gentleman from New Jersey [Mr. ROE] said, that I understand his intentions in this. I am glad he has used this forum and this opportunity to try to convey it to the House. The proper redress of grievances is something that cannot go unanswered without any attention to it, and what the gentleman proposes is that we look deeper and with real meaning at the problems that affect all of our people.

□ 1820

So I want to pledge to him and the chairman of the committee, as I have pledged to him on this issue beyond this particular bill, and I would hope that the Members of the minority side would make that pledge, too.

Mr. SAVAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I watched the television, as I am sure other Members did, of the recent confirmation proceedings for the Supreme Court Justice, and I say that we are not really seeing black America when we see these blacks on that program.

I have a district that is 30 percent suburban. It is not an inner-city district. The majority are black. I don't know where these people came from. I have never seen any blacks like that. They are cloning these blacks somewhere. That is not what is African-American.

You need to take a look at what you are doing to more than 10 percent of

our society, and you have been doing it for the past 15 or 20 years. The median income of a black family is less now, compared to white families, than it was 30 years ago.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in opposition to this amendment by my friend GUS SAVAGE—one of our subcommittee chairmen and I understand his intention here—but the Disadvantaged Business Enterprise Program has worked successfully over the past decade to provide a boost to minority- and women-owned businesses in the Federal-aid surface transportation programs. The law requires a-10 percent set aside requirement, and yet the national average for fiscal year 1990 was 14.3 percent.

This impressive figure was achieved because 7 States have voluntarily set higher DBE goals and 42 States have achieved a percentage in excess of the established 10 percent minimum. These facts show that most States are going beyond their minimum requirements in order to ensure that the DBE Program works to its fullest potential.

My colleague's amendment would require States and other governmental entities that receive funding under the highway or transit titles of this bill to provide small business concerns, owned or operated by members of especially disadvantaged groups within the State, with such assistance as may be necessary to substantially improve that groups proportion of contracting. The amendment then defines the term "especially disadvantaged group" using certain criteria the group met in the last 5 years.

It is unclear what additional type of assistance is envisioned to be provided under the terms of this amendment. States are already required under the FHWA regulations to provide supportive service programs for DBE's in their States.

The purpose of these programs is to provide services and activities which are designed to increase the total number of DBE's active in the highway program and contribute to the growth and eventual self-sufficiency of individual DBE's, so that those businesses may achieve proficiency to compete, on an equal basis, for contracts and subcontracts. In addition, assistance is also available from other Federal sources such as the Small Business Administration, and the Department of Commerce's Minority Business Development Agency.

In my view, we should not hold up highway and transit funds for provision of services to advance DBE's which are already abundantly available. I urge my colleagues to oppose the amendment.

Mr. SAVAGE. Mr. Chairman, I ask unanimous consent that I be permitted to withdraw this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

It is now in order to consider amendment No. 3 printed in House Report 102-265.

AMENDMENT OFFERED BY MR. GRADISON

Mr. GRADISON. Mr. Chairman, I offer an amendment which has been made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GRADISON: Strike Section 104(c) of the bill.

The CHAIRMAN. Under the rule, the gentleman from Ohio [Mr. GRADISON] will be recognized for 7½ minutes, and a Member opposed to the amendment will be recognized for 7½ minutes.

The Chair recognizes the gentleman from Ohio [Mr. GRADISON].

Mr. GRADISON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering an amendment to strike the directed scoring provision from this bill. This is not the first time I have had to offer such an amendment. I certainly hope, but do not expect, that it will be the last.

This marks the third time we have attempted to strike a directed scoring provision on the floor of the House. The fundamental issue has not changed. The 1990 budget agreement and the Budget Enforcement Act that implements it, provides that OMB is to determine the cost of legislation affected by the pay-as-you-go rules. The House Democratic leadership dislikes that arrangement, apparently distrusts the executive branch, and wants the Congressional Budget Office to determine PAYGO costs. The Democratic leadership adopted a rule requiring all PAYGO bills considered in the House to contain language saying, in effect, that the CBO cost estimate must be used by the President. The President has informed the House that he would, as a matter of principle, veto any bill that reached his desk still containing the directed scoring language.

Against the background of that veto threat, the sponsors of the Surface Transportation Act and the leadership have inserted directed scoring into this bill as section 104(c). My amendment would strike this section.

Keeping the directed scoring provision in the bill needlessly invites a veto. If you care about getting a good transportation bill enacted as expeditiously as possible, you should support my amendment.

The directed scoring provision is unnecessary. A so-called roll-back provision directs the Secretary of Transportation to reduce obligational authority in fiscal year 1992 so that no direct spending occurs. OMB agrees that this provision means the PAYGO cost is zero—absolutely no PAYGO cost at all. Why, then, would the House want to insist on directed scoring when OMB says that this bill has no PAYGO impact?

CBO, in contrast, says the bill's PAYGO impact is to save $9 million in fiscal year 1992. Keeping in mind that the bill provides $151 billion in new spending authority, it seems to be a bit of a tempest in a teapot to dispute whether the PAYGO impact is zero, as OMB says, or saves $9 million, as CBO says. Both agree that the PAYGO impact is negligible.

Anyone who reads the newspapers must be aware that unemployment compensation, capital gains, and other economic packages are being seriously considered at both ends of Pennsylvania Avenue. Will the Democratic leadership insist on directed scoring on those measures as well—even if it means standing in the way of achieving mutually desired legislative aims?

Mr. Chairman, the directed scoring language in section 104(c) hinders the smooth passage of the transportation bill. It needlessly complicates the already enormous task of reaching House-Senate agreement on a bill the President will sign. And it reopens decisions that were made in the context of the budget agreement. I urge my colleagues to support my amendment to strike this language from the bill.

I am submitting for the RECORD the President's letter of January 3, 1991, stating that he would veto any bill containing directed scoring language, as follows:

STATEMENT ON THE HOUSE OF REPRESENTATIVES ACTION ON THE FEDERAL BUDGET AGREEMENT, JANUARY 3, 1991

I am deeply disappointed by and disturbed about the vote taken in the House of Representatives this afternoon which is designed to undo the pay-as-you-go enforcement mechanism just legislated in the recently enacted budget agreement. The vote occurred along strictly partisan lines. While the Democrats in the House tried to dress up their action, the inescapable point is that their purpose is to break the agreement that was negotiated and passed into law.

Changing the House rules with a purely party-line vote is neither fair nor right. That they have sought to break the budget agreement in what is virtually their first act of the 102d Congress puts in serious doubt whatever they might say or promise the American people on other significant issues in the upcoming session.

The provision the House Democrats would undo today is a key to enforcing the controls on Federal spending contained in the agreement, and uncontrolled spending simply creates excuses for their raising taxes.

This matter is so fundamental to public confidence in the budget agreement and in the Government itself that I must state again, unequivocally, that I will veto *any* bill that contains the language specified in the rule passed by the House Democrats this afternoon.

The CHAIRMAN. The gentleman from New Jersey [Mr. ROE] is recognized for 7½ minutes in opposition.

Mr. ROE. Mr. Chairman, I rise in opposition to the amendment, and I yield 3 minutes to the distinguished gentleman from Minnesota [Mr. OBERSTAR], who is chairman of our Subcommittee on Aviation and is also a member of the Budget Committee.

Mr. OBERSTAR. Mr. Chairman, I appreciate the opportunity to address this issue from the perspective of the Budget Committee. It has been said that directed scorekeeping is a budget

gimmick, and that it subverts the budget summit agreement. That is really not what is at issue here. The Office of Management and Budget really has not prepared sound, factual information in doing their estimate on the cost of this bill. The economic assumptions that OMB used in coming to the numbers that they have presented in defense of their position are not accurate, they are questionable. At worst, their numbers are indefensible from the standpoint of the analysis that the Budget Committee staff has done of this issue. That is not just the position of the Budget Committee analysts, or the position of the Committee on Public Works and Transportation. The Congressional Budget Office has come to the same conclusion in doing their cost estimate on this bill.

In addition, the Federal Highway Administration, with years of expertise—and they are the experts in doing estimates of costs associated with surface transportation construction—they, too, dispute the OMB numbers.

For those who are concerned about the budget agreement as a matter of principle, we really ought to be ensuring that the Congress gets accurate information on the cost of this legislation and not proceed on the basis of what is at best questionable economic assumptions.

Mr. GRADISON. Mr. Chairman, will the gentleman yield for a brief question?

Mr. OBERSTAR. I yield to the gentleman from Ohio.

Mr. GRADISON. OMB scores this as zero. Does the gentleman disagree with that?

Mr. OBERSTAR. What I am concerned about is what the gentleman proposes to do on the basis of using OMB as his authority. I thought the gentleman's analysts had come to a different conclusion.

Mr. GRADISON. Mr. Chairman, if the gentleman will yield further, it was my understanding that the gentleman was saying the OMB figures were unreliable. This is why I was asking the gentleman whether he disagreed with their estimate as zero.

Mr. OBERSTAR. Mr. Chairman, I am disagreeing with whatever OMB has given to the gentleman to motivate his position when the budget analysts have come to us and said that is not an issue, that is not the case, and it is not necessary to have the gentleman's amendment.

Mr. ROE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Chairman, this is a fight between OMB downtown and the Congressional Budget Office. Now, we must remember that OMB downtown is that same wonderful organization that gave us a $100 billion mistake, as I recall, on their estimates of revenue with regard to the budget estimate. The CBO estimates are based on actual obligational experience, and if indeed they are wrong, this bill has in it a fail-safe provision, a provision which requires a proportional reduction in all program spending if the outlays should in fact exceed that provided for in the appropriations bill.

□ 1830

So we should support our Congressional Budget Office, a bipartisan office. We should not rely on OMB's figures, because certainly in the past they have been very, very unreliable, and we should support the committee position.

Mr. GRADISON. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. KASICH], a distinguished member of the Committee on the Budget.

Mr. KASICH. Mr. Chairman, I am disappointed to see that my friend from North Dakota [Mr. DORGAN] had to leave the floor, because I led the effort, along with the gentleman from Kansas [Mr. SLATTERY] to kill the Lawrence Welk home because we labeled it as wasteful spending.

Mr. Chairman, I rise to support the Gradison amendment because it again is a rejection of the budget deal we agreed to follow when we are not. I understand the efforts that the gentleman from New Jersey [Mr. ROE] has put into this, that as his proposal gets attacked, it is almost like attacking a child in a way. But I have to rise and say that not only do I think that this ought to be fixed, but that the efforts that the demonstration projects, and I wish to say to the gentleman from New Jersey [Mr. ROE] that I see we have reduced the amount of demonstration projects by 29 percent, but that New Jersey, California, Pennsylvania, and Arkansas are going to get 34 percent of the demonstration projects. It is $4.9 billion in demonstration projects that I feel should not be included in this bill.

Mr. Chairman, the American people are sick and tired of this place. They are sick and tired of perks, they are tired of demonstration projects, they are tired of pork, and we have got to clean it up.

Mr. Chairman, I intend to support the gentleman from Ohio [Mr. GRADISON]. I intend to support every effort that is made to get us on-line with where I believe the American people are.

To take 34 percent of this money and give it to four States in demonstration projects is only one point. There ought not to be these demonstration projects in this bill. But I guess one could argue if you are going to have them, spread them among 50 States. Do not take all the money for four states in the country.

Mr. Chairman, Ohio is always getting the shaft. We got the shaft on the clean air bill and we are getting the shaft on the highway bill. But do you know who else is getting the shaft? Not just Ohioans, but the other people that are getting the shaft in this bill are the American taxpayers, who are sick and tired of pork.

Mr. ROE. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Pennsylvania [Mr. CLINGER].

Mr. CLINGER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would say to Members on this side of the aisle that this is demonstrably different than the argument we usually have whether CBO should be used or OMB. I think in this case clearly the proper way to go is to use the CBO figures, because the figures which are being used by OMB are demonstrably wrong.

Mr. Chairman, this arises because we are arguing over what are the minimum allocation figures. This arises because, frankly, we have an actual number of what was spent last year, $1.1 billion. That is the figure that is used by CBO.

On the other hand, OMB figures set it at $671 million. That has no relationship to either the past year, last year, or any previous year.

The risk we run in using OMB figures is we could have sequestration. Not because our outlays are too high, but because the assumptions which OMB has used are totally haywire, totally wrong, and do not have any relation to what we are trying to do.

Mr. Chairman, I would urge defeat of the Gradison amendment.

Mr. OBERSTAR. Mr. Chairman, could the gentleman yield?

Mr. CLINGER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, very briefly in furtherance to the gentleman from Pennsylvania [Mr. CLINGER], on OMB scoring, the problem is that OMB scores something one way this year and another way another year. What we have seen from CBO is a consistent pattern of scoring over time. That is why I do not think we ought to make the change the way the Gradison amendment would make it.

Mr. GRADISON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me close in this way: The discussion as I have been listening to it overlooks two rather important points. One is that there is a Budget Enforcement Act which was enacted by Congress about a year ago which governs this issue. It has not been repealed.

The second thing is that there is a rollback provision in this bill which automatically assures that there will not be a sequester.

Mr. Chairman, there is a fantasy world involved in this debate in this sense: This House has gone to conference a number of times this year

with directed scorekeeping as required by the democratically approved rules of the House. I acknowledge that. In every instance, the conference has dropped that provision and we have gotten absolutely nothing back from the Senate in exchange.

Mr. Chairman, why have those provisions been dropped and why will they be dropped again this time? It is simply because we want to get a bill signed. That is the principal thrust of my argument.

Here we are, and it is nobody's fault, but we are a few months later than we would like to be in getting this bill into law. By including an unnecessary provision, which I am convinced will not be in the final bill, we run the risk of slowing down final approval of this bill even longer.

Mr. Chairman, that is the argument. I do not intend to call for a recorded vote on this issue. I will be happy to abide by the decision of the House in a voice vote. But I think this is an issue worth the House's consideration, and I appreciate the chance to debate it with the able chairman of the Committee on Public Works and Transportation.

Mr. ROE. Mr. Chairman, I thank the distinguished gentleman from Ohio [Mr. GRADISON].

Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA], the chairman of the Subcommittee on Surface Transportation.

Mr. MINETA. Mr. Chairman, I rise in strong opposition to this amendment.

The Office of Management and Budget has used numbers that are simply incorrect. At best, their economic assumptions are questionable. Once again, OMB proves they can be as tricky as a banker with a Swiss bank account.

The official position of the Congressional Budget Office, taken from their cost estimate of the bill agrees with this assessment. It is also important to note that the Federal Highway Administration, with years of expertise in the highway program, disputes the OMB numbers.

Mr. Chairman, this is not even a transportation-related argument. It is an attempt to undo the Democratic leadership authored House rule which states that this institution will have the scoring for budget items by the Congressional Budget Office, not by the Office of Management and Budget.

Mr. Chairman, perhaps more importantly, this bill will not trigger sequestration because it does contain a fail-safe provision mandating reductions in the bill, if necessary.

Mr. Chairman, I would say to the gentleman from Ohio [Mr. KASICH], who says that Ohio is being shafted by this bill, that is blatantly untrue. if there is anything that happens under this bill, Ohio as a past donor State, as many other States that are donor States, that formula has been corrected, and Ohio does very well under this bill.

Mr. Chairman, I urge Members to defeat this amendment. Let us not fall for this OMB-directed efforts to relinquish control and scorekeeping on budget issues to the executive branch.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in opposition to this amendment, striking the cost estimate provision of H.R. 2950. The issue, simply put, is whether we should use CBO or OMB scorekeeping for purposes of comparing H.R. 2950 with the DOT appropriations bill. Section 104(c) directs CBO scorekeeping and, in this bill, I believe that this is the correct approach.

Directed scorekeeping was made necessary in this bill because our analysis of the numbers showed that OMB's estimates for obligations in the appropriations are clearly wrong. They do not appear to be based on any realistic assessment of the highway program. The CBO's estimates, on the other hand, appear to us to be valid and based on a careful analysis of the highway program.

The particular problem relates to the estimate of obligations from the minimum allocation program. In estimating the amount of obligations that will flow from this program in the 1992 appropriations bill, current law must be assumed.

Even though minimum allocation obligations were $1.1 billion in fiscal year 1991, and have been consistently near that level in recent years, OMB assumes only $671 million for fiscal year 1992. This estimate is clearly wrong. We have not been able to determine any rational basis for this figure.

The CBO estimate for minimum allocation in the 1992 DOT appropriations bill is $1.1 billion. This is the same as the 1991 figure. There is no question that it is based on the experience of the existing program. The only conclusion that can reasonably be reached is that the CBO estimate is accurate and that the OMB figure is not even close to being accurate.

I would urge my colleagues—particularly on this side of the aisle—to look at the facts of this case and support the committee provision on CBO scorekeeping. Please oppose the Gradison amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. GRADISON].

The amendment was rejected.

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in part 2 of House Report 102-265.

AMENDMENT OFFERED BY MR. BEILENSON

Mr. BEILENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BEILENSON: Insert at the end of title I a new section as follows:

SEC. . GUARANTY AND WARRANTY CLAUSES.

(a) IN GENERAL.—Section 114 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(c) GUARANTY AND WARRANTY CLAUSES.—The Secretary may, by regulation, permit a state highway department, in accordance with standards developed by the Secretary in such regulations, to include a clause in a contract for engineering and design services or for the construction of any Federal-aid highway project requiring the designer, contractor, state highway department and Department of Transportation to warrant the services, materials and work performed. The warranty or guaranty clause shall be reasonably related to the services, materials, and work performed, and shall not be construed to require the construction contractor to perform maintenance."

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall initiate a rulemaking proceeding for developing standards under section 114(c) of title 23, United States Code.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. BEILENSON] will be recognized for 7½ minutes, and a Member opposed to the amendment will be recognized for 7½ minutes.

The Chair recognizes the gentleman from California [Mr. BEILENSON].

□ 1840

Mr. BEILENSON. Mr. Chairman, my amendment would make a long overdue improvement in our highway construction program by permitting States to include contractor guarantees in their Federal aid highway contracts. This amendment is similar to a measure proposed by the President in his surface transportation bill, and it is strongly supported by the administration.

Recent press accounts about the outstanding quality and durability of European roads, and the innovative technologies being used to construct them, have confirmed what many of us have suspected for some time: As other countries are aggressively taking advantage of new, technologically advanced materials offering greater durability and smoother, quieter road surfaces, nearly one-half of our own primary highways are in various stages of deterioration, creating intolerable and unnecessary traffic delays and costing the taxpayers billions of dollars more than they should to repair and maintain.

One of the most important reasons for this, transportation experts agree, is that while European countries award highway contracts based on a combination of cost, quality and, most importantly, a bidder's guarantee of a project's workmanship and materials, transportation officials in the United States consider cost alone. This low-bid system, far from spurring improvements in road quality, instead ensures that the cheapest contractor, using the lowest quality materials and the least expensive labor, is awarded the contract.

Because Federal highway dollars are, by law, reserved for construction, rather than maintenance, the Federal Highway Administration [FHWA] currently prohibits States from requiring any

warranties from contractors when awarding Federal-aid contracts. But the effect of this policy is a Federal transportation system which literally prevents States from building quality performance standards into their construction contracts.

It is not at all surprising, then, that the private sector in this country has invested very little in the development and use of new technologies to improve pavement durability, focusing their efforts instead on ways to reduce costs, and have thus fallen far behind their counterparts in Europe in this area.

What is also not surprising is that while total Government expenditures for roads have doubled over the past decade, fully half of all roads in America are in only fair to poor condition.

In a recent report on the quality of our public works infrastructure, the Office of Technology Assessment found:

Constructing quality facilities and maintaining them may provide the highest return on infrastructure investment. If construction quality is poor and repairs are needed constantly . . . the costs of providing alternate service or of traffic diversion and delays can equal the capital cost, doubling the total expense of a given project.

The purpose of this amendment is to correct these failings, and in the process save the taxpayers tens of billions of dollars. As the Federal Highway Administrator has argued, contractor guarantees will:

Increase the quality of highway construction;

Decrease the cost of maintenance;

Reward contractors who are currently performing quality work and encourage other firms to raise their level of quality above the minimum standard;

Allow States more flexibility in order to obtain a better quality of construction; and

Create a win-win situation for both the contracting industry and the American motorist and taxpayer.

This logic has been applied to European highway construction programs with such overwhelming success that American highway officials have begun competing for the opportunity to copy their techniques. European roads, constructed with a sounder subbase, thicker pavements, and advanced polymer additives, last twice as long as American roads. Their roads are also quieter, and resistant to ruts, cracks, and potholes. They even handle heavier loads than are permitted on our roads.

The disparity between the quality of roads in Europe and those in the United States is no accident—European contractors invest much more than American contractors in research and development because they compete with each other on the basis of quality, not cost alone. And if a road fails in the first 3 to 5 years it is constructed, the contractor is required to replace it. It's that simple. Nothing assures quality better than a contractor guarantee.

Recognizing the senselessness of the Federal prohibition on contractor guarantees, the Federal Highway Administrator recently proposed to eliminate it—his proposal was included in the administration's surface transportation proposal. My amendment would add this very sensible proposal to the House transportation bill.

Contractor guarantees would build accountability into the Federal-aid highway construction programs. They would force bidders to work more closely with transportation agencies to assess performance needs and seek out ways to enhance quality.

According to OTA, "as it stands now, critical infrastructure * * * are breaking down or wearing out faster than we can repair or replace them. The toll on national productivity is already substantial, and * * * the situation is likely to get worse." This amendment will do much to reverse this decline.

It is time to reform current Federal policy and grant States the ability to set performance standards for highway projects which will spur innovation, emphasize long-term quality over initial cost, and reward, rather than penalize, superior workmanship.

As we embark on a 6-year $150 billion program to enhance and expand the Nation's surface transportation infrastructure, we owe it to the taxpayers to do everything we can to adopt reforms that will save use money, help make the road construction industry more competitive, stimulate investment, and make our transportation infrastructure more durable and efficient. If we don't we are just wasting their money.

Mr. DREIER of California. Mr. Chairman, will the gentleman yield?

Mr. BEILENSON. I yield to the gentleman from California.

Mr. DREIER of California. Mr. Chairman, I thank the gentleman for yielding to me.

The gentleman from California has described it very well. Yesterday in the Committee on Rules, there was a very interesting debate about this question with members of the Committee on Public Works and Transportation and my friend from Los Angeles, the gentleman from California [Mr. BEILENSON].

I think that the question of accountability, which is something that we are all regularly trying to address here in this House, especially in recent weeks, is very apropos.

If one looks at the issue as it relates to roads in Europe, of which my friend from California is very familiar, as he described yesterday in the Committee on Rules, I think that trying to apply this concept of accountability here in the United States would be a very great benefit, not only for the motoring public but also for the taxpayer, when we look at these contractors who might have in the past abused it.

I congratulate the gentleman for this amendment.

Mr. GLICKMAN. Mr. Chairman, will the gentleman yield?

Mr. BEILENSON. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Chairman, I strongly support this amendment. We are spending $20 billion a year on highways, and the States are not even allowed to require their contractors to put up basically a performance assurance in the form of a warranty. It does not make sense.

My State highway department said this is probably, other than the amount of money in the bill, the most significant bit of common sense that we have put in this bill that they have seen in a long time.

I think my colleague from California has done America a great justice here.

Mr. HAMMERSCHMIDT. Mr. Chairman, will the gentleman yield?

Mr. BEILENSON. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in support of Congressman BEILENSON's amendment.

The Public Works and Transportation Committee has worked closely with our distinguished colleague from California on this amendment, and we are all in agreement to support it.

The amendment would require the Department of Transportation to initiate a rulemaking proceeding to develop standards under which State highway departments would be permitted to include warranty and guaranty clauses in contracts for construction of Federal-aid highway projects. The warranty and guaranty clause would extend to all contractors involved in the project, including those providing engineering and design services.

The Department would also explore ways in which the State highway departments and the Federal Department of Transportation would warranty its inspections and approvals on highway projects. Should the Secretary determine after embarking into the rulemaking process that it is not appropriate to permit these clauses in construction contracts, the Secretary would have the discretion to choose not to issue a final rule, and the warranty clauses would not be permitted.

I believe this amendment is important because it will give the Secretary of Transportation clear authority to permit States to include warranty and guaranty clauses in construction contracts if deemed appropriate.

I urge my colleagues to support this amendment.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. BEILENSON. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding to me. It is an outstanding amendment. The highway department in my State also endorses it.

I think it is an excellent idea, and I urge my colleagues to support it.

Mr. BEILENSON. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from California [Mr. MINETA] wish to be heard in opposition to the amendment?

Mr. MINETA. Mr. Chairman, I wish to speak in opposition to this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I take this position reluctantly because I believe generally speaking the gentleman from California is really on the right course. My own background is one of general insurance brokerage, where we have also in our firm handled contracting bonds for contractors.

This whole issue of trying to get performance out of contractors and out of the jobs that are let is a very important one. I think that basically what we have done in this bill is to try and do something that the gentleman from California is offering here. In the past we have tried to control what gets done in terms of quality by input, how many dollars are spent, what is the width of the lane, what is the depth of the pavement. We have tried to do it by input.

What we are trying to do in this bill is to control quality by output, by dealing with performance. So there are things like bridge maintenance programs, pavement management systems, safety programs, congestion management plans.

What we are trying to do is deal with this issue through performance and related items. I think what the gentleman has done is to go one step further, but I think in going that one step further, I believe, and I am not really that sure, but I believe he has raised some concerns from a surety perspective.

□ 1850

So because of the concerns about the surety industry, I want to take a look at this. What I want to do is have some hearings on this issue.

So, to the extent I believe we are putting the cart before the horse at this point on this issue. I would like to have some hearings, and so I reluctantly oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BEILENSON].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BEILENSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 400, noes 26, not voting 7, as follows:

[Roll No. 336]

AYES—400

Abercrombie
Ackerman
Alexander
Allard
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Bacchus
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonior
Borski
Boucher
Boxer
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walker
Walsh
Washington
Waxman
Weber
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—26

Baker
Bentley
Brewster
Bunning
DeLay
Fields
Geren
Gilchrest
Grandy
Gunderson
Hayes (LA)
Hunter
Johnson (TX)
Lancaster
McCrery
Mineta
Nussle
Oxley
Packard
Payne (VA)
Quillen
Ray
Schaefer
Smith (OR)
Thornton
Vucanovich

NOT VOTING—7

Frank (MA)
Hopkins
Jones (NC)
Neal (NC)
Slaughter (VA)
Waters
Weldon

□ 1913

Messrs. CAMP, DINGELL, and THOMAS of California changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PREFERENTIAL MOTION OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer a privileged motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. BURTON of Indiana moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Chairman, I would like to recap for my colleagues a little bit of what has happened today because I think it is extremely important that everything be put into proper perspective.

First of all, when this day began there were 460 special projects, many of which would be considered pork barrel

projects. As a result of these 460 pork barrel projects, or many of which were pork barrel projects, I had my staff go through this litany of projects to find out the most onerous ones so I could present them to this body in the form of an amendment, or amendments, to try to cut this pork out of the budgetary process.

The total of the seven amendments I was going to propose was $67.1 million, but the Rules Committee would not allow that.

I want to tell you just a little bit about some of those amendments I was going to propose, because the committee has said these amendments were not pork barrel projects, but were very worthy projects. One of them was a bicycle path costing $1.1 million in Tennessee. That does not sound to me like something of utmost importance.

There is $1.4 million for another bicycle path in Massachusetts.

These are just a couple examples of the pork that is in this bill. I do not have the time to go into the litany of other projects that are really pork barrel projects, but that concerns me.

We are wasting taxpayers' dollars around here and we are not doing anything about it. The deficit this year is going to be $400 billion plus. The national debt is $4 trillion plus and it is going up and we continue on the same path of spending money day in and day out, without any consideration about what the taxpayers are going through.

We are going to increase the gas tax from 1996 through 1999 at 2½ cents a gallon. Make no mistake about it, it is a gas tax increase.

I was just told that we were going to have a recommittal motion to try to stop that 2½ cent gas tax increase from 1996 to 1999, but the committee, I understand, has been able to change one of the proponents of the bill who earlier spoke for the bill to say that they will oppose it so that they can have a recommittal motion which will block our attempt to stop the 2½-cents-a-gallon tax increase.

Now, I do not think that is fair play. The gentleman spoke earlier today in favor of the bill and now you have got him to change his vote so you can block our attempt to stop the gas increase tax for the American people. That does not seem like fair gamesmanship to me.

You know, if former Senator Proxmire was still around this place, he would be giving out a lot of Golden Fleece Awards today.

You know, they say this money is coming out of the highway trust fund, but do not be misled. The highway trust fund is part of the unified budget, and if you did not have the unified budget, if we took the highway trust fund out, the deficit would be $600 or $700 billion this year, not $400 billion; so every dollar we spend out of the trust fund is adding to the problem, especially if it is a pork barrel project. We have a lot of worthy things that the highway bill needs to address, but the pork that is in this bill should not be a part of it.

Finally, Mr. Chairman, I would like to say this violates the budget agreement that the Democrat Party signed onto last year. It violates the budget agreement, but to heck with that, business as usual, go right on with the pork.

So in closing, Mr. Chairman, just let me say that I, like all my colleagues, am concerned about the infrastructure of this country and about the future of this country as far as competitiveness is concerned. We need good highways. We need good bridges, but we do not need the pork. We have got to cut it out, and the taxpayers and the people of this country know what we are doing. Make no mistake about it. That is why this body is held in such low esteem, because they know we are spending ourselves into the drink.

The deficit, one more time, is going to be over $400 billion this year. The national debt has gone up 400 percent in 10 years from $1 trillion to $4 trillion. The interest on the national debt is about 18 cents out of every tax dollar.

□ 1920

Think about the legacy we are leaving to our children. Every bill, every spending bill that comes before this body should be scrutinized. It should be cleansed of wasteful pork-barrel projects. We should not go on with business-as-usual.

Mr. ROE. Mr. Chairman, I rise in opposition to the motion.

The CHAIRMAN. The gentleman from New Jersey [Mr. ROE] will be recognized for 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Indiana [Mr. BURTON].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred eleven Members are present, a quorum.

The CHAIRMAN. The pending business is the demand of the gentleman from Indiana [Mr. BURTON] for a recorded vote.

A recorded vote was refused.

So the motion was rejected.

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in part 2 of the House Report 102-265.

AMENDMENT OFFERED BY MR. HOAGLAND

Mr. HOAGLAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOAGLAND: Page 243, after line 13, add the following new section:

SEC. 181. HIGHWAY TREE PLANTING PROGRAM.

Section 319 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(c) TREE PLANTING PROGRAM.—

"(1) GRANTS.—The Secretary may make grants to States—

"(A) for developing a plan for tree planting along Federal-aid highways; and

"(B) for developing and implementing a program for the planting of trees in public rights-of-way along Federal-aid highways where safety, topography, soil, and other natural conditions provide that trees may be grown satisfactorily and with minimal maintenance.

"(2) MINIMUM CONTENTS OF A PLAN.—A plan developed under paragraph (1)(A) must include, at a minimum, identification of species, design standards and specifications for tree plantings for States which do not have such standards and specifications, and development of a tree maintenance policy.

"(3) MAXIMUM AMOUNT.—The maximum aggregate amount of grants to a State in a fiscal year under this subsection may not exceed $500,000.

"(4) FEDERAL SHARE.—The Federal share of the costs for which a grant is made under this subsection may not exceed 80 percent.

"(5) COOPERATIVE AGREEMENTS.—The Secretary shall take such action as may be necessary to encourage the State highway departments to enter into cooperative agreements with State foresters in implementing the requirements of this subsection. The Secretary may enter into a cooperative agreement with the Chief of the Forest Service of the Department of Agriculture for technical and other assistance in implementing this subsection.

"(6) ACCEPTANCE OF DONATED TREES.—Nothing in this subsection shall be construed to prohibit the acceptance of donated trees.

"(7) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant with funds made available under this subsection shall be deemed a contractual obligation of the United States for payment of the Federal share of the grant.

"(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection $10,000,000 per fiscal year for each fiscal year 1992, 1993, 1994, 1995, and 1996. Such funds shall remain available until expended.".

The CHAIRMAN. Under the rule, the gentleman from Nebraska [Mr. HOAGLAND] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. HOAGLAND].

Mr. HOAGLAND. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, today the gentleman from Kansas [Mr. GLICKMAN] and I are offering an amendment to encourage the States to plant more trees along highways. Now, this is a modest amendment, it is a modest but specific

program for States to choose to plant more trees and it specifies the trees would be planted "where safety, topography, soil and other natural conditions provide that trees may be grown satisfactorily and with minimal maintenance."

Mr. Chairman, it would require an 80–20 cost share and limit grants to any one State to $500,000. The total amount of the authorization is $10 million.

Let me emphasize that this amendment was developed with the help of State and national highway officials.

Mr. Chairman, earlier this evening we worked out an agreement with respect to this amendment with the chairman of the committee and the chairman of the subcommittee and with staff.

Mr. Chairman, I ask unanimous consent to modify the amendment that was previously made in order by the rule to reflect that agreement.

The CHAIRMAN. The Clerk will report the modification to the amendment.

The Clerk read as follows:

Modification offered by Mr. HOAGLAND: On page 2, line 8 of the proposed amendment strike "80 percent" and insert "60 percent". On page 3 of the proposed amendment, line 3, strike "$10,000,000" and insert "$5,000,000."

The CHAIRMAN. Is there objection to the modification offered by the gentleman from Nebraska [Mr. HOAGLAND]?

Mr. BURTON of Indiana. Mr. Chairman, reserving the right to object, I would like for there to be a further explanation of what this does, and I yield to the gentleman for that purpose.

Mr. HOAGLAND. Mr. Chairman, I would be happy to describe the amendment. The modification strikes the authorization total from $10 million to $5 million, No. 1. No. 2, it strikes the match from 80–20 to 60–40. So the States are required to put up 40 percent of the funds. In every other respect it is the same.

Mr. BURTON of Indiana. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The CHAIRMAN. The amendment is modified

The text of the amendment, as modified, is as follows:

Amendment as modified offered by Mr. HOAGLAND: Page 243, after line 13, add the following new section:

SEC. 181. HIGHWAY TREE PLANTING PROGRAM.

Section 319 of title 23, United States Code, is amended by adding at the end the following new subsection:

"(c) TREE PLANTING PROGRAM.—

"(1) GRANTS.—The Secretary may make grants to States—

"(A) for developing a plan for tree planting along Federal-aid highways; and

"(B) for developing and implementing a program for the planting of trees in public rights-of-way along Federal-aid highways where safety, topography, soil, and other natural conditions provide that trees may be grown satisfactorily and with minimal maintenance.

"(2) MINIMUM CONTENTS OF A PLAN.—A plan developed under paragraph (1)(A) must include, at a minimum, identification of species, design standards and specifications for tree plantings for States which do not have such standards and specifications, and development of a tree maintenance policy.

"(3) MAXIMUM AMOUNT.—The maximum aggregate amount of grants to a State in a fiscal year under this subsection may not exceed $500,000.

"(4) FEDERAL SHARE.—The Federal share of the costs for which a grant is made under this subsection may not exceed 60 percent.

"(5) COOPERATIVE AGREEMENTS.—The Secretary shall take such action as may be necessary to encourage State highway departments to enter into cooperative agreements with State foresters in implementing the requirements of this subsection. the Secretary may enter into a cooperative agreement with the Chief of the Forest Service of the Department of Agriculture for technical and other assistance in implementing this subsection.

"(6) ACCEPTANCE OF DONATED TREES.—Nothing in this subsection shall be construed to prohibit the acceptance of donated trees.

"(7) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant with funds made available under this subsection shall be deemed a contractual obligation of the United States for payment of the Federal share of the grant.

"(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this subsection $5,000,000 per fiscal year for each fiscal year 1992, 1993, 1994, 1995, and 1996. Such funds shall remain available until expended.".

Mr. HOAGLAND. Mr. Chairman, let me continue just briefly. In America today, excluding Alaska, only 5 percent of our primary forest remains intact. Now, trees along highways have many practical advantages. They help us fight pollution, both in the air and in the water by preventing runoff, washouts, flooding and erosion.

A tree-lined highway, as we all know, also cuts heat radiation from the pavement. When planted appropriately, trees can act as wind and snow breaks and prevent soil erosion.

Today, Congressman DAN GLICKMAN and I are offering an amendment to encourage States to plant more trees along highways. Our amendment is very similar to a bill we introduced, H.R. 2717, the highway tree planting initiative. Let me say from the outset that this amendment does not require State highway departments to rush out and plant trees in every available spot of every highway. It would create a specific program for States that choose to plant more trees and it specifies that trees would be planted "where safety, topography, soil and other natural conditions provide that trees may be grown satisfactorily and with minimal maintenance." It would require 80 percent to 20 percent cost sharing and limit grants to any one State to $500,000.

Currently, there is no specific direction in the law which encourages or requires States to plant trees along highways. States are allowed to use Federal highway funds for purposes of constructing highways, which, includes building the actual roadway and landscaping the corridor along the highway. Trees are not given a priority. They should be, for many reasons. This amendment would establish a program that encourages increased State tree planting along federally assisted roadways.

TREES ARE BENEFICIAL

In the United States, excluding Alaska, only 5 percent of our primary forest remains intact. In my State of Nebraska, land with tree cover accounts for only 1.5 percent of the total area. Some may ask, "Why plant more trees?" There are several reasons.

Trees along highways have practical advantages. Trees help us fight pollution, both in the air, as filters for air particles, and in the water, by preventing runoff, washouts and flooding. A tree-lined highway will also cut heat radiation from the pavement. When planted appropriately, trees can act as wind and snow breaks and prevent soil erosion.

One of the most important benefits to be gained from the planting of trees is to help reduce the effects of global warming. We have all read and heard the disturbing reports on the greenhouse effect in recent years and how carbon dioxide gas buildup in the atmosphere is partly responsible for this global environmental problem. Trees play an integral role in the global warming trend and carbon dioxide buildup by acting as a carbon sink. According to the American Forestry Association, an acre of trees uses about 2.6 tons of carbon dioxide per year. Deforestation has had a devastating effect on our global climate, second only to the burning of fossil fuels as a human source of atmospheric carbon dioxide. According to the Environmental Protection Agency's own analysis, if only 10 percent of the suitable land within highway corridors were planted, new carbon dioxide emissions from powerplants would be significantly offset because trees use carbon dioxide in the photosynthetic process.

Trees have esthetic advantages. Federal regulations require highways to blend in with the natural environment and provide pleasure and satisfaction in their use. What better way to improve the pleasure of driving than to drive down tree-lined highways?

STATES ARE RECEPTIVE

The concept of planting trees along highways is not a new one. Prior to 1980, Federal funds were specifically earmarked for tree planting on roadsides. Since then, we have not had a consistent nationwide policy for planting trees along highways, but many States have recognized the need for more trees. In Nebraska, for instance, State agencies have developed the living snow fence along portions of Nebraska highways. Consisting of four rows of shrubs and conifers placed safely from the roadside, these natural fences provide low-cost, low-maintenance snow and wind breaks that help reduce hazardous snow from roadways during severe weather conditions.

CONSISTENT WITH HIGHWAY POLICY

It is important to understand that our amendment is consistent with highway construction planning. Most people think of high-

ways as just the pavement their cars roll along. In reality, the total highway environment consists, not just of the roadway, but of roadside development as well. This development includes rest areas, scenic overlooks, travel information centers, landscape projects and preservation of valuable adjacent scenic lands. Obviously, trees can and do play an integral part in the total highway environment. Many highway corridors have room to plant trees in a manner that is consistent with highway program policy. Trees can be planted in such a way that they are safely clear of the roadside yet still enhance the natural environment. A strip of land on each side of the roadway which must be kept clear of immovable objects for the safety of motorists is known to highway experts as the clear zone. Our amendment stresses that the States shall identify suitable areas for tree planting—areas not in the clear zone so that they do not interfere with highway traffic or safety.

A MODEST PROGRAM

This amendment establishes a modest program in relation to the total highway budget. It would set aside $10 million each year from the highway trust fund, which at the beginning of the 1991 fiscal year had a balance of $9.6 billion in the highway account. This is a small price to pay when considering the environment and esthetic benefits that trees provide. The amendment sets up a grant program to allocate the funds, under which States would have to apply and contribute 20 percent of the total project cost. With a matching requirement, States have an incentive to use funds wisely.

In order to further save Federal tax dollars, our amendment specifically encourages States to accept donated trees for their landscaping projects and encourages State highway departments to enter into cooperative agreements with State foresters. Many State forestry agencies grow their own seedlings in large numbers that keep the cost per tree very low. Since our amendment specifies that only low maintenance trees be planted in suitable rights-of-way, the costs associated with the upkeep of these trees would be small. For example, trees would be planted in areas far enough from the roadside so that pruning of dead limbs would not be needed.

COMPLIMENTS BUSH'S PROGRAM

This amendment will enhance and complement President Bush's 10-year plan to plant, improve and maintain 1 billion trees a year. This program, called America the Beautiful, was initiated as a result of the American peoples' concern for the future of the Earth's environment, and the deterioration of our once abundant natural resources.

I urge my colleagues to support what we think is a good and necessary amendment. It puts into law an economical, safe and environmentally sound method of improving America's highway environment through the planting of trees. This amendment, will, for the first time, establish a clear policy of planting trees in highway corridors and address what should have been done long ago.

Our amendment is supported by the following organizations: American Forestry Association, American Farmland Trust, American Planning Association, American Society of Landscape Architects, Environmental Defense Fund, Izaak Walton League, National Association of State Foresters, National Audubon Society, Renew America, Scenic America, and Wildlife Management Institute.

Mr. COLEMAN of Texas. Mr. Speaker, I am pleased to be able to support H.R. 2950, the Surface Transportation Infrastructure Act, and want to commend the House Public Works and Transportation Committee for its diligence in crafting this legislation. This is one of the most important pieces of legislation the Congress will consider this session, and I appreciate the committee reworking the initiative after several Members, including myself, expressed our reservations with respect to a proposal increasing the gasoline tax by 5 cents and the funding formulas which penalized big donor States like Texas.

The revised bill will make extensive changes in existing policy without raising new taxes and includes an economic growth program which will put many Americans back to work. This is exactly what we need in these recessionary times—an investment in the United States which will benefit all Americans.

H.R. 2950 increases Federal investment in our Nation's transportation infrastructure without increasing the Federal tax on motor fuels. The plan rebuilds deteriorated highways and bridges and improves rural and urban transportation systems. It provides for completion of the Interstate Highway System and creates a National Highway System. It makes an investment in mass transit, and allows States much-needed flexibility in setting transportation priorities.

The bill is a long-term, 6-year bill which encourages more systematic transportation planning. Texas will receive more than $7 billion in Federal highway funds, an average of almost $1.2 billion each year. A revised funding formula ensures that large donor States like Texas receive a greater rate of return on their Federal highway tax dollar. The legislation provides for a minimum allocation program of 90 percent and expands the base for its calculation to cover the distribution of Federal highway funds. This means that Texas' real return on its Federal highway user fee dollar will increase from its historical 80 cents to an estimated 87 cents.

The bill is also beneficial to States through a reduced and simplified Federal Highway Program structure. It gives the States greater flexibility in deciding how to spend program funds, and it simplifies the program structure by reducing the number of core highway programs.

I also support the bill's provisions relating to transit operations. Mass transit issues are important to my constituents in El Paso. Not only does it assist in moving people to places of employment and shopping, but it also helps to address air pollution problems in the region. The city of El Paso informs me that it has one of the highest percentages of local financing in the United States from fare box revenues which evidences the community's willingness to shoulder its share of funding responsibility for urban transportation.

Finally, I am encouraged about the bill's provisions related to studying the infrastructure needs of the United States-Mexico border. With the North American free trade negotiations underway, this is an important component of addressing the transportation needs of the region and ensuring that those areas which will be impacted by increased commerce from Mexico are prepared to do so.

I hope my colleagues will join me in supporting this landmark piece of legislation.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991.

The continued neglect and deterioration of our Nation's highways and bridges has been a major impediment to American commercial growth over recent decades. Without a modern transportation infrastructure to efficiently move goods from producer to consumer, the growth of American business will be stunted in this ever globally competitive economy.

This legislation authorizes the spending of $151 billion over the next 6 years for highways and mass transit programs. With out tax dollars increasingly being spent to pay interest on debt to foreign bankers, I am pleased to see that these tax dollars are heading straight back to the American people in the form of tangible projects that will affect the well-being of every American citizen. These programs will directly benefit the millions upon millions of Americans who own a car, commute to work every morning via public transportation, or make their livelihood based on the movement of goods to market.

One of the major provisions of this legislation which is of particular interest to my district, Mr. Speaker, is the increased funding for urban mass transit programs. H.R. 2950 authorizes over $32 billion over the next 6 years for public transportation initiatives. Specifically in my district, Chicago Transit Authority [CTA] provides vital rail and bus links for my constituents to the Chicago Loop and other areas of the city. In recent years, however, rising costs and difficult economic times have forced cutbacks in services and schedules. This legislation will provide valuable infusion of funds to CTA and other mass transit systems around the country to hopefully prevent such drastic cutbacks in the future.

The development of mass transit programs across the country is vital to our Nation's environmental well-being and drive toward energy self-sufficiency. By getting more cars off the road and increasing the availability of public transportation to all citizens, we can help clean our air and cut our dependence on imported oil. Furthermore, we can help increase productivity by decreasing the number of manhours spent in traffic jams and increasing the time in the workplace. These dollars are truly an investment in our future well-being and I commend the Committee of Public Works and Transportation for their foresight in this matter.

This legislation also provides $119 billion for highway construction, modernization, and safety programs. For anyone who has driven along our Nation's interstates and secondary roads, it should be glaringly evident that our roads are in a terrible state of decay and disrepair. H.R. 2950 gives States unprecedented latitude in deciding how their Federal allotments will be spent. Not only will this funding greatly help alleviate the traffic problems of Chicagoland and the State of Illinois, but those of cities and towns nationwide.

I am also very pleased that the bill includes a provision which I sponsored to require value-engineering reviews of highway construction and reconstruction projects. Value engineering is a scientific, creative, team-conducted process which aims to reduce total life-cycle costs and improve the quality of the project at the same time.

It has been very effective over the years in saving from 3 percent to 5 percent of contract values, and it has received high acclaim in over a dozen GAO reports and the Grace Commission report. In one example in 1988, a VE review of a bridge repair project in Cleveland saved $7 million from a $36 million budget—27 percent savings—and shortened the shutdown of the bridge from 36 months to 20—44 percent reduction. If it continues its performance at a minimal 3-percent savings, we can expect it to save billions of taxpayer dollars by being applied to the $119 billion highway portion of this bill.

Finally, while this legislation does not include the "Nickel for America" increase in the Federal gasoline tax, it does eliminate a 2.5 cent gas tax designed for deficit reduction implemented during the 1990 omnibus budget reconciliation agreement. What this means, Mr. Speaker, is that all of the money collected from fuel taxes will now be going directly back into the transportation infrastructure and not to pay interest on the national debt.

Mr. Speaker, this legislation is the embodiment of the American spirit. The freedom of mobility that Americans so greatly cherish is assured of being preserved by enactment of this sweeping measure. Furthermore, H.R. 2950 will create hundreds of thousands of new jobs and increase the productivity of American businesses across the board. For Chicagoland, and the Nation, this is one investment which truly is a no-lose proposition. I urge my colleagues to support this bill.

Mr. MAZZOLI. Mr. Chairman, I rise in strong support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991, which I hope passes.

This bill calls for, and let me emphasize, no new taxes. I will say it again. It calls for no new taxes. It simply uses existing taxes to pay for important programs for America's economic survival.

There is $151 billion authorized for various highway and mass transit programs. This is a lot of money, Mr. Speaker, but it is conservatively estimated that it would take $500 billion, five times that amount of money, just to repair the bridges and highways already deteriorating in this country.

There are several matters of importance in this bill. It provides flexibility to States and local government in how they spend their money. It limits, and I think this is very important, the permitting of the very long highway behemoths, these double and triple bottom trucks that scare most of us to death when we are on the highways.

It also contains money for the Louisville waterfront development highway improvement project, which will make much more accessible our beautiful historic riverfront in Louisville and Jefferson County. For the RECORD, I am providing the text of a letter I have received from city of Louisville Mayor Jerry E. Abramson, outlining the importance of this project.

Mr. Speaker, it is a good bill. I hope it passes.

The letter follows:

CITY OF LOUISVILLE,
OFFICE OF THE MAYOR,
Louisville, KY, October 23, 1991.

Hon. ROMANO L. MAZZOLI,
U.S. Congress, Rayburn Building, Washington, DC.

DEAR RON: Thank you for the support you and your colleagues have given to the Congressional projects outlined in H.R. 2950, the Intermodal Surface Transportation Assistance Act of 1991. We feel strongly about the regional benefits that accrue from federal involvement in such a project. In Louisville, the $5.6 million earmarked for waterfront roadway improvements will not only enhance waterfront development but, more importantly, will allow improvements to be implemented earlier which will spark public excitement and create a level of interest that causes private contributions for other public improvements.

As you know, over the past year our community developed a master plan that describes how we intend to clean up the waterfront and return it to public use. Much of the new design is predicated on adequate automobile circulation in this area. The road work made possible by this bill is truly the cornerstone of Louisville's riverfront revitalization efforts.

Thank you for understanding the importance of this project and working to ensure that a major portion of the transportation needs in the waterfront are satisfied.

Sincerely,

JERRY E. ABRAMSON,
Mayor.

Mr. CUNNINGHAM. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991. I want to commend Chairman ROE, Congressman HAMMERSCHMIDT, Congressman MINETA, and Congressman SHUSTER for their efforts. Clearly, the committee had a difficult task when it set about to draft this legislation. As with any Member, there are sections I would just as soon not have included, but on balance, this is a good bill.

I'd like to discuss a key provision for the 44th District of California, namely, the I–15/40th Street project in San Diego. It is not often that we see an urban neighborhood welcoming a freeway, but that is precisely what has happened in the City Heights neighborhood of San Diego. Years ago, most of Interstate 15 was completed, from the Canadian border to San Diego. However, a short stretch running along 40th Street in San Diego has never been completed. Consequently, freeway traffic spills onto city streets.

The residents of the City Heights neighborhood have an ambitious plan to rid their neighborhood of freeway traffic and enhance its desirability. By building several blocks of cover over the completed freeway, City Heights will regain its peace and quiet and the community will gain several new blocks of open space.

The design for completion of the freeway calls for the depression of the road. The State of California and the city of San Diego have each committed to fund one block of cut-and-cover tunnel over the freeway. This bill now includes funding toward a third block of cover.

Mr. Chairman, this project has the strong support of Congressman HUNTER, Congressman LOWERY, Congressman PACKARD and myself. I particularly want to thank my colleagues from San Diego for their assistance with this project.

Mr. Chairman, in addition to the I–15/40th Street project, H.R. 2950 will make a major difference in the San Diego area. In particular, I salute the committee's decision to provide substantial funding for the mid-coast extension of the San Diego trolley system. The San Diego trolley is a tremendous success story and has served as a model for new light rail systems across the country.

This funding for the San Diego trolley will complement the existing south, east, and bayside lines with a northern extension that will link residential neighborhoods, commercial areas, tourist attractions, and major universities with downtown San Diego.

There are other projects around San Diego County which receive needed attention in the bill. I am particularly pleased that the committee has reached a compromise which provides these needed funds without increasing taxes.

Mr. Chairman, I urge my colleague's support for H.R. 2950. The Public Works Committee has made a solid contribution to addressing the tremendous infrastructure needs of the Nation.

Mr. MCMILLEN of Maryland. Mr. Chairman, I am opposed to H.R. 2950, the Surface Transportation Infrastructure Act, because this legislation contains a new Federal gas tax and because it does little to benefit the State of Maryland.

In the Omnibus Budget Reconciliation Act of 1990, the Congress increased the Federal gas tax by 5 cents per gallon. Half of this increase went straight toward deficit reduction, with the other 2.5 cents designated for highway programs. This legislation would extend the 2.5 cents designated for highway programs for an additional 4 years from 1995 to 1999. However, any way you disguise it, this is still a new tax. Without this legislation, the increase which was enacted last year would expire. I understand that the Federal Government needs more money to build roads, but a gas tax is the most regressive means of obtaining this funding. In addition, I am concerned that the revenues from this regressive tax will not be used for traditional highway programs, rather the money will go toward boondoggle "demonstration" projects. In times of budgetary constraint, there is simply no room for pork projects.

I have other problems with this legislation as well. Maryland does not fare well under this bill. While this legislation provides for significant funding increases over current levels, almost one-third more, Maryland does not share fairly in this increase. Total funding levels under this bill are $151 billion. Considering this significant increase, it is inconceivable to me why Maryland should see a decrease in its highway funding. Some States are receiving as much as a 140-percent increase. No State should have to suffer a decrease in funding, at very least, all States should maintain the status quo. Under this legislation, Maryland receives a smaller percentage share of nationwide funding than in the past or than under the Senate version of the same bill. The final reason I am opposing this bill is because I cannot support a bill which will force Maryland into becoming a "donor" State. Within 6 years,

the duration of this legislation, Maryland will receive less back in Federal gas tax dollars than it sends to the U.S. Treasury. This is hardly an incentive to support an increase in the Federal gas tax.

Admittedly, there are programs in this bill which are good for Maryland. But, as an overall package, I cannot support it. I respect and appreciate the work of Chairman ROE. But this legislation creates a huge new Federal pie—created by a tax increase—of which Maryland gets only a sliver. Maryland deserves a better shake than this, and all of the Maryland delegation should be working to make sure that Maryland gets its fair share, instead of supporting a tax increase that only gives Maryland a few dollars more than it gets today. Thank you.

Mr. HAYES of Illinois. Mr. Chairman, I rise in support of H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991 and the amendment offered by my colleague from the District of Columbia, Congresswoman NORTON. The Norton disadvantage business enterprise decoupling amendment addresses the issue of dual goals, where minority contracting is referenced in the Federal Highway Program. I believe that separate goals in minority contracting is the best approach for fairness and growth for all Americans.

The purpose of minority disadvantaged business enterprises is to give those American contractors that were historically excluded from Federal highway contracts a fair opportunity to participate in the contracting process and develop in the highway construction industry. The coupling of minority and nonminority DBE's within the same 10-percent goal has caused some minority contractors to suffocate due to the competition for this small pot of funds. Quite simply, the opportunity to participate for many minority contractors has declined significantly.

Mr. Chairman, this amendment would require States to award 10 percent of Federal highway contract dollars to minority contractors and 5 percent to nonminority women contractors. Further, this decoupling amendment is not burdensome to prime contractors. As I understand, Mr. Chairman, no undue burden would be imposed upon prime contractors since most nonhighway State and local government disadvantaged business utilization programs already require separate goals for minorities and—nonminority—women. Those State and local programs that provide separate goals for minorities and—nonminority—women in effect, Mr. Chairman, cause friction between minority contractors and—nonminority—women contractors.

Finally, Mr. Chairman, the dual goals intentions of this amendment will automatically preclude prime contractors from utilizing one DBE group at the expense of the other. Divisiveness and friction is not in accordance with the intent of DBE programs. The intent of DBE is to allow both minority contractors and—nonminority—women contractors to fully develop in the highway construction industry without having to eliminate the other from competition.

I urge all of my colleagues to support this amendment and allow all contractors to participate fairly in the productive capacity of this Nation.

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

The CHAIRMAN. Does any Member seek recognition in opposition to the amendment, as modified?

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in opposition to the amendment, as modified.

The CHAIRMAN. The gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment which would provide $25 million in grants to States for the planting of trees along Federal-aid highways.

My chief concern is that we have already cut back the funding in this bill for very important highway and bridge programs, as well as for member projects. We have strained these programs to the limit, but this amendment would require us to make further cuts in order to find $25 million to fund tree planting programs.

I am sure this is a very well intended amendment that could be supported under other conditions. However, I believe we need to retain this funding in the core highway programs. I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. I thank the gentleman for yielding.

Mr. Chairman, based on the offerors' willingness to reduce and modify the amendment, I am willing to support the amendment in committee here, with the condition that I understand my good friend agrees with my understanding that it is the committee's intent that in allowing this amendment, that any tree purchased or donated under section 181 shall not be planted in any manner such as to obstruct the view of a highway business, including identification signs and public or private directional signs.

Mr. Chairman, would the offeror of the amendment, as modified, agree with that?

Mr. HOAGLAND. Mr. Chairman, if the gentleman would yield, I do agree, yes.

Mr. HAMMERSCHMIDT. Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. HOAGLAND. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. I thank the gentleman for yielding.

Mr. Chairman, I simply would like to congratulate the gentleman on the amendment, and I would like to paraphrase Daniel Webster and Everett Dirksen and simply say that, "This is but a small issue, but there are those of us who love the initiative. A tree here and a tree there, pretty soon add up to a clean environment."

Mr. HOAGLAND. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MINETA].

Mr. MINETA. I thank the gentleman for yielding this time to me.

Mr. Chairman, I have had an opportunity to look at the amendment and to work with the gentleman from Nebraska as well as the gentleman from Kansas, who are interested in this issue, and fully support the modification and inclusion of their amendment in our bill.

Mr. HOAGLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan.

Mr. BONIOR. Mr. Chairman, I rise in support of this amendment. It is a minuscule amount of money to beautify our highways, it fits in with President Bush's beautification program to plant trees.

Mr. Chairman, I urge support of this amendment, as modified.

Mr. HOAGLAND. Finally, Mr. Chairman, I yield the balance of my time to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Chairman, I join my colleague from Nebraska. Trees offer not only esthetic advantages but environmental advantages, including filtering air and preventing runoff.

I rise in support of the Hoagland amendment. Our amendment will be very similar to H.R. 2717, the Highway Tree Planting Initiative of 1991, of which I am an original cosponsor. Our amendment is consistent with highway construction planning. Most people think of highways as just the pavement their cars roll along. In reality, the total highway environment consists, not just of the roadway, but of roadside development as well. This development includes rest areas, scenic overlooks, travel information centers, landscape projects, and preservation of valuable adjacent scenic lands.

Under our amendment, States would be encouraged to plant trees where they are appropriate in terms of safety, soil, and topography. Many highway corridors have room to plant trees in a manner that is consistent with highway program policy. Trees can be planted in such a way that they are safely clear of the roadside yet still enhance the natural environment. A strip of land on each side of the roadway which must be kept clear of immovable objects for the safety of motorists is known to highway experts as the clear zone. Our amendment stresses that the States identify suitable areas for tree planting, areas not in clear zone so that they do not interfere with highway traffic or safety.

Why do we need more trees along highways? Obviously, trees offer certain esthetic advantages. But they also play an important environmental role by filtering air and preventing runoff. In addition, trees can act as wind and snow breaks, which is very important in States like mine.

Currently, there is no specific direction in the law which encourages or requires States

to plant trees. The States have discretion in how they use the Federal highway funds for building the actual roadway and landscaping the corridors. Unfortunately, trees are not given a priority. They should be, for many reasons. Our amendment would create a grant program to encourage States to plant trees along federally assisted roadways.

We believe that this amendment would provide important practical, environmental and esthetic enhancements along the Nation's highways.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Nebraska [Mr. HOAGLAND].

The amendment, as modified, was agreed to.

PREFERENTIAL MOTION OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the preferential motion.

The clerk reads as follows:

Mr. KYL moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. This is a preferential motion. The gentleman from Arizona [Mr. KYL] will be recognized for 5 minutes in support of the motion.

The Chair recognizes the gentleman from Arizona [Mr. KYL].

Mr. KYL. Mr. Chairman, the reason for this unique procedure is that we need a little bit more time to debate the next amendment which is going to be presented. Only 7 minutes would be allowed for each side to debate a very important amendment that the gentleman from Pennsylvania [Mr. WALKER] is going to offer.

Therefore, I have sought this time in order to get into the debate a little bit.

I hope my colleagues will support the Walker amendment. It is a good amendment, for four separate reasons.

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Mr. Chairman, the purpose of this amendment is to eliminate the office of intermodalism from the bill, an office which is required to be supported with $11½ million.

Mr. Chairman, this is an important amendment. It may only be $11½ million that is being saved, but I think there are a couple of important principles here as well. Of course, $11½ million being saved is not peanuts, but I think there are some other reasons.

The idea of the office of intermodalism, as I understand it, is to try to figure out ways to get people out of their cars so that they will move around by means other than the automobile. As has been pointed out here earlier, one-seventh of the jobs in this country are either already or indirectly related to the automoble industry. So, if my colleagues want a job-killing provision of a bill, I think this office of intermodalism is exactly that. We are going to kill jobs in America in the automotive industry unless we delete this office of intermodalism from this bill because the purpose of the office is to get people out of their automobiles.

Now how are they going to get people out of their cars? Is it going to be by mandate? Are they going to force people to take some other kind of transportation or get where they are going by some other means? Will it be by incentives?

What we are asking here is: How is this Office going to get people out of their cars to use other modalities to get where they want to go? If it is going to be by incentives, we are talking about more money, or disincentives, taking away money, or mandates, further regulations into our lives. It is really unclear what they are going to do to get people out of their car.

If the idea here is to increase mass transit, this bill already does that. It more than doubles the amount of money for mass transit, whereas highway spending goes up less than 25 percent, and, as a matter of fact, if one looks just to the operating expenses of mass transit, the operating subsidies are going from $800 million in fiscal year 1992 to $2.3 billion in fiscal year 1997. That is a pretty big increase, not for infrastructure development, but simply operation and maintenance.

So, Mr. Chairman, I think we are providing a pretty good support for one kind of transportation other than the automobile right here in what is called the highway bill, which in fact, of course, is not just a highway bill, but a bill that supports mass transit as well.

I think the bottom line, Mr. Chairman, is that we can save money by supporting the amendment of the gentleman from Pennsylvania [Mr. WALKER]. We can prevent further regulation of people's lives by folks who, I guess, have well-meaning ideas about reducing transportation, but frankly could put literally thousands and thousands of people out of work in this country and where we are already supporting mass transit to a significant extent even under this bill.

So, it does not seem to me that this is a good idea. It wastes money, it is going to further intrude into our lives, and it is going to put people out of work, and for that reason I would hope that my colleagues would think long and carefully about something which puts people out of work and would support the Walker amendment to delete the office of intermodalism.

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

Mr. ROE. Mr. Chairman, I rise in opposition to the preferential motion offered by the gentleman from Arizona [Mr. KYL], and I reserve the balance of my time.

Has the gentleman from Arizona [Mr. KYL] used all his time?

The CHAIRMAN. The gentleman from Arizona [Mr. KYL] has 1 minute remaining, and he must first use all his time.

Mr. KYL. Mr. Chairman, does the gentleman from New Jersey [Mr. ROE] have the final word?

The CHAIRMAN. He does.

Mr. KYL. Mr. Chairman, I yield the balance of my time to the author of the amendment, the gentleman from Pennsylvania [Mr. WALKER], to allow him to briefly explain further, and I would ask the author if he knows of any taxpayer groups, concerned groups, that are interested in this bill.

Mr. WALKER. Mr. Chairman, I would say to the gentleman from Arizona [Mr. KYL] that it is my understanding that Citizens Against Government Waste will in fact rate this vote as a key vote on their index simply because it is one of the only money-saving amendments that Members would have a chance to vote on in the bill.

I would also say to the body that, if in fact they do not believe what the gentleman is saying about the car implication of this, I would remind them of some of the people who are in the fact supporting the intermodalism concept who have made some statements; Ralph Nader, for example.

Mr. Chairman, he says:

Today's intellectuals and reformers have little respect for the automobile—or for automobile culture. The car's very convenience seems an indulgence, a waste of resources and money. The Soviet Union's greatest contribution to world peace was the fact that it did not put a car in every Soviet citizen's garage.

According to Ralph Nader, a supporter of this kind of a concept.

Mr. Chairman, I would suggest to my colleagues that this very definitely is an attempt to attack the private automobiles and the economy that goes with them.

Mr. ROE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Arizona [Mr. KYL].

The preferential motion was rejected.

The CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 102-265.

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer amendment No. 12 made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WALKER: Strike Sections 501 through 504 and redesignate accordingly.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. WALKER] will be recognized for 7½ minutes, and a Member opposed will be recognized for 7½ minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I guess that, if one understands what intermodalism is, that perhaps they ought to vote for what the committee has put in the bill. If they do not know what intermodalism is and, like me, they cannot find it in any dictionary, I suggest this is not something where we ought to create an $11½ million office that is going to promote something that the Department of Transportation should be doing anyway.

Whatever the validity of intermodalism as a concept, it is now clear that an entire new bureaucracy is needed to promote it. In fact, the suspicion is that such an office would have its principal mission attempt to get Americans to forgo transportation in favor of other options. That mission would be antithetical to efforts to build the U.S. Automobile industry, and it would not assure Americans of their continued freedom that individual cars afford them.

If my colleagues do not think that this is a problem, they heard my Ralph Nader quote here a minute ago, that he thinks that the Soviet Union was wonderful because citizens never got cars. Well, how about another group, one of the groups that came out in favor of intermodalism as an early concept? This group was known as the Campaign for New Transportation Priorities. Let me quote from them.

A new vision to carry the country into the 21st century is essential. The Campaign for New Transportation Priorities believes that a significant portion of the problems associated with transportation stems from the unnecessary single-occupant car use and the overreliance in general on the automobile for personal travel.

In other words, Mr. Chairman, these are people who have decided that cars are not good for us, that people ought to get out of their cars, and now they want to put in an office in the Department of Transportation which is aimed at accomplishing that.

I say again to my colleagues that one out of every seven jobs in this country is related to the automotive industry. An office that is designed to kill even a small portion of that industry is not something that we ought to be endorsing.

Now some people have said, "Well, WALKER, what you're trying to do is get at the projects in the bill." My amendment does not touch any project in the bill. The only thing the amendment says is that we ought not form a new bureaucracy. All of my colleagues who have paraded to the well today and were suggesting that their projects are good, fine. But they ought to vote against new bureaucracy.

Mr. ROE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Jersey [Mr. ROE] is recognized for 7½ minutes.

Mr. ROE. Mr. Chairman, I appreciate being allowed this time, and I want to share with my good friend, the gentleman from Pennsylvania [Mr. WALKER], whom, although we are strong adversaries from time to time, by the same token I heard him on the floor the other day, and he said that "intermodal" was not in the dictionary. By God, we went and looked into some of our dictionaries, one of the dictionaries that they pass out in the House of Representatives. There was a couple that did not have it in it, and we double checked, and I brought this for the gentleman, and I am going to autograph it for him because in here it talks about intermodalism, and this came from the Library of Congress, and it says:

in-ter-mod-al (in'ter mod'l), *adj. Transp.* pertaining to or suitable for transportation involving more than one form of carrier, as truck and rail, or truck, ship, and rail.

So, I will not offer this as an exhibit, but I will save this for the gentleman from Pennsylvania [Mr. WALKER] and autograph it for him before he leaves tonight.

Intermodalism is simply a very basic situation, and let me tell my colleagues something. What did we find? We found in going through our hearings for 2½ years that there are 16 different committees around here that have some kind of jurisdiction over transportation.

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Even in the Committee on Public Works and Transportation and even in the administration, we passed an aviation bill that does not relate to aviation. We passed a harbor bill; it does not relate, it is a harbor bill. We passed an inland water bill; it is an inland water bill, so it does not relate. We passed a highway bill, and it does not relate. Our transportation systems do not come together.

There is nothing magical or cynical or anything hiding here at all. I ask the Members to get this and to listen to me for a minute. The assumption that we are going to lose automobiles is preposterous. It has absolutely nothing to do whatever with what we are talking about. We are not trying to get people out of their cars. It has nothing to do with this section of the bill.

If there is anybody from Tennessee around here that talks about Fed Ex, the Fed Ex Co. was developed in this country, and it is a $2 billion corporation because they combined air transportation with trucks. CSX is a multinational corporation, and it is an intermodal corporation because they combine four different types of intermodal transportation. They are simply locking the transportation together. It is as simple as that.

Mr. Chairman, I only have a couple of minutes, but I want to yield time to the gentleman from Pennsylvania [Mr. SHUSTER]. I want to say something else. The committee passed a bill in 1984. It set up a committee that was appointed by the President. It had an advisory board of Malcolm Baldrige, Elizabeth Hanford Dole, and a half a dozen other leaders in the Nation. The Office of Technology Assessment has reviewed the whole thing in their recent report that came back and said that a host of governmental associations have regulatory and fiscal authority over separate elements of regional transportation, that no effective mechanisms for intermodals should be done.

We have another report that came out from the National Council on Public Resources. It is not a mystery. There is not any mystery at all. All we are trying to do is connect the transportation systems of the country. It has nothing to do with mass transit.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. ROE. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I do support the gentleman from New Jersey. I am astonished that my good friend, the gentleman from Pennsylvania, says the purpose of this is to get people out of their automobiles. It has nothing to do with that. The purpose of intermodalism is to get people to transfer efficiently among different modes.

I am hurt that my good friend from Pennsylvania would use guilt by association to associate me with Ralph Nader. Think about that. I am hurt, my friend. I am hurt. I am hurt.

We hear $11 million in this bill. There is no $11 million in this bill. The Department can fund this out of their existing funds. There is only $3 million to set up models to promote intermodalism; for example, a terminal which will provide transfer between cars, trucks, airplanes, boats, ships, buses. That is what intermodalism is about, a way to let all the modes work together most efficiently.

Mr. ROE. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY of New York. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. WALKER]. This amendment would strike provisions in the bill to establish as a national goal the promotion of an intermodal transportation system and eliminate other provisions aimed at achieving that important goal.

Strengthening this Nation's intermodal transportation network is important to achieving a number of this Nation's most vital objectives, including improved energy efficiency and pollution reduction. Economic growth is also heavily dependent upon the functioning of our transportation system and our ability to move freight and passengers from railroads to marine terminals, mass transit to airports, and commuter rail to buses and railroads. Those interconnections are vital

to the efficient operation of our transportation system.

The Department of Transportation has recognized the importance of creating a strong intermodal system, but the structure of the agency impairs its ability to progress toward that goal. The department is organized according to separate modes of transportation, and there is no established mechanism to ensure that Federal transportation policy and actions are coordinated to facilitate intermodal connections. We have heard it argued today that establishing an office of intermodalism would create another useless layer of bureaucracy. To the contrary, an active office of intermodalism would finally provide the Department with the organizational tools it needs to make intermodal choices and connections.

The chairman of the committee, Mr. ROE, and the committee as a whole should be congratulated for taking leadership on this issue. The reauthorization of Federal surface transportation programs should be viewed as a vital opportunity to promote innovative ideas that can help meet this Nation's transportation, economic, and environmental needs. The Public Works Committee has recognized that fact. I urge my colleagues to support their good work by defeating the Walker amendment and then approving the committee's bill.

Mr. ROE. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Chairman, I rise in opposition to this amendment offered by my esteemed colleague the gentleman from Pennsylvania [Mr. WALKER] that would eliminate sections of this bill which, in the long run, may be the most visionary of all.

If our Nation is to compete successfully in the international marketplace, we must have a transportation system that is efficiently integrated. We can no longer afford to operate highways, airports, waterways, and transit systems in isolation of each other. Leaders of other nations around the world have taken steps to integrate their systems. We are far behind now, and we need to take aggressive action if we are going to catch up.

In hearings before the public works and transportation committee last year, when asked who was responsible for pursuing intermodal policies, Secretary Skinner said—"it's me." In other words, the Department of Transportation operates as a collection of different modal administrations with no one looking after the day-to-day decisions needed to achieve an efficient unified transportation system.

Freight transportation has achieved a remarkable degree of sophistication. Shippers are looking for the right combination of service, speed, price, and reliability to carry their products—factors that often call for shipment by more than one mode. Products are picked up by trucks, loaded onto trains at the rail head, picked up again by trucks, and taken to the port to be transported half way around the world by ship. Indeed, if "intermodal" was not defined in the dictionary, it is defined in the marketplace. It's time to face reality and make transportation decisions by looking at the whole picture.

I urge my colleagues to think about transportation issues that constituents have written to us about—heavy truck traffic on the highways, underutilization of railroads and energy efficiency. All of these issues need to be addressed in a unified, not fragmented, manner. Title V of this bill would create an office of intermodalism within the Department of Transportation, with a clear mission to promote an effective, efficient national transportation system. I ask my colleagues to join me in opposing this amendment.

Mr. ROE. Mr. Chairman, I yield my one remaining minute to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] to strike title V of the legislation.

This title deals with the development of an intermodal transportation network and is vital if we are to meet the enormous challenges of a new century.

Mr. Chairman, our world is changing.

If American businesses can't get their products to market because our goods are tied up on inadequate roads, America loses.

If the American people can't move around cities and regions because there's no alternative to solo commuting, valuable work time and quality family time is lost. Again, America loses.

It is time for America to be innovative. Title V lays the groundwork for a national infrastructure system which is tied together by a variety of transportation modes.

Mr. Chairman, title V is an essential facet of our legislation. The development of an intermodal transportation system will not only help us better move people and goods, but it will improve the quality of our air, the quality of our lives, and the health of our economy.

I urge my colleagues to oppose the amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] has 5½ minutes remaining.

Mr. WALKER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to note that the gentleman has found a dictionary that has "intermodalism." Was that the Playboy dictionary? It seems that I had someone ask me a few minutes ago whether or not one needed parental permission to do intermodiality. I am not certain. This is a real problem in the House of Representatives.

I would say to the gentleman from Pennsylvania that he cannot find the $11.5 million in the bill because they did not put it in. But that is what the Department of Transportation—I have a communication here from them—estimates the cost of the office is. I have all the particulars, including the $5 million for the database and a number of other things.

This is a $11.5 million expense that is not needed in the bill.

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I will be happy to yield to the gentleman from Texas.

Mr. JOHNSON of Texas. Mr. Chairman, I am glad we figured out what that word really means, because I could not figure it out myself. You have been talking about intermodaling, and I wonder if we know what that means. I have heard that the railroads are generally laid so that they lead somewhere, and airports are built so they are just in the right spot. I have to ask, does the gentleman know of any national epidemic of railroads leading to nowhere, or airports being built in the wrong place?

Mr. WALKER. I have to say that the Committee on Public Works and Transportation believes that that is a problem, because what this is supposed to do is to bring all these things together. They must foresee this major problem, that we have a lot of stuff that is not coming together out there, so, therefore, we need to create a new office in the Department of Transportation in order to take care of it.

It does not make much sense to me why we have to spend $11.5 million on it. That is beyond my imagination.

Mr. JOHNSON of Texas. Mr. Chairman, I suggest that an $11 million layer bureaucracy added to an already bloated Federal Government is something Americans do not want, do not need, and do not deserve.

I understand also that one of the long-term objectives—and I think the gentleman was quite right in pointing this out—is to do away with the private automobile.

Economist Brock Yates said that the ownership of cars is discouraged in totalitarian societies, that a mobile population is a population essentially out of control of a centralized government.

Are we headed toward that? Would the gentleman think that we would pay attention to what is happening around the world of totalitarian governments today? Would the gentleman agree that this is just another attempt by our Government to control what its citizens can do?

Mr. WALKER. Mr. Chairman, all I can say to the gentleman is that the groups that testified most heavily for intermodalism at the committee—and I have a copy of the hearings here—all

of these groups were anticar. One has to assume that night does follow day, that in fact all these groups that were testifying in favor of intermodalism do intend to have an office that comes out of this which is determined to get private citizens out of their cars.

So I have to say that I think there is a very, very strong suspicion of that based upon the testimony that came to the committee and which I have copies of that I have reviewed.

Mr. JOHNSON of Texas. Mr. Chairman, I have heard them say that. It is part of the idea to get rid of the car so we can improve the environment. Has that not been the statement?

Mr. WALKER. It is environmental, but I would also tell the gentleman that one of the things that was indicated by these groups was that they just thought it was a bad idea for people to be able to get in their cars and go down to the local convenience store, that we were better off to have them walk to do that. They would prefer to have them walk rather than use their cars.

I would say to the gentleman that I believe the automobile has contributed a great deal to our society, that it does in fact produce jobs, and that this is an attempt to form a bureaucracy which is antijob in nature.

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Mr. PACKARD. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I come from the West, and, of course, we are in love with the car, just as the gentleman from Pennsylvania [Mr. WALKER] is. We have no argument with the car.

But surely the gentleman from Pennsylvania [Mr. WALKER] is not interpreting any effort we make to get people out of cars, even walking or on bicycles or into buses and trains. The gentleman is not interpreting that as an effort to kill the automobile?

Mr. WALKER. Mr. Chairman, reclaiming my time, all I am saying to the gentleman is we do not have to form a new bureaucracy to do that. We do not have to spend $11.5 million of taxpayer money to do that.

The Department of Transportation was put together to coordinate transportation policy. That was its whole goal when it was put together about 20 years ago.

What we are now doing is superimposing a brand new bureaucracy on top of that in the Department of Transportation to supposedly do what the overall department was going to do.

Mr. Chairman, I simply suggest that is not needed, it is not necessary, it is a waste of taxpayers' money to go down that route.

Mr. SHUSTER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I wonder if my good friend knows that I served as chairman of the National Transportation Policy Commission, a commission created and appointed by Ronald Reagan, and our commission found and urged that there should be substantially increased support for intermodalism?

Mr. WALKER. Mr. Chairman, reclaiming my time, I thank the gentleman. The gentleman has put in this bill over 1 billion dollars' worth of intermodalism projects over the next 5 years. So the gentleman did his part, boy; he helped Ronald Reagan in that regard.

Mr. Chairman, the question is whether or not you need this.

Mr. SHUSTER. Mr. Chairman, that is not so.

Mr. WALKER. Mr. Chairman, it is so. There is 1 billion dollars' worth of projects over the next 5 years that is in the bill. My amendment does not touch those. All I suggest is that there is a bureaucracy here we do not need. Why do we have to have the bureaucracy? We have had dozens of Members come to the floor telling us how good their individual project was. I think that is fine. But why do we need to create new bureaucracies? There is no need for the new bureaucracy here. All I am doing is striking out the money for something and striking out the language that creates a new bureaucracy.

Mr. Chairman, I would ask for a vote yes on the amendment, and thank Members for their generosity.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 69, noes 348, not voting 16, as follows:

[Roll No. 337]

AYES—69

Archer	Dreier	Kyl
Armey	Duncan	Lewis (FL)
Ballenger	Edwards (OK)	Marlenee
Barton	Fawell	McCandless
Bilirakis	Fields	McEwen
Bliley	Franks (CT)	Meyers
Broomfield	Gilchrest	Michel
Bunning	Goss	Miller (OH)
Burton	Gunderson	Nussle
Camp	Hancock	Oxley
Coble	Hefley	Paxon
Condit	Herger	Porter
Cox (CA)	Holloway	Ramstad
Crane	Hunter	Ravenel
Dannemeyer	Hyde	Roberts
Davis	Ireland	Rohrabacher
DeLay	James	Ros-Lehtinen
Doolittle	Johnson (TX)	Roth
Dornan (CA)	Kasich	Sensenbrenner
Smith (TX)	Stenholm	Walsh
Snowe	Stump	Young (FL)
Solomon	Taylor (NC)	Zeliff
Stearns	Walker	Zimmer

NOES—348

Abercrombie	Fazio	Luken
Ackerman	Feighan	Machtley
Alexander	Fish	Manton
Allard	Flake	Markey
Anderson	Foglietta	Martin
Andrews (ME)	Ford (MI)	Martinez
Andrews (NJ)	Ford (TN)	Matsui
Andrews (TX)	Frost	Mavroules
Annunzio	Gallegly	Mazzoli
Anthony	Gallo	McCloskey
Applegate	Gaydos	McCollum
Atkins	Gejdenson	McCrery
AuCoin	Gekas	McCurdy
Bacchus	Gephardt	McDade
Baker	Geren	McDermott
Barnard	Gibbons	McGrath
Barrett	Gillmor	McHugh
Bateman	Gilman	McMillan (NC)
Beilenson	Glickman	McMillen (MD)
Bennett	Gonzalez	McNulty
Bentley	Gordon	Mfume
Bereuter	Gradison	Miller (CA)
Berman	Grandy	Miller (WA)
Bevill	Green	Mineta
Bilbray	Guarini	Mink
Boehlert	Hall (OH)	Moakley
Boehner	Hall (TX)	Molinari
Bonior	Hamilton	Mollohan
Borski	Hammerschmidt	Montgomery
Boucher	Hansen	Moody
Boxer	Harris	Moorhead
Brooks	Hastert	Moran
Browder	Hatcher	Morella
Brown	Hayes (IL)	Morrison
Bruce	Hayes (LA)	Mrazek
Bryant	Hefner	Murphy
Bustamante	Henry	Murtha
Byron	Hertel	Myers
Callahan	Hoagland	Nagle
Campbell (CA)	Hobson	Natcher
Campbell (CO)	Hochbrueckner	Neal (MA)
Cardin	Horn	Nichols
Carper	Horton	Nowak
Carr	Houghton	Oakar
Chandler	Hoyer	Oberstar
Chapman	Hubbard	Obey
Clay	Huckaby	Olin
Clement	Hughes	Olver
Clinger	Hutto	Ortiz
Coleman (MO)	Inhofe	Orton
Coleman (TX)	Jacobs	Owens (NY)
Collins (IL)	Jefferson	Owens (UT)
Collins (MI)	Jenkins	Packard
Combest	Johnson (CT)	Pallone
Conyers	Johnson (SD)	Panetta
Cooper	Johnston	Parker
Costello	Jones (GA)	Pastor
Coughlin	Jontz	Patterson
Cox (IL)	Kanjorski	Payne (NJ)
Coyne	Kaptur	Payne (VA)
Cramer	Kennedy	Pease
Cunningham	Kennelly	Pelosi
Darden	Kildee	Penny
de la Garza	Kleczka	Perkins
DeLauro	Klug	Peterson (FL)
Dellums	Kolbe	Peterson (MN)
Derrick	Kolter	Petri
Dicks	Kopetski	Pickett
Dingell	Kostmayer	Pickle
Dixon	LaFalce	Poshard
Donnelly	Lagomarsino	Price
Dooley	Lancaster	Pursell
Dorgan (ND)	Lantos	Quillen
Downey	LaRocco	Rahall
Durbin	Laughlin	Rangel
Dwyer	Leach	Ray
Dymally	Lehman (CA)	Reed
Early	Lent	Regula
Eckart	Levin (MI)	Rhodes
Edwards (CA)	Levine (CA)	Richardson
Edwards (TX)	Lewis (CA)	Ridge
Emerson	Lewis (GA)	Riggs
Engel	Lightfoot	Rinaldo
English	Lipinski	Ritter
Erdreich	Livingston	Roe
Espy	Lloyd	Roemer
Evans	Long	Rogers
Ewing	Lowery (CA)	Rose
Fascell	Lowey (NY)	Rostenkowski

Roukema	Skelton	Towns
Rowland	Slattery	Traficant
Roybal	Slaughter (NY)	Traxler
Russo	Smith (FL)	Unsoeld
Sabo	Smith (IA)	Upton
Sanders	Smith (NJ)	Valentine
Sangmeister	Smith (OR)	Vander Jagt
Santorum	Solarz	Vento
Sarpalius	Spence	Visclosky
Savage	Staggers	Volkmer
Sawyer	Stallings	Vucanovich
Saxton	Stokes	Washington
Schaefer	Studds	Waxman
Scheuer	Sundquist	Weber
Schiff	Swett	Weiss
Schroeder	Swift	Wheat
Schulze	Synar	Whitten
Schumer	Tallon	Williams
Serrano	Tanner	Wilson
Sharp	Tauzin	Wise
Shaw	Taylor (MS)	Wolf
Shays	Thomas (CA)	Wolpe
Shuster	Thomas (GA)	Wyden
Sikorski	Thomas (WY)	Wylie
Sisisky	Thornton	Yates
Skaggs	Torres	Yatron
Skeen	Torricelli	Young (AK)

NOT VOTING—16

Aspin	Goodling	Spratt
Brewster	Hopkins	Stark
DeFazio	Jones (NC)	Waters
Dickinson	Lehman (FL)	Weldon
Frank (MA)	Neal (NC)	
Gingrich	Slaughter (VA)	

□ 2010

Mr. DOOLEY changed his vote from "aye" to "no."

Messrs. PORTER, CONDIT, EDWARDS of Oklahoma, and HYDE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. This completes action on all amendments in the Committee of the Whole.

The question is on the amendment in the nature of a substitute, as modified, as amended.

The amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. GEPHARDT] having assumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2950) to develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes, pursuant to House Resolution 252, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SHUSTER

Mr. SHUSTER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SHUSTER. I am opposed to the bill in its present form, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. WALKER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, under the rules of the House, does not the Member who offers the motion to recommit have to be opposed to the bill?

The SPEAKER pro tempore. The gentleman from Pennsylvania has qualified as being opposed to the bill.

Mr. WALKER. But the gentleman has, in fact, spoken regularly for the bill throughout the day, and in the House has been one of the most vociferous proponents of the bill. Does not that make a difference in the situation?

The SPEAKER pro tempore. Under the precedents, the Chair cannot judge the qualifications by the state of the debate during the day.

Mr. WALKER. I thank the Chair.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SHUSTER moves to recommit the bill, H.R. 2950, the Intermodal Surface Transportation Infrastructure Act of 1991, to the Committee on Public Works and Transportation with instructions to report back the same forthwith with the following amendment:

At the end of title I insert the following new section:

SEC. 181. FEDERAL SHARE ON SPECIAL PROJECTS.

Notwithstanding any other provision of this Act, the Federal share payable on account of any project authorized to be carried out under section 128(h), 134(c), 140, 149, 157, or 505 (other than a project for a Federal lands highway or a federally owned bridge) shall be 80 percent.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. SHUSTER] is recognized for 5 minutes in support of the motion to recommit.

Mr. SHUSTER. Mr. Speaker, I must confess that I am disappointed that it appears my good friend from Pennsylvania was questioning my motives. But let me very clearly explain my position, because it involves my good friend from Pennsylvania.

During the course of debate today my good friend from Pennsylvania [Mr. WALKER] came to me and he showed me a provision in the bill which appears to provide 100 percent funding for a special project. I told the gentleman at that time that that was not my understanding, that my understanding was that in this bill we require an 80-20-percent match, and I informed the gentleman that I was unaware of any projects in this bill that were indeed funded at 100 percent.

But he showed me the page, page 201, on which the 100 percent projects appear. I was not aware of this, I say to my good friend, and therefore, I have offered this motion to recommit, with instructions, to change the legislation so that no projects are funded at anything but 80-20, so there is, indeed, a match, and we eliminate that 100 percent with, of course, the exception of projects on Federal lands and Federal bridges.

So this is something that the gentleman brought to light, and of course, he also brought it to light in the debate on the floor today. In fact, he was very vociferous on this point, 100 percent funding, and he is the gentleman who brought it to light.

I concur with the gentleman. It is wrong. I did not know it was in the bill, and this is a motion to fix it.

So I would urge my colleagues to support the motion.

Mr. ROE. Mr. Speaker, will the gentleman yield?

Mr. SHUSTER. I yield to my good friend from New Jersey.

Mr. ROE. Mr. Speaker, although I still do not feel that the interpretation of the section of the bill is correct, just so there would be no mistake, which was the intent of the committee, I strongly support the gentleman's recommital with instructions and would urge the Members of the House to vote for the recommittal with instructions.

Mr. SHUSTER. I thank the gentleman.

Mr. SHUSTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Does any Member seek time in opposition to the motion to recommit?

If not, without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was agreed to.

Mr. ROE. Mr. Speaker, pursuant to the instructions of the House, I report the bill back to the House with an amendment which is at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROE: At the end of title I insert the following new section:

SEC. 181. FEDERAL SHARE ON SPECIAL PROJECTS.

Notwithstanding any other provision of this Act, the Federal share payable on account of any project authorized to be carried out under section 128(h), 134(c), 140, 149, 157,

or 505 (other than a project for a Federal lands highway or a federally owned bridge) shall be 80 percent.

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The SPEAKER pro tempore (Mr. GEPHARDT). The question is on the amendment offered by the gentleman from New Jersey [Mr. ROE].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the agreement and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HAMMERSCHMIDT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 343, noes 83, not voting 7, as follows:

[Roll No. 338]

AYES—343

Abercrombie
Ackerman
Alexander
Anderson
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Barrett
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bliley
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Callahan
Cardin
Carper
Chandler
Chapman
Clay
Clement
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Dornan (CA)
Downey
Duncan
Durbin
Dwyer
Dymally
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hoagland
Hobson
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Hughes
Hutto
Hyde
Inhofe
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Lowery (CA)
Lowey (NY)
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Owens (NY)
Oxley
Packard
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Petri
Pickett
Pickle
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Ray
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roe
Rogers
Rohrabacher
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Scheuer
Schiff
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shuster
Sikorski
Sisisky
Skeen
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Weber
Weiss
Wheat
Whitten
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)

NOES—83

Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Archer
Armey
Baker
Ballenger
Barton
Bilirakis
Boehner
Bunning
Burton
Camp
Campbell (CA)
Campbell (CO)
Carr
Coble
Condit
Cox (CA)
Crane
Dannemeyer
DeLay
Doolittle
Dreier
Early
Fawell
Fields
Franks (CT)
Gilchrest
Goss
Gradison
Hancock
Hansen
Hefley
Herger
Hertel
Holloway
Huckaby
Hunter
Ireland
James
Johnson (TX)
Kasich
Kyl
Lewis (FL)
Livingston
Long
Luken
Machtley
Marlenee
Martin
McCandless
McMillen (MD)
Moorhead
Orton
Owens (UT)
Pallone
Paxon
Penny
Peterson (MN)
Porter
Rhodes
Roberts
Roemer
Ros-Lehtinen
Schaefer
Schroeder
Shays
Skaggs
Smith (TX)
Snowe
Solomon
Stearns
Stump
Taylor (NC)
Thomas (WY)
Walker
Waxman
Williams
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Dickinson
Hopkins
Jones (NC)
Neal (NC)
Slaughter (VA)
Waters
Weldon

□ 2039

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE NECESSARY TECHNICAL AND CONFORMING CHANGES IN ENGROSSMENT OF H.R. 2950

Mr. ROE. Mr. Speaker, I ask unanimous consent that the clerk be authorized to make necessary technical and conforming changes in the engrossment of H.R. 2950 to reflect the action of the House.

The SPEAKER pro tempore. (Mr. GEPHARDT). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

GENERAL LEAVE

Mr. ROE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2950, just passed.

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

There was no objection.

MAKING IN ORDER ON THURSDAY, OCTOBER 24, 1991, OR ANY DAY THEREAFTER CONSIDERATION OF H.J. RES. 360, MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1992

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that it shall be in order on Thursday, October 24, 1991, or any day thereafter, to consider in the House, any rules of the House to the contrary notwithstanding the joint resolution (H.J. Res. 360) making further continuing appropriations for fiscal year 1992, and that debate be limited to 1 hour, the time to be equally divided and controlled by myself and the gentleman from Pennsylvania [Mr. MCDADE], and that the previous question shall be considered as ordered on the resolution to final passage without intervening motion, except one motion to recommit.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, and I reserve the right to object in order to ascertain what it is which is in the bill that we are going to try to bring up by unanimous consent.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I would be glad to yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the one thing in this resolution that was subject to discussion in the committee and was changed somewhat has to do with foreign aid, and the provision that is in the resolution provides as follows:

This resolution continues all programs that are not yet signed into law, at the lower of the House passed rate, the Senate passed rate, or the current rate, and under the terms and conditions of fiscal year 1991. This is exactly the same funding formula that is in current law and which expires on October 29. This resolution continues this approach until November 14 for all bills except foreign aid, which is continued until March 31, 1992, as requested by the President.

Mr. WALKER. If I understand the gentleman correctly, most of the money that is in this bill is foreign aid money, is that correct?

Mr. WHITTEN. It continues at the present level until March 31, which, as I understand, is at the request of the administration.

Mr. WALKER. I understand it is continuing at the present level. But, you know, we have had an awful lot of commentary on the floor here in recent days and weeks about the fact that we are spending too much money overseas. We have had the President of the United States criticized constantly for the fact that he is spending too much time with overseas kinds of things and we are spending too much money overseas.

We had people out here on the floor earlier today suggesting to us that we do not spend as much money for infrastructure as we spend for overseas.

Now what I understand is that we are about to bring a bill up which would even spend more money overseas, is that correct?

Mr. WHITTEN. Well, may I say, when the leadership of both parties are in agreement on it, about all we can do is bring it up as they request.

Mr. WALKER. Further reserving the right to object, the leadership from both parties have evidently agreed, but evidently Members are not being listened to on the floor with regard to these foreign aid accounts. It is clear to me that an awful lot of Members have decided that this is spending that ought to go to other places, and I am wondering why we are asking the House, then, to consider these kinds of measures when there is evidently much dissension on your side as to whether or not we ought to be spending any money in this area.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I will be happy to yield to the gentleman from Wisconsin after the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I must say, in my experience we have folks that hear that just will not heed.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I would be happy to yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding.

Mr. Speaker, I would simply say that there is somewhat more money in this bill for foreign aid than those of us on this side of the aisle wanted, because the administration wanted to defer any effort to reduce aid to Salvador, for instance.

So, to try to accommodate the administration, we agreed to defer that issue.

Mr. WALKER. Retrieving my time, and I will then be happy to yield back to the gentleman, you know, I am always amazed when you can use your majority on your side in order to pound away at Republicans and the administration, you are perfectly willing to do it. But then, when you come up with a bill like this, it is never your fault, you simply are accommodating the administration and making certain this money gets sent overseas.

Somehow this gentleman has a little hard time understanding why this is not also a ball which is in your court. Why do you not use your majority to kill the money, if in fact all the demagoguery we have heard on the floor in the last few days has any validity to it?

Mr. OBEY. If the gentleman would yield further, I do not intend to engage in demagoguery. I will leave that to somebody else. All I can say is that the foreign aid section of this resolution is here because the administration wanted the Congress' cooperation in not providing $10 billion in loan guarantees to another country and, to prevent that from happening, we used this device so that the American taxpayer would not incur a secondary obligation to guarantee a $10 billion loan guarantee.

Mr. WALKER. I see; we have to spend $12 billion in foreign aid to assure that we do not give away $10 billion in loan guarantees, is that what I understand the gentleman to be telling me?

Mr. OBEY. If the gentleman would yield once more—and I will not bother to get into this any more because I do not think the gentleman is looking for answers, he is trying to prevent the facts from getting in the way of his making a point—I would simply say that our committee has cut your administration's foreign aid request by one-third since I have been chairman. I doubt you can show that kind of reduction in any other account in the bill.

Mr. WALKER. I would say to the gentleman I think that is fine except that we still hear Members from your side of the aisle consistently telling us that we are spending vastly too much money in this area. Yet we come to the House of Representatives and ask unanimous consent to bring the bill to the floor that continues to spend money in that way. I would simply say to the gentleman that in an attempt to accommodate the business of the House, we are willing to be reasonable too. I wish that reason would prevail a little bit on your side when it comes to things like rules and other concerns that both the administration and the minority have.

I do not see that happening. I see a constant barrage of just outright demagoguery. I was not including the gentleman in that. I am including the people who have been doing 1-minutes in that regard over the last several days.

I hope the Members on both sides of the aisle will do as they have been saying over the last few weeks and will vote against this continuing resolution.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. KANJORSKI). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

□ 2050

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3543, DIRE EMERGENCY SUPPLEMENTALS, DOMESTIC DISASTER ASSISTANCE AND INCREMENTAL COSTS OF OPERATION DESERT SHIELD/DESERT STORM

Mr. BONIOR, from the Committee on Rules, submitted a privileged report (Rept. No. 102-268) on the resolution (H. Res. 256) providing for the consideration of the bill (H.R. 3543) making dire emergency supplemental appropriations and transfers for relief from the effects of natural disasters, for other urgent needs, and for incremental costs of Operation Desert Shield/Desert Storm for the fiscal year ending September 30, 1992, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE PROMISE IS OPPORTUNITY FOR ALL, NOT CAPITAL GAINS FOR SOME

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GEPHARDT. Mr. Speaker, from "no new taxes" to creating 30 million jobs, George Bush has broken many of the economic promises he made as a candidate.

But what concerns me today is not the promises he's broken, it's the one he's trying to keep: his capital gains tax cut for the rich.

This plan will not end the recession, but it will drive up the deficit. And, it

will drive an even larger wedge between the incomes of the wealthy and the middle class.

I am releasing today a Joint Tax Committee analysis of the so-called Gramm-Gingrich proposal, and its results are alarming.

Individuals earning more than $100,000 per year would get 80 percent of the benefits through tax cuts as large as $12,500 each. This kind of Republican policy has given us the slowest growth and job creating record in the post-war era.

Democrats want to generate economic growth by rewarding middle class Americans for their work and by restoring their purchasing power with a tax cut. The promise is opportunity for all, not capital gains for some.

DISTRIBUTIONAL EFFECT OF THE ADMINISTRATION'S CAPITAL GAINS PROPOSAL

[1991 income levels]

Income category[1]	Number of returns with tax change (thousands)	Percent of total returns[2]	Average tax change[3]	Aggregate tax change (millions)	Percent distribution of aggregate tax change
Less than $10,000	118	0.5	−$105	−$12	0.1
$10,000 to $20,000	325	1.4	−100	−33	.3
$20,000 to $30,000	738	4.0	−155	−114	.9
$30,000 to $40,000	961	7.0	−208	−200	1.6
$40,00 to $50,000	1,034	10.2	−256	−265	2.1
$50,000 to $75,000	1,965	14.3	−385	−756	5.9
$75,000 to $100,000	981	20.9	−854	−837	6.6
$100,00 to $200,000	1,184	38.0	−1,670	−1,977	15.5
$200,000 and over	684	57.5	−12,526	−8,567	67.1
Total	7,991	7.1	−1,597	−12,761	100.0

[1] The income concept used to place tax returns into categories is adjusted gross income (AGI) plus: (1) tax-exempt interest; (2) employer contributions for health plans and life insurance; (3) inside buildup on life insurance; (4) workers' compensation; (5) nontaxable social security benefits; (6) deductible contributions to individual retirement arrangements; (7) the minimum tax preferences; and (8) net losses, in excess of minimum tax preferences, from passive business activities.

[2] Total returns include filing and nonfiling units. Filing units include all taxable and nontaxable returns. Nonfiling units include individuals with income that is exempt from Federal income taxation (e.g., transfer payments, interest from tax-exempt bonds, etc.). However, individuals who are dependents of other taxpayers are excluded.

[3] The tax reduction reported here assumes no change in taxpayer behavior. Thus, this measure understates the tax benefit received by certain taxpayers.

Note.—Details may not add to totals due to rounding.

H.R. 3130.—ESTIMATED REVENUE EFFECTS OF CERTAIN PROVISIONS OF THE ECONOMIC GROWTH ACT OF 1991, FISCAL YEARS 1992–96

[In billions of dollars]

Provision	Effective	1992	1993	1994	1995	1996	1992–96
Title I. Investment and job creation incentives:							
1. Reduction in capital gains tax for individuals[1]	Jan. 1, 1992	1.0	−3.0	−3.4	−3.0	−3.1	−11.5
2. Inflation adjustment for investments	do	.5	−.3	−.9	−1.5	−2.6	−4.8
3. Enterprise zones	do	(2)	(2)	(2)	(2)	(2)	(2)
4. Research and experimentation credit made permanent	do	−.5	−1.0	−1.3	−1.6	−1.8	−6.2
Title II. Savings incentives: 1. Establishment of individual retirement plus accounts	do	(3)	3.7	2.0	1.7	−.1	7.3
Title III. Homeownership incentives:							
1. Credit for purchase of principal residence by first-time homebuyers	July 31, 1991	−1.1	−.9	−.9	−.9	−1.0	−4.8
2. Penalty-free IRA plus withdrawal for home purchase, higher education, and health costs	Jan. 1, 1992	(4)	(4)	(4)	(4)	(4)	(4)
Title IV. Work incentives:							
1. Increase in Social Security earnings test	do	(5)	(5)	(5)	(5)	(5)	(5)
2. Increase in amount of personal exemptions due to economic growth dividend	Jan. 1, 1993	(6)	(6)	(6)	(6)	(6)	(6)
Grand total		−.1	−1.5	−4.5	−5.3	−8.6	−20.0

[1] These estimates are with respect to the indexed gain (item 1.2.).

[2] Uncertainty about the size, location, and economic characteristics of enterprise zones to be designated makes the proposal difficult to estimate at this time.

[3] Gain of less than $50,000,000.

[4] Included in the estimate of title II.

[5] Outlay estimate to be provided by the Congressional Budget Office (CBO).

[6] Based on the CBO forecast, the provision would not become effective due to real economic growth of less than 3 percent per year.

Note.—Details may not add to totals due to rounding.

TODAY IS THE FIRST DAY OF A NEW CAMBODIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. SOLARZ] is recognized for 5 minutes.

Mr. SOLARZ. Mr. Speaker, before I begin my remarks, I want to commend the majority membership and the distinguished gentleman from Michigan [Mr. BONIOR] for requesting the all-night special order on the unemployment crisis. I want to add my voice to those of my colleagues speaking after me to condemn the President's cruel and callous veto of the unemployment bill and to support the leadership's effort to enact this critical legislation.

Frankly, Mr. Speaker, the American people deserve better than being constantly written off by the stroke of the President's veto pen.

Mr. Speaker, let me now turn my attention to the primary purpose of this special order this evening. Sixteen and a half years ago new rulers came to power in Cambodia. They proclaimed Year Zero, the purported new beginning of the history of the Khmer people. Those rulers were the insidious and infamous Khmer Rouge. Yet for the Cambodian people 1975 began a descent into genocidal death and destruction and the surrender of their national independence.

Today, October 23, 1991, is truly the first day of a new Cambodia. With the signing earlier today in Paris of an international agreement, the Cambodian people now have an opportunity to rebuild a civilized democratic society and to restore their national independence. Their long national nightmare is now at last coming to an end.

This was, Mr. Speaker, an extraordinary achievement. As the great Chinese philosopher, John F. Kennedy, once said, "Victory has a thousand fathers, while defeat is an orphan," and there are indeed many who can claim to be the fathers of this agreement. Perhaps foremost among them was Garrett Evans, the foreign minister of Australia, who first put forward publicly the proposal to create a United Nations supervised interim administration in Cambodia which constituted the essential framework around which this settlement was hammered out. Also among them should surely be included our own Assistant Secretary of State for the Far East, Mr. Richard Solomon, who was the point man for the American effort among the five permanent members of the Security Council that helped to make this plan a reality.

Mr. Speaker, this agreement which was signed in Paris today provides for a termination of all Chinese support to the Khmer Rouge. It calls for the end of sanctuaries for the Khmer Rouge previously provided by Thailand. It will facilitate the introduction of a substantial U.N. peacekeeping force and supervisory administrative entity. It will also require the withdrawal of all Vietnamese forces from Cambodia, and there will be provided an opportunity for an internationally supervised free and fair election in which the people of Cambodia will have the op-

portunity to determine their own destiny.

This agreement is not perfect, but it is the only game in town, and it represents the last best hope for a peaceful and prosperous future for the people of Cambodia. But in order for this agreement to work, a truly substantial U.N. presence will be required, and that is going to cost a substantial amount of money. It could come to somewhere between $1 and $2 billion, and the United States, together with the other members in the international community, will ultimately be called upon to contribute its fair share to the implementation of this settlement.

We should all be aware that the alternative to this agreement, if it should collapse, if it should fall apart, if it should not be enforceable, is the prospect of continuing conflict in Cambodia and perhaps the eventual return to power of Pol Pot and his murderous millions. The last time the Khmer Rouge came to power, in the spring of 1975, the world at least had the excuse of not knowing in advance that he was about to transform Cambodia into the equivalent of an Asian Auschwitz and that up to two million Cambodians would lose their lives. Now we are on notice. We no longer have any excuses. We know exactly what will happen if Pol Pot and the Khmer Rouge return to power in Phnom Penh.

So, Mr. Speaker, I simply want to say to my colleagues this evening that at some point in the next few months, when we are presented, as we undoubtedly will be, by a request from the administration for additional assistance to make it possible to implement this historic agreement, I hope they will respond in a positive fashion. It would be politically unthinkable and morally unacceptable for us to permit another genocide in Cambodia.

SIGN THE DISCHARGE PETITION ON H.R. 242 PROVIDING CONSIDERATION OF THE REPUBLICAN UNEMPLOYMENT COMPENSATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, I wish that all of the Republicans, and Democrats alike, would listen to the proposal that I am offering today.

Mr. Speaker, today I have filed a discharge petition on House Resolution 242, which is a special rule for the consideration of the Republican unemployment compensation bill.

Listen carefully now.

Specifically the rule makes in order a Democrat bill: H.R. 1367, the Unemployment Insurance Reform Act of 1991, which was introduced by the gentleman from New York [Mr. DOWNEY], a Democrat, back on March 11 of this year.

Following 2 hours of general debate, this rule that I am attempting to bring to this floor makes in order a substitute, which is S. 1791, which is Senator DOLE and the gentleman from Illinois [Mr. MICHEL] deficit-neutral Unemployment Compensation Act of 1991. It would, my colleagues, be considered under a completely open rule process that any Member, Democrat or Republican, could work its will, as it should be, on the floor of this House. Work its will.

The Republican alternative employment bill has been pending in one form or another since last August. August, September, October; 90 days, while people are going without unemployment checks. Unlike the Democrat alternative, it meets the pay-as-you-go requirement of the budget agreement which they all voted for, and, more importantly, my colleagues, it has the support of the President of the United States.

What does it mean? He has promised to sign this bill, and therefore, the checks would start to roll tomorrow. Their people and mine who have exhausted their benefits would be getting checks tomorrow.

Members, the time has come to stop holding America's unemployed workers hostage to some political game. Whether it is theirs or ours, it does not make any difference, and we should get a bill enacted into law that will provide immediate relief to those people that we care about.

Mr. Speaker, I urge all of my colleagues to sign this discharge petition. It is right back here. Sign it to bring this self-financing and signable bill to the floor now.

□ 2100

Mr. Speaker, let us stop playing politics. Let us do the right thing. Come up here and sign this discharge petition. That bill will be on the floor tomorrow. One way or another we will send that bill to the President, as it should be.

PROVIDING ADEQUATE UNEMPLOYMENT BENEFITS FOR THE AMERICAN WORKER

The SPEAKER pro tempore. (Mr. DURBIN). Under a previous order of the House, the gentleman from New York [Mr. FLAKE] is recognized for 5 minutes.

Mr. FLAKE. Mr. Speaker, this administration continues to report that the economy is on an upswing and therefore, additional unemployment benefits are unnecessary. However, I refuse to tell the American people that when their benefits expire they will live on promises and optimistic forecasts. These people need tangible, dependable, emergency assistance. Maybe we should declare our own nation a state of emergency in order to provide the average American with the financial assistance he or she so desperately needs.

Unemployment benefits exist for those who have worked and will hopefully return to work when the economy is revised. Unemployment insurance is insurance, just like car or health insurance. These workers have paid into the insurance trust fund and now they must collect their benefits because of unfortunate, national economic distress. Unfortunately, the recession is lasting longer than this administration had predicated and the private sector is continuing to downsize causing people to be unemployed longer than had been anticipated.

Under the current administration, the average monthly growth in employment has sunk to an unprecedented—level, which means that fewer jobs have been created under this administration than all the other administrations combined in the last half century. Rather than growing, the average monthly growth in employment has dropped to a −9,419. This figure represents a net loss from the previous administration of 185,000 jobs. Much to my dismay, there are currently 300,000 fewer jobs now than existed during the previous administration.

As the White House is encouraged by recent economic fluctuations, history shows that unemployment declines only after the recovery from a recession is well underway; so long-term unemployment will persist for months to come. Further, many economists do not even believe that America is on a stable road to economic recovery at this time. Therefore, our workers need to be protected today and tomorrow. At this point, the unemployment situation of this nation is uncertain.

I find it unconscionable that this administration continually turns it back on the American worker. To deny the unemployed worker an extension of his/her unemployment benefits while the unemployment rate continues to increase and the economy continues to suffer is a slap in the face to the American worker. As we witness the decay of our major urban areas, the downward spiral of our financial services industry, budget deficits and trade deficits so huge that they are impossible for the average American to fathom, and a soaring increase in violent crimes, now is the time to enact legislation that will help put America back on the road to recovery.

The American family is suffering. Far too many Americans are unemployed and/or underemployed, in need of adequate health care and opportunities that would enable them to improve their overall quality of life. This administration is now 10 million jobs behind the promised administration schedule for job creation. I would urge a Congress that can pay for an S&L Bailout off budget, fund a war in the Middle East, and provide an additional

$80 billion to the Resolution Trust Corporation to find the courage and compassion to enact legislation that would protect the American family.

THE APPLICATION OF THE FREEDOM OF INFORMATION ACT TO THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. SANTORUM] is recognized for 5 minutes.

Mr. SANTORUM. Mr. Speaker, before I start to address the subject for which I had requested the 5 minutes, I would like to applaud the minority leader and the minority side for coming to the well tonight to engage in a special order about not just extending unemployment benefits, which this side of the aisle was for, but for doing something about job creation.

I do not think it is enough to just extend the hardship of living on unemployment checks, but creating jobs to give these people a better chance at a better paycheck and creating the pride and dignity of returning to the work force, that is what the people in America want, and that is what we will be talking about tonight.

The principal reason I came here today was to talk about a bill that I sponsored to make the House of Representatives subject to the Freedom of Information Act. Almost a year ago I was sent by the voters of Allegheny County to serve in the Congress. Part of this service, in my mind, is fighting against Government waste, mismanagement, and the hypocrisy that takes place in Washington, DC.

It is extremely important to me that the taxpayers receive the most efficient, trustworthy, and most accountable service from the Federal Government; that the public gets a Congress that all of us can be pround of. Last Saturday I was in Scott Township in my district, and I got questioned time and again about the U.S. Congress. In talking to the people in that town meeting, I received the impression that the people in America, and certainly the people in Scott Township—and I believe they would all agree that they are pretty much mainstream America—they believe that the U.S. Congress is like a garden club. They believe we all sort of sit around and enjoy the privileges and sip tea and do nice and fun things, and that we all work together. They believe that the institution is run together like the garden club; everybody knows everybody's business, and that everyone takes care to be sure all the checks are paid on time and that there are no debts, and that that is the situation within the institution now, that everyone sort of works together to make the institution run.

Well, the fact of the matter is, that is not how the Congress as an instituion is run. It is more like the Harlem Globetrotters or World Wrestling, where the one side has it all stacked in their favor. They run the body. They make the decisions, and, frankly, everybody else is shut out of the process. We cannot find out any information or how this place runs, who makes the decisions, and where the funds go. They do not even audit themselves and make it public.

Frankly, Mr. Speaker, I am sick and tired of going out and defending an institution for the way it is run when I have absolutely nothing, no say in that process. In fact, most of the Members on either side of the aisle have no say in how this process as an institution is run.

□ 2110

That is the way it is. So as a result, I come here today and say not only should I as a Member of Congress who is in this body know how this institution functions, but every American, as the people's body, has a right to know what happens in this institution, everything that happens in this institution.

So I have offered, along with several Members, a bill to make the Congress subject to the Freedom of Information Act, so any member of the public can come and see how this place runs and where the perks go, who gets the extra benefits and who gets the extra this and that. That is how it should be, open to the public.

Mr. Speaker, while we are at it, why do we not expand this debate and talk about how Congress also exempts itself from a myriad of other laws, such as the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1988, the AIDS Discrimination Act of 1967, the Occupational Safety and Health Act of 1966, and the Equal Employment Opportunity Act, the EEOC, 1972?

It is shameful that the Congress, who stands up here and says that for all Americans we have to hold ourselves to these righteous standards and we have to be better as a society, but we do not have to be better as a Congress.

Mr. Speaker, it is time to change the double standard.

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 280

Mr. BROWN. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from North Carolina [Mr. MCMILLAN] as a cosponsor of House Joint Resolution 280.

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

There was no objection.

HIRE A VETERAN WEEK RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BROWN] is recognized for 5 minutes.

Mr. BROWN. Mr. Speaker, I rise today in an effort to help create employment opportunities for America's veterans. As we know here in Congress, the Federal Government funds many program to assist veterans in finding jobs and to encourage private employers to hire veterans.

Unfortunately, many employers and veterans do not know of these programs. Sometimes, all a good idea needs is a little publicity. That's why a constituent of mine, Mr. Bill Baker, who is a veteran, persuaded me to introduce a resolution to authorize national "Hire a Veteran Week." You or your staff may even have spoken with Bill Baker, since he's taken a week of vacation time and flown here from California to make phone calls to gather support for this resolution. The other body has just passed Hire a Veteran Week, and 10 more cosponsors are needed to bring the measure to the floor in the House..

During Hire a Veteran Week, political leaders would be encouraged to remind employers and veterans of the many programs that exist to promote the hiring of veterans. Many Members will themselves be making speeches this Veteran's Day. I would urge every Member to include in his or her speech references to the many job related skills and abilities that America's veterans have and to the programs that exist to facilitate the hiring of veterans. And, if you are able, I would encourage you to add to the national publicity for veterans employment by cosponsoring Hire a Veteran Week. You can see me or call my office to do so. Thank you very much Mr. Speaker.

A NONBIASED APPROACH TOWARD WETLANDS DELINEATION

Mr. BROWN. Mr. Speaker, last week I introduced legislation that should help provide a clear, consistent science-based wetlands definition—a wetlands definition removed from political prejudices. The legislation would require the National Academy of Sciences to conduct an independent review of the science and methodology of determining what constitutes a wetland.

We have heard the stories of overzealous regulators who are locking up land, depriving people of their private property rights, and halting legitimate development. I share the concerns that have been raised with regard to the confusion that has surrounded this issue. While I empathize with these concerns, I am deeply troubled by the fact that we continue to lose thousands of acres of wetlands each year. I am troubled by the proposition that we may be traveling down a path that ultimately leads to the destruction of a precious natural resource.

Using the administration's August 14, 1991, Wetlands Delineation Manual,

field tests reveal that in a number of States more than half of the existing wetlands will lose their protection. Wetlands experts agreed there was a need to amend the 1989 wetlands manual in order to provide clarity and consistency. But these same experts now agree that the newly proposed manual is more a product of politics than a consensus among scientists.

Before we make a decision based on emotion rather than reality, let's step back and look at the facts. It is time to put science back into the wetlands equation.

THE NATIONAL LAND-REMOTE SENSING POLICY ACT OF 1991

Mr. BROWN. Mr. Speaker, today I am introducing a major piece of legislation that would amend the Land Remote-Sensing Commercialization Act of 1984 to secure U.S. leadership in land remote-sensing by providing data continuity for the Landsat Program.

The Landsat Remote-Sensing Satellite Program collects images of the Earth from space which are used for such purposes as oil and gas exploration, environmental management, map-making, urban planning, and national security purposes. Landsat has been one of the great triumphs of our space program, providing data of tremendous value for the betterment of society.

However, although the United States pioneered the technology for land remote-sensing from space, its leadership in this technology has eroded substantially in recent years.

For more than a decade, in fact, Landsat has been surrounded by a cloud of uncertainty that has harmed market growth and stigmatized the program. Part of these uncertainties resulted from the past administration's premature effort to commercialize the program, which simply wasn't ready to be transferred to the private sector as soon as possible, as was the goal in the early 1980's. Additional uncertainties stemmed from the failure to implement the Land Remote-Sensing Commercialization Act, which envisioned a gradual commercialization effort involving Federal support for at least two spacecraft beyond Landsat 5. What we experienced instead was an annual struggle to get any Landsat funding out of the previous administration for the completion of but a single satellite.

Combined, these two factors—premature commercialization and poor implementation of the Landsat Act—have been nearly disastrous for the program.

In fact, the only reason why the Nation has retained a position in civil land remote-sensing at all over the past 4 years is because Landsats 4 and 5 have outlived their expected design lives by such a considerable margin. Landsat 4—launched in June 1982—was built with a design life of only 3 years. The multispectral scanner aboard Landsat 5—launched in early 1984—also had only a 3-year design life, while its Thematic Mapper [TM] sensor had a design life of only 1 year. The Nation is thus extremely fortunate that these two spacecraft remain operational today, 9, and 7 years, respectively, after they were launched.

It is important to note here that had Landsats 4 and 5 ceased operations in accordance with their design lives, the United States would have experienced a 5-year data gap before the launch of Landsat 6. This would have meant that all remote-sensing users—domestic, commercial, foreign, and military—between 1987 and 1992—and specifically, the U.S. military during operation Desert Shield—would have relied upon the French SPOT system as their sole source of current multispectral remote-sensing imagery. Such a lengthy data gap as this almost surely would have resulted in the complete forfeiture of the U.S. position in remote-sensing to other nations.

Mr. Speaker, the Landsat Program has been in a state of policy crisis for more than a decade, in spite of its contained technical success. That crisis reached a peak in early 1989, when a minor shortfall in funding for the continued operation of Landsats 4 and 5 almost resulted in the premature termination of those spacecraft.

As so often is the case, crisis gives rise to opportunities. So it was with Landsat. The newly formed National Space Council, led by the Vice President, took on Landsat as its first major issue and made a name for itself by helping secure the necessary funding for continued operations of Landsats 4 and 5. The Space Council also recommended that the President approve a policy statement committing the United States to the continuity of Landsat-type data, which he did, as announced by the White House on June 1, 1989.

However, well over 2 years have passed since that announcement, and no decisions have been made on implementation of a Landsat-type capability beyond Landsat 6. The opportunity to put this program back on a steady track has not been seized.

Throughout the past 2 years, I have received assurances from the administration that the decisionmaking process for Landsat 7 is on a fast track. In response to my letters of concern about the program, I was told in 1989 that Landsat 7 funding would be provided in time to be included in the fiscal year 1991 budget. It didn't happen. I was then told in 1990 that a decision would be made in time for the fiscal year 1992 budget. It wasn't.

I am now told, and have been repeatedly all year, that a decision will be made in time for the fiscal year 1993 budget. And although I want to believe that the administration will honor its commitment this time around, I have decided not to wait any longer. The United States has been squandering its position in remote sensing and is jeopardizing a program of tremendous value for global change research, national security purposes, and a broad array of other applications.

My purpose in introducing the National Land Remote-Sensing Policy Act of 1991 is to help move the Nation toward a new consensus on the Landsat Program. This legislation is the result of several months of activity by the Committee on Science, Space, and Technology, with the goal of developing a compromise solution to a policy problem which involves many different competing interests. In the course of this process, our committee has sought out the views of more than 3 dozen experts on remote sensing issues, both within the Government and the private sector. I fully anticipate hearing additional perspectives now that the bill is being introduced. That is my intention, to get a full airing of this issue with the goal of final legislation which we can bring to the floor.

The legislation that we have come up with attempts to tackle all of the major outstanding issues associated with the Landsat Program. Specifically, management and funding, spacecraft options, and data policy. Let me quickly walk through each of these three areas as they are covered by the legislation.

First, management and funding. Essentially all observers agree that the Landsat Program is in desperate need of a new institutional home within the U.S. Government. The program's current residence, within the National Oceanic and Atmospheric Administration [NOAA] of the Department of Commerce, simply has not worked. Because NOAA's budget has been extremely tight in recent years as a result of cost overruns in the GOES-NEXT and other NOAA Satellite Programs, it has been very difficult to carve out of NOAA's budget the funds necessary to complete Landsat 6. This problem was particularly acute during those fiscal years when the Reagan Administration requested no additional Landsat funding. More importantly, however, may be the fact that NOAA simply has not been a major user of land remote-sensing data.

In the search to find a new home for Landsat, some have pointed to the Department of Defense [DOD]. However, it seems clear that giving the program to DOD would compromise the broad utility of Landsat for the Nation as a whole. It should be fully assumed that if DOD is asked to pay for the follow-on land remote-sensing spacecraft, then that spacecraft would be optimized for specialized military missions. This could result in a program that yields data which is no longer compatible with public access.

Operating Landsat out of the Department of Defense also would greatly

alter international perceptions of the program, which was specifically initiated as a demonstration of the Nation's commitment to the peaceful uses of space. Moreover, DOD control of Landsat could permanently preclude the eventual commercialization of the system, since it could drive up costs for the system and greatly complicate the effort to service commercial users.

While DOD control of Landsat should be avoided, the Nation clearly cannot afford paying for two new broad-area coverage, multispectral imagery systems: one classified, and one unclassified. As such, every effort should be made to consolidate military and civilian requirements, funding, and management responsibilities into a single program. My legislation would accomplish this goal by creating a Joint Program Office [JPO] involving NASA and the Department of Defense, to be housed at NASA and managed by a civilian program manager. The two parties to the JPO would have equal funding and management responsibilities, which would be spelled out in a negotiated memorandum of agreement between the two.

Second: spacecraft options. The fundamental considerations here are data continuity, technological enhancements, and cost. All, of course, are tightly linked.

The most important of these three variables is data continuity. Data users of all kinds—current and potential, civilian and military, commercial and foreign—need to know that the system will be there 3, 5, and 10 years from now. In the absence of knowing whether Landsat will be an enduring system, the U.S. Remote-Sensing Program may never reach its full potential.

Data continuity has fundamental importance for the U.S. Global Change Research Program, for national security purposes, and for the broad range of operational users who need this data to carry out their missions. For global change, the existing 19-year continuous Landsat archive represents a baseline data set of fundamental importance. The National Academy of Sciences, the Committee on Earth and Environmental Sciences, and global change scientists throughout the country have expressed concerns about the potential of a data gap—if not an outright termination—in the Landsat Program.

Similarly, military users are alarmed about the prospects of a data gap. During a hearing before my committee earlier this year, we were told that "DOD users for multispectral data are highly concerned over the prospect is a data gap." Specifically, we were told that "if a data gap continued beyond 12 months, DOD users would experience significantly downgraded multispectral imagery to support" a variety of military missions.

With data continuity thus firmly established as the primary goal, the question, then, is now to accomplish it. Specifically, what should Landsat 7 look like? On this topic, there is no shortage of proposals on how to build a more advanced spacecraft than the current Landsat design, but there is a shortage of money. Many of these proposals would double, if not triple, the cost of the follow-on system. There is also a shortage of time.

Landsat 6, scheduled for a mid-1992 launch, has a 5-year design life. Under normal contracting procedures, Landsat 7 could take anywhere from 5½ years to as long as 8 years to procure. As a result, late 1997 might be the earliest that Landsat 7 could be made available for launch. While one might hope that Landsat 6 has a longer operational life than 5 years, that should not be the basis for our program plans since the spacecraft also could experience technical problems or a catastrophic launch failure. This could result in a data gap of 5 years or longer.

Over the past several years, many proposals have been made on paper to implement a generational change in spacecraft and sensor design for the Nation's land remote-sensing system. Specifically, DARPA and the Department of Energy have proposed so-called smallsats as a means of demonstrating technological advances that could revolutionize the Nation's Land Remote-Sensing Program. Such proposals appear to hold promise, yet have not been proven and thus would represent a substantial risk if pursued as the sole means of providing data continuity. The Nation's experience with the GOES–NEXT fiasco demonstrated that some risks are not worth taking, especially within an operational program. This said, however, I do believe that a technology demonstration of advanced remote sensing technologies should be aggressively pursued as a means of helping define the follow-on to Landsat 7.

Taken together, the fragile nature of our existing remote sensing system, the length of time it will take to procure a follow-on to Landsat 6, the importance of precluding a data gap, and the value of pursuing advanced remote sensing technologies have led us to propose a two-part implementation plan.

First, the U.S. Government should exercise all available options to expedite the procurement of Landsat 7. Specifically, our legislation directs the Administrator of NASA to begin immediate negotiations for the procurement of Landsat 7 with EOSAT—the commercial entity awarded a contract for Landsat 6. The bill sets out a special 120-day expedited procurement process to reduce the risk of a data gap. It directs that Landsat 7 should be essentially a clone of Landsat 6. However, it encourages the Administrator to consider adding an advanced sensor—such as a 5-meter stereo sensor—if the additional development would not significantly jeopardize data continuity. If no final agreements are entered into during this special 120-day procurement process, then the procurement would be opened for competitive bidding.

Second, the bill establishes a new 5-year technology demonstration program to promote the development and demonstration of advanced land remote-sensing components, sensors, and system designs. The bill directs the President to designate which agency would be responsible for carrying out this program. The Landsat Joint Program Office would have a coordinating role in this technology demonstration, yet would not necessarily have any direct funding responsibility. The goal of the technology demonstration is to achieve a launch within 5 years of a system which would help the Nation determine whether Landsat 7 should be funded and managed by the U.S. Government, by the private sector, or by an international consortium.

If a technology demonstration program such as this is not pursued, then the United States may find itself in the late-1990's in precisely the same position in which it finds itself today—in need of a follow-on spacecraft to provide data continuity, yet uncertain about the risks of implementing a major technological change in the program.

Finally, let me address the issue of data policy. In many ways, this issue is the most important.

As background, let me review the current situation. Under the Land Remote-Sensing Commercialization Act of 1984, a single private sector entity, EOSAT, was awarded exclusive marketing rights for the sale of Landsat data. The theory behind that legislation was that the revenues generated from Landsat would grow at a sufficient pace that they would result in a self-sustaining commercial enterprise which no longer needed Federal support. In practice, however, it hasn't happened. Whether it was the policy experiment's design or its execution, or a combination of the two, that failed isn't all that important in this context. What is important is the fact that full commercialization of the Landsat Program, which would entail complete private funding of the space segment, cannot be achieved within the foreseeable future, and thus should not serve as the near-term goal of national policy on land remote sensing.

Market studies conducted in 1988 for the Department of Commerce concluded that even under the most optimistic market growth scenarios, the space segment of a U.S. Land Remote-Sensing System could not be commercialized during the present century. This view is now broadly shared within the remote-sensing industry. Although certain segments of the remote-sensing market are experiencing considerable growth, total revenues remain dwarfed

by the cost of procuring, launching, and operating the spacecraft. As such, it is simply unrealistic for the Government to assume that the revenue from data sales will enable the private sector to takeover the full funding responsibilities of this program anytime soon.

The objective of the commercialization effort was to capture within the price of Landsat data some of the expenses associated with the program. Up until now, the only expenses that have been covered have been those associated with EOSAT's marketing and profit-taking needs, and to cover cost overruns in the Landsat 6 contract. With the launch of Landsat 6 next summer, however, EOSAT will also be responsible for paying the cost of satellite operations. This is an important step, yet remains a long distance from the goal of having the revenue stream from Landsat data sales cover all expenses associated with the program.

From another perspective, however, the cost-recovery goal reflected in current data prices has had costs of its own. Specifically, it has impeded the use of Landsat data by scientists and other public sector users.

Over the past 15 years, the number of Landsat scenes purchased annually by the academic research community has dropped precipitously, from a high of 34,000 in 1976 to a low of 450 in 1990. This phenomenon was partly due to declining Federal support for Remote-Sensing Applications Programs that utilized a large volume of Landsat data. Primarily, however, it has been the result of price increases that began in the late 1970's and continued with commercialization.

At the current rate of $4,000 for a single Thematic Mapper scene, Landsat data are beyond the reach of all but the most well-funded remote-sensing researchers. For global change research, which often involves change detection studies over very large areas of land, the use of Landsat data at current market rates is cost-prohibitive. As a result, researchers are relying upon less expensive and less appropriate data, such as gathered by the AVHRR instrument aboard a NOAA weather satellite. Although one cannot quantify the loss to society stemming from this situation, it is clear that a considerable amount of potentially valuable research involving patterns of change on the planet is not being done because the data is too expensive under the current pricing structure.

This is a particular concern given the enormous importance of Landsat to global change research. A 1990 study by the Committee on Earth and Environmental Sciences concluded that Landsat data are mission essential to five of the seven science priorities of the U.S. Global Change Research Program. As Bob Correll, who headed the CEES report on Landsat, told the Science, Space, and Technology Committee earlier this year:

No EOS sensors will return data similar in characteristics to Landsat, i.e., high spatial resolution, broad spectral bands, and wide area coverage. The existing Landsat data provide a unique baseline of data to document land conditions and changes over the last 20 years. These data will not be available from any other source. In addition, Landsat data will be needed to develop, test, and validate EOS data processing algorithms prior to and after the launch of EOS. Thus, the Global Change Research Program will rely on data from both Landsat and EOS.

With such considerations in mind, some have argued that global change researchers should receive Landsat data at the marginal cost of reproduction and transmission, which would be consistent with EOS data policy. This, however, raises a fundamental question about the value of Landsat data to the U.S. taxpayers as a whole. Specifically, why should a global change researcher be any more deserving of privileged access to Landsat data than a Department of Defense analyst generating improved military maps, a Department of Interior official seeking to improve the management of Federal lands, or an Environmental Protection Agency scientist assessing coastal wetlands?

Although I do believe that global change researchers are doing God's work; so, too, are these other public sector data users. As such, our legislation directs that data generated from civil remote-sensing satellites funded by the U.S. Government should be made available to all nonprofit users—defined as Federal, State, and local governments agencies, domestic universities, and to other domestic nonprofit institutions—at the marginal cost of acquisition, reproduction, and transmission.

It is our general view that if the U.S. Government has determined that it is in the public interest to fund and launch a remote-sensing satellite system, then the goal of U.S. policy for those systems should be to maximize the public's return on that investment. This means that for nonprofit applications, data should be provided at the lowest possible cost. Any other policy amounts to rationing the data, with the greatest impact falling upon those users who do not make a profit from the data.

To implement this new policy, the legislation directs the Administration of NASA to enter into negotiations with EOSAT for modified terms and conditions for the pricing, acquisition, and access of data from Landsats 1 through 6. Specifically, the legislation directs NASA to seek agreement with EOSAT that Landsat data shall be provided at the marginal cost of acquisition, reproduction, and transmission for nonprofit users, on the condition that such data not be used for commercial purposes.

NASA is also instructed to seek agreement with EOSAT that data will be acquired to meet the needs of the U.S. Global Change Research program. The problem here is that EOSAT currently collects images only in response to specific customer orders. As a result, the annual acquisition of data from the system has been declining by 20 percent or more per year or the past 3 years. Because of this situation, and since global change researchers are not currently placing orders, data of high-priority global ecosystems may not be in the archives 5 or 10 years from now when needed.

Third, NASA is instructed to seek agreement with EOSAT that it will make every effort to assist in getting data for U.S. nonprofit entities from foreign ground stations at the marginal cost of reproduction and transmission. A great deal of Landsat data of importance to global change researchers is contained within the 2 million scenes held by foreign ground stations. EOSAT is the contracting party with those ground stations, and thus can assist in getting better terms for access to that data.

Finally, NASA is instructed to seek agreement with EOSAT that copyright restrictions be waived for nonprofit applications. In so doing, this would enable DOD, NASA, Interior, and other Federal agencies and domestic nonprofit users to share data without having to place multiple orders for specific scenes of interest. It makes no sense for users in the Army, Air Force, and intelligence agencies, for example, to have to purchase a scene multiple times.

The legislation specifies that this set of negotiations between NASA and EOSAT on the procurement of Landsat 7. Also, as with those negotiations, a 120-day period is established for the discussions. If no agreement is reached in this time frame, then NASA is directed to report back to Congress on options for achieving these policy goals.

Finally, in terms of the rights for Landsat 7 data, negotiation of these rights may be put on the table during the negotiations with EOSAT for the procurement of Landsat 7. However, if no agreement is reached on Landsat 7 data within these negotiations, then the Joint Program Office is directed to conduct a long-term study of options for creating a competitive system for the commercial marketing and distribution of this data.

The one aspect about data policy that we are sure about is that the Government should be excluded of a role in the commercial marketing of such data. The Government once had this role, and demonstrated its ineptness at it. Beyond that, however, there are many possible approaches to ensuring that the private sector perform the duty of aggressive market development

and responsive data distribution. It may take several years of additional experience after the launch of Landsat 6 to know whether the existing formula, or some entirely different approach, is the best mechanism. For this reason, the report on options for Landsat 7 data distribution would not be due until 1995, which would still be at least a year before the anticipated launch of Landsat 7.

The legislation also provides for an enforcement procedure to ensure that data received by nonprofit entities is not used for commercial purposes. This enforcement role is assigned to the Department of Commerce.

The legislation, as my colleagues will see, takes the form of amendments to the Land Remote-Sensing Commercialization Act of 1984. As such, it preserves many of the provisions contained in that statute. The provisions on archiving of data and of the licensing of private sector remote-sensing systems have been left intact. The nondiscriminatory access provision also is retained, except for the single major exception that domestic nonprofit users shall receive data from Government-operated land remote-sensing systems at the marginal cost of acquisition, reproduction, and transmission. In other cases, data is to be provided on nondiscriminatory terms. I believe that the nondiscriminatory access policy has served the Nation well in the past, and will continue to provide leverage against the use of foreign systems solely for internal intelligence-gathering.

Mr. Speaker, I am introducing this legislation today as a means of moving the process along toward a national decision on the future of the Landsat Program. I do not believe that this is necessarily the best or only way to deal with the issues. For that reason, the Committee on Science, Space, and Technology will solicit comments on the bill both in writing and in oral testimony. Within 3 weeks, I intend to hold a hearing at which the administration will be asked to provide a plan for meeting its commitment to data continuity after Landsat 6.

My fundamental purpose is to help forge a national consensus on how to secure the Nation's position in land remote-sensing. I recognize at the outset that this is a complex issue which involves many competing interests and perspectives. Nonetheless, these competing views cannot be the basis for inaction. Decisions must be made on this program, and the time to make those decisions is now upon us.

Mr. Speaker, a section-by-section analysis of the bill follows.

SECTION-BY-SECTION ANALYSIS OF THE NATIONAL LAND REMOTE SENSING POLICY ACT OF 1991

Sec. 1. Short Title.

Sec. 2. Findings.

Sec. 3. Amendments to Title I of 1984 Landsat Act.

Amends definitions in 1984 Landsat Act.

Sec. 4. Amendments to title II of the 1984 Landsat Act.

Substantially amends sections 201–204 of the 1984 Landsat Act.

Amended sec. 201 establishes a NASA–DOD Joint Program Office (JPO), which would have overall responsibility for the management of the Landsat system; requires the JPO to conduct annual assessment and provide opportunity for public comment on program.

Amended sec. 202 sets out a special 120-day expedited process to enter into contracts for the procurement of Landsat 7 and rights to market and distribute Landsat 7 data, and provides an alternative procurement process in the event agreements are not reached within the 120 days.

Sec. 202(a) and (b) direct NASA to begin immediate negotiations with EOSAT (the commercial entity awarded a contract for Landsat 6 under the 1984 Act) to procure Landsat 7. Landsat 7 must be based essentially on the design of Landsat 6 and provide data continuity; however, NASA may also consider adding an advanced sensor (such as a 5-meter stereo sensor) if the additional development would not significantly jeopardize data continuity.

Sec. 202(c) permits NASA to negotiate with EOSAT on rights to the data of Landsat 7 and sets out certain restrictions, including requirements that unenhanced data be made available to domestic nonprofit users for noncommercial purposes at marginal cost, and that commercial marketing be the responsibility of the private sector.

Sec. 202(d) provides that, if no agreement for the procurement of Landsat 7 can be made within 120 days, NASA must begin a competitive procurement process; rights to Landsat 7 data can not be negotiated at the same time.

Sec. 202(e) provides that, if no agreement on marketing rights to Landsat 7 data has been made within 120 days, the JPO would conduct a long-term study of options for creating a competitive system for marketing of unenhanced data from Landsat 7, report to Congress, and solicit proposals from domestic private sector firms for data marketing and distribution.

Amended sec. 203 directs NASA to enter into contract modification negotiations with EOSAT to ensure that data to Landsat 6 and earlier Landsats are made available to domestic nonprofit users for noncommercial purposes at marginal cost. If NASA is unable to conclude an agreement within 120 days, NASA is directed to report back to Congress on options for meeting the data policy goals set out in the section.

Amended sec. 204 transfer the existing Landsat 6 responsibilities of the Secretary of Commerce to the JPO on the launch of Landsat 6 or as otherwise agreed.

Sec. 5. Repeals title III of 1984 Landsat Act.

Sec. 6. Amendments to Title IV of 1984 Landsat Act.

Makes primarily technical and conforming amendments to authority of Secretary of Commerce to license private space remote-sensing systems

Sec. 7. Amendments to Title V of the 1984 Landsat Act.

Repeals the specific authority of agencies other than NASA to conduct research and development on space remote-sensing.

Adds a new sec. 402, which requires that any government-supported space remote-sensing system other than Landsat to provide data to nonprofit users for noncommercial purposes at marginal cost. Different pricing structures would be permitted under international agreements and cooperative industry-government research programs.

Adds a new sec. 403, which establishes a new 5-year interagency technology demonstration program to promote the development and demonstration of advanced land remote-sensing components, sensors, and system designs. The program would be designed to be responsive to the broad civilian, military, commercial and foreign interests in land remote-sensing.

Sec. 8. Options for Successor to Landsat System

Adds a new Title V to the 1984 Landsat Act, and directs the JPO to report to Congress two years after the technology demonstration program begins on broad-based options for a successor land-remote sensing system to Landsat 7, expressing a preference for private system operation.

Sec. 9. Amendments to Title VI of the 1984 Landsat Act

Amends sec. 601 to provide that, except as required by national security or international obligations, unenhanced data generated by the Landsat system or by any private remote sensing licensed under the Act shall be made available to all users without preference to one customer or class of customers over another. As exceptions to this general rule, however, the bill requires Landsat data to be made available to domestic nonprofit users for noncommercial purposes at marginal cost, and permits private systems to make data available on more favorable terms and conditions than commercial users.

Adds new sec. 608, directing the Secretary of Commerce to develop enforcement procedures to prevent nonprofit entities from using data for commercial purposes.

TIME TO TAKE CARE OF OUR OWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, America's 8.4 million unemployed workers deserve to know why President Bush won't agree to extend 20 weeks of unemployment benefits to families across this great Nation who are desperately in need of help.

Winter is coming on fast and Christmas is barely 2 months off. What will Mr. Bush say to these proud but jobless Americans who must turn to welfare to support their families because he failed to act on this issue? We saw no such reluctance on his part when the Kurdish refugees in Iraq were in need.

As a constituent of mine from Norridge, IL, recently wrote: "It's time President Bush dropped his opposition to the modest proposals put forward by this Congress. These efforts were designed to help people who have exhausted their unemployment insurance, but have not yet found work because of the recession." My constituent put the issue into sharp perspective by asking the President, "How about taking care of our own?"

Mr. Speaker, if the President would listen to Americans as closely as he listens to the Prime Minister of Japan or the President of Turkey, he'd see the folly of vetoing bills to extend benefits to our Nation's unemployed.

CRISIS IN YUGOSLAVIA

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, I would like to take a moment today to make an urgent appeal to President Bush to exert greater leadership with respect to the crisis in Yugoslavia. It is especially critical that the United States lend its good offices and support to the International Red Cross, European Community relief convoys, the United Nations, and other relief agencies as they attempt to minister to the wounded and supply humanitarian aid to the inhabitants of villages, towns, and cities subject to the incessant shelling of the past few months. I urge the President strongly to offer every available means of assistance to these agencies immediately.

Croatia and Serbia, Croats and Serbs, are locked in a senseless, baseless battle for land and security. A seemingly innumerable series of cease-fires have failed to prevent both small and large factions on both sides from continuing their irrational and deadly attacks on civilians and militia alike. Vukovar is no longer a living city; it is a bunker. Dubrovnik, one of the most beautiful and historic cities in Europe, is under siege and the threat of bombardment. Many other Croatian and Serbian towns and cities fear the firestorm. More than 1,000 children, women, and men have been killed in Yugoslavia since June.

That there is no rhyme nor reason to this madness is not in dispute. That the crisis is dangerously close to the threshold of civil war is unquestionable. Of the import of this conflict for other potential ethnic disputes in Eastern Europe and central Asia there is no doubt. Why, then, is the Bush administration reluctant to bring to bear the enormous international resources, prestige, and sway of the United States in this explosive conflict verging on civil war?

We have got to exhibit stronger support for the European Community's mediation process, for the rights of Croatia and Bosnia-Hercegovina to secure borders and for the rights of Serbs living in Croatia. We ought to ask the United Nations Security Council to approve economic sanctions against any republic of Yugoslavia refusing to abide by cease-fires and to approve a peacekeeping force to enforce cease-fires. We should support Canada's demand for an emergency U.N. session to address the issue.

I am a cosponsor of House Resolution 237, authored by my friend from Ohio, Representative FEIGHAN, which among other things urges the President to support the formation of a peacekeeping force by the Conference on Security and Cooperation in Europe [CSCE] to assist the enforcement of a cease-fire and to support that deployment as a contribution to a comprehensive peace agreement. I am also a cosponsor of House Resolution 121, sponsored by our distinguished colleagues Representatives KANJORSKI and KLECZKA. House Resolution 121 calls on the United Nations to dispatch a United Nations contingent to Yugoslavia to monitor and enforce a cease-fire and assess multilateral economic sanctions against any party disrupting a cease-fire or refusing to take part in peace talks.

Mr. Speaker, I am disappointed in the President and the Secretary of State. I do not need to indulge in a history lesson, but their inaction leads me to believe that they do not realize the significance of this moment, this place, this crisis. We are on the brink of a new era. President Bush tells us that it will be a new world order.

Let the administration act accordingly. Let the Department of State contribute American expertise and resources to the resolution of this nascent war. Let not this conflict become the ominous harbinger of wildfire internecine battles and a new world disorder.

DIFFERENCES BETWEEN REPUBLICAN AND DEMOCRAT PROPOSALS TO HELP UNEMPLOYED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. TAYLOR] is recognized for 5 minutes.

Mr. TAYLOR of North Carolina. Mr. Speaker, we have heard a great deal about unemployment over the last several weeks from Members to the left side of the aisle. Helping unemployment is a worthwhile goal, and one that I can clearly support. But let us view how the two parties have gone about it.

First of all, Members to the left came with a bill that would increase the unemployment tax on the average working person to pay for an unemployment extension benefit, and that was killed. That amendment was killed on the floor.

The Republicans came with a bill to cut certain expenditures and to sell certain Government assets to cover the cost, but that was killed.

The Democrats then came with a bill that charged it sort of up in the air. Nearly $6 billion would be charged to the deficit. Some future generation would have to pay for it. It would break the budget agreement of less than 1 year ago. That was the second method. That was vetoed by the President and sustained.

Last week I offered this body a bill that would provide 20 weeks of extension of unemployment benefits without raising taxes or without charging it to the deficit. It would call for cutting the budget of Congress by 30 percent and by reducing foreign aid by 30 percent. It would allow the President to select where those reductions would come from.

Mr. Speaker, I noted that the Committee on Ways and Means recently voted out a 13-week extension that would require, again, a tax on the working men and women of this country.

Mr. Speaker, how can we justify taxing working people in this country for a 13-week extension of unemployment benefits when we have a bill that could be brought forward that would give 20 weeks of unemployment benefit coverage by cutting Congress' budget by 30 percent and cutting foreign aid by 30 percent?

□ 2120

Let us look at the Congress's budget. We have a budget of almost $3 billion, $3 billion. We have increased that budget nearly a billion dollars since 1989. By cutting it 30 percent, or almost $1 billion, we bring ourselves back to where we were in 1989.

It is a chance for us to show some leadership. We have been beaten on rightfully in the press for the restaurant shenanigans, or bank-check kiting shenanigans, for other failures of this body.

Here is an opportunity for us to say to the working men and women of this country, we are willing to sacrifice.

A little over a year ago, we raised the salaries of Congress 37 percent, and we did it at a time when we put an enormous tax increase on the people of this country, $137 billion, a gasoline tax of 58 percent on the people of this country at a time when we said things are tough, we have got to raise taxes. We have got to cut Medicare and Medicaid. We have got to cut a number of areas. "And oh, by the way, we are raising our salaries 38 percent."

The public is not stupid. It saw that. It saw that this body has to have leadership and set examples. And we set one, a very poor one.

Mr. Speaker, we have an opportunity to show some leadership and come back and look at the bloated budget of the U.S. Congress that has grown 50 percent since 1989, 4 times the rate of inflation, and to cut that. That and a 30 percent reduction in foreign aid will allow us to increase unemployment benefits by 20 weeks without taxing the working men and women, as the gentleman to the left want to do and in fact have passed to do through their committee and without charging it to the deficit.

The choice is clear. It is time for us to make it.

UNEMPLOYMENT BENEFITS

The SPEAKER pro tempore (Mr. DURBIN). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS of New York. Mr. Speaker, I want to congratulate the gentleman from Michigan [Mr. BONIOR], the majority whip, for organizing this special order tonight on unemployment and all related matters. I think it is very important that the American people participate with us in this dialog on what is probably the most important function of our Government.

To promote the general welfare is the most important function of our Government. Our specific Constitution requires that all decisionmakers in Government participate in this process of promoting the general welfare. But in very general terms any society, anyplace where there is a social contract

among men, the most important activity is to provide an opportunity for people to earn a living, to earn income, the opportunity to work, the opportunity to earn income is at the heart of the social contract.

A society which fails to provide this opportunity is really uncivilized. It is really barbaric. Only barbarians will treat unemployment casually and treat unemployment lightly and consider unemployment as a matter of statistics, numbers, not people.

It is the duty of every civilized society to try to create an economy where all who want to work can find work. We are not talking about spoon-feeding people and guaranteeing them a job and carrying them to a job by the hand and guaranteeing that whether they work efficiently and effectively or not, they will always have a job. We are not talking about those kinds of extremes.

We are talking about an economy which guarantees that there will be an opportunity to work for those that want to work. If that economy is not dynamic, then there will be problems. There will be dislocations. There will be times when people cannot find employment.

Therefore, we have devices like public works programs created and unemployment insurance created to deal with the situations which arise where people cannot find work temporarily.

The safety nets for workers in a dynamic economy are very important. Unemployment insurance is one of those safety nets. So it is very important we have this dialog, and we are going to spend a long time tonight talking about it.

I hope that the American people do not grow tired of trying to understand what is going on here. We have to sort out the kinds of juvenile indignation we have heard before about expenditures for Congress that ought to be cut. Some Members earlier were talking about $11 million being spent for the Department of Transportation. The same Members advocate billions of dollars being spent on space exploration. The same Members never raise their voice when we spend hundreds of billions of dollars in the bailout of the savings and loan associations, money that has been stolen by crooked bankers and their associates.

We put it back. In many cases we are replacing money guaranteeing the deposits of people who by law are not covered, up to $100,000 every American's deposit is covered in the bank. But there are people who have deposits far beyond that we are covering, yet we never hear those voices scream loudly about saving pennies talk about saving real money, billions.

Overseas bases now are still costing us more than $100 billion. If we are going to start cutting the budget, and we are going to have a dialog about where to save money in order to put money in the promotion of the general welfare, it ought to be to put money into providing activities which provide jobs. We need to build bridges. We need to build schools. We need to build highways.

There are a number of ways we can provide jobs at the same time providing benefits that everybody needs, and we can get the money from money that is being wasted.

We are pouring $55 billion into the economy of Europe in order to defend Europe, defend Europe at a time when Europe is quite prosperous and can defend itself. We poured another $45 billion more into Asia, mostly Japan, at a time when Japan can certainly defend itself. There are ridiculous things going on in the Capital, all the time, and yet the people who scream loudest about having money can only look at pennies. They can only search out ridiculous kinds of expenditures while ignoring the billion dollar waste that is going on every day.

About 2,200 workers are being laid off each day because our economy is not a vital, dynamic economy at this point. Eight point four million Americans are unemployed right now because our economy is not utilizing the money that is being wasted in order to provide jobs. Over 2 million Americans have already exhausted their unemployment benefits during the first 7 months of this year, and this administration wants to treat those people as statistics and be casual about the fact that we have the money already in the Treasury, specifically designated for this purpose. The unemployment insurance has been paid for itself. The money is there.

And they refuse to allow us to use it to pay along the benefits.

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. OWENS of New York. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Chairman, this will be a long night.

Tonight the Democratic Party is doing something pretty unusual.

We're enacting what we call a vigil on the issue of unemployment benefits.

At other times, a vigil has meant standing watch to make sure an important issue doesn't get overlooked.

That's exactly what we're doing.

Dozens of us will speak through the night on the issue of unemployment and what it means to our districts.

We're taking this unusual step because we hope somehow—at a time when most people are asleep—to wake up the administration about the crisis that they have until now managed to ignore.

We don't expect people to watch us until its time for breakfast. In fact, I hope they get some sleep.

But we know that at whatever time of night we're talking, thousands of Americans will be listening.

I hope some of them are in the White House.

□ 2130

Mr. OWENS of New York. I would like to thank the gentleman from Michigan, the majority whip, and commend him for organizing this very important special order on unemployment.

I yield to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, this is an important evening for the House of Representatives and I think that the work of the majority whip [Mr. BONIOR] and my colleague from New York [Mr. OWENS] who serves with such distinction on the Education and Labor Committee, as well as the Committee on Government Operations should be paid homage, and the many Members in the Congress who will continue on this discussion tonight that examines the failure of the Bush administration to deal with this crisis of unemployment.

We gather tonight to protest and call the Nation's attention to the cruel hoax by the administration of what it calls its economic policy. The administration has failed the American people in its attempts to manage an economy in the grips of a recession and remedy the collapse in employment opportunities that we have been witnessing since the summer of 1990.

The President, I submit, is out of touch with the pain of the American people who live with the scourge of unemployment that now spreads unchecked across our Nation. Under the Presidency of the President of this country, the American economy has grown by less than 1 percent, the worst economic record since World War II. Presently, the economy is only seven-tenths of 1 percent larger than when George Herbert Walker Bush took office, and as a result 8½ million Americans are out of work. Real wages of the American worker have dropped 9 percent below their 1979 level, and since the President took office, there is $350 per person less to go around in our economy.

The number of Americans filing for bankruptcy this year will reach over 1 million. The percentage of Americans who are at least a month behind in their mortgage payments rose from 5.2 to 8 percent in the second quarter. If the disparity between the rate of economic growth in Japan and the United States during this administration is to be allowed to continue, the Japanese economy would surpass ours in size before the end of the decade.

Unlike the economic troubles faced by most previous administrations, the Bush economic stagnation comes at a time of considerable prosperity among most industrial nations. There is no truth to the administration's contention that their growth strategies have fallen victim to a worldwide economic

downturn beyond the administration's control.

One of the President's first commitments was the creation of 30 million new jobs over two terms. Remember? If current trends continue, this President will finish his first term in office having created fewer jobs than any President in the last 50 years. There are now 300,000 fewer jobs in America than when the President took office. The President is now 10 million jobs behind his promised schedule for job creation, following a veto of critical unemployment benefit legislation and threatened veto of today's job-creating highway bill.

For the last 31 months, jobs in this country have been disappearing at the rate of 9,400 per month. One President before him, Jimmy Carter, the Republican's favorite whipping boy, created 209,000 jobs per month, the fastest rate of job creation, 2.68 percent growth annually. And so some 8½ million Americans are without work. Current total employment is now below the level that it was when this President took office. The situation is far worse for more than 1.2 million people, long-term unemployed Americans who have been out of work for 27 weeks or more. Virtually all have exhausted their normal benefits and are unable to obtain additional unemployment benefits.

Long-term unemployment typically continues to increase for at least 6 months after the beginning of a recovery. Our labor statistics show that, and still the Secretary of Labor, Lynn Martin, testified recently that the administration believes, "The extended benefits program is operating effectively."

The administration has not proposed a single measure to alleviate the economic pain of this recession, not surprising considering that the budget submitted in February did not even acknowledge that the country had been in a recession for 7 months by then, since July 1990. Evidence presented so far shows that the economy is bumping along at the bottom of a recession, and there is growing fear of double-dip recession, another turndown before real recovery takes hold.

Even if the President miraculously produced a recovery today, Americans would not feel the difference for months.

The House Budget Committee predicted that income growth, housing construction, auto sales and business profits will be lackluster well into 1992. They expect the unemployment rate will remain 6 percent until the end of 1992, and the Congressional Budget Office does not expect it to fall back to the pre-recession level of 5.5 percent until 1996.

The American people are tired of the President's unkept promises and tired of his pathetic economic policies.

I will submit for the RECORD, a Washington Post poll released today which shows that a majority of Americans disapprove of the way that the President is handling the economy and feel that we need someone in the White House who can set the Nation in a new direction.

Seventy percent said they agree with the statement that the President spends too much time on foreign problems, and not enough on problems in this country.

Nineteen percent named unemployment as the biggest problem facing the country.

Nearly half of those polled said that the President cares more about serving upper-income people. Only 8 percent said that he is interested in the needs of middle-income and poor Americans.

So President Bush and the Republicans just cannot get it right.

Mr. OWENS of New York. Will the gentleman yield back to me?

Mr. CONYERS. I yield to the gentleman from New York.

Mr. OWENS of New York. Mr. Speaker, there are a lot of Americans who are under the assumption that years ago we took care of the problem of structural unemployment by passing a bill called the Humphrey-Hawkins bill which required that the Government must take certain steps at certain times when the unemployment reached a certain level. Why is it that the Humphrey-Hawkins unemployment bill does not save us in this situation?

Mr. CONYERS. I am glad the gentleman remembers that legislation, because we submitted that during the 1980's. The former occupant of the White House, Mr. Reagan, probably did not even know that that was a law that was on the books. The Full Employment and Balanced Growth Act, a product of the former chairman of the Education and Labor Committee, Gus Hawkins, and the former distinguished Senator, Hubert Humphrey. They put that bill together to reduce unemployment by 1 percent each year.

□ 2140

At that time, we were outraged that we had an unemployment rate of a little bit over 4 percent, and we were determined to do something about it, but that legislation was never enacted.

Mr. OWENS of New York. That legislation was enacted.

Mr. CONYERS. It was enacted.

Mr. OWENS of New York. It has a caveat in it which says that the President has to determine. It is up to the President to determine when it is utilized.

Mr. CONYERS. The President. The legislation read that the President would come forward at the beginning of every year and describe by what means he would reduce unemployment by 1 percent each year, but that, of course, never happened, and we are now in the throes of unemployment that is far more serious involving far more people, and yet we have none of these initiatives.

I repeat again that this administration cannot get it right, and in the midst of this economic devastation, they continue to beat the drum for capital gains and breaks for the rich. They continue to have their party to which 98 percent of the Americans are not invited, and that this supply-side love fest which has made the United States the world's largest debtor Nation, which has brought us to a trade deficit in excess of $100 billion, and which has tripled our national debt and has devasted our cities and crushed our infrastructure; they cannot get it right. They do not understand that supply-side, laissez-faire, trickle-down economic policies have hurt America, have shattered the dreams of millions of Americans. They do not understand that the American people are tired with bail-outs of foreign nations while we veto from the White House desperately needed unemployment insurance legislation. They do not understand the pain of the poor and the jobless who need leadership and just cannot seem to get it from the White House.

I have seen that pain in my hometown of Detroit. The unemployment situation in the State of Michigan is one of the worst in the Nation.

Over 10 percent of the labor force in the First District of Michigan is out of work, and the condition of the entire city is even worse. Over 13 percent of the work force is out of a job.

Mr. BONIOR. Mr. Speaker, will the gentleman yield?

Mr. OWENS of New York. I am happy to yield to the gentleman from Michigan, the distinguished whip, who is himself from the State of Michigan.

Mr. BONIOR. For just a chance to talk a little bit about our State and what people are going through.

We regretfully are used to these cyclical ups and downs in our economy, but I want to tell my friends and colleagues that the people of Michigan who depend so heavily on the auto industry are really in tough, tough times. This recession that we are going through right now, and believe me, it is a recession, and as John Kenneth Galbraith said the other day, we are not talking about a bumpy recovery bordering on a second round of recession; he indicated quite clearly, I think, and quite eloquently, that we are talking about a recession bordering on moving into a more serious situation. He used the word "recession."

We have that in Michigan. We have a situation that is getting as bad if it is not as bad already as it was in 1982 when I had at one point in my district 25 percent of my people out of work. Today I have about half that; today I have about 12 percent of my people out of work.

The automobile industry lost $1.6 billion this last quarter. People are ex-

hausting their benefits every day by the thousands in our State, and so I want to tell the gentlemen that are here, and I commend my friend in the well, the gentleman from Michigan [Mr. CONYERS], for raising this issue, because the plight of our people back home is, indeed, very, very serious, and they need some help from this administration, and they get angry. They get upset when they hear the Secretary of the Treasury say about this recession that it is no big deal. That is what he said; he called it no big deal, this recession. The President said this recession ended in May.

These people have no idea, no concept of what is happening out in the country. The gentleman's comments were with respect to what is going on, the President's travels overseas, and he has lost touch with the economy here at home, I think, has really hit home. It is time he and his administration started to take care of our own right here at home.

I thank my colleague for yielding.

Mr. CONYERS. I am pleased to hear from my colleague, the gentleman from Michigan [Mr. BONIOR], our distinguished whip.

I would like to close with just another observation or two about our State which has experienced monumental drops in retail sales, steel production, and, of course, in the auto industry itself.

Just this past Friday in Michigan, we learned that another large corporation is closing its headquarters in our State, and while this looks ominous on paper, it is nothing compared to the real-life experiences of people laid off who have been forced to live in fear and poverty.

In my Detroit office, we receive hundreds of phone calls from families who want to know what has happened to their benefits, who want to know where they should turn for help. These people should be able to turn to the Congress for help and support regardless of how many times the President vetoes our legislation.

We must continue the fight for unemployment-benefits legislation and protecting the working people of this country, the people victimized by the recession and unemployment and the children who bear witness every day to the pain and humiliation being forced upon their unemployed parents.

In the statehouse in Michigan, we have had the same line followed as that in the administration in Washington, funds slashed, legislation blocked for the neediest.

Michigan's Governor Engler has cut $500 million from social services during the toughest recession in recent memory, and of the $500 million, $200 million came directly from cutting the general assistance, expelling 90,000 poverty-stricken people from the program, and no safety net there.

What is even more unconscionable is the rationale of the Governor of our State for the cut. He believes that it will encourage people to become more self-sufficient. Will ending payments to senior citizens for oxygen encourage them to be more self-sufficient? Will ending payments for medical supplies encourage the sick to fend for themselves? No. If this administration expects the people of Detroit to believe that it is serious about climbing out of the pit of the recession, then they had better put their money where their mouth is.

And I am tired, my voting constituents are tired, the American people are tired of living on the edge of joblessness, homelessness, and poverty. They are tired of hearing the President say one thing and do the opposite, and it is in that sense, of all of those folks who called in and have written in, some of which I will submit their letters for the RECORD, that I am very proud to participate in this important special order for this evening.

Mr. SPEAKER. We gather tonight to protest, and call the Nation's attention to, the cruel hoax by the administration that it calls its economic policy. The administration has failed the American people in its attempts to manage an economy in the grips of a recession and remedy the collapse in employment opportunities we have been witnesses to since the summer of 1990. The President is out of touch with the pain of the American people, who live with the scourge of unemployment that spreads unchecked across our Nation.

FAILURE OF BUSH ECONOMIC POLICIES

Under Bush's Presidency, the American economy has grown by less than 1 percent—the worst economic record since World War II. Presently the economy is only 0.7 percent larger than when President Bush took office.

As a result:

Eight and one-half million Americans are out of work.

Real wages of the average American worker have dropped 9 percent below their level in 1979. Since Bush took office, there is $350 per person less to go around.

The number of Americans filing for bankruptcy this year alone will reach 1 million.

The percentage of Americans who are at least a month behind in their mortgage payments rose to 5.28 percent in the second quarter.

If the disparity between the rate of economic growth in Japan and the United States during the Bush administration were to continue, the Japanese economy would surpass ours in size before the end of the decade.

Jimmy Carter, the Republicans' favorite whipping boy, created 209,000 jobs per month—the fastest rate of jobs creation—2.68 percent growth annually.

Some 8.5 million Americans are unemployed. Current total employment is now below the level it was when Bush took office.

The situation is far worse for the more than 1.2 million long-term unemployed Americans who have been out of work for 27 weeks or more: virtually all have exhausted their normal benefits and are unable to obtain additional unemployment benefits.

Long-term unemployment typically continues to increase for at least 6 months after the beginning of a recovery. Still, Labor Secretary Lynn Martin testified recently that "the Administration believes the extended benefits program is operating effectively."

The administration has not proposed a single measure to alleviate the economic pain of the recession—not suprising considering his budget submitted in February did not even acknowledge that the country had been in a recession for 7 months by then, since July 1990.

Evidence presented so far shows that the economy is bumping along at the bottom of a recession, and there is growing fear of a double dip recession—another downturn before a real recovery takes hold.

Even if the President miraculously produced a recovery today, Americans would not feel the difference for months. The House Budget Committee predicted that income growth, housing construction, auto sales and business profits will be lackluster well into 1992. They expect the unemployment rate to remain over 6 percent until the end of 1992, and the Congressional Budget Office does not expect it to fall back to the prerecession level of 5.5 percent until 1996.

The American people are tired of Bush's unkept promises, and tired of his pathetic economic policies. I submit for the RECORD a Washington Post poll released today, which shows that a majority of Americans disapprove of the way Bush is handling the economy, and feel we need a President who can set the Nation in a new direction—70 percent said they agreed with the statement that Bush spends too much time on foreign problems and not enough on problems in this country; 19 percent named unemployment as the biggest problem facing the country, up from only 7 percent in March; and nearly half those polled said Bush cares more about serving upper-income people; only 8 percent said Bush is interested in the needs of middle-income and poor Americans.

George Bush and the Republicans just cannot get it right. In the midst of this economic devastation, they continue to beat the drum for capital gains and breaks for the rich. They continue to have their party, to which 98 percent of Americans are not invited. The Republican supply-side lovefest has made us the world's largest debtor nation; it has brought us a trade deficit in excess of $100 billion; and it has tripled our national debt. It has devastated our cities and crushed our infrastructure.

Unlike the economic troubles faced by most previous administrations, the Bush economic stagnation comes at a time of considerable prosperity among most industrial nations. There is no truth to the administration contention that their growth strategies have fallen victim to a worldwide economic downturn beyond Bush's control.

One of the President's first commitments was the creation of 30 million new jobs over two terms. If current trends continue, Bush will finish his first term in office having created fewer jobs than any President in the last 50 years. There are now 300,000 fewer jobs in America than when Bush took office.

Bush is now 10 million jobs behind his promised schedule for job creation—following a veto of critical unemployment benefits legis-

lation and a threatened veto of today's job-creating highway bill.

For the last 31 months, jobs in this country have been disappearing at a rate of 9,400 per month.

George Bush just does not understand that his supply-side, laissez-faire, trickle-down economic policies have hurt America and shattered the dreams of millions of Americans. He does not understand that the American people are fed up with his bailouts of foreign nations while he vetoes desperately needed unemployment insurance legislation. He does not understand the pain of the ranks of the poor and the jobless, who need leadership and just can not seem to get it from him.

I have seen that pain in my home State of Michigan and my hometown of Detroit.

The unemployment situation in Michigan is one of the worst in the Nation, Mr. Speaker. Over 10 percent of the labor force in my First District in Michigan is out of work. That works out to being over 21,500 people in just one congressional district. And the condition of the entire city of Detroit is even worse—over 13 percent of the work force is out of a job.

In the last several months, my State has experienced monumental drops in retail sales, steel production, and of course the automotive industry. Just this past Friday, we learned that another large corporation is closing its headquarters in Michigan. While this looks ominous on paper, it is nothing compared to the real life experiences of those people laid off who have been forced to live in fear and poverty. My office in Detroit has received hundreds of phone calls from families who want to know what has happened to their benefits—who want to know where they should turn for help. Mr. Speaker, those people should be able to turn to this Congress for help and support, regardless of how many times President Bush vetoes our legislation. We must continue the fight for unemployment benefits legislation and protect the working people of this country, the people victimized by the recession and unemployment, and the children who bear witness every day to the pain and humiliation being forced upon their unemployed parents.

Republican statehouses have followed the Bush line of slashed funds and blocked legislation for the neediest. Michigan's Republic Governor Engler has cut $500 million from social services during the toughest recession in recent memory. And of that $500 million, $200 million came directly from cutting general assistance and expelling 90,000 poverty- stricken people from the program. What is even more unconscionable is the Governor's rationale for the cut—he believes that it will "encourage people to become more selfsufficient." Will ending payments to senior citizens for oxygen encourage them to be more self-sufficient? Will ending payments for medical supplies encourage the sick to fend for themselves?

If the Bush administration expects the people of Detroit to believe that it is serious about climbing out of the pit of recession, then the administration had better put its money where its mouth is. I am tired, my voting constituents are tired, and the American people living on the edge of homelessness, joblessness and poverty are tired of hearing this President say one thing and do the opposite.

We are tired of hearing the President say he is concerned about the unemployed, and then see him refuse to release unemployment benefits. We are tired of hearing George Bush say that he is concerned about the working poor who have been forced to live without health insurance, and then see that he does not offer any real solutions.

George Bush refers to the Democratic proposals as one more giveaway, one more big budget entitlement, as if he is hurling an insult at me and every other Democrat in this body. I am not insulted—the working people of this country are entitled to receive benefits, they are the ones who have been putting aside money from their paychecks for a rainy day. And I submit that this recession is more than just a rainy day, this is a downpour of biblical proportions.

Many people have criticized the Bush administration for spending too much time on foreign policy than it does on domestic affairs. So I will put this Detroit recession, and Detroit unemployment into terms that the administration and the American voters can understand: The Federal budget gives more money to Manila than it does to Detroit. The point is not that we should not assist other countries, the point is that the administration can no longer insult the intelligence of the American people by saying that there is not enough money to take care of our own citizens. The voters will not swallow that bitter pill anymore.

My constituents, Mr. Speaker, have been made to swallow too many bitter pills by the President and the Republicans. The big three auto makers, General Motors Corp., Ford Motor Co., and Chrysler Corp. are one of my district's biggest employers, and part of the backbone of industrial America. The auto makers in Detroit have suffered tremendous economic blows this year, forcing thousands of Americans from their jobs, and jeopardizing many more—the result of the President's failed economic policies.

The combined losses for the big three this year is estimated to be $5.4 billion.

General Motors announced yesterday third quarter losses of $1.1 billion. This brings its total losses for the last five quarters to $5.8 billion.

Ford announced yesterday third quarter losses of $574 million, down nearly $700 million from the third quarter last year. It brings Ford's total losses for 1991 to $1.8 billion.

Chrysler, through the first 6 months of 1991, lost $810 million. That is down $1 billion from the first 6 months last year.

Chrysler and Ford reported that together, they have been forced to lay off more than 7,000 workers already this year. Ford will stop production at two plants, causing 4,500 current employees to lose their jobs.

Ford temporarily shut down 16 different assembly plants for a total of 149 weeks this year, affecting thousands of workers. These plants are not only located in Michigan, but in Ohio, Kentucky, Virginia, Minnesota, and in Atlanta, St. Louis, Chicago, and Kansas City.

And this failure of the President's economic policies has a human face, Mr. Speaker. United Community Services [USC], an umbrella organization in Detroit that provides services to the neediest in my city, had some horror stories of the President's economic failure for my district office:

A single mother was laid off from a GM plant. Unemployment benefits exhausted in the process of losing her home; 1987 a father and husband laid off from Detroit GM Hamtramck plant, by 1988 could no longer keep up with mortgage payments—used up unemployment benefits. Wife's income as a school teacher not enough to provide for family; USC notices one suicide per plant closing or lay off, a utility company has told USC they have turned off utilities to 15,000 homes from January to June of 1991. They anticipate another 10,000 shut offs due to the general assistance cuts; and workers at USC are under stress because of the increasing case load.

Mr. Speaker, I submit for the RECORD some of the most poignant letters and reports from my district on the unemployment crisis in Michigan. These submissions make it clear that the President, like his predecessor, is working diligently to hide his obvious indifference to the plight of the unemployed American worker through political rhetoric. It is an established fact that in terms of duration and the number of jobs lost, the current downturn ranks as the third most severe of the nine post-war recessions.

It is evident that the Republican-proposed unemployment benefits bill, S. 1791, or the Dole bill, does very little to change anything. It does not even come close to addressing the plight of the unemployed in States hardest hit by the recession. States like: Michigan, West Virginia, Mississippi, Massachusetts, Florida, California, Pennsylvania, and New Mexico.

The discrepancies become more apparent in S. 1791 when comparing it to the Democratic proposal:

REACH-BACK BENEFITS

The Republican proposal appropriates aid for workers who lost their jobs the earliest and need assistance the most from only 6 States. Only 14 percent of those who have exhausted their unemployment compensation would receive help under the Republican bill. This mean exhaustees in 44 States will receive nothing. On the other hand, under the Democratic bill, 89 percent of workers who fall in this critical area qualify for reach-back benefits.

HARDEST-HIT STATES

The Republican proposal appropriates a mere 6 weeks of benefits for workers in States hardest hit by the recession. States like Michigan, California, Florida, Mississippi, and West Virginia with unemployment rates as high as 7, 8, 9, or nearly 10 percent. The Democratic bill appropriates 13 or 20 weeks of benefits to these states.

VETERANS

The Republican proposal not only offers veterans less unemployment coverage than the Democratic bill, but less unemployment coverage than current law. Only those who are released for the good of the service, or who leave the service after extending their term at the request of the service will receive unemployment benefits. Thus, those who chose voluntary separation from the service will not receive any benefits at all. In addition, the Republican bill now eliminates coverage for military persons currently eligible. This includes individuals returning from Desert Storm and Desert Shield, and others who leave the serv-

ice after serving out their tours of duty with honorable discharge. These cuts under the Republican bill constitute a cut of $535 million—or 65 percent—in unemployment benefits for veterans over the next 5 years.

In contrast, the Democratic bill treats veterans as equal to their fellow unemployed American workers. Service personnel receive benefits if they have completed their first term of service honorable, or, if they are honorably discharged before their first term is completed. In addition, veterans will be given the same number of weeks of benefits that the private sector employees receive.

FINANCING

Once again, the Republican proposal has failed. It is based on a fragile proposal which will only complicate and delay appropriation of money to workers who need it now, not a week, not a month, not a year from now.

The Republican bill has two funding sources: First, collecting defaulted student loans through current law; and second, selling the electromagnetic—communications—spectrum. The problem is, not 1 penny will come into the Treasury until after 1994. Under current law, if a person receives a student loan and then defaults on that loan, the money can be collected by the IRS in withholding from any tax refund to which that person may be entitled. That's in the law now, and is scheduled to be implemented until 1994. The Republican bill simply extends that law for 3 years in the future. In other words, not a single penny will not come into the Treasury until 1994.

The Republican bill would also force part of the eligible spectrum to be sold in 1992—this would amount to a quick fire sale that would result in loss of billions of dollars to the U.S. Treasury. If this sale were rational and planned, several billion dollars more could be raised.

Once again, in contrast, the Democratic bill would utilize the trust fund for the exact purpose it was designed for. The trust fund was established for the sole purpose of paying extended benefits during times of economic distress. Democrats believe that it is not fair that the unemployment trust fund surplus is allowed to continue to grow, while millions of Americans are exhausting their unemployment benefits.

The unemployment trust fund contains a surplus of nearly $8 billion. This surplus came from business contributions to be used during such periods of economic distress. Together with interest earned on trust fund contributions, the Government will take in 10 times the money that is paid out. This trust fund surplus contains more than enough funds to pay for the Democratic bill. In fact, even with enactment of the Democratic bill, the Congressional Budget Office has estimated that a sizable surplus will remain in the trust fund.

Mr. Speaker, I am including for the RECORD, as I mentioned, some letters, newspaper articles, and Resolution No. 10.

To: U.S. Representative, Hon. JOHN CONYERS, Jr.

From: Ms. Willie Mae Thompson, Detroit, MI.

Dear Congressman Conyers: Sir, I am writing this letter to address my concerns on the unemployed people in our state of Michigan. I am not going to quote numbers, because I am sure you already know the statistic of the unemployed.

I am one of the many unemployed people in Michigan; I myself do not want to be among the unemployed. I am a 48 year old, black single (female) whose benefits has run out. I am unable to get help from Social Services. We the unemployed have no income, no insurance, and our future looks very dim.

Congressman, I like others have been looking for work, employers want younger workers to do the work. Sir, there are no jobs. The many displaced unemployed workers need help to keep our dignity and self-esteem; please help us!

Thank you Congressman for your time and endurance in reading my letter.

Detroit, MI, May 2, 1991.

Congressman JOHN CONYERS,
House Office Building, Washington, DC.

REPRESENTATIVE JOHN CONYERS: This is a letter concerning the problem of plant workers losing their jobs. The Big Three auto makers just lost 2 billion dollars and if they don't bounce back that will mean more jobs lost. The article in the Detroit Free Press about the loss says they will improve. If they don't bounce back can you do something about the jobs that will be lost. Can you propose a bill that will give them job security or a work program.

Sincerely,

JASON ATKINS.

[From the Washington Post, October 23, 1991]

ECONOMIC WORRIES ERODING SUPPORT FOR REELECTION OF BUSH, POLL FINDS

(By David S. Broder and Richard Morin)

A sharp loss of confidence in the nation's economy is eroding support for President Bush's reelection, according to the latest Washington Post-ABC News Poll.

In the survey, 47 percent of those polled said they were inclined to vote for Bush, while 37 percent said they would prefer the unknown Democratic nominee. That is the first time Bush's "reelect number" has dropped below 50 percent in the Post-ABC poll, and represents a steep decline from the 68 to 20 percent lead Bush enjoyed over an unknown Democrat last March, at the end of the Persian Gulf War.

According to the poll, a slight majority—51 percent—agreed with the statement: "After four years of George Bush we need a president who can set the nation in a new direction." But 44 percent agreed that "we need to keep the country moving in the direction George Bush has been taking us."

The poll of 1,536 randomly selected Americans was completed Monday night.

Bush's increased vulnerability is clearly linked to concerns about the sluggish recovery and the growing fears of a "double-dip recession," a second economic downturn after a brief and weak period of growth. Those same worries have prompted the president in recent days to press his advisers to come up with an economic stimulus proposal.

In the poll, only 37 percent said they approved of Bush's handling of the economy—down 5 points in the last month—and 70 percent said they agreed with the statement that Bush "spends too much time on foreign problems and not enough on problems in this country." That figure has increased slightly since September, when 66 percent agreed.

That poses a potential problem for Bush, who is scheduled to begin several weeks of almost unbroken overseas travel at the end of this month.

Overall, the percentage of Americans who say the economy is getting worse and not better has increased from 41 percent last month to 56 percent in the latest Post-ABC survey. And unemployment has replaced drugs and crime as the nation's biggest worry. According to the poll, 19 percent named unemployment as the biggest problem facing the country, up from just 7 percent in March.

Overall, 42 percent of those questioned named unemployment, the federal budget deficit or some other economic problem as the nation's biggest concern, up from 26 percent just last month.

Nearly half of those interviewed in the latest poll—48 percent—said they believed that most Americans are worse off now than they were four years ago and 41 percent said they are no better off. Just 7 percent said they believed that most Americans are better off now than they were before Bush took office.

The news in the latest survey was not all bad for Bush. His overall job approval rating stands at 65 percent, down slightly from last month's 69 percent. The president continues to get high marks from the public for his handling of foreign affairs. According to the survey, 69 percent said they approved of the job Bush is doing on international relations.

But concerns about the economy are clearly undercutting support for Bush among voters. Only one-third of those who said the economy was getting worse also said they would vote to reelect the president. Among those who felt the economy was staying the same (34 percent) or improving (9 percent), Bush was favored by more than 3 to 1.

The perception that someone other than Bush should set a new course for the country in part reflects a sense that he favors the wealthy and is insensitive to the needs of the unemployed.

According to the survey, nearly half—48 percent—said Bush cares more about serving upper-income people, up from 35 percent in a Post-ABC survey in February 1990.

In the latest poll, only 8 percent said Bush is more interested in the needs of middle-income and poor Americans. Forty-one percent said Bush cares equally about serving all people, down from 51 percent in February 1990.

The poll also found that by 58 to 40 percent, those interviewed said they supported the bill Bush vetoed that would have given jobless workers as many as 20 weeks of unemployment benefits beyond the current 26-week maximum.

Last week, a Senate attempt to override the veto fell two votes short. The Senate Democrats voted unanimously for the measure and Democratic leaders in Congress have vowed to make Bush's veto a campaign issue next year. Yesterday, the House Ways and Means Committee approved another unemployment bill, this one providing up to 13 weeks of additional benefits paid for by increasing the federal unemployment tax on employers by $5.3 billion over the next five years.

WASHINGTON POST–ABC NEWS POLL

Q. Do you approve of the way George Bush is handling his job as president?

[In percent]

	Approve	Disapprove
Oct. 21	65	31
Sept. 15	69	26
Aug. 27	67	26

[In percent]

	Approve	Disapprove
June 2	76	21
April 9	80	18
March 4	90	9

Q. Do you approve or disapprove of the way Bush is handling the nation's economy?

[In percent]

	Oct. 21	Sept. 15	July 28	June 2	March 4	Jan. 27
Approve	37	42	36	46	49	45
Disapprove	60	53	60	50	47	49
Don't know	3	5	4	4	4	6

Q. Which of the following statements best describes your views of how Bush is handling his job as president:

[In percent]

	Oct. 21	Sept. 15
A. He spends too much time on foreign problems and not enough on problems in this country	70	66
B. He spends too much time on problems in this county and not enough on foreign problems, OR	3	2
C. He spends about the right amount of time on both foreign problems and problems in this country	24	30
D. Neither/don't know	3	2

Q. If the 1992 election were being held today, would you be inclined to vote for George Bush or for the Democratic nominee for president?

[In percent]

	Oct. 21	June 2	May 5	March 4
George Bush	47	54	58	68
Democratic nominee	37	29	32	20
Neither	4	4	4	4
Don't know	12	13	6	8

Q. Which of these two statements comes closest to your own views:

	Oct. 21
A. After four years of George Bush we need a president who can set the nation in a new direction.	51
B. We need to keep the country moving in the direction George Bush has been taking us.	44
C. Other/don't know	5

Figures are based on telephone interviews with 1,536 randomly selected adults conducted Oct. 17–21. Margin of sampling error for the overall results is plus or minus 3 percentage points. Sampling error is only one of many potential sources of error in this or any public opinion poll. Interviewing was conducted by Chilton Research of Radnor, Pa.

RESOLUTION 10

Whereas, the true unemployment rate in Michigan is in excess of 8.3 percent, and over 100,000 Michigan workers have exhausted unemployment benefits, and

Whereas, Congress with total disregard for the American worker, passed legislation to allow for the negotiation of a Free Trade Agreement with Mexico which will force more of our Michigan workers into the unemployment lines, and

Whereas, past Presidents and political leaders have unselfishly helped every foreign country and its citizens in times of need, and

Whereas, Congress has passed legislation to extend unemployment benefits to those individuals who have exhausted benefits, and

Whereas, there is an $8 billion reserve presently existing in the Unemployment Trust Fund which is used solely to make the Federal deficit look smaller: Now, therefore be it

Resolved, That this 34th annual Convention of the Michigan State Building and Construction Trades Council go on record as asking President Bush to show the same compassion to the citizens of this country as he has done for so many other countries around the world who are in need of financial help by declaring an emergency and releasing the necessary funds so that states can initiate extended benefit payments for workers whose unemployment insurance has run out, and: Be it further

Resolved, That this resolution be sent to our elected Federal leaders with a list attached of all delegates to this convention and the organizations they represent, and: Be it further

Resolved, That this resolution serve as notice to our elected officials that the welfare of the citizens of our country must be of primary concern to our elected political leaders, and: Be it finally

Resolved, That the delegates of the Michigan State Building and Construction Trades Council assembled at the 1991 annual convention support House Resolution 101 and Senate Resolution 78 which will remove the Free Trade Agreement from the "Fast Track" process.

Respectfully submitted,

OFFICERS AND EXECUTIVE BOARD,
Michigan State Building and Construction Trades Council.

Mr. OWENS of New York. Mr. Speaker, I thank the gentleman. The gentleman is from the State of Michigan, and Michigan, like New York and a number of other Northeastern States, Midwestern States, did not have the benefit of one of the fastest-growing industries in the country, and that is the savings and loan bailout. The Resolution Trust Corporation is hiring people faster than any other organ of government or certainly even private enterprise.

The States that allowed money to be stolen from the banks, and the States that had the largest number of banks to fail, where the crooks made the most money, those are the States benefiting now from the hiring of the Resolution Trust Corporation. It is a major industry putting back the money that has been stolen from banks, and States like Texas benefit from it greatly, because that is a State where 75 percent of the S&L's failed.

States like Michigan do not benefit; States like New York and a number of others do not benefit, because they did not allow the money to be stolen.

I mention this because the money that ought to be rebuilding our economy, the money that we should be using to build schools and highways, and the money that would put people back to work and create the dynamic economy is going down the drain to replace money that has been stolen out of the savings and loan associations and, of course, a lot of it has been stolen out of banks, too.

We will have the President coming to this Congress soon to ask for money to bail our the commercial banks as well as the savings and loan associations.

We never hear about this from the other side of the aisle. These are billions of dollars that do not buy anything. They just put money back in the pockets of the wrong people.

I think it is important to note that the same Nation that cannot bring itself to take care of a major problem involving 8.4 million human beings with respect to basic survival matters like provision of unemployment insurance, will come to the floor again and again and ask for billions to put in the pockets of people who already have absconded with the funds at the expense of the American people.

I thank the gentleman from Michigan.

Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. OBEY].

□2150

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, what I would like to do is take a couple moments to try to personalize this issue. I guess I will start by explaining why it is I got into public service in the first place. Like a lot of people in my generation, we were very much inspired by the 1960 campaign of Jack Kennedy, which was an appeal to idealism and which was also a clarion call to the country to get the economy of the country moving again. Because of that idealism, an awful lot of us went into public service because that government really was an avenue by which we could improve the lives of average people, regular working people.

The problem is that since the 1980's the Government has simply walked away in all too many instances from its commitment to make better the lives of regular working people in this country. That is visible in its budget actions. That is visible in its tax actions and it is certainly visible in terms of what has happened with unemployment.

If I could just point out on this chart beside me, this chart demonstrates the difference in the treatment of persons who were unemployed under the Ford administration, the Carter administration, the Reagan administration, and the Bush administration. If you go back to 1974–75 in the Ford administration, you will see that almost 90 percent of those who exhausted unemployment benefits represented by this green line, were recipients of extended benefits during the peak months of recession.

If you take a look at what happened under the Carter administration, you will see that on average, again represented by this red line, about 60 percent of those who exhausted unemployment benefits were eligible for extended unemployment benefits.

In the Reagan administration, Ronald Reagan four times signed legislation providing extended benefits for people, even though the percentage of people who were covered with extended benefits dropped to about 50 percent.

Then you get to the kinder and gentler Bush administration and what

you see is that in comparison to the large numbers of persons who have exhausted their unemployment compensation, you see that a very tiny percentage, only about 5 percent, ranging down to 1 percent as of last August were actually provided with extended benefits.

What that demonstrates is that what is happening today is virtually unprecedented. Since the Great Depression, there has been a bipartisan commitment in this country to provide assistance to people who are out of work, through no fault of their own, for long periods of time. We are not talking about welfare moochers, the traditional stereotype of welfare moochers. What we are talking about is people who have worked for a living, who have tried to make this country better and make a better living for their families and this demonstrates how much help they have gotten in terms of combating long-term unemployment.

The fact is that for many people unemployment is a statistic. It is a happening that shows up in somebody's economic report, but I think that we have to look to our own lives to understand the pain and the disruption in people's lives that is occurring out there in the economy.

So I am going to talk about some personal problems which my own family had while I was growing up. As I said a couple times before on this floor, I will never forget the week I went away to college because that is the week my dad lost his job. I remember going to Madison to enroll in college, not having any idea what kind of help I would be able to get from my family because my dad after working 14 years in the same company was laid off, and it became a permanent layoff for him. That experience not only taught me something about unemployment, it taught me that a young person's access to education ought to be determined not by how many dollars his old man has in his bank account, but how much determination he has in his heart and how much willingness he has to try to make something of himself.

If you want another example of how a family's security can be shattered almost overnight, again I remember my father going to the hospital for an appendix operation and coming out of the hospital with his arms paralyzed, totally unable to use his arms. That was in the days before you sued people, and we had no idea whether we had an economic future or not. He was lucky. He gradually got back the use of his arms and he was finally able to go back to work, but an awful lot of people in this country, are not as lucky. For an awful lot of them an accident of health, an accident of employment can leave a family shattered long term in terms of their economic prospects.

It just seems to me if you look across the board, what we have seen during the 1980's is that families like that have been walked away from by this administration and by this Government. Whether you look at deregulation or whether you look at the budget or whether you look at the refusal to provide unemployment assistance to people, you see that during the 1980's the Reagan and now the Bush administrations have led us away from equity and the compassion we used to have for one another.

If you take a look at who is being helped by the administration today and who is not being helped, you find some very disturbing numbers. Right now, for instance, the numbers of people unemployed without unemployment compensation is the largest it has been in the last 40 years. There will be 12 percent of all American families over the next year who will have one member or more of their family experiencing unemployment for some time.

If you take a look at what has happened to people in other areas, if you take a look at income, for instance, you see that while we cannot get the administration to help people who are stuck in the unemployment track, at the same time we see the wealthiest 1 percent of people in this society who have had their incomes doubled from about $300,000 on the day Ronald Reagan walked into the White House, to almost $600,000 today. Yet the worker in exactly the middle of the income stream, the wage earner, has seen the purchasing power of his wages drop about $2,000 since 1980 and, for the last year in which records have been compiled so far, you see it drop by another $428.

The administration will brag about the fact that the gap between women's incomes and men's incomes is being closed in this country. It is slightly, but the reason is that men's incomes have come down, not because women's incomes have come up.

If you take a look at poverty, you see similar numbers. The number of Americans living in poverty grew by 2 million people over the same period of time.

A lot of people say, well, that is largely a problem of racial minorities. Baloney. The fact is that two-thirds of the people in poverty in this country today are white. So if anybody thinks that they do not have to worry about the problem because of the color of their skin, I suggest they ought to take a look at the numbers and they will recognize otherwise.

□ 2200

Now we are at a crossroads. Last week this very administration that has chosen to virtually do nothing to get this economy moving again, the administration itself was forced to release numbers which show that this economy is in a virtual stall. We have to find some ways to get the economy moving again.

The administration, in its comments on network television last week, indicated they were falling back on the old saw of a capital gains tax.

Well, again, who gets the benefits of the President's capital gains package? If you take a look at the package that he tried to get the Congress to adopt last October, you see that folks making less than $20,000 a year get so little from the capital gains tax break it barely shows up on the graph. People between $20,000 and $40,000 get about 10 percent of the benefit out of the President's capital gains package. But if you make more than $100,000 a year, guess what? You get about 80 percent of the benefit from the President's capital gains package. That, I guess, is the administration's idea of equity.

I do not think we should be surprised by that, however, because as long ago as 1981, what the Reagan/Bush plan for equity in this country was all about was really demonstrated by a famous quote from David Stockman, the Reagan director of the Office of Management and Budget. In explaining the Kemp/Roth tax cut that was passed in 1981 under Reagan and which started us on the road toward triple-digit deficits and very wealthy bonanzas for the wealthy at the expense of the middle class, here is what David Stockman said. He said "Kemp/Roth was always the Trojan horse to bring down the top rate. It is kind of hard to sell trickle down, so the supply-side formula was the only way to get a tax policy that was really trickle-down. Supply side is trickle down."

It just seems to me that it is time not only to have action on the unemployment compensation front, it also seems to me that it is time to have action on the tax cut front.

I think that we ought to start, certainly, by having a middle-class tax cut, such as that laid out in the Downey/Miller/Obey bill, also known as the Downey/Gore bill if you include Members from the other body.

If we do not begin to deal with both of these problems, both the problems of the long-term unemployed and the problem that the middle-class families in this country simply are not able to earn enough to get from paycheck to paycheck, we are going to continue to have an economy that is in a virtual stall.

Now, I would like to make just one other point. There are those who say, "Well, if you just provide some nice growth initiatives, capital gains and all the rest, if you just listen to the Republican administration, we know how to get growth. Let me point out that, going all the way back to Harry Truman, no Congress has ever changed any President's budget by more than 2 percent. So the fact is we have been, effectively operating under Republican policies for the last 12 years or 10 years. And what have we gotten? Compare the

economic growth in the United States from the first quarter of 1989 through the first quarter of 1991; seven-tenths of 1 percent growth over that period for the United States. Holland, almost 6 percent; Italy, 4.5 percent; Japan, almost 12 percent; Germany, 8 percent; France, 4.6 percent.

It seems to me that while the Bush administration may be leaders of the world in terms of foreign policy, in terms of demonstrating how to make the economy grow they could learn something.

If you take a look at the growth record of the Bush administration in comparison to previous administrations, the Bush administration at this point in terms of overall economic growth during the over 2 years that he has been President, they have had actual growth of less than 1 percent; 3 percent if you count their predicted growth for the rest of this year. President Reagan gave us almost 6 percent real growth in the first 3 years; Carter gave us 11.7 percent growth; Jerry Ford gave us 5.1 percent; Nixon gave us 5.3 percent; Lyndon Johnson, 17 percent growth; Kennedy gave us 14 percent growth; Eisenhower gave us almost 6 percent growth over the same period.

So I think, again, that the administration has demonstrated that it does not really know much about how to get the country moving again. But it certainly does know how to get the pocketbooks expanding for some people, because if you take a look at this incredible series being run by the Philadelphia Inquirer, you will see, if you want to compare what has happened to people in different income levels, you will see that the total dollar value of the increase in salaries of people earning $20,000 to $50,000 over the last decade has gone up by about 44 percent. But the total dollar value of the salaries of people earning $200,000 to $1 million has gone up by 697 percent and the total dollar value of the salaries of people earning more than $1 million in that same period has gone up by 2,184 percent.

That demonstrates who is getting it and who is not in this society. That is why we are doing what we are doing here tonight, trying to draw attention to the fact that not only do we have gross inequities in this country in terms of taxation, in terms of income, but we also have gross inequities in terms of whose problems are being paid attention to by this administration.

As I said earlier, there is no one that more exemplifies the callousness of this Administration than those who are stuck in long-term unemployment.

Mr. Speaker, FDR said long ago,

> Better the occasional mistake of a Government that cares than the inaction of a Government frozen in the ice of its own indifference.

To me that is what we have: We have a Government frozen in the ice of its own indifference because the people who travel in social circles of the people running the Government, do not experience the pain that is being experienced by the average American.

I said on the floor last week, and I will say again, if you want to know what is happening to the average American, you do not have to sit in the White House reading the economic reports of the Council of Economic Advisers. You do not have to listen to the OMB reports. You do not have to look at the Commerce Department statistics.

Just go out in the average neighborhood and knock on a few doors.

Mr. Speaker, I did that last week in two communities in my district, Superior and Ashland. It is very interesting what you learn.

I talked to three different people who had "the pleasure," in their words, of experiencing significant long-term unemployment. I talked to another woman who spends her days, day in and day out, a young women whose job is to care for a very elderly person suffering from Alzheimer's. She spends the entire day in that home, trying to keep this woman from injuring herself, trying to provide some human companionship.

What did she ask me for? She did not ask me for a tax cut, she did not ask for a Government handout. What she asked is that we pay some attention to the people like the woman that she was caring for, who had been either ignored by society as a whole or who have lost their family and have nobody to care for them.

I went a few doors away and ran into a person in quite different circumstances, a person who had retired from an income of well over $90,000 a year. And what was he talking to me about? He talked to me about how he wanted a capital gains tax cut.

Well, I have been impressed through my life by the fact that usually it is people with the least who expect the least, who ask the least from their Government. But they have a right to get more than table scraps, and that is what this administration, in my view, has been providing.

They have been providing table scraps for the middle class, table scraps for the poor, while they have been supporting the tax policies that have given the very wealthiest people in this society, the wealthiest 1 percent, tax cuts that average $80,000 per person.

Now, that is simply bad economics, it is bad social policy, it is bad morals, and it seems to me that it is about time it stops. It ought to stop right now with the determination to do something to help with the long-term unemployed and then to move on to a new middle-class tax cut that indicates that this city understands the pain, does understand the concern and does understand the squeeze that most of the American families have experienced for the last decade.

□ 2210

Mr. DELAY. Mr. Speaker, would the gentleman yield just to defend his charts?

Mr. OBEY. Surely.

Mr. OWENS of New York. Mr. Speaker, I think I control the time.

Mr. DELAY. Mr. Speaker, I am asking the gentleman from New York to yield.

Mr. OWENS of New York. I would yield only if there is an understanding there will be a reciprocity that, when they control the floor, they will be yielding for questions.

Mr. DELAY. Absolutely.

Mr. OWENS of New York. I yield to the gentleman from Texas [Mr. DELAY] to ask a question.

Mr. DELAY. Well, if the distinguished chairman of the Foreign Ops Subcommittee on Appropriations Committee would pull a couple of those charts back up, frankly I did not understand his first chart, and I wanted to ask him about the chart that compared the administrations.

Mr. OWENS of New York. I am afraid we do not have that much time. We have got other speakers that have to go.

Mr. DELAY. We have got all night.

Mr. OWENS of New York. Well, we do not have all night right now. We have other speakers that have to go; I am sorry. Come back later——

Mr. DELAY. Well, would the gentleman from New York yield just to let Members know what is going to go on here? Are they going to bring information out here and then not defend it? Is that the way this is going to work all night?

Mr. OWENS of New York. Mr. Speaker, no, I control the time for the next 15 minutes. There are several speakers that have to speak, and the gentleman from Texas [Mr. DELAY] will have plenty of time tonight if he wants to stay here.

Mr. DELAY. Would the gentleman yield further?

If the gentleman from Wisconsin [Mr. OBEY] would stick around for our time, we would like to check his charts.

Mr. OBEY. If the gentleman from Texas [Mr. DELAY] wants to talk to me about the charts, I will certainly be available.

Mr. OWENS of New York. Mr. Speaker, I yield to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Speaker, I thank my friend, the gentleman from New York [Mr. OWENS] for yielding me this time, and I am very pleased to be engaging in this all-night vigil with a couple of my colleagues, and I particularly want to thank the gentleman from Michigan [Mr. BONIOR], the majority whip, for organizing this effort.

Mr. Speaker, I think we are all here tonight to address the American people

for two reasons. First, there are 9 million jobless Americans who need a little help to make it through this long and difficult recession; perhaps, as we look ahead for the next couple of months, this winter of American discontent. And, second, we have a President who just does not seem to understand what those Americans are going through.

At a time when 2,000 workers a day are being laid off by U.S. businesses all across this country, when almost 9 million people are out of work, and with an economy that has 300,000 more jobless today than it did when Mr. Bush took office, the President has chosen to veto two measures to provide real relief to the worst victims of this recession. We are here tonight to suggest that it takes a lot of guts for a President who has worked this Nation into such an economic difficulty to give the back of his hand to jobless Americans. We are here tonight for the same reason that we are going to pass another extended benefits bill next week, because we will not give up the fight to help the long-term unemployed, people who are simply seeking a return on the insurance that they paid over many years of their employment.

Mr. Speaker, we have been criticized for the delay in getting these benefits to unemployed workers because this debate is not about politics, but it has become political for the simple reason that the Democrats are for this measure and the Republicans and the President are against it. Democrats are here because we are listening to the people back home when they tell us what it feels like not to have a job and what it feels like when one cannot find one, what it feels like not to have a job, but to have car payments, not to have a job, but to have kids who need diapers, who need clothes and who need food, not to have a job, but to have a mortgage to pay month after month after month. We are listening to our constituents when they tell us that they have never been out of work before this Republican recession, when they tell us what it feels like to send résumés to every firm in town without even a nibble, when they tell us no matter how many doors they knock on, nobody is hiring workers, only letting them go.

Mr. Speaker, Democrats have been trying to help these people for a long time because we know that only 38 percent of the unemployed are today receiving any benefits, and that is simply a record low for recent American history.

Last July, the Democrats in Congress passed an extension of the unemployment benefits and sent it to the President. The President signed the bill saying he was concerned about the problem of the unemployed, but then blocked the benefits from going into effect. So, we sent him a second bill, and on the morning that Clarence Thomas took the stand to face the charges of Anita Hill the President vetoed that second bill in the media equivalent of the dead of the night.

Well, if the President prefers to deal with this issue in the darkness, we are here all night to talk about what families are facing across this country day after day after day.

In my congressional district alone, more than 25,000 people were unemployed in July, and things have gotten much worse since. That is 25,000-plus proud, but fearful, families who need a hand to keep a roof over head. I have heard from a lot of those people in townhall meetings and on the streets of my district. I have heard from their neighbors, families, and friends. They have written me letters and called my office. They want to know when George Bush is going to show that he cares about them.

Mr. Speaker, I would like to share a few of those letters and some of the phone calls I have received as well. Here is one from one of my constituents. He says:

> I have been a productive member of society all my life (40 years). I am now unemployed. I have been unemployed for almost half a year. My unemployment insurance benefits are due to run out on the 24th of August. I don't want to be unemployed and I don't want to go on welfare. Somebody has to try to get through to President Bush that there is a real recession going on out here and that it isn't over yet by a long shot.

Another letter from Benicia, CA:

> A husband and wife both are unemployed. She is a paralegal who has been unemployed since June 15. Her husband is an MIS Operations Manager whose income had been $60,000/year. He was laid off on July 3, 1991. They have both been looking for work diligently. She says she has sent résumés to every law firm in Benicia. She is taking as much temp work as she can find. He has been enrolled in a program through the state Employment Development Department. He has taken a two month assignment at $15/hour.

Mr. Speaker, this is a man who earns $60,000 a year.

> Their living standards are not out of the ordinary. They don't have any car payments, and their house payment is $1,100/month. She feels their ability to find a job is restricted by the number of people that are looking—not their efforts in their job search.
>
> Her family cannot help. Her father made his living as a self-employed CPA. He had a stroke and her parents used their savings for his recovery.
>
> They cannot sell their home—no one is buying.

Mr. Speaker, they want to know how can the President not know what is going on.

I received a phone call from a gentleman from Vacaville, CA. He just says simply:

> It's about time we did something for the people of this country and stop sending all our money overseas. I support extended benefits to the unemployed in this country.

Another gentleman from the same community is irate that his unemployment insurance benefits ran out, and he asked that Congressman FAZIO urge President Bush to release the emergency funds.

These people are not asking for a handout, Mr. Speaker. They are simply asking for access to the insurance that they already paid for. But the only thing the President is offering these Americans and every American struggling to make it through this recession is a renewed call for the discredited policies of the past, a capital gains tax cut.

Today the majority leader and the Joint Committee on Taxation issued a disturbing analysis of the GOP so-called growth package. It showed that more than 80 percent of the benefits would go to people making more than a hundred thousand a year, the same people who have been seeing their incomes double over the last decade while the wages of the middle class stagnated, the same people whose tax burden fell by more than 10 percent while the tax burden of all but the poorest Americans remained essentially unchanged, the same people who have good jobs and are not facing the struggle of the unemployment line.

Mr. Speaker, I think it is time to stop worrying about the wealthy and to start worrying about the middle class and the unemployed. We have had enough black-tie economics, Mr. President. It is not fair, and it is not working. The Nation needs an economic vision which addresses the needs of blue collar and white collar Americans. For a start, I would support, if I were the President, the long-term unemployed when the third benefit bill passed by Congress' hands on its way to my desk sometime in the next couple of weeks, and I want to yield now briefly to my friend from California.

□ 2220

Mr. OWENS of New York. I want to yield now briefly to my good friend, the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Speaker, I want to say that I hope the President is listening tonight. Every time we have talked about this before we hear "this is politics, this is politics." Maybe the way we handle this issue is political, but I have news for my colleagues on the Republican side of the aisle. This is not about politics, it is about people. It is about people who are hurting. It is real and it is painful.

In California there is about a 7.7-percent unemployment rate, up from 7.3 percent. There are about 190,000 children who go to sleep homeless. It is painful. There is about a 9.3-percent unemployment rate in Los Angeles County. One out of seven jobless workers lives in California. Benefits have been exhausted by a quarter of a million workers in California.

Our children are hurting, child abuse is up, and neglect is surging; 647,000

children under the age of 12 were hungry in California in 1989. What can we do? Tell this President to find within his heart the kinder and the gentler, and to sign this package as a start.

President Bush goes to Russia and he tells Mr. Yeltsin he is going to help him move his economy from a defense-based economy to a civilian-based economy. What about America? Let us get started, Mr. President. It has been too long and it has been too tough.

Mr. OWENS of New York. In my last minute, Mr. Speaker, I would like to say that it is possible—and I hope the American people understand—that we do not have a basket-case economy. The money to revitalize our economy and put all Americans to work is here. It is available; $100 billion is still flowing out to overseas bases that we do not need any more. More than $28 billion is still being spent on the CIA and intelligence-gathering apparati that we do not need any more. Billions more are being proposed for the bailout of the savings and loan associations, and billions will be proposed for the bailout of the commercial banks.

The money is here. We can spend the money to put our unemployed back to work. We can build schools, we can build bridges, and we can do all the things that are necessary to revitalize our economy. The will is necessary. The President must be made to care more about those who are unemployed. We owe it. It is a first duty of government to promote the general welfare.

ORDER OF BUSINESS

The SPEAKER pro tempore (Mr. OWENS of Utah). Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I ask unanimous consent to go ahead with my special order. We had an agreement.

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

Mr. BONIOR. Mr. Speaker, reserving the right to object, I am not going to object. I just want to raise the issue with my colleague which I discussed with my friend from Georgia and others on the other side, that we would alternate the time. Hopefully we can get into a dialog between both of us on these issues.

I understand that there are many Members who were here originally who wanted to speak, and that may not have occurred in the first hour, but hopefully we can engage in a dialog. I will not object. I look forward to equal debate on this issue as the evening goes on.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

PROBLEMS OF UNEMPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I thank my friend from Michigan. I want to say it is my intention, once we have 15 or 20 minutes on our side, from that point on to yield. I think it is much better for the country and much better, frankly, for us as an institution, to have a genuine dialog. That is something we do not do as often as we should on the floor, and I think it would be a helpful thing.

Let me just say, listening to the last hour, that I was struck with the level of chutzpah that our Democratic friends were displaying, I think chutzpah at three levels.

First of all, we on the Republican side, being in the minority and not being able to schedule legislation, often have special orders to try to bring attention to get bills to the floor. It is a little remarkable to have the Democratic majority, which can always schedule legislation whenever it wants to, having special orders when it will not bring certain bills to the floor. I think that is just an interesting example of the difference.

Second, I think to have the Democrats kill the President's growth proposals for 3 years in a row, and then to blame the President for the lack of growth, is an extraordinary thing. I think the country ought to understand that the President asked for an economic growth package in January 1989, it actually passed the House and was killed in the Senate; asked for an economic growth package in January 1990; asked for an economic growth package in October 1990; asked for an economic growth package in January 1991.

Senator PHIL GRAMM has introduced the Gramm-Gingrich growth package to create jobs in July 1991. We asked the Rules Committee to bring it up in August, we asked the Rules Committee to bring it up in October. I moved it as an amendment on the House floor, and heard the following extraordinary statement. This was during a vote on the Democrat's unemployment bill.

I offered an amendment which would be added to the unemployment bill, the Gramm-Gingrich economic growth package to create jobs, and the Speaker made the following ruling, and I quote:

> The amendment proposed in the motion offered by the gentleman from Georgia contains provisions to provide incentives for work, savings, and investment in order to stimulate economic growth, for job creation, and opportunity. Therefore, it is clearly not germane to an unemployment bill.

Now, I think that is an extraordinary example of the logic of the House as run by the Democrats, that if you are trying to create 1,100,000 new jobs, that that somehow does not relate to unemployment because you are not just sending out a Government check.

But there is a third level of chutzpah which I thought was extraordinary. That was to have one of the political leaders of the Democratic Party who has been running commercials attacking us on unemployment stand up tonight to explain that it really was not political to be talking about unemployment, although, in fact, the Democrats will not bring up the unemployment legislation we have asked for.

I might note that Congressman JERRY SOLOMON, the ranking Republican on the Rules Committee, announced today that he has filed a discharge petition on House Resolution 242 to provide for consideration of the Republican unemployment compensation bill. Because the Democratic leadership will not bring our unemployment bill to the floor, a bill which the President will sign which would send 10 weeks of checks to unemployed workers, we are now filing a discharge petition because it is the only way to bring it to the floor, with the Democrats controlling the legislative process in the House the way they do.

This bill, authored by Senator DOLE and Congressman MICHEL, does in fact meet the budget requirement, is in fact paid for over a 5-year period, and would be signed by the President because it meets the pay-as-you-go requirements of the budget agreement. Therefore, we could at any time within, I believe, 48 hours, have checks going out to the unemployed if the Democrats were prepared to allow the bill to come to the floor and to be passed.

But let me go one stage deeper. I believe there is something fundamentally different between the two parties, and that this debate in that sense is very, very important. I believe that anybody who analyzes this debate and the last few debates on unemployment will see two primary differences between the Democratic majority and the Republicans, and some Democrats in the House, and an enormous difference between virtually all the Democratic candidates for President and the President of the United States.

The first is the goal we focus on. On our side, as Republicans, we are focused on economic growth and job creation, because we believe the most powerful, the most profound step toward fairness is to help people to get jobs. We believe jobs are fairness. We believe that economic growth is fairness, and we believe that if you are going to have a free enterprise society and you are going to have a society that is an open democracy, as ours is, that the most important social policy you can have is to create jobs. Then once you have your initial, basic job, to create better jobs, and then to maxi-

mize take-home pay to give people a chance to have a decent living, to raise their family, to create a community, and to belong to their neighborhood.

□ 2230

I would suggest that if you listen to the rhetoric of our friends in the Democratic Party, their focus is on unemployment. They understand the pain, they do not necessarily understand the health; they understand that people are ill, they do not necessarily understand the medicine. Which gets me to my second point, which is that I think there is a fundamental misunderstanding about how jobs are created on the part of the vast majority of the Democrats.

I brought some books tonight. "Minority Party," by Peter Brown; "Why Americans Hate Politics," by E.J. Dionne, Jr.; "The Other Path," by Hernando DeSoto; "The Growth Experiment," by Lawrence B. Lindsey; "The Way the World Works," by Jude Wanniski; and "New York Unbound," by Peter D. Salins.

I brought these books because they are a sample of recent literature which consistently says the following: If you want a free enterprise society, you encourage people to work, you encourage people to save, you encourage people to invest, and then you get a dynamic and a free enterprise society of entrepreneurs going out and founding companies and creating jobs and creating take-home pay and creating wealth, and then everybody is better off.

If, for example, the United States had grown at the rate of Japan since 1965, if you start with the creation of the Great Society under Lyndon Johnson and you took the Japanese growth rate from 1965 to the present, and you compared that to the American growth rate, if we had simply focused on job creation and economic growth, every poor person in America would be dramatically richer today. The budget, if current spending was about at its present level, the budget would be balanced and have a substantial surplus. The United States would be about twice as wealthy as it is today. We would have more than enough resources for health care, we would have more than enough resources for education, we would have more than enough resources, and, in the process, the poor would have gotten richer.

As John F. Kennedy said, a rising tide lifts all boats, and that tends to be true everywhere, except in areas that have been so thoroughly undermined by the welfare state that they suffer from a pathology. But virtually everywhere in America, if people have any chance at all, if the economy rises, people will rise with it.

Now, I would just suggest that the No. 1 goal of the United States in that sense ought to be economic growth and jobs. The No. 1 test in this Congress every day ought to be are we killing jobs or are we creating jobs?

I find it astonishing that faced with an opportunity now for over 2 months to bring to the floor an economic growth package, and I just want to say very briefly, I had a number of steps. They created 75 enterprise zones in urban and rural areas, in the most poor areas, in the areas with the fewest jobs. It allowed senior citizens to earn $8,000 additional without being penalized by Social Security every year. Eight thousand additional dollars for senior citizens.

It has a $1,000 tax credit for couples under $43,000, to enable them to buy their first home by giving them a tax credit against the down payment on their first home, a step, by the way, which the home builders have estimated would create 220,000 additional home sales a year.

It had an IRA-plus for everybody. An IRA, and Individual Retirement Account, that you could use for health, education, housing, or retirement.

It allowed parents and grandparents to take their IRA out and loan it to their children and grandchildren to buy a home, a step that strengthens the family, a step that strengthens the right of young people to work hard and save and buy their first home.

It created an economic growth dividend that said that every time we had more than 3 percent real growth in the economy, all of the additional money would go back to the taxpayer in the form of a higher personal deduction. And it included capital gains, both indexed, which means that in the future when you invest and you save, you are not going to be taxed for inflation, which is paper costs, and it provided for a modest capital gains cut. Not nearly as much as most of us would like, but enough that economists estimated it would almost immediately create 500,000 new jobs in the first year, and 1,000,000 new jobs by the end of the decade.

Now, we have two things that are nutty about the Congress. The Joint Tax Committee, currently headed by a Jimmy Carter Treasury official, a man who remember, who worked in an administration that created 13 percent inflation, 22 percent interest rates, and set the base for the worst recession since the Great Depression, we have a Jimmy Carter type economic expert working on the Joint Tax Committee. And when they look at a bill, they do not believe human beings change their behavior if you change the Tax Code, and they do not measure the effect on the Resolution Trust Corporation.

The fact is, if you increase the number of homes sold in America, if you increase the value of buying property, the largest seller of property in America today, tragically, is the U.S. Government.

If we increase the amount being paid for property held by the U.S. Government, we would decrease the costs to the taxpayers of the savings and loan bailout.

We had one estimate we just got in today that the economic growth package that Senator GRAMM and I have introduced would save between $6 and $12 billion just from its impact on the Resolution Trust Corporation.

So I would suggest to you that when you have a Joint Tax Committee that does not measure human behavior at all, that was clearly wrong about the job costs of the luxury tax, and that is clearly unwilling to measure whether or not we have any impact on the positive side for the Treasury of the Resolution Trust Corporation, that in fact the Joint Tax Committee is essentially destructive of positive, rational, intellectual, debate in this House, and, frankly, we would be better off if it did not exist rather than to have it in its current form.

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I would be glad to yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. Mr. Speaker, I would like to ask the gentleman a question and make a brief comment.

The gentleman from Georgia [Mr. GINGRICH] indicated that the head of the Joint Tax Committee is someone that comes out of the Carter administration, and therefore refuses to recognize that there are changing patterns of behavior if you make changes in law.

The Joint Tax Committee was headed by someone who worked in the Reagan administration prior to that. Does the gentleman know whether the Joint Tax Committee under that leadership provided exactly the same kind of revenue estimates?

Mr. GINGRICH. Mr. Speaker, yes. I can tell the gentleman because of my efforts in the Budget Committee and the budget negotiations last year, the Joint Tax Committee is resolutely committed to a medieval level of ignorance in terms of how human beings behave.

Mr. DORGAN of North Dakota. My question was whether that was attributable, as the gentleman suggested to us, because somebody who worked for the Carter administration headed the Joint Tax Committee. It seemed to me the answer of the gentleman was the Joint Tax Committee did the same kind of estimating when someone headed it who previously worked for the Reagan administration.

Mr. GINGRICH. Mr. Speaker, I would simply say to my friend that if I had any modest hope at all that under any circumstance the Joint Tax Committee could be reformed, that hope has now been wiped out by the appointment of somebody whose background is in the most dismal economic period that we have had since World War II under Jimmy Carter.

Mr. DORGAN of North Dakota. Mr. Speaker, I appreciate the gentleman yielding. I just wanted to make the point that when the gentleman stood up and talked about the Carter administration and the Joint Tax Committee, let us frame that to suggest that the Joint Tax Committee, when headed by someone who came out of the Reagan administration, did estimates exactly the way they now do estimates. So the criticism of the gentleman is not about somebody who has a philosophy that worked for the Carter administration, it is about how the Joint Tax Committee does estimates, and the gentleman just colored it with a bit of history about the Carter administration.

Mr. GINGRICH. If I might say to my friend, I do not suggest any evidence of any experience base coming out of the Carter administration which would give anyone any hope that the Joint Tax Committee is in fact going to improve.

Mr. DORGAN of North Dakota. Mr. Speaker, it was not lost on me what the gentleman suggested. That is why I raised the point.

I would like to make this observation: You know, I listened to the gentleman speak, and the gentleman strings these words together kind of like a streamer. And when the gentleman is finished stringing them together, I think, "That sounds good. Let me sign up for that."

And then I look under the hood and I see the engine that drives all of these words. The engine is a basic Republican belief that somehow the country will be better off if you simply make the rich a little richer; that somehow if you provide a full capital gains tax treatment, the way we did it in the old days, buy a share of stock, hold it 6 months and 1 day, and pay a much lower tax rate than the person who works and works hard for 8 or 10 hours a day pays. And somehow, if you provide that kind of stimulus to the rich, and provide a significant tax break to the upper income people in this country, that the rest will magically be better off.

The difference is a lot of us on this side of the aisle believe that the economic engine in this country is with the rest. That if you give the middle class in this country something to work with, if you give them some jobs, some opportunity, a private sector that is healthy, we think that is the sort of thing that runs the American economic engine.

We do not believe, especially after the past decade in which the rich got much richer, the middle class got squeezed, and the poor got poorer, and in fact the rich end up paying a lower effective tax rate, we do not believe the solution to reviving the American economy is to give an average $25,000 a year tax cut to those whose incomes are over $200,000 a year.

The subject tonight is about the need for extended unemployment benefits for families who have lost their job in a recession and cannot find another.

We are told that the reason for all of that is because the American economy is in the tank. The solution, give the rich some more tax breaks.

Well, we ought to discuss and we ought to debate what the solution is, but at least tonight the question is how can we extend a helping hand to those families that need it.

I might observe, as I have to the gentleman from Georgia [Mr. GINGRICH] previously, that, you know, the President goes all over the world extending the hand of friendship, and it always has a little money in it.

It says, Kurds, here we are, we want to help; Turkey, we want to help; Shiites, we want to help; Bangladesh, we want to help; Egypt, we want to help; Bolivia, we want to help. But when it comes to a family in which the breadwinner has lost his or her income, and they have exhausted their extended unemployment benefits and need some help, somehow it has all gone fishing. Nobody is around. Nobody is home, and we say we cannot afford it.

□ 2240

The money has already been collected not only to afford it but to require it.

Mr. GINGRICH. Mr. Speaker, let me reclaim my time. I appreciate the gentleman's candor. I think he illustrates exactly why this country right now is economically sick.

In the first place, to a level we have not seen, I think very often in modern politics, the facts which I believe the gentleman's party actually believes simply are not factual. It is just not true. Let me give just a couple of examples.

One of the books I have here is "The Growth Experiment," by Lawrence Lindsay, who is the President's nominee to be in the Federal Reserve. He is a professor at Harvard who is pretty widely accepted as a serious economist.

At page 46, here is what he said about the capital gains tax:

> The 1978 Staggers Amendment reduced by nearly half the top effective rate of the capital gains tax, the tax on the increase in the value of an investment such as stock shares paid only after the investor chooses to cash in his or her investment. After this reduction the government actually took in more capital gains than before, 45 percent more in 1979 than 1978. New confirmation that high tax rates had been shrinking the tax base penalizing supply and punishing the economy.

The point is very simple and very central. We are prepared tonight to agree, if the gentleman can get his leadership to do it, that we will bring up the Michel-Dole bill tomorrow. We will pass 10 weeks of extended unemployment tomorrow. If we can get it through the Senate, we could have it signed by tomorrow night.

I moved to raise that bill in this House 1 hour and 30 minutes after the Senate sustained the veto of the gentleman's bill. I came to the floor and said:

> You have failed. The Democratic left does not have a constitutional majority to override the President, which is two-thirds plus one. You have failed. You cannot impose your will. Now if you truly care about the unemployed, we can get them 10 weeks of checks this week.

The fact is, the gentleman's side vetoed it. In fact, ironically, it was the chairman of the gentleman's Congressional Campaign Committee, who has been running the commercials, who got up and objected, which I thought was sort of the ultimate reason why Americans get mad at Capitol Hill. They can run the commercials but they would not bring the bill to the floor.

We can have, if the gentleman wants to test his sincerity, we can have this week 10 weeks of unemployment going down to the White House. We can have the checks sent out next Monday. And in addition to that, we can then bring to the floor the rest of the gentleman's bill. Let us divide the gentleman's bill into two parts, the part that the President will sign and the part that he will not.

Let us get money to the 2½ million American families that we are prepared to send money to this week, if we really care about those families, and then if we want to, bring to the floor the gentleman's bill. Make another run at the President, try to override him. Run the television commercial.

Let me get to my second point. Second, I frankly do not care what the tax rate is on the wealthy as long as they pay more revenue into the Government than they used to. When John F. Kennedy came into the White House, he asked the Internal Revenue Service—we had a 90-percent top rate—and he said to the Internal Revenue Service, how many rich people are paying 90 percent? And the answer was zero, not one.

Now, every left-wing politician in America got up and said, we have a 90-percent top rate on the rich and the rich laughed all the way to their Hollywood movie star fundraiser for the Democrats. They hired lawyers and they hired accountants, and they did not pay a single dime at the 90-percent rate. And they were happy, and they applauded cheerfully while various left-wing liberals got up and said, "We are going to sock it to the rich."

And we had movie star after movie star applauding like crazy because they had already been assured by their agents, "Don't worry about it. There will be plenty of loopholes for you."

What I care about, and this is my challenge to you all, the two simple challenges tonight. We have a motto which we are trying to teach the Russians and the Hungarians and the Czechs. It is called free enterprise.

It says basically, if one loves jobs, one has to love job creators. One has to encourage entrepreneurs. One has to create small businesses. One cannot love jobs and crush job creators without creating a recession.

So my first challenge to you all is, and I think this is the core of our difference, let us debate how we go about creating jobs in a free enterprise, non-Socialist society.

Second, the gentleman wants to talk about compassion. He wants to talk about poor families. I am prepared every day this week, name the time. I am prepared to stay over the weekend. We will pass 10 weeks of checks, get it signed and have the checks going out by Monday for 2½ to 3 million families.

That is not everything the gentleman wants, but he can come back with part B and try to pass it over the President's veto. But for him to stand there tonight and tell us, "Oh, we are concerned about these poor families, we are so concerned we are going to buy three more TV commercials, but we are not willing to bring to the floor the bill which the President will sign which will send checks to 3 million families."

Mr. LEVIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Michigan.

Mr. LEVIN of Michigan. Mr. Speaker, maybe we can have a discussion without some labels. How many Republicans voted for the bill that the majority Democrats voted for?

Mr. GINGRICH. My memory is about 40, I believe.

Mr. LEVIN of Michigan. Mr. Speaker, I think it was over 50. Are they part of the Democratic left?

I think maybe I will come and read them name by name, the 50 Republicans, and tell me whether they are part of the Democratic left.

Mr. GINGRICH. All of those were prepared to vote for the Michel bill.

Mr. LEVIN of Michigan. I'm not asking what they were prepared to vote for. They voted for our bill.

Mr. GINGRICH. Let me reclaim my time. First of all, my comments about the Democratic left related to the fact that it is their leadership which is running commercials, none of those 50 Members ran commercials. It is their leadership, their leadership which uses the rules of the House to strangle our bill, which does not allow our bill to come to the floor and will not allow it to pass.

Mr. LEVIN of Michigan. If the gentleman will continue to yield, I am going to now fetch the RECORD. I think I can do something tonight, and I am going to read the names of every single Republican who voted for that bill. And I want somebody there among the grouping to tell me which of those Republicans are part of the Democratic left.

Mr. GINGRICH. I will ask the gentleman if any of those 50 had anything to do with writing either the rule or the bill. And the answer is no. They voted for the only thing the gentleman would allow.

Mr. BARTON of Texas. Mr. Speaker, would the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I think the gentleman from Michigan asked a good question, but I think it is a little bit disingenuous because part of the answer is that no Republican had an opportunity to vote for any other bill. If we are never given an opportunity to vote for any bill except what the majority in the Democratic Party in the House wants to vote for, sometimes we have to vote for the least offensive provision.

I do not see, if I were a part of the majority that had 260 votes and the minority had 160-some-odd votes, what is so wrong with making it in order every now and then to let an alternative be debated and voted on. That has not been done on this.

I think if we would make that in order that 160-some-odd Republicans, however many of us there are, would vote for that. And if that did not get 40 or 50 Democrats, sure, 40 or 60 Republicans might vote for the next best or next worst alternative, however one wants to posture it.

Mr. LEVIN of Michigan. If the gentleman will continue to yield, we are bringing out the names. Good try, but the distinguished minority whip has talked about the proponents of the bill being part of the Democratic left.

Mr. GINGRICH. The people who brought it to the floor, the people who wrote it.

Mr. LEVIN of Michigan. The gentleman said that those who were trying to override the President's veto.

Mr GINGRICH. None of these people voted to override the President's veto.

Mr. LEVIN of Michigan. My guess is a good number of them will, and they will have a chance. They will have a chance.

For the gentleman to label his fellow Republicans and sister Republicans part of the Democrat left shows the poverty of his rhetoric, unless he wants to throw them into the Democratic left.

By the way, a lot of whatever the Democratic left is, Democratic center and Democratic right voted for this bill.

Let me just ask this question: Why don't you just let us vote on another bill and not tie it to these other issues?

Mr. GINGRICH. Mr. Speaker, I will answer it very plainly. Why don't you just let us bring a bill to the floor to rival your bill? What is it you are so afraid of that you cannot allow it to be made in order? What is it that so terrifies your leadership that they cannot allow for a fair debate and fair vote?

□ 2250

Mr. LEVIN of Michigan. Nothing.

Mr. GINGRICH. Then why do you not do it? Why do they not do it?

Mr. LEVIN of Michigan. Can I read you the names?

Mr. GINGRICH. Right now I am asking you: Why do you believe, as a member of your party, why do you believe your leadership is afraid to make in order a bill that the President will sign, and we send out checks to 2½ million people?

Mr. LEVIN of Michigan. Was there a motion to recommit on any of these bills?

Mr. GINGRICH. No. They do not allow it. In fact, I just read earlier, the gentleman may not have been on the floor, but I read the Speaker's ruling, ruling out of order my effort to amend a bill. It was ruled out of order. We were not allowed to bring the Dole-Michel bill to the floor.

Mr. LEVIN of Michigan. Because yours did not relate to unemployment. It had the so-called growth package.

Mr. GINGRICH. It related to jobs. How can jobs not relate to unemployment?

Mr. LEVIN of Michigan. It does. But do not hold the people of this country who are unemployed hostage to your notions.

Mr. GINGRICH. Now, wait, I want to understand how Michigan managed to get into economic trouble. Please, explain to me, how can jobs not be central to unemployment?

Mr. LEVIN of Michigan. They are, but they got in trouble because of the policies of this administration.

Mr. GINGRICH. But you will not pass the policies of this administration. I read the list earlier. The President asked for economic growth in January 1989, in January 1990, and in the summer of 1990, in October 1990, in January 1991. We actually passed, with the help of 64 of your colleagues, we actually passed an economic growth package in 1989, and it was killed by the Democrats in the Senate.

Mr. LEVIN of Michigan. If the gentleman will yield, you know very well you have been pleading with your own White House to come forth with a so-called economic growth package. We are ready to talk to you about economic growth. I have some ideas.

Mr. GINGRICH. You will not let it on the floor.

Mr. LEVIN of Michigan. We will have a package up here, it looks like now, but do not hold them hostage. Do not hold the unemployed hostage.

Mr. GINGRICH. We did not.

Mr. LEVIN of Michigan. Yes, you did.

Mr. GINGRICH. We offered; no; that is not true.

Mr. LEVIN of Michigan. The President, when he vetoes the unemployment bill——

Mr. GINGRICH. That is not true.

Mr. LEVIN of Michigan [continuing]. He holds them hostage.

Mr. GINGRICH. Wait a second.

Mr. LEVIN of Michigan. To your notions of an economic growth greater.

Mr. GINGRICH. Wait a minute; I say to my friend that this is a very important point. It is exactly why we ought to have a dialog like this. I really appreciate the spirit of this kind of exchange.

Let me just say to my friend, first of all, we offered the economic growth package, the Gramm-Gingrich bill, as an amendment to your unemployment bill, and I said at the time I would urge the President to sign your bill.

Mr. BONIOR. Does the President support your package?

Mr. GINGRICH. The President supported the package, yes, sir.

Mr. BONIOR. He supports the Gramm-Gingrich package?

Mr. GINGRICH. Yes. And the White House indicated that they will sign it in the context, and let me answer the question. It is a very fair question, and the While House said unequivocally in a policy luncheon in the Senate that in the context of your unemployment bill, they would support the package in its current form, and it would lead them to sign the bill. It was offered on the floor of the Senate. It got 39 votes the first time. Several Democrats said that for procedural reasons they would not support it then, but they do intend to support it in the future.

Mr. BONIOR. Mr. Fitzwater did not say that.

Mr. GINGRICH. Several Senators said it in the Senate.

Mr. BONIOR. But the White House did not say that.

Mr. GINGRICH. I can quote Darman, and Darman said in the policy luncheon that the White House supports the Gramm-Gingrich package in the context of the unemployment debate.

Mr. BONIOR. But Mr. Fitzwater speaks for the President. Darman does not speak for the President.

Mr. GINGRICH. Darman is the Director of the Budget.

Mr. BONIOR. I know he is, but when he speaks to the press and answers a specific question on the Gramm-Gingrich proposal, they did not support it.

Mr. WALKER. If the gentleman will yield to me, the President told me directly to my face that we would sign the Gramm-Gingrich package; under those circumstances, the President told me directly that.

Mr. BONIOR. Why does he not tell the American people that?

Mr. GINGRICH. Wait. Let me say that the chief of staff, and I will come back to you in a second, the chief of staff, Governor Sununu, has also said, and I believe it was on the Brinkley show 2 weeks ago, that they support the Gramm-Gingrich package. They are committed in this general direction. Let me make this step further, and this is a very important procedural point, because clearly you and many of your colleagues misunderstood our position.

Mr. LEVIN of Michigan. No, we understood.

Mr. GINGRICH. We took two positions. One was that we wanted to add, not substitute, but add the Economic Growth Act, because, frankly, in a conversation in the Committee on Rules, I was convinced it was a more appropriate thing to add it rather than to substitute it, and so we were prepared to send your bill down with an economic growth attached, but there is a second point: The offer to sign 10 weeks of extended unemployment into law, the Dole-Michel bill, is a freestanding offer. This does not tie the unemployment for 2½ million people to anything. It says simply that the bill has to meet the budget agreement, and it has to be paid for, so on that front, it is not at all accurate to charge the administration or the Republicans with any effort to minimize getting checks to 2½ to 3 million people.

Let me complete with the gentleman from Michigan.

Mr. LEVIN of Michigan. Look, this has been a very useful discussion. You have now reiterated that you are willing to go along with the Democratic majority bill, and by the way, now I have the list of 55 Republicans, and at some point I am going to read it and find out which Members beginning with Bentley and ending with Zimmer, so it does not go quite A to Z, it is B to Z, are part of the leftwing clique, but before we get to that, so you are saying that, yes, you would go for the Democratic package on unemployment compensation extension if it is tied to something else.

Mr. GINGRICH. If, in fact, it is tied to creating 1,100,000 new jobs and selling 220,000 additional homes a year so that when unemployment runs out again, which it will, people have jobs to go to. That struck me, by the way, as a very balanced position to say that we will not only extend unemployment but we will create 1,100,000 new jobs.

Mr. LEVIN of Michigan. I think we need a growth package, and we are willing to meet you head-on in terms of what is the best economic growth package, but what you have acknowledged here today, tonight, for everybody to hear, is that you are holding hostage——

Mr. GINGRICH. I did not say that.

Mr. LEVIN of Michigan. Let me just finish. Approval of an unemployment comp bill to your notion of an economic growth package.

Mr. GINGRICH. No. let me just explain.

Mr. LEVIN of Michigan. This is just what you said. you said you will go along with our unemployment comp package if we will go along with your economic growth package.

Mr. GINGRICH. Let me suggest to you that I offered you two ways of helping unemployed Americans, two ways. I offered to accept your dramatically more expensive bill which is not paid for in return for sound economic policies which would create jobs. That is one option. Or, I said, if you find it too hard to vote for free enterprise, and you find it too hard to vote for entrepreneurship and you do not want to create new jobs, then let us go over here and let us accept the Dole-Michel package, and we are then prepared tomorrow morning to schedule first thing passing a Dole-Michel unemployment bill that will send 10 weeks of checks to 2½ million people, and during that, or to 3 million people, and during that 10 weeks, you can then run commercials and fight over the rest of your bill, but at least during that period, you would have 2½ to 3 million families getting Government checks.

The gentleman from North Dakota has been very patient, and I yield to him.

Mr. DORGAN of North Dakota. This has been most interesting. I think I understood the point that has been made between you and the gentleman from Michigan.

But as nimble as you are, I say to the gentleman from Georgia [Mr. GINGRICH], you at least owe us and the American people the sight of you pulling yourself up and dusting off your suit when you stumble over a couple of facts. You do not do that for us.

Let me just give a couple of examples. The gentleman has just told us, and we have known for a long while, the centerpiece of your economic growth package is capital gains. You want a capital gains cut. That is what drives America.

Mr. GINGRICH. The gentleman characterized it as the centerpiece. I also listed about seven other very important items.

Mr. DORGAN of North Dakota. You and I both know that is the engine, and you say that, you know, in fact, you said it when you and I were on the floor previously about a month ago, you say that if we do a capital gains tax cut, it does not cost money. The Federal Government ends up getting more money.

I told the gentleman the last time that we were on the floor that there is a Treasury Department study in 1985 by the Reagan Treasury Department, not Millard Fillmore, not Jimmy Carter, but Ronald Reagan's Treasury Department analyzed the 1978 capital gains tax cut and said it was a loser, a loser.

Now, the second point, you say——

Mr. GINGRICH. Just for 1 second, I just want to stipulate for the record, as they say in lawyer talk, and I am not a lawyer, but I watch TV shows, that, in fact, a later Treasury study repudiated and withdrew that study. We are getting the documents now.

Mr. DORGAN of North Dakota. No; no.

Mr. GINGRICH. I put this in the RECORD the last time we discussed this.

Mr. DORGAN of North Dakota. No. You put it in the RECORD the last time, and the last time you did this, I remarked how convenient it was to have a Treasury Department that is that compliant. What the Treasury Department did for you later was put out a bulletin, not a study, a bulletin in which someone down there had a premonition or a dream of sorts that said, you know, that big study we did in 1985, in fact, they have done two studies, one was 1985 and the 1978 capital gains tax cut and said it was a loser, and another study on the 1981 capital gains tax cut that said that was a loser. Both were Republican studies. Now, somebody had a premonition that they were going to need a bulletin, so they put out a little thin bulletin that allowed somebody else to stand up later and say that this new Treasury Department says that the capital gains tax cut was a winner.

I would like to find a Treasury Department like that to work for us, but, of course, it is not available at the moment.

Mr. BARTON of Texas. It is called winning a Presidential election.

Mr. DORGAN of North Dakota. Let me just make one other point, I say to the gentleman from Georgia [Mr. GINGRICH], you are describing, and have been all evening and have been in the past, the Dole alternative as if it were comparable to the bill we are talking about here that the Democrats are attempting to get passed to extend the helping hand to those families that have lost their jobs, and I think you know that they are not comparable.

In fact, the evidence that we have suggests that they are radically different in the number of families they would affect. They are radically different in the States that would be triggered. In fact, some of the highest unemployment States would not get benefits under that bill. And so what we are talking about here are apples and oranges.

We have proposed, and will continue to propose, that at a time when this country can seem to give everything to everybody all around the world and we are interested in a new world order, that it is time for us to pay just a little bit of attention to those poor folks here at home that have hit a recession, lost their jobs and are about out of hope.

□ 2300

The only hope some of those families might get is that enough of us care to stand up and say there is money in the trust fund. The tax has been paid. It has been collected. It is there, and we want to use it to extend help to these folks who need it.

Mr. GINGRICH. I have to ask my good friend something. I voted against the budget deal. I thought it was, frankly, not a very good deal, and I thought it did not make any sense. I thought the Democrats would raise taxes and start cheating immediately and I said so at the time.

Is it not true that the budget agreement in effect the Democrat leadership set aside the trust fund money as it currently is counted and said we will not try to use precisely the argument you are now using.

Is it not a fact that your bill explicitly violates the budget agreement which all of you promised to keep in return for raising taxes.

Is it not a fact that by any reasonable standard even you admit the way you wrote the bill that your unemployment bill breaks the budget deal and spends money which you had promised would not be spent without the President's approval?

Mr. DORGAN of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from North Dakota.

Mr. DORGAN of North Dakota. It is interesting, Mr. Speaker, because this continues a pattern, and certainly consistency is a virtue of the gentleman.

The pattern is that everything that is right the Republicans must claim and get credit for. Everything that is wrong somehow becomes a Democratic logo.

Mr. GINGRICH. There are a number of Republicans who are with you on the budget deal.

Mr. DORGAN of North Dakota. Well, I did not vote for the budget deal last year, either, because I thought it was goofy; but the gentleman is suggesting that the budget deal last year, the summit, was a Democratic summit.

Does the gentleman think the White House was not at the summit?

Mr. GINGRICH. No, no. I told the White House—listen, I agree with the gentleman. I told the White House at the time and I said on the floor of the House in public at the time that what will happen is that we will get the tax increases the Democrats want and they will then promptly start breaking the deal.

All I am saying is that you—not the gentleman personally, but the Democratic Party, the leadership of the Democrats in Congress, promised at the time that they would not spend the money.

Now, I am just handed a note, I guess this is from Today's Congress Daily, the National Journalists Congress Daily:

SASSER calls for scrapping Budget Agreement.

Then it goes on to quote the Democrat Senate budget chairman.

My only point is this. If you guys want to repeal the tax increases from last year, I am willing to repeal the budget.

Mr. DORGAN of North Dakota. Let me just make this final point, I say to the gentleman from Georgia [Mr. GINGRICH], because it is important. The gentleman is suggesting that we know what we are doing is violative of the budget agreement.

Mr. GINGRICH. Yes.

Mr. DORGAN of North Dakota. The gentleman understands and I understand and most of the people involved in this debate understand that when you declare an emergency, you do not violate the budget agreement.

The gentleman was willing and others were willing to declare it for Turkey, but apparently not for people in this country who need help.

We said this is an emergency. A recession in this country is as much an emergency for people out of work as getting money to Turkey, and the gentleman is suggesting that the President says they are not equivalent. We want to give money to Turkey, but the hell with the folks in this country.

Mr. GINGRICH. Mr. Speaker, let me yield to my friend, the gentleman from Texas in a second, and we will keep going on.

Let me say, we said two things here. We said, first of all, we believe helping the unemployed is serious enough that we are actually willing to pay for it.

Now, we realize actually paying for it is not a Democratic Party tradition, but we were willing to actually find the money to pay for helping the unemployed.

Mr. DORGAN of North Dakota. But the point is that it is not as serious as the need to get money to Turkey; is that not correct?

Mr. GINGRICH. It is serious enough for us to go out and actually find the money.

Mr. DORGAN of North Dakota. Not as serious as it was to get the money to Turkey.

Mr. GINGRICH. In the second place, look, I am prepared——

Mr. DORGAN of North Dakota. I think we need to change our name to Turkey in this country.

Mr. GINGRICH. I am making you a second terrific offer tonight. I have offered first to bring up and pass tomorrow morning 10 weeks of help for the unemployed, now, immediately.

I will make you a second offer. I will agree that we can go ahead, in fact, I would support your budget deal. I will support your unemployment bill if we can include one paragraph in that unemployment bill which repeals the tax increases which were passed last year on the promise, the promise that the Democrats would actually stick on the spending side.

Now, if you are prepared to repeal the taxes, I am very prepared to say let us drop the budget deal and we will go on to something new.

But what you want is to have it both ways. You want to keep the American people's money—and by the way, I did not regard a 5- or 10-cent-a-gallon gas tax increase as a tax on the rich. I do

not think raising the gasoline tax, which your party tried to do again this summer, is taxing the rich. I think that is taxing working Americans.

But if you are willing to reduce and eliminate the tax increases from last year, I am willing to talk to you about this particular bill. We could get something worked out this evening.

Mr. LEVIN of Michigan. Did the gentleman from Georgia [Mr. GINGRICH] vote to leave the budget agreement?

Mr. GINGRICH. I would have to go back and look. I do not think I have, not the budget deal. I do not believe I voted to waive the budget agreement.

Mr. LEVIN of Michigan. In any case——

Mr. GINGRICH. I want to distinguish now between rules and the Budget Act, which is a technical thing referring to the 1974 Budget Act, and the budget deal last year. I have actually tried to control spending.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding to me.

I want to get back to the debate that preceded the time of the gentleman from Georgia [Mr. GINGRICH] on the floor and particularly those people who got up and read letters from unemployed people in their districts, talking about their problems and their plight, in the hope they would be receiving unemployment checks shortly, but also their hope that they would have jobs. I think that shows the distinction between the Democrat approach here and the Republican approach and what the gentleman from Georgia [Mr. GINGRICH] has talked about.

We want to give people checks. We have a Dole-Michel bill that will do that if the Democrats will swallow their pride and live up to the agreement and follow the pay-as-you-go; but the other thing we want to give them along with their checks is hope and to have a job you have to have an employer.

Now, the counterpart to those people who want to be employed and want to have jobs and hope that along with getting a check in the future they will have new employment opportunities, are employers. There have got to be people out there in America who will be motivated and we think they will be motivated by a capital gains cut to create jobs, to take risks, to expand their factories, to buy more capital equipment to put the people on the payroll.

Now, I talked to one of those people today. He is a guy who was a captain in the Army about 5 years ago. He joined a little medical company. There were 7 employees. He now has 1,200 employees. He is employing 400 people in San Diego. Those people have paychecks.

I ask him today, "What do you think, Republicans and Democrats aside"—he is a guy who does not describe himself as a fierce partisan—"what should we do? What could we do that would motivate you to expand?"

He said, "Capital gains cuts." He said, "If we have a capital gains bill, I think it is going to be good for the job situation in the country."

I guess I would ask my friends on the Democrat side of the aisle, why is it that you cling to this mentality that somehow if you burn down the factory it is going to help the workers, because you do away with "those rich people", those bad people, those people at the top end of the economic scale who somehow always seem to make it to your fundraisers and very seldom over to the Republican fundraisers, the same people who give the Jane Fonda barbecues $1 million take in one night.

So I would like to ask a Democrat to stand up and respond to this reluctance and this reticence to really embrace any growth package that includes capital gains.

I say that for this reason. We all see the same polls and the polls tell us flatly that if the economy is good, Democrat prospects for the next year are terrible. The only hope for your candidates in the Presidential election is no hope. A bad unemployment picture is good for the Democrat Party, and it makes it very difficult for me to feel that you really are working in good faith for a growth package, that you really want to see a package out there that is going to raise George Bush's approval rating to 70 percent in February when your candidates are starting to gear up.

Now, you could lay all those suspicions to rest by embracing a growth package. Why do you not do it?

Mr. LEVIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Michigan.

Mr. LEVIN of Michigan. Mr. Speaker, there is disagreement whether a capital gains cut as proposed by the President would generate economic growth. The Treasury study under the Reagan administration said it would not. Go and read it. The Treasury study under the Reagan administration said that it would not promote economic growth.

Mr. HUNTER. Is the gentleman saying no capital gains cut until the end of the world would promote economic growth, or until 1995?

Mr. LEVIN of Michigan. That was the Treasury study. We are willing to come here and talk about an economic growth package. Do not use economic growth to prevent the unemployed who are looking for work from receiving the benefits they worked for. Why do you mix the two?

Mr. HUNTER. The reason I mix the two, and I will be happy to ask the gentleman to yield to me to answer that question, the reason I mix the two is simply this. Every letter that was read today of people who want to get a check because they have been unemployed for awhile and they are feeling the pinch and they need that money, every letter included also a statement to the effect that they want to have a job in the future.

I say to my friend, to have a job requires an employer. When I ask employers what it would take to get them, like the gentleman who I talked to today, Ray Larkin, who is the CEO of Milcor in Chula Vista, CA, when I asked him what it would take to get the country moving, to get him and other CEO's to expand, to take risks, to create those jobs that will help those people who write letters saying they want not just a check, they do not want just a check from Democrats, they want a hope. That is the reason more of them have been voting Republican lately.

So the answer to the gentleman is, there are two things they are asking for. They are asking for a check, yes; but they are also asking for an opportunity in the future to have a job. The people that I talked to, and I think the people the gentleman talks to also in the business community who are asked what would have the most salutary effect on the economy and what would create the most jobs for those people whose letters you have read, their answer is a capital gains cut.

□ 2310

Mr. GINGRICH. Let me yield, Mr. Speaker, to the gentleman from North Carolina.

Mr. BALLENGER. I thank the gentleman for yielding.

If I may, I do not know whether I am the only nonlawyer in discussing this whole thing here. But I would like to know how many people in this room have ever actually created a job before. I actually started a business as an entrepreneur, hocked my house, borrowed the money, bought the equipment. We have 200 people working for us.

Now, if we have 435 people in this Congress producing 200 jobs, that is 87,000 jobs. I do not want to put lawyers down, but how many of them have ever had to make a profit, how many of them have ever met a payroll? That is what runs this place. I am not knocking all lawyers. There have to be some good ones somewhere.

Mr. GINGRICH. I yield to the gentleman from South Carolina.

Mr. DERRICK. I thank the gentleman for yielding.

Mr. Speaker, I am a lawyer, I started a business when I was 21 years old that is now a $1 million business and employs a lot of people. I think all of the gentlemen on that side of the aisle are wrong. You want to know why we do not want your growth package? It is because we tried them and they do not work. Over the 1980's, we became the largest debtor Nation in the world.

Today we have the largest debt we have ever had in history.

After listening to your growth policy for 10 years, that is.

Mr. BALLENGER. That is not because of what happened here. This Congress right here spent more money than we had as income, which almost anybody in the United States would agree was wrong.

Now, unemployment insurance is important, but job creation is more important. If you really want to do something about jobs, a couple of us here have been pushing something called investment tax credit. If you had a business, you would know today that if you wanted to create jobs tomorrow, investment tax credit is it. I have a lot business people right now who would like to do that.

Mr. DERRICK. I did it, I did it under a Democratic administration.

Mr. BALLENGER. Did they have the investment tax credit? What I am saying is that it creates the opportunity. Business people are there right now worried about what this economy is going to do and what this stupid Congress is going to do to destroy the economy, what little bit of economy we have left. If you put an investment tax credit in there right now, there are business people who would like to invest. They are not going to gamble on the economy the way it is, but they would be willing to invest the money to create some new jobs tomorrow. I think I have a friend here who would agree with that.

Mr. GINGRICH. I yield to the gentleman from New Hampshire.

Mr. ZELIFF. I thank the gentleman for yielding.

Mr. Speaker, I could not agree more. Like our friend across the way, I have three small businesses, and we employ 53 people. I can remember the days when the investment tax credit—I have to believe that if you have an incentive to invest in the future, and that is what is wrong right now: we have no incentive to invest in the future; we may have lower interest rates, but it is not going to provide any incentive.

I am not finished, please just let me finish because whatever you did, you did not do right, I say to the gentleman from South Carolina.

Mr. DERRICK. But what you did did not work, it did not work.

The SPEAKER pro tempore (Mr. TORRES). The Chair would insist on the regular order.

Mr. ZELIFF. If I may just finish, the key thing is, if you invest in the future and you have the right plan, you will hire more people and people who are employed pay taxes. As you have the right plan and you employ more people, you have to be a little bit more successful than you were before. You will pay more in taxes. Ultimately, it becomes a pump primer.

I have to agree with my friend that investment tax credit is the quickest way to create jobs that we can possibly think of. The last thing I would like to say, after 55 town meetings, people are disgusted with us in Congress here. It is about time that we not only pass an extension of unemployment on a temporary basis, properly funded, but get on with the progrowth agenda; it is about time we do the responsible thing to get this country moving, to create jobs. It is about time we stopped running our mouth off on both sides of the aisle. I think the Republicans now have the right idea, and you guys ought to listen to it.

Mr. GINGRICH. I yield to the gentleman from North Carolina.

Mr. BALLENGER. I have one more shot at it. Ever since I came to this beautiful place, all we have talked about what it is we need to make American business more competitive. We have to compete with the Japanese, we have to compete with the Koreans. And yet, every day, this body right here restricts business in every way they can think of. They have more costs, they make us more inefficient. There is no way that we can continue to be competitive in the world market with Congress acting the way that it does.

Mr. GINGRICH. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, may I ask what is the capital gains rate in Japan? Japan was offered up as a model of economic growth a few speakers ago on the Democratic side.

Mr. BALLENGER. That is one of the sweetest little deals you ever heard of. Compared to ours, it is nothing, zero to 5 percent.

Mr. GINGRICH. One or five percent, depending on whether it is net or gross.

Mr. BALLENGER. The truth of the matter is this entrepreneur we have been talking about is going to take the money that would be provided by the investment tax credit and put it into his business. Obviously, he is not going to do it if there is not some way somewhere along the line that he can get back some of that money that is necessary. And the capital gains is one thing that stands in his way from investing in a new business. He cannot take—I have a whole bunch of money tied up on brick, mortar, and machinery. There is no way I can invest in anything else, because of our capital gains tax the way it is. This is the dumbest organization I have ever seen as far as the economy is concerned. We have a bunch of lawyers writing laws for an economy they know nothing about. They have never worked, they have never hired, never fired. That is one of the most disgusting things I think we ought to tell the Amercian people. Being completely unbiased, I turn back.

Mr. GINGRICH. I yield to the gentleman from New Hampshire.

Mr. ZELIFF. Mr. Speaker, I would like to just add one other thing. You know, we worry so much about people doing well, making sure we tax the rich. How about the luxury tax credit, the luxury tax that we put in? What we have done with that is we have actually destroyed the boat industry, we have destroyed the luxury car market. Why can we not be smart enough to come back to figure out what makes this country tick? Again, the investment tax credit, incentives to create progrowth, that is the bottom line. I do not know why we go after the wrong end of the spectrum. Why can we not realize what makes this economy grow is growth?

Mr. GINGRICH. I yield to the gentleman from South Carolina.

Mr. DERRICK. You know, the luxury automobile business is not down the drain today and the luxury boat industry is not down the drain today because of the luxury tax; it is because of the Republican-created recession that no one can afford it.

Mr. DELAY. Come on.

Mr. DERRICK. I had a call from one of the automobile manufacturers who started giving me that line. I said, "What about the recession?" After we discussed it a while, he finally admitted that most of the reason they were not selling cars was because of the recession.

Mr. GINGRICH. Let me just say to my friend from South Carolina: There is no greater outrage on this floor than Members of the Democratic majority who have consistently refused to bring to the floor the President's proposals, who then turn and blame the President for a recession which occurred, in large part, because they refused to pass what he has been asking for for 3 years now.

Now, it would be one thing if you had the decency to pass the President's proposals. Then you could sit back and say that, "We cooperated but you failed."

Mr. DERRICK. We passed those proposals back in the 1980's. What did we get for it? We got——

Mr. DELAY. Twenty-one million jobs.

Mr. DERRICK. What did we get for it? The largest deficit in the history of our Nation. What did we get? The average working man in this country is making less today than he was in 1981.

Mr. GINGRICH. Let me answer the question.

Mr. DELAY. Wrong, wrong.

Mr. WALKER. Wrong.

The SPEAKER pro tempore. Regular order. The gentleman from Georgia has the time.

Mr. GINGRICH. Reclaiming my time—we will have plenty of time.

Mr. DERRICK. We have tried all that, we have tried all that.

Mr. GINGRICH. Let me reclaim my time.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. GINGRICH] at this time controls the time. I would ask my colleagues to stick to the regular order.

Mr. GINGRICH. Reclaiming my time.

Mr. DERRICK. We tried all that.

Mr. Speaker, I will give him some of my time. I beg the Chair's indulgence.

Mr. GINGRICH. I can appreciate how, if you are a member of the Committee on Rules for the Democrats and you have been consistently strangling efforts to bring the President's program to the floor, that one would get excited and try to use words—is it not an old lawyer's rule that if you do not have the facts and you do not have the case, the best you can do is find something to yell about?

All I am suggesting to you is—all I am suggesting is, in the first place, in the 1980's, we created 21 million jobs. I suggest that most of the people who wanted an unemployment check would like a job even more.

Second, that we do have a technique for creating jobs. If you want to pass the President's program, then it makes perfect sense to blame the President. But I think for the Democrats to try—let me just finish.

Mr. DERRICK. Just one moment.

Mr. GINGRICH. No. You have not passed.

Mr. DERRICK. Would the gentleman yield for just a moment?

Mr. GINGRICH. Just a second. The Democrats have not passed any of President Bush's requests for economic growth packages. They did pass, with the help of the Republicans and the Democratic coalition, they did pass in the early 1980's a series of tax cuts that did lead to a 7-year period of growth, which is, I believe, the longest peacetime period of economic expansion in our national history. It did create 21 million new jobs.

The Government's revenue virtually doubled, and Congress managed to spend at a rate faster than the doubling of the revenue.

But I would argue that, in the Bush administration, there is an extraordinary level of chutzpah on the part of Democrats in jumping up and saying that the President—that this is the President's recession. If you are not going to pass his economic growth package, you can hardly say it is his recession.

Mr. DERRICK. Does the gentleman blame it on Jimmy Carter? Who does he blame it on?

Mr. GINGRICH. The current recession?

Mr. DERRICK. No, no. I am talking about this recession. You blamed Jimmy Carter for everything else.

Mr. GINGRICH. No, as the Wall Street Journal has said, I blame this recession directly on the Senate majority leader, Mr. MITCHELL's rejection of the capital gains tax.

Mr. DERRICK. We blame it on Herbert Hoover.

Mr. GINGRICH. Let me yield to my friend, the gentleman from Kansas.

Mr. NICHOLS. I thank the gentleman for yielding.

Mr. Speaker, we were talking about the luxury tax, and since we were, let me quote from a recent letter I got from the National Federation of Independent Businesses. They represent 500,000 members. I take it they are authoritative. They say that they support the repeal of all luxury taxes imposed by the Revenue Reconciliation Act of 1990. These taxes were expected to generate significant revenue for the Federal Government. Yet it is very likely that Treasury will end up losing millions of dollars on these taxes because of the cost of collecting the tax. The loss of jobs and the loss of income tax revenue far outweigh the amount of revenue collected by the tax.

Mr. Speaker, they also point out that luxury taxes have not taxed wealthy consumers. Instead they have cost working Americans their jobs. We are talking about employment, we are talking about jobs today. They say approximately 16,000 jobs are expected to be lost in the marine industry. That is only one industry, and over 7,000 employees have been laid off by automobile dealers in the first two quarters of the year. Their conclusion: the luxury tax should be repealed.

So, Mr. Speaker, there would be one significant step we could take toward getting America back to work again.

Mr. GINGRICH. Mr. Speaker, I am about to run out of time, and let me just close with a book that I would recommend to all of my friends on the left. It is by Hernando DeSoto who is a Peruvian. It is called, "The Other Path—The Invisible Revolution in the Third World." It has an introduction by Mario Vargas Josa, the poet laureate of Peru. It is a fascinating study of economic growth in Peru and what kills it, and Mario Vargas Josa in the foreword says the following, and I quote:

> It is essential that the state remember that before it can redistribute the nation's wealth, the nation must produce wealth, and that in order to produce wealth it is necessary that the state's actions not obstruct the actions of its citizens who, after all, know better than anybody else what they want and what they have to do. The state must restore to its citizens the right to take on productive tasks, a right that has been usurping and obstructing. The state must limit itself to functioning in those necessary areas in which private industry cannot function. This does not mean that the state will wither away and die.

He goes on to talk about what has happened in Peru, and let me just suggest to my colleagues that the core of that quote applies to America.

I want to close by making two points I began this hour with. First, we on the Republican side are prepared tomorrow morning to vote for the Dole-Michel unemployment bill which will be signed by the President. If my colleagues could help get their Democratic friends in the Senate to agree, we could have it to the White House tomorrow night, we could have checks going out next Monday to 2½ to 3 million families, and during the 10 weeks that the bill is paid for, which sends those checks out, we can argue over whatever addition they would like to do. But those 2½ to 3 million families would be getting a check. They would not be trapped by politicians.

Second, we believe it is even more important in the long run for America's health to get out of the recession, to create jobs, to encourage job creators to encourage investment, and we would urge our colleagues to make in order to bring to the floor an economic growth package that would truly create jobs to give the Members a chance to stand up and be counted and to agree that we did not go home this fall until we passed, and the President signed into law, an economic package to help the recession.

Now those two principles, unemployment and jobs, are bound together. To talk only of unemployment is to further re-create the welfare state and to mire our citizens down in the kind of permanent unemployment that scars inner cities and scars West Virginia and cripples so many families. We have got to talk about jobs as well as unemployment, and on our side we stand prepared tonight to make an agreement—I think I can speak for the gentleman from Illinois [Mr. MICHEL]—that we would bring up the Dole-Michel bill tomorrow, if the Democratic leadership will let us.

PROBLEMS OF THE UNEMPLOYED IN AMERICA

The SPEAKER pro tempore (Mr. TORRES). Under a previous order of the House, the gentleman from Wisconsin [Mr. OBEY] is recognized for 60 minutes.

Mr. OBEY. Mr. Speaker, I do not intend to take the entire 60 minutes, but I stuck around because a couple of my friends on the Republican side of the aisle have some questions about the charts that I used earlier.

Before I get into that, I would like to yield to the gentleman from South Carolina [Mr. DERRICK].

Mr. DERRICK. Mr. Speaker, let me just take this opportunity to say that I have listened to this debate, listened to the Members on the other side of the aisle for the last hour or so talk about growth packages. Well, they know the reason we are not interested in their so-called growth packages is because we have seen what they can do to this great country of ours. We voted one of their great growth packages back in 1981; Gramm-Latta I think it was, and then of course we voted for the 1986 tax bill. Well, what that has given us, if they are going to blame the 1981–82 recession on Jimmy Carter, let us be fair about it and blame the 1991 recession on Ronald Reagan. As my colleagues know, they cannot go on forever blam-

ing Jimmy Carter for everything, and that is exactly what they did during——

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. DERRICK. Mr. Speaker, I will not yield any time right now.

Mr. DELAY. Of course not.

Mr. OBEY. He does not have the time.

Mr. DERRICK. What the 10 years of the Republican administration has done, when in 1980, the last year that Jimmy Carter was in office, the deficit in this country was about $60 billion. It got up by the mid-1980's under a Republican administration to over $200 billion, and it is up under their present Republican administration for over $300 billion.

What it did: in 1980 we had a debt of about $1 trillion. It took us 200 years to get there. Under the Republican policies of the 1980's our debt tripled. In other words, in 10 years under Republican policies it tripled what it had taken us 200 years——

Mr. DELAY. Mr. Speaker, would the gentleman yield?

Mr. DERRICK. May I continue, please?

And in 1980 we were the greatest creditor nation.

Mr. DELAY. Mr. Speaker, would the gentleman yield? The gentleman interrupted——

Mr. DERRICK. We were the biggest creditor nation in the world—Mr. Speaker, I sat by patiently a few minutes ago and listened to all their—in 1980 we were the greatest——

Mr. DELAY. Mr. Speaker——

Mr. OBEY. Mr. Speaker, I would ask for regular order, please.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] controls the time. The gentleman will yield the time accordingly.

Mr. DERRICK. Mr. Speaker, in 1980 we were the greatest creditor nation in the world. In 1991 we are the greatest debtor nation in the world. And, if my colleagues will go back, and they talk about all these jobs that were created during the 1980's, to a large degree those jobs were two members of the family that started working. More spouses, particularly women, went to work during the 1980's in the history of our country, and that is where a lot of those jobs were, because today the average working man in this country is making about $1.20 an hour in real purchasing power less than they were making at the beginning of the Republican administration in 1980.

So, the gentleman asks us why we are not enthusiastic about their so-called growth plans. That is why.

Mr. DELAY. Mr. Speaker, would the gentleman yield now?

Mr. OBEY. Mr. Speaker, what I would prefer to do is——

Mr. DELAY. Are we going to have a dialog here?

Mr. OBEY. Well, would the gentleman let me finish? I was going to say that what I prefer to do is get into the discussion which the gentleman wanted to have concerning the charts that I had here. I stuck around an extra hour so that I could accommodate the gentleman who seemed to misunderstand my charts.

Mr. DELAY. Would the gentleman yield then?

Mr. OBEY. So, that is what I would like to do now, if the gentleman from Texas [Mr. DELAY] would like to raise the questions he had about them.

Mr. DELAY. Would the gentleman yield?

Mr. OBEY. Mr. Speaker, I would yield for the purpose that the gentleman asked me to yield for before, which is to discuss these charts. Then, if he wants to get back to anything that was said, I would be happy to do it. But first, since he asked me to stick around for an hour, I am trying to accommodate him. If he does not want to ask the questions, he does not have to ask them, but this is the chance to challenge these charts. Be my guest.

□ 2330

Mr. DELAY. I appreciate the Chairman sticking around for an hour. I also appreciate that we had, I thought, a system set up when our minority whip had the time, but now the rules have changed since you have the time. You get to set the rules——

Mr. OBEY. I have just yielded to you, have I not?

Mr. DELAY. Not for the purpose I wanted to be yielded to.

Mr. OBEY. We will get to that. You raised the first question an hour ago. You can debate him after I am gone. Right now, if you want to debate me, please go ahead.

Mr. DELAY. I understand. The Democrats have one set of rules and we have another.

Mr. OBEY. Will the gentleman please get to it or yield to someone else. Get to it or yield to somebody else.

What is your objection to these charts? These charts show that you have laid down on the job and have not done one blessed thing to help the persons who need help on long-term unemployment.

Now, lay out for me what your objection is to the charts.

Mr. DELAY. Well, first off, let me point out to the gentleman, and I do appreciate him yielding, that you claim——

Mr. OBEY. It was hard for me to tell that.

Mr. DELAY. I am sorry. Did I interrupt the gentleman?

Mr. OBEY. Go ahead. Go ahead.

Mr. DELAY. This is not the chart that I wanted to discuss. I wanted to discuss the chart that you have which I think is called economic growth during the first 3 years of the Bush administration.

Mr. OBEY. That one, all right. Go ahead.

Mr. DELAY. First, there seems to be some sort of selective numbers here. You show that the Johnson administration had a growth of 17 percent, the Carter administration had a growth of 11.7 percent, and you very selectively take the first 3 years of each administration——

Mr. OBEY. No, no.

Mr. DELAY. The chart says 3 years.

Mr. OBEY. Well, the gentleman used this very selectively. Let me show what this chart does show.

President Bush has been in office roughly 2 years, right? And we are in the third year. I cannot project any longer than 3 years, because he has not been President for longer than 3 years.

What we did here was to show, if you take not only—if you give the President the benefit of the doubt, so you take the growth that he has actually experienced or the economy has experienced so far in his Presidency, and then if you add to that the administration's own projections for growth for the next year—and we do not know what they are going to be for the following year, so we cannot talk about 4 years.

Mr. DELAY. The gentleman is answering a question I have not asked.

Mr. OBEY. The gentleman said we are using selective years.

Mr. DELAY. You did not let me finish my question, but go ahead and answer the question I did not ask.

Mr. OBEY. You said we are being selective. We are not being selective. Every President, including George Bush, serves 2 years. Bush is in the middle of his third year. This compares what the economic growth has been in the first 3 years of every administration going back to Eisenhower.

Now, what is your question?

Mr. DELAY. Will the gentleman yield? Can I finish my question? Then maybe you can answer it.

Mr. OBEY. Go ahead.

Mr. DELAY. Or you could answer my statement. I said that you are selectively taking 3 years and applying easy numbers, because you take the Carter years——

Mr. OBEY. Would you answer me a question?

Mr. DELAY. Since the gentleman is not going to let me talk, the gentleman may have the time. I will receive the time later and analyze his chart on my time.

Mr. OBEY. Well, the gentleman keeps suggesting that we have selectively picked years. The fact is that we are comparing George Bush's 3 years with the first 3 years of every other President going back to Eisenhower.

Mr. DELAY. Will the gentleman yield?

Mr. WALKER. Let me ask the gentleman about the other chart he has there.

Mr. OBEY. I wish you would.

Mr. WALKER. The numbers on the side there are different numbers. The numbers that you use on your chart in some cases show either 50,000 or 500,000—it is hard to read them well from there. Then on the Bush recession all of a sudden it drops down to 35,000.

Mr. OBEY. What does that matter? We are talking about percentages, not numbers here.

Mr. WALKER. But that means that you are using different basis figures for each chart.

Mr. OBEY. No.

Mr. WALKER. The numbers on the side are different. They are not the same numbers.

Mr. OBEY. Let me explain to the gentleman what these charts demonstrate. These charts are trying to show what the comparative treatment has been under the four administrations which have experienced recession, and what they are trying to compare is the number of persons who received extended unemployment benefits as a percentage of all of the persons at that same period of time who had experienced an exhaustion of their unemployment benefits.

What I said is that this demonstrates under Gerry Ford that 87 percent of the people who had exhausted their benefits received extended benefits over that period.

Mr. WALKER. The numbers you use on the side for your chart are different numbers.

Mr. OBEY. If the gentleman will let me finish, then I will take the gentleman's question.

What this shows is that under the Carter recession, that dropped to 60 percent of those covered. It shows that under Reagan, that because the President recognized that what was done to the country with Gramm-Latta in 1981 was wrong in terms of what it did to people on unemployment or unemployed people——

Mr. WALKER. The gentleman is editorializing.

Mr. OBEY. The President signed four extensions. He signed four exceptions to that Gramm-Latta limitation, which enabled 50 percent of those who exhausted there unemployment benefits to become eligible for extended benefits.

What this chart shows is that less than 5 percent of those who had exhausted their benefits here, in green, had been provided extended benefits.

So the gentleman can object to the size of the chart. This chart is blown up, and I think that is the gentleman's problem. This chart is blown up to equal the size of these, because under the Bush administration, those who have received extended benefits would be so tiny on the chart if we did not blow it up that you could not even see them. So we did it as a favor to the White House.

Mr. WALKER. If the gentleman will yield, I know the gentleman is looking to do the White House a great favor on this. This is the reason he made up the charts in the first place.

But the point is that if your numbers are different, then your charts make absolutely no sense, and they are, in fact, a disservice to the discussion, because you have, in fact, at that point compared apples and oranges and you do not have realistic figures.

So all I am saying to the gentleman is, I believe my point is correct. Your numbers on the side are different. They are different in each of your four charts. Your charts simply show what you want to show, and do not necessarily related to anything that can be regarded as facts.

Mr. OBEY. The gentleman is trying to suggest that these charts address a different point.

Mr. ROHRABACHER. Would the gentleman yield for questions?

Mr. OBEY. Not until I respond to the blather that I have just heard.

The gentleman is suggesting that somehow these charts are supposed to be talking about the numbers of unemployed. They have nothing whatsoever to do with numbers of unemployed. The point these charts make is very simple, simple enough for every Member of this House to understand. The charts demonstrate that under Gerry Ford, 87 percent of the persons who exhausted their unemployment benefits were provided extended benefits; that under Jimmy Carter, 60 percent; that under Reagan it dropped to 50 percent; and under Bush it dropped to 5 percent.

The question here is not the numbers. It is proportionality. What we are talking about is the percentage of persons who have exhausted their unemployment benefits, who are eligible under the existing law which the White House is defending for extended benefits.

Mr. ROHRABACHER. Would the gentleman yield for a question?

Mr. OBEY. The fact is, if you want to take a look at the numbers rather than the percentage, take a look at the numbers. In September, do you know how many Americans got extended benefits? Do you have any idea how many Americans got them in September?

Mr. ROHRABACHER. Would the gentleman yield for a question?

Mr. OBEY. I am asking the gentleman a question.

Does the gentleman know what the number is?

Mr. WALKER. The gentleman has the statistics in front of him. I assume he knows. I do not have any papers in front of me.

Mr. LEVIN of Michigan. Would the gentleman from Wisconsin yield?

Mr. OBEY. Surely.

Mr. LEVIN of Michigan. I know you are uncomfortable with these figures, and you are going to try to shake them. But people have exhausted their benefits by the hundreds of thousands, and this administration has done nothing. It did come forth with a dual proposal after the Democrats proposed something. Here the distinguished gentleman from Wisconsin—it is the Michigan experience. Under the present system, when it was 7, 8, 9 percent unemployment, no extended benefits. Zilch. Tens of thousands of people in Michigan were exhausting their benefits.

□ 2340

On the chart of the gentleman from Wisconsin [Mr. OBEY], that little pink area is the Bush administration. Then Michigan reaches 10 percent unemployment. Ten percent. Then we click onto the extended benefit system. Ten percent. Then Michigan drops below 10 to 9½ percent, and the State clicks out of the extended benefit program.

Mr. Speaker, that is an utter disgrace. That is why the chart says what it does. You can make all kinds of arguments and talk about this and talk about that, but the fact is that for the first time we have no benefit program for those who have exhausted their benefits who want to work, who cannot find work. And you are sitting around here talking about everything except the people who were laid off and have exhausted their benefits.

Mr. ROHRABACHER. Mr. Speaker, will the gentleman yield for a question about his charts?

Mr. LEVIN of Michigan. Answer the question about the State of Michigan.

The SPEAKER pro tempore (Mr. TORRES). The gentleman from Wisconsin controls the time.

Mr. ROHRABACHER. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I will be happy to yield to the gentleman from California.

Mr. ROHRABACHER. Go back to the chart you just covered up. I take it from what you just said, these charts have nothing to do, as you say, with unemployment?

Mr. OBEY. The point I am trying to make and the point which you are trying to obfuscate——

Mr. ROHRABACHER. No, I am not trying to obfuscate. I am asking you a question. You said these charts have nothing to do with unemployment. I do not think they have anything to do with unemployment. I agree with the statement you made.

I would just like to say, do those charts have anything to do with the unemployment rate in the Carter administration? Do they suggest that the unemployment rate in the Carter administration was lower or higher than in the Reagan administration?

Mr. OBEY. I will repeat for the benefit of the gentleman, and I know he does not want to understand what I am saying, but nonetheless I am going to hope that eventually he does. The fact is that what these charts simply dem-

onstrate is a very simple point, which is that under Presidents, going all the way back to FDR, we had a bipartisan consensus that when we had very large numbers of persons who had exhausted their unemployment benefits, that we would provide for extended benefits, because that indicated the country was in much more economic trouble than originally had been estimated, and it demonstrated that that bipartisan commitment was kept right on through Ronald Reagan, despite the fact that in 1981——

Mr. ROHRABACHER. Do not your charts——

Mr. OBEY. I have told you what the charts are for. If you want to have a chart on some other subject, go make your own chart. I am using a chart that makes my point. If you want to make your point, go to your own chart. This is the chart that I want to get to, however.

Mr. ROHRABACHER. The gentleman is conceding the charts have nothing to do with unemployment? The chart does not reflect that the unemployment rate under the Carter administration was so much higher than under the Reagan administration.

Mr. OBEY. Mr. Speaker, I will take back my time.

The SPEAKER pro tempore. Regular order. The gentleman from Wisconsin [Mr. OBEY] controls the time.

Mr. OBEY. Mr. Speaker, what I want to do is get to the points made by the gentleman from Georgia [Mr. GINGRICH] earlier, because what really counts is not just what we are going to do on unemployment, but what we are going to do on all kinds of economic policy across the board.

To do that, I want to get back to the point made by the gentleman from South Carolina. We have been told by the gentleman from Georgia and a number of others that, you know, it is terrible, the Republicans have had the White House for over 10 years, and they had the Senate for 6 of those years. They ran the Government, they hired the people, they fired them. They put out the statistics. They won 98 percent of every budget battle since George Bush has been elected President.

They beat the living bejabbers out of us in 1981 on both the budget bill and the tax bill. Somehow now they want to say, but, gee whiz, we didn't do it. Somebody else did it.

Well, I want to go back over the record. One of the advantages of serving here longer than 12 years is that you do have an institutional memory. I remember when I got run over by a freight train, because I offered one of the two principal alternatives to the administration's budget bill and the administration's tax bill in 1981, and I know what the votes were.

On May 7, 1981, the key economic decision for this decade was made on the Gramm-Latta budget. It passed 253 to 176. Republicans voted for it 190 to zip. Democrats opposed it 176 to 63.

Seven weeks later, they passed their tax package. What did it do? First of all, it was passed by Republicans 190 to 1. Democrats voted against it 194 to 48. It passed 238 to 195.

Upon passage of that bill, the Secretary of Treasury, Donald Regan, went on national television and said, "Our program is now in place."

What happened under that program? We went from a deficit of $69 billion to a deficit of well over $200 billion.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Not until I finish my point.

Mr. DELAY. I figured as much.

Mr. OBEY. I know it hurts to hear history repeated to you instead of figures, but I am going to repeat it to you tonight.

We did not quite know how the Republicans could think that you could double military spending, cut the guts out of the Tax Code for high-income people, and produce the Republican promises, which were added productivity, added savings, and a balanced budget within 4 years.

Then we found out, because David Stockman in his famous Atlanta Monthly magazine told us what happened. Here is what he said.

He said: "I have been explaining for 6 months to those west wing guys that the numbers just didn't add." He explained in the Atlantic Monthly article that he got his deficit projections down to $31 billion "by hook or by crook, mostly by the latter." That is his statement, not mine.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Not until I am finished. Mr. Speaker, I ask that you keep order until I am finished.

The SPEAKER pro tempore. The Chair would ask Members on the floor to maintain regular order. The gentleman from Wisconsin [Mr. OBEY] controls the time.

Mr. OBEY. I know it hurts. I know it hurts.

Then Mr. Stockman went on to say this: He said:

> We didn't think it all the way through. We didn't add up the numbers. We should have designed those pieces to be more compatible, but they were moving on independent tracks. It didn't quite match. But, you see, we got away with it because of the novelty of it all.

Then he went on to explain that the Kemp-Roth tax package was really a Trojan horse to bring down the top rate. He said:

> It is kind of hard to sell trickle-down, so the supply-side formula was the only way to get a tax policy that was really trickle-down. Supply-side is trickle-down theory.

That is what he said.

It seems to me that what is at issue here now is not only what we are going to do on unemployment, but what we are going to do on taxes and what we are going to do to reinvest in the portion of the budget that was savaged by the Republican decisions in 1981, and that is what is going to determine whether we turn this around. Because if you want to talk about jobs, let us take a look at what the average monthly growth in unemployment was, not under selective administrations, but under all of them.

If you take a look at all of them, even Dwight Eisenhower, with the prolonged stagflation from 1958 to 1960, produced an average of 43,000 job growth per month on average. Bush has produced an anemic 9,419. Carter produced 208,000 monthly job growth on average. Reagan produced 174,000.

So those are the numbers. Gentlemen, you can make all the arguments you want to try to hide them, but the fact is, they are there. We went through them. We see the results, and that is why we are here tonight asking for a change.

□ 2350

Mr. DOWNEY. Mr. Speaker, would the gentleman yield?

Mr. OBEY. I yield to the gentleman from New York.

Mr. DOWNEY. Mr. Speaker, first of all, I want to commend the gentleman for his fine presentation about history. I came over here between the Atlanta Braves game and the Minnesota Twins game. The Braves won, happily.

When the minority whip said that GEORGE MITCHELL was responsible for this recession, I felt compelled to try and set the record straight on the economic past.

If I can just indulge my colleagues for a moment, I would like to talk about the extended jobless benefits and past recessions chart which the gentleman has graphically depicted which shows the problem that has occurred since 1976, which is that there are, of the universe of people who are unemployed, fewer people receiving unemployment benefits.

As a result of the changes in the Gramm-Latta budget in 1981, we changed the mechanism by which extended benefits were triggered. We had to have a higher rate of insured unemployment before people would trigger extended benefits.

So what we see in the Ford recession, in the Carter recession was a much lower threshold for the extension of benefits to apply to those people who have received benefits. And what has happened since 1981 is the threshold has gotten so high, a 5-percent insured unemployment rate, that in many States that do not have a high percentage of people receiving the first 26 weeks of benefits, they will never really trigger extended benefits.

The absurdity of that situation is that today, mired in 16 months into a recession, only Rhode Island has an ex-

tended benefits program working. So all the gentleman's chart suggests, and I do not think that it is a political chart because what it does is say that in the days of two prior Republican administrations, there was a mechanism for paying extended benefits, and that program has failed. It is incumbent upon us, whether we extend benefits temporarily or not, to fix what is clearly a broken program. I do not see this chart so much in the eyes of politics but in the eyes of a program that was designed to do something that has failed.

Whether we are Democrats or Republicans, we should appreciate that that needs to be changed.

Mr. OBEY. The point is simply that out of the last four Presidents who have experienced recessions on their watch, three of the four, two Republican, one Democrat, met their responsibilities to the unemployed. And one, the present occupant of the White House, has not, and that is why we are here tonight.

Mr. KOSTMAYER. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Speaker, I appreciate the gentleman yielding to me.

I must say, I do not understand what the problem is of the gentleman from Pennsylvania [Mr. WALKER] with the chart. It seems clear to me that the number of people who are getting extended benefits is minimal under the current administration, quite different than it had been under other administrations. I think it is very clear.

I think really what we are talking about is what has been happening in the country for the last several years. My friends on the other side have talked about the creation of 28 million jobs. I think it is very obvious to them and to all of us in the country that the great majority of these jobs are primarily women who have had to go to work.

An example in my own district, I spoke to a woman not very long ago who I met at a grocery store who told me her husband had been working in a steel mill making about $14 an hour. He lost his job. He is now making $7 an hour and she has had to go to work making about $5 an hour.

Together they are making less than he made. That is really happening all over the country, and it has been happening for sometime. So while we have created new jobs, these are in great measure jobs held primarily by spouses, largely by women who have had to go to work because the fact of the matter is that in this country in the last 10 years, the standard of living has been going down.

There is no argument about that.

Mr. DOOLITTLE. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Speaker, has the gentleman considered the reason that we have moved from predominantly a one-income-earner household to a two-income-earner household? I would suggest the reason that has happened is, I think it is one of the most dramatic social transformations probably in the history of this country, and that is the burden of governmental taxation on the average family has been increasing dramatically. And it has been his party that has been increasing that over the years. People are being crushed by the taxes they have to pay.

Mr. KOSTMAYER. If the gentleman will continue to yield, that is not true.

It is true that upper income taxes have been down. It is also true that within the last 10 years payroll taxes have gone up in this country $340 billion. Social Security taxes have gone up all over the country.

In my State of Pennsylvania property taxes have gone up. Those are taxes which weigh on working people and middle-class families as opposed to the income tax reduction for upper income people.

The fact of the matter is that over the last 10 years the taxes on the upper 5 percent have gone down by 65 billion and taxes on the middle 30 percent have gone up by 20 billion. That is a fact.

I do not think the gentleman would disagree that people are working harder than they ever have before in this country and they are earning less.

Would the gentleman disagree? People have had to have their spouses, primarily women, go to work. People are having a tougher time buying a house.

In affluent areas such as I represent, in suburban Philadelphia, it is increasingly difficult for young people to buy a home in those communities in which they were raised. The Reagan administration said that if you earn more than $30,000 a year, you cannot borrow money for college.

The result of what the Bush administration wants to do really means that if you make more than $10,000 a year, you cannot borrow money to go to college.

So whether we are talking about taxes, whether we are talking about housing, whether we are talking about college tuition, life in this country over the past 10 years has grown increasing difficult and painful for middle class Americans.

If the gentleman does not believe me, ask the American people. Read The Washington Post this morning and the poll they have taken. A growing number, now a majority of people in this country believe strongly that this country is headed in the wrong direction, and they are right.

The country is headed in the wrong direction. It is harder to send kids to college. It is harder to buy a home. Two people have to work, not one. Taxes are higher than ever. It is increasingly difficult.

And the gentleman and his friends have been running the country for the last 10 years.

Mr. OBEY. Reclaiming my time, I want to correct the statement that was just made by the gentleman.

The gentleman indicated that it was the Democratic Party that had effected the change that he described on taxes. The fact is it was my amendment that was defeated by the gentleman's party in 1981 on the tax bill, which would have provided larger cuts for the middle class than the Reagan package that passed and much tinier tax cuts for the wealthy than the Reagan package which passed. And that amendment was defeated resoundingly.

There were five Republicans who voted for my amendment that would have provided larger tax cuts for the middle class than the Reagan bill and much smaller tax cuts for high income people.

With all due respect to the gentleman's memory, I was here when it happened. I know what it felt like to lose. We got clobbered.

Our middle-class tax bill got clobbered, and the gentleman's "Reward the rich" tax bill got passed.

Mr. DOOLITTLE. If the gentleman would continue to yield, thank goodness he did lose. As a result of that, we had the largest peacetime expansion in history. All people benefited. The blacks benefited, had a tremendous increase. The women benefited. Everybody benefited as a result of that Reagan reform. And this House of Representatives, if my memory serves me correctly, was controlled by the gentleman's party, not mine, when those reforms were enacted.

Mr. OBEY. Again, reclaiming my time, the gentleman's facts are wrong. The fact is that since 1980, the wealthiest 1 percent had seen their income double from $300,000 to $600,000 a year. And the average middle-class American precisely at the mean, half Americans making more, half Americans making less, he has lost the $2,000 on the purchasing power of his income since that time, and since George Bush has taken over as President, he has lost another $428.

Mr. LEWIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Georgia.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the majority whip, Mr. BONIOR, for organizing this series of special orders on unemployment.

There are many people who are saying that it is morning in America, but for those who are receiving pink slips, for those who are being laid off, for those who are unemployed, it is evening or maybe midnight.

This administration is out of step, out of tune—this administration is not

compassionate; and it is uncaring for those who have been left out and left behind.

To many of us, it is strange that we can spend billions of dollars to liberate people around the world. Yet, we cannot find a few dollars to extend unemployment benefits for those who have exhausted all of their benefits. All is not well in America.

Something is wrong when more than 2,500 workers are being laid off or fired every single day. We must say to this administration that the recession is not over.

There is pain, there is suffering. Those who have lost their jobs are losing their homes, they cannot pay their automobile notes, they cannot provide day care for their children—they really are living on the edge.

In the State of Georgia alone, more than 100,000 Georgians have exhausted all of their unemployment benefits this year.

It is not being fair, it is not being responsible when we can fly off to the Middle East, to the Soviet Union, or other parts of the World to bring about peace and tranquility, when at home, our own people are suffering and living in pain.

It is strange to me that we can bail out other countries, but we cannot bail out the unemployed. We cannot help them with their pain, their misery, and their suffering.

The President needs to sign the new emergency unemployment bill, which we will be sending to him in a few days so that we can get this economy moving once again.

A recent poll in the Atlanta Journal-Constitution showed that people in my district have been hit hard by the recession.

Twelve percent of adults questioned in the poll said they had lost their jobs because of the recession.

Forty-five percent of those polled said they knew people who'd been laid off.

Forty-three percent said that if they needed $3,000 in cash within a few days, they would have to borrow it.

Another 33 percent say their financial position is worse than a year ago.

And 17 percent said they have no plans to buy a car or major appliance in the next 6 months.

Yesterday, I got a call from a CPA in my district. He has been out of work for more than 6 months. He has exhausted all of his benefits. He has no prospects for a new job. He is scared, very scared.

While walking in downtown Atlanta last weekend, a young businessman came up to me and said:

Mr. LEWIS, when you get back to Washington, please tell your colleagues in the Congress that the recession is not over.

Mr. Speaker, I would like to tell you about another Atlantan who represents the hard times brought on by unemployment. Lindy Barnwell is 45 years old. She is the mother of two children: Stewart who is 15, and Taylor who is 9 years old. She was a loyal employee for Eastern Airlines. She worked hard for 23 years. It was the only job she ever had.

Until she lost her job when the airline folded in January, she and her husband had a four star credit rating, and were solid taxpayers. She and her husband, who is also unemployed, are now struggling to put food on the table. They have no health or medical insurance for themselves or their children. The funds that they had saved for their children's education ran out earlier this month. On November 5, if they cannot come up with the money, the bank will foreclose on their home.

She told one of my staff today that she is willing to do "any type of work that is honorable." She said she is "working very hard at simply getting hired." Her husband is having similar problems. They are both too qualified for minimum wage jobs. Even if she could get a minimum wage job, she said: "One person can hardly live on minimum wage—much less four!"

She echoed the sentiments of other people with whom my office has been in contact. She told a staffer in my office that:

Responsible leadership does not ignore such problems * * * the U.S. government not to extend a hand to people who are willing to work is disgraceful if we consider ourselves a helping nation.

Margaret Zimlich's benefits are also fully exhausted. She is a single parent, the mother of two daughters and a son. She is 43 years old and lives in Atlanta. Like Lindy Barnwell, she has devoted her working life to Eastern Airlines. She worked incessantly for 23 years, sometimes working a second job at Rich's department store selling cosmetics. During her tenure for the airline she took three pay cuts but she persevered. She is a hard worker, Mr. Speaker.

Her situation highlights new and different hardships not found in my other examples of people in need. Ms. Zimlich has been forced to dip into her IRA's. The problem here, Mr. Speaker, is that she receives a penalty for the early withdrawal of her money. At the end of the year she will be even further in debt and have even less money to get out of it. She won't have the money to pay her taxes. For her, the shadows of destitution are lengthening just as the days grow shorter and the weather grows colder.

Most alarming of all her problems is that her 16-year-old daughter, Rebecca, is having to work 20 hours a week to help support the family. This is 20 hours that she doesn't spend studying, preparing for her future, the country's future. her brother Aaron and her sister Jessica, too young to work, pitch in with odd jobs and babysitting. Working is normally regarded as character building and good for discipline, but when it infringes upon the education of our young people, it becomes destructive as any weapon, as debilitating as any plague.

Here are articles that have appeared in just the past 2 weeks in my local newspaper: "Jobless Report from Two Who Really Know." Another article was "Unemployed Secretary is Cynical About the System." And another article "Different Workers, Same Humiliation" discussing the fact that once high-powered professionals are joining support groups for the unemployed. And still another article: This one refers to the "soap opera of desperation" and discusses the plight of an out-of-work flight attendant whose family has fallen months behind on their mortgage payments.

I could go on and on, Mr. Speaker. The calls I have received, the reports in just my local newspapers, the letters I have gotten. They all say the same thing: "The recession is not over. I can't get a job. Please help me!"

We must help them. We have an obligation, a mandate, to help them.

The recession is not over. In the State of Georgia in the 8 months between January and August of this year, more than 80,000 people exhausted all of their unemployment benefits. During the month of July alone, 13,000 exhausted their benefits.

Mr. Speaker, this administration needs to come home—come home and pay attention to the hurt and the pain of the American people. Instead of putting the needs of foreign nations ahead of the needs of the United States, they should begin to deal with the pain and agony of our own people.

Mr. Speaker, the American people are crying out and demanding leadership. Jobless Americans—hundreds of thousands of them—need help—not next year, not next month, not next week, but now.

□ 2400

Mr. KOSTMAYER. Mr. Speaker, would the gentleman yield to me for just 1 minute?

Mr. OBEY. Surely, I yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Mr. Speaker, I just want to read very briefly a letter to the President from Mr. Robert L. Dickie of Chalfont, PA.

DEAR GEORGE: Please find enclosed a blank map of the continental UNITED STATES. The state names have been left blank and your job is to fill in each state's name. If you find that you can't recall all the states, you may find a map of the UNITED STATES and fill in those state names which you can't remember. If you need further help, you may call me and I will answer any questions you may have. For extra credit, you may fill in the percentage by state of the total national unemployment figures. Of course, you must take into consideration those who have exhausted their benefits, as those citizens are no longer considered unemployed and will not be part of the national figures.

Mr. Speaker, this is a map which Mr. Robert L. Dickie of Chalfont, PA, has sent to President Bush, with the blank States.

I think the point here is that the President seems fascinated, understandably, with foreign policy. These are important issues which require his attention. He is about, I understand, to leave in the coming days for another trip around the world visiting a variety of countries on important business.

I think it is time that the President paid attention to these problems which we face here at home. I think there is a growing perception in the country and in the Congress, including Members of his own party, that he needs to do that.

I hope that he will follow my constituent's advice and come home and begin to pay attention to the problems we face here in the United States.

Mr. RIGGS. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield briefly to the gentleman from California.

Mr. RIGGS. Mr. Speaker, if I could have the attention of the gentleman from Pennsylvania for just a moment, I was intrigued by his comments earlier. The gentleman talked about the unemployed worker, I believe in the coal industry, is that correct?

Mr. KOSTMAYER. The steel industry. It is a concern that I think we share in common. I represent a district that has for years been traditionally relying, at least in the northern part of my district, on the so-called resource industries. Those industries are in decline for a variety of reasons, I say to the gentleman from Pennsylvania, not the least of which is the general state of the economy.

I just wanted to get the gentleman's thoughts on where do we go. Assuming that at some point in time we appropriate funds for extended unemployment insurance benefits, is the gentleman saying, and this really goes also to the gentleman now in the Speaker's chair based on his comments just a moment ago, but is the gentleman saying that is enough for those unemployed workers in those traditional resource industries, or what further should we do?

I think that is what we have been saying over here, that appropriating benefits for the long-term unemployed or under-employed is not enough, that there is a lot more that we have to do. It is on the economic growth side of the equation to create jobs, and before the gentleman departs into the night, I thought we ought to get the gentleman's ideas on this.

Mr. KOSTMAYER. Mr. Speaker, if the gentleman will yield further, I do not think there is any question, many of us on this side would agree the country needs a good growth package. In the meantime, we need to provide extended benefits for those who are unemployed.

The point of the first chart which the gentleman from Wisconsin had with him a moment ago is that in this administration, those folks in the country who have run out of unemployment benefits have not had them extended. That is a break with an historic tradition in this country. That is why the pink portion of the fourth chart is so small.

That really is the point we are trying to make.

Sure, I think unemployment benefits are a temporary solution to help people get through a period of time. They are not the answer to the country's economic problems.

Mr. RIGGS. Well, what is then, if I might ask the gentleman.

Mr. KOSTMAYER. I think we do need a growth package. I think that is important. What I do not think we need is a growth package which cuts the taxes of the very wealthy while raising the taxes of everybody else, making housing, tuition, and all the rest more expensive.

Finally, and I would stop with this, I am sure the gentleman would agree, and I wonder if the gentleman would disagree with me, that things have gotten worse economically for the middle-class in America over the last 10 years in this country? That is all I am saying. If the gentleman does not agree with me, ask the average person on the street.

Mr. RIGGS. Mr. Speaker, I thank the gentleman.

Mr. OBEY. Mr. Speaker, I am going to have to take my time back, I would say to the gentleman from Pennsylvania, because I promised three other people I would yield to them.

Mr. KOSTMAYER. Mr. Speaker, I appreciate the time the gentleman has given me.

Mr. OBEY. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HAYES].

□ 0010

Mr. HAYES of Illinois. Mr. Speaker, I want to thank the gentleman from Wisconsin for having arranged to take this time. It is already 10 minutes after midnight and there are others, I know, who want to speak and make their positions known on what I consider to be the No. 1 issue facing this great Nation of ours today.

The charts that the gentleman from Wisconsin [Mr. OBEY] put up there certainly have demonstrated the severity of the problem and also, as the gentleman indicates, what we have gone through under four Presidents, I think, to try to find a solution or some help for the people who are unemployed.

I am concerned also about the human issue involved in this whole question of unemployment. You have heard me say this before on the floor of this House, that I have experienced drawing unemployment compensation, having been laid off from the stockyards during the period way back in the early forties right after President Roosevelt had put into effect the kind of thing that we talk about now, the privilege of people being able to draw some money while they are laid off.

Mr. Speaker, that number of human beings is growing in this country. The figures that we receive are not accurate, because many people who have exhausted their unemployment compensation are not even counted anymore.

I would like for us to be able to, as Members of this Congress, considering the insensitivity of the President in vetoing that bill that would have, not solved the problem, but it would certainly have been some stop gap help for people who are unemployed and who have exhausted their unemployment compensation.

I was saddened when the other body was two votes short of overriding that veto. But feeling that way does not help to solve the problem.

Now what I want to see us do in this Congress of which I am a part—and I hope the party of which I am a part comes up with a solution that will help the people and not just give them hope and then do nothing about it. This is actually what happened within the past few weeks.

Mr. Speaker, I am from Chicago. I will tell you right now, and I say this and then I will wind up, that there are thousands and thousands of people who need help. Now, many of them are young people, some are resorting to crime in order to try to find a solution to the problem. Yet at the same time, one of the roughest things for them to understand—and I do not even try to explain it anymore—is how can we justify sending money overseas or forgiving debts to people in other countries at the same time that we are going to worsen our budgetary position if we have this kind of situation we are asking for now with respect to the extension of unemployment compensation?

Mr. Speaker, I want to say, in closing, I say to the gentleman from Wisconsin [Mr. OBEY] please let us try to talk to the leadership, make this a nonpartisan issue. Let us do something to help people who are out there, some of them starving, some sleeping in vacant buildings, in cars and everything right in the city of Chicago, one of the largest cities of the United States.

I would like to say also that kids are going to school hungry. This is the kind of thing that I think we ought to understand and do something about, not make it a partisan issue. Let us stand up and fight for people who need our help. That is what democracy is all about, to me.

Mr. OBEY. I thank the gentleman and yield to the gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I rise to add my voice to those of my colleagues, as we seek tonight to break the terrible silence which has surrounded the issue of unemployment.

I say "terrible silence", Mr. Speaker because this Bush administration has refused to face the American people with the truth about the reality of unemployment, today, in this country. The statistics are hard, and cold: As of September 8.4 million Americans, officially, are unemployed.

Of these, almost 1.2 million, officially, are from my home State of California. Now, the Bush administration's response to this situation is to ask for a tax cut for wealthy investors.

This is the famous Bush trickle-down remedy for unemployment. I maintain that if this had been an honest, workable solution to unemployment it would have worked 10 years ago when George Bush used to call it voodoo economics. It did not work then, it will not work now, and George Bush knows it.

In my home State of California, thanks in large part to our President, the safety net for unemployed Americans, is unfortunately more hole than net and people fall through it. We in this Congress have tried to fix this net, George Bush responded with the veto. Well, as you can see, from our actions this evening the Democrats in Congress of the United States has not chosen to ignore the needs of unemployed Americans. This evening we are here to speak the truth.

Now, one of the truth's about this country that George Bush won't admit is that one of the fastest growing groups of Americans is made up of those who have exhausted their unemployment benefits before finding work.

Let we speak about my State: California's long-term unemployed jumped 50 percent since last year. As of July, 36,684 Californians had exhausted their unemployment benefits.

In Los Angeles County, the number whose joblessness has outlived their benefits has increased steadily each month, from 8,950 in January to a July high of 11,993.

Now, Mr. Speaker, as are my colleagues, I am an elected representative of the people of my district.

I am here on their behalf, to voice their pain, to address their needs.

All of the statistics in the world won't have the power to convey better the truth of our unemployment crisis than to read to you an actual letter sent to me by one of my constituents.

This letter was written to me at the time that Congress had voted to extend benefits for those whose unemployment had run out. We sent this legislation to George Bush, who was enjoying his leasure at that well-known hardship zone, Kennebunkport. While gazing out over his playground, the Atlantic Ocean, George Bush exercised his version of leadership. George Bush's action sent a clear message to my constitutent, and to others who are in his situation.

The man who wrote these words, expressed in truthful terms, what George Bush will not, and this clear, powerful statement will tell you why our unemployed Americans need our help, and why they need it now.

My constituent wrote:

My heart was filled with immense sadness upon reading in the Los Angeles Times newspaper that President Bush intends to play politics with the lives of the unemployed by giving his OK to the bill extending unemployment benefits up to 20 weeks but refusing to sign an emergency declaration which would release the funds. This amounts to nothing but veto in the absolute truth.

When I last wrote you, I had lost my job from where I was employed for 14½ years. I was terminated April 12, 1991, and now 4 months and 4 days later, I'm still unemployed.

I have now contacted 77 companys for employment. I'm getting to the point now that I feel that it is futile for me to keep looking. I've spent the last 25 years as a machinist in the aerospace industry so I know that I'm qualified but for some reason or reasons, I've been overlooked and turned down on each and every job opening that I've applied. Maybe I have two things going against me, my age and my race. Come April 2, 1992, I know that I can apply for Social Security benefits for at that time I will be 62 years of age, but what do I do from the time my unemployment benefits run out, October 19, 1991, to my birthday? Let's be realistic and I've already told Mr. President this. As a black American male approaching the age of 62, I stand a better chance of hitting the California lottery where the odds are 1 in 23 million than ever getting employed again in the aerospace industry. I and many more millions of unemployed workers do hope that Congress will be able to initiate some type of legislation to help us all.

George Bush had the opportunity to respond to my consititutent's plight, and respond he did. His answer to the desperate need for extended unemployment benefits, was the veto.

Mr. Speaker and colleagues, as of 4 days ago my constituent's unemployment benefits ran out. Through no fault of his own, a man of proven skills, and long years of work service has now fallen through George Bush's safety net.

If George Bush had not played his politics with the lives of the unemployed, my constituent would now be receiving extended benefits. Instead he is living a nightmare. This is not my vision of kinder, gentler, America.

Let us keep the faith with the American worker who wrote this letter, and with all of the other workers, men, and women, who have labored to bring success and profit to the businesses of this country. Let us send a clear, simple message to George Bush: let us quit playing politics with the lives of unemployed Americans. Let us pass legislation which will respond to the true needs being expressed by all of our unemployed Americans.

I want to thank the gentleman for giving this time to relate this important message from one of my constituents.

Mr. OBEY. Mr. Speaker, I will yield to the gentleman from California after I have yielded to the gentleman from California [Mr. PANETTA] to whom I have promised some time.

Mr. Speaker, I yield to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I thank the gentleman for yielding to me. I want to commend the gentleman for the statement that he made and also commend the leadership for providing this time, because it is important we draw attention to the situation in our economy and the situation that affects human beings in our society.

The reason we are all here is because the economy is in trouble, it is in serious trouble. All you have to do is look at the facts from last week to confirm the reality that our economy is in trouble.

□ 0020

Housing starts fell in September and are below the level of September 1990. We thought housing starts were beginning to move up; they have dropped back.

Industrial production was flat in August and rose a scant less than 1 percent in September. Again housing starts we thought were on the way up. They have fallen back.

Auto sales dropped to a near recession low in early October, and the report yesterday indicates that the automobile industry is in for its worst year ever in the history of the automobile industry.

The foreign trade deficit rose in August as exports weakened more than imports. Again we had a problem of increasing foreign trade deficits combined with these other problems.

The so-called Fed's beige book, which contains reports from all 12 of the regional Federal Reserve Banks says that the economy continued to be sluggish in September and early October with little increase in retail sales, manufacturing or construction, and, on top of this, inflation news from September was also bad, suggesting again that the Federal Reserve will postpone any further easing of monetary policy, and that raises the specter of a continuing sluggish economy bumping along with no direction whatsoever.

Now, Mr. Speaker, in the face of this the administration has been, to put it nicely, ambivalent. One one hand it says everything is O.K. There is a recovery that is taking place. Whether one listens to Dick Darman, or to Mike Boskin, or to the President, the general feeling is: "Hold up. Things are getting better." On the other hand, they are saying we need an economic stimulus package. What is it?

Mr. Speaker, it seems to me the President has a responsibility as the

leader of this country to say to the American people, "We've got an economy that's in trouble, and it needs to be addressed," and the first thing that needs to be addressed is the human side that is being impacted by this weak economy.

Mr. Speaker, the job market is likely to stay weak for months ahead. That is the reality. Every day brings new layoff announcements, which means that there are more people in unemployment lines, and this will bring greater distress to American families and American workers.

The number are clear. In September 8,442,000 persons were out of work and looking for jobs. Another 1,075,000 wanted jobs, but did not search because they believed that no jobs were available. And another 6,374,000 who wanted to work full time could only find part-time work. That means that nearly 16,000,000 people are either jobless or underemployed, the highest number we have seen since February of 1984.

Things are not rosy for people who have jobs either. The average hourly earnings just kept up with inflation over the last year, and, if we look at the earnings, the weekly earnings, of a family, what we are seeing is that they are earning less than what they earned in the past.

The American dream, the American dream, the dream that my parents had when they came to this country, the dream that I think all of our parents had, is that they wanted their children to have a better life. The reality is we are seeing an America in which that dream is not being realized. What we must do is get the economy back on its feet and moving forward.

And what are the steps? One of the steps clearly is to rescue the long-term unemployed. We have got to provide the help, the safety net, to those families. Second, we need to restore purchasing power to the middle income working families in this country, and that has to be done. Third, we need to keep interest rates lower as we try to develop, hopefully renew, growth and investment. And we also need to set this country on a long-term path to higher savings and investment. We need to maintain fiscal discipline in that process so we do not increase the huge deficit that is already dragging our economy down.

In short, I think all of us need to act responsibly, both sides of the aisle, the President and the Congress, in paying for the needed aid that we must provide the unemployed and for the tax relief we must provide middle-income working families. It is time to put an end to the feel-good, trickle-down economics of the Reagan—Bush administrations. It is time to put our children, our families and American workers first so that we can begin to rebuilt the future.

The SPEAKER pro tempore. (Mr. LEWIS of Georgia). The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

Mr. CUNNINGHAM. Mr. Speaker, I would like to mention for the record that I tried three times to have the gentleman yield. Do not expect a single minute in my hour, not one.

ORDER OF BUSINESS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that I be permitted to proceed with my 1-hour special order.

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

There was no objection.

IN RESPONSE TO THE DOOM AND GLOOM DEMOCRATS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. Sure. I would be glad to yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman from Pennsylvania [Mr. WALKER] yielding, and, for those who may have tuned in now that the World Series game is over, and especially for my colleagues——

Mr. WALKER. Should we announce the score?

Mr. DELAY. Atlanta won.

Mr. WALKER. Three to two. Atlanta won. The series is tied at two-two.

Mr. DELAY. Mr. Speaker, when this all-night special order started, we had a little problem in yielding back and forth. The distinguished majority whip, the gentleman from Michigan [Mr. BONIOR], and I consulted with each other and felt like that dialog was very important for the American people to understand what is going on. Therefore, we agreed to yield to each other and have a free-flowing discussion. We did that in the second hour. In the third hour that has sort of broken down.

What we have now decided is, and I apologize to my colleagues on that side of the aisle, but what we have agreed on is we are going to take this full hour for us, and we are not going to yield, and then we will get back to the free-flowing dialog, if both sides care to do so.

Mr. WALKER. Mr. Speaker, I thank the gentleman, and, as my colleagues know, I hope maybe we can do a little better than that because I would like to have a dialog, but, dog-gone it, I have really been disturbed that the only 2 hours controlled by the Democrats so far this evening have turned into mostly monologues, and where they have their plan, and, dog-gone it if they are going to let any Republicans get in the way, particularly Republicans that start challenging some of their basic assumptions that do not hold up under argument, and we have seen a lot of that so far this evening. What we have seen thus far this evening is the doom and gloom Democrats at full voice on the House floor. Of course they are very comfortable with what is on the charts that they have been showing here this evening because it literally shows us how many jobs the Democratic Congress has killed during the last several years.

Mr. Speaker, the Democrats have become in the Congress the job-killing party. They consistently refuse to bring to the floor economic growth packages, and they consistently bring to the floor things designed to kill jobs. A perfect example was something that we took up today, and every Democrat but two voted against an amendment that I offered that is designed to create an office that will kill off the automobile industry, and they do not want to believe that. They say that that is not the case. The fact is that every loony left group that has testified in favor of the office of intermodalism was in fact saying flatly that they want to get rid of automobiles, and so the bottom line of that is at some point that is going to affect the automobile industry, and we are going to kill off those jobs. Yet what we saw was Democrats line up almost to a man and woman and suggest that that is O.K. with them, those jobs are not needed, despite the fact that the automobile industry contributes one in every seven jobs in the economy today.

As my colleagues know, it is almost as though we ought to revive some of the old sayings which I remember when they used to march through the Capital here. I have been around Washington a little while, too, and we had people marching through the Capital saying, "Hey, hey, hey, L.B.J., how many kids have you killed today?" What we have arrived at now is a position where literally the cry would be, "Hey, hey, hey, Democrats, killing jobs and getting fat," because that is precisely where the Congress has ended up. This is a place where jobs are not important anymore. What they really like to show us is what they are doing to help the people who they have victimized, and so what we get is a series of charts and a series of concepts aimed at helping those who have become the victims of their programs. They have victimized millions of Americans by throwing them out of work.

I have a little bit of economic history, too. I, like the gentleman from Wisconsin, was here during the period of the early 1980's when some of this took place, and I think my interpretation of that economic history might be a little bit different from his, and certainly my conclusions that I draw from it based upon charts that have real numbers on them would be entirely different about the results of that.

□ 0030

So let me talk a little bit about the economic history as I see it happening, and what really happened during the 1980's. The fact is that in the early 1980's the Reagan administration came into office at a time when the President of the United States had declared the country in a state of malaise. We were told that we had double-digit inflation, and we were not going to be able to get rid of it for a generation or more. We were told that the high interest rates were something that we were simply going to have to live with. We were told that the rising tide of unemployment was the result of problems that simply could not be managed.

Now, these problems could not be managed by a Democratic Congress, a Congress controlled in both the Senate and the House by Democrats and a Democratic President. Their policies at that point had brought us to a time when we had 21 percent interest rates, when we had double-digit inflation, and when the unemployment rate was rising toward double-digit levels.

In fact, Jimmy Carter in 1976 ran against President Ford on something called the misery index. It was a combined formula showing unemployment rates and inflation rates. Jimmy Carter ran against Gerry Ford saying that his misery index was far too high. By the end of the 4 years of the Carter administration they had doubled the misery index, so people were worse off during that period of time. And we had the Reagan administration come into power promising to turn that situation around.

What happened was that we did in fact pass the Gramm-Latta budget, we did in fact pass the Kemp-Roth tax cuts, and what was the result of that? We created 21 million jobs in a period over the next few years; 21 million jobs, and not hamburger-flipping jobs, as many of my colleagues said as we were doing that.

During the period of economic growth, consistently we had Democrats coming to the House floor suggesting that we were out there creating jobs, but they were bad jobs. They were hamburger-flipping jobs. The fact is that the jobs we created during the 1980's averaged in salary $28,000. Those are pretty good jobs. The charts begin to show that, because what we see, if you take a look at the reality of what happened in the 1980's—or is that during the late 1970's, during the Carter administration—the income levels of the average family in America were in fact dropping for the lowest income people, the poorest of the poor. They in fact were much, much worse off. Their income levels were dropping, and other people within our society were going up only marginally, the best one being the fourth quintile which rose 1.2 percent. That is the people who are in kind of the upper middle class. They went up 1.2 percent during the whole period of time.

During the 1980's under the policies that we developed in the early 1980's, what you had was virtually every economic group going up. Now, yes, indeed, the Democrats are absolutely correct that some of the people in the very wealthiest categories went up more than the people in the bottom categories. One of the reasons why they did was, we were producing more of them.

In fact, one of the charts shown by the gentleman from Wisconsin out of the Philadelphia Inquirer makes that point. It makes the point that, indeed, the wealthy got greater incomes. One of the reasons was, there were more of them. I thought that that was a part of the American dream.

The doom and gloom Democrats do not want to tell you that, but the American dream is that we have more people getting wealthy, and we have more people better off. That is what we are supposed to be all about in this country, and yet they see that as a minus. They come to the floor tonight and say that that is a terrible thing to have happening. It is a terrible thing to have people getting wealthier. It is a terrible thing to have people making more money. It is a terrible thing that everybody during the 1980's ended up somewhat better off.

I will tell you that I think that that is a success story, and one we ought to be trumpeting. Let us look at a chart that is a little bit different now but gives the same kind of perspective.

If you take the median family income—the gentleman from Wisconsin mentioned median family income here a few minutes ago and claimed that we were in disastrous shape in terms of median family income—let us look at what was really happening.

During the period of 1979 or 1977 through 1981, the period of time during which the Carter administration was running things, what you have is, you have the median income rising to $32,821 in 1979. There was a period of time when it did in fact get up that high. Then as a result of the policies kicking in, the median income immediately dropped back, and by the time of the recession we had the median income clear back to $30,394.

The American families were taking a real kick. They took a kick of more than $2,000, almost $2,500, in a period of a couple of years. Now, that is a disaster for the American working families.

What began to happen as a result of us building economic growth into the picture was, the American family median income started up, and it started up beginning in 1983 and moved up to the point that by 1989 median family income in this country stood at $34,213. That was a growth of $3,800 during the period of the 1980's.

Now, when the doom and gloom Democrats tell you that something went wrong during the 1980's, and that somehow American families were worse off, how are they worse off if what they were getting was their median income raised by almost $4,000? That is the reality.

The charts we were shown earlier tonight are charts which even the gentleman from Wisconsin admitted were made up to make his point. Well, maybe these were made up to make my point, too. I just found them back here in the back room, so I did not make them up tonight. These are charts that were developed for some other presentation at some other time, but they make a pretty good point here this evening, and are certainly a point far different from anything that you heard from doom and gloom Democrats.

Well, that is the reality of what began to happen in the early 1980's. Now, how did we manage to kill off some of the growth that took place? Well, in 1983 we had driven the Social Security System into bankruptcy. Literally, the Democrats had managed to spend away all of the money in the Social Security trust fund for retirement purposes, so what we had to do was come back with a major correction of the Social Security System to ensure its integrity. It was out of money.

One of the things done on a bipartisan basis at that point was to raise Social Security taxes, a very regressive tax. Now, we all agreed to it. I voted for it. I think nearly every Member of the House voted for it, because it was something that had to be done to preserve the integrity of something which is very important to retired Americans.

But the fact is that we began to eat away at all of the improved income that American working families were getting at that point, because we increased Social Security taxes and began to drag down the tax cuts that Americans had gotten even earlier in the decade.

Now, we compounded that in 1986, because in 1986 we came forth with a tax reform bill that was supposed to eliminate loopholes and get at the rich. I mean, this was another one of these things where the Democrats convinced America that fairness demanded we get at the rich.

So, how do we get at the rich? Well, we killed off the real estate industry. The way we did it was, we eliminated passive loss, we eliminated capital gains, we eliminated a whole series of things which literally killed the real estate industry and sunk it into the doldrums.

So all of a sudden the economy begins to struggle. You have higher taxes on people as a result of Social Security taxes, and you have killed off the real estate industry and it begins to struggle.

Even by 1988 we were beginning to see that take place, and the economy,

instead of growing at the rate that it had been growing during the mid-1980's, went down substantially, and by 1990 what we had was an economy that was barely moving. It was struggling along. It was still growing, but it was hardly getting there.

So what did we deliver to that economy that was struggling along? Well, we delivered a massive tax increase. We said, "What the economy needs right now is a good dose of new taxes. Let us just tax the people some more, and let us tax the rich. Let us impose a luxury tax on the rich. That will really help the economy. And let us do a few other things. Let us stick a nickle gasoline tax on. That will help the economy."

We said, "Let us do all of these things and kill off the economy," and guess what? Even just announcing the fact we were going to raise taxes in June of 1990 caused investors to begin to make some new decisions.

□ 0040

Virtually every economist now agrees that the recession began in July 1990. Why did it begin in July? Why did it happen in July? Nothing, except that at the end of June we had the White House lawn populated by Democrats and the President going out and announcing they were going to raise taxes. Immediately people with money to invest decided they were going to figure out ways to begin to shelter that money. They were going to figure out ways to divert that money out of productive activity to something that was nonproductive but was safe.

Immediately, if you look at the financial markets, what you find is money is diverted out of any kind of growth-related activities. Guess what? An anemic economy plunged into a recession. An anemic economy was plunged into recession because Democrats insisted as a part of a budget deal that we had to have taxes.

Now, I know, I have heard the people on the House floor over the period of the last few months tell us this is the President's budget deal. He crafted this budget deal. This is all his.

Bull. The President said that he wanted to have a budget deal, yes. The only people insisting on higher taxes were the Democrats. The Democratic leadership said, "Before we will even sit down and discuss details with you, you have to agree to raise taxes. You have to give away the family jewels. You promised no new taxes in your campaign in 1988. We are going to call you on it. We are going to force you to eat crow. That is our cost for sitting down and even discussing a budget deal with you. You have got to raise taxes as part of the deal."

So every dime of taxes that is in that bill is there because Democrats insisted that the taxes be there. Every dime of it is there because Democrats said, "Look, we cannot afford to have this economy continue to grow. It is not good politics to have a growing economy in the future. If we can kill some jobs through taxes, that is a good way for us to gain some political advantage."

Folks, this is what we are seeing being played out in 1991 and leading into 1992. We are seeing the whole process played out. They killed the economy and jobs with taxes in 1990, and now we see the scenario being played out where they come to the floor and moan about the fact we are the victims of what they did.

I would prefer not to have the victims. I would prefer not to have raised the taxes in the first place. I would prefer not to have had the kind of problem that we created in 1986, with the changes in the Tax Code that killed off the real estate industry.

I think it is time to get back to the real growth economics, the real supply-side economics we put in place in the 1980's, which caused a period of growth and created 21 million jobs at an average salary of $28,000.

I would like to see us get back to a growth pattern where the American median income went from $30,394 to $34,213. I think that would be good for us.

Do we get anything from the Democrats that indicate that they are willing to bring that kind of legislation to the floor? No. In fact, every effort we have made to bring that kind of legislation to the floor has been thwarted by Democrats, including the Speaker of the House who ruled it out of order, including the head of the Democratic Congressional Committee, who was out running ads about joblessness, but will not bring a jobs bill to the House floor. And he is the one who objected to the request of the gentleman from Georgia [Mr. GINGRICH] here the other day that we take up the unemployment bill.

Now, all I am suggesting is that the history is a good deal different when you look at it from the perspective of real figures rather than figures that are trumped up to make a point.

I would tell you that the recession we are in, and I still believe we are in a recession, but the recession we are in was totally unnecessary. The recession we are in was not brought about by a weak economy, but by stupid policy. We showed policy stupidity in this town in last year's budget deal. The budget deal was largely crafted so the Democrats could get their pound of flesh, namely, tax increases.

So we literally have put in place what the Democrats wanted, and that is a recessionary economy that they hope will help drive their political fortunes in 1992.

I think that the American people are wise enough to know that something has gone seriously wrong in this body. The folks from the Democratic side of the aisle have run this Congress for the last 42 years. Every day of the last 42 years they have been in charge of this House of Representatives.

What I find when I go out and talk to people is that they are concerned about unemployment, they are concerned about the economy. There is no doubt about it. But they are just as concerned about the fact that this House of Representatives seems incapable of responding to those concerns. This House of Representatives seems to care more about what it wants for itself rather than what the American people need. This House of Representatives seems to care more about bouncing checks in the bank or doing what is necessary to get free meals at the House restaurant, or doing anything that we can to preserve our political careers, rather than doing the things which are necessary to change America.

The American people think that it is time for a little bit of change here. That instead of playing politics with these issues, that maybe we ought to really deal with the issues. What they see is a Democratic Party that not only produces charts with questionable figures, not only produces gloom and doom as their principal way of defining America, but, in addition, then runs television ads, politically directed television ads, as their way of trying to create a dialog in America.

That is not what the American people think is real. The American people would prefer to have an unemployment bill that actually delivers unemployment benefits, not TV commercials. They would like to have something happen that really ends up producing checks to unemployed workers, not simply checks to TV stations to run TV ads.

Yet the Democrats seem more concerned about political advantage, let us see what we can do now to get the President. We have got him on taxes. We forced him into a position untenable on the tax issue. Let us see whether or not now we can use the victims of our deal to our advantage as well.

I think it is a terrible day in America when Congress has as its first goal to create the victims in the first place, and, as its second goal, to use those victims as much as possible.

I would hope that after tonight, that at least the dialog that we have on the House floor will give us a sense of perspective about what is really happening in Congress. The Democrats love to get up and speak all night talking on the House floor about the people that they have themselves victimized, but they really do not want to do anything about really helping the victims with programs that might actually give them a job.

The main thing that we have got to stop is killing jobs in the Congress. We ought to start creating jobs in the Con-

gress. That is where the difference between the two parties is. The Republicans are the creators of jobs, and the Democrats are the killers of jobs.

Hey, hey, Democrats, killing jobs and getting fat.

I will be happy to yield to the gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR of North Carolina. I appreciate the gentleman yielding, and I appreciate the excellent job he has done in showing why we are where we are today in this area of unemployment.

There was some confusion earlier about the luxury tax and the fact that it had nothing to do with the unemployment that we find ourselves with today. I would like to tell you, I have three motor plants for boats in my district. One is closed. The other two have cut their employment by 50 percent.

I have talked with the management and the salespeople in those plants, and they tell me specifically when the luxury tax came in, their dealers started calling them and saying this thing is a disaster. Our folks are dropping their orders automatically. The people are buying their boats out of the country, or keeping older boats. This is a disaster.

Those dealers knew what the cause was, and it has created enormous unemployment in my district. We have probably lost more revenue, the cost of the disaster in my district alone, more than we made out of that whole tax deal for all the luxuries.

Mr. WALKER. The gentleman makes an excellent point about another proposal that specifically killed jobs. Here is something that was imposed by the Democrats with the idea we are going to tax millionaires. No one is going to hurt but the rich people. Boy oh boy, we are going to grab money from the rich.

What it turns out is when they grabbed the money from the rich, the people that got thrown out of work were the blue collar people, because the rich did not pay it. The rich just decided, "We are not going to pay the bill, and so we are not going to buy the boat. We are not going to buy the fur, we are not going to buy the jewelry, we are not going to buy the car." What happened? Dealerships shut.

I have a similar experience. The Trojan Boat Co. is in my district. Some Democrats said earlier that the only reason why Trojan Boat and others were in trouble is because of the recession.

I will say that in 1988 Trojan Boat, at the time we were peaking out on the economy, Trojan Boat had 450 jobs. They tell me in other recessionary periods that 450 jobs would be expected to go down to about 290 jobs.

Indeed, when the recession hit, it hurt makers of big boats. So they expected that kind of collapse.

Do you know where they are today? They are at 42 jobs. They have gone from 450 jobs to 42 jobs, with at least 200 of those jobs directly as a result of the luxury tax.

Those are jobs that this Congress killed with last year's budget deal. That is exactly the point, and I thank the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. The gentleman is exactly right. I would like to make one other point. The gentleman on the left earlier stated that they recognized that the country was in a recession as early as July. That is the specific statement made by the gentleman on the left.

□ 0050

How cynical is that party, recognizing we are in a recession in July of 1990 and then pushing for the largest tax increase in this Nation's history, $137 billion on working Americans?

We are not talking about the rich here. We put a 58 percent tax increase on gasoline, which falls on the average working person, not the rich. And to compound that, this year that party, through its Speaker, its majority leader and the full House want to increase that tax another 35 percent on working men and women.

And then to say they only want to soak the rich. Every time they say they want to soak the rich, the middle class, the poor take it in the neck.

Mr. WALKER. Does the gentleman know of any economist who suggests that one of the ways you deal with a recession is by raising taxes?

Mr. TAYLOR of North Carolina. Never heard of it.

Mr. WALKER. Even some of the people out on the loony left will tell us that it is not a very good idea to raise taxes in the middle of a recession, that that is probably pretty poor economics.

Yet that is exactly what we did last year, exactly what they want to do again this year. In fact, if we had let the highway bill come out here in its original form, that was one of the main vehicles that they were going to use to raise taxes.

It just does not make any sense, and yet it is being done. And I think it is being done purposely.

I would like to think I am wrong, but I have to tell my colleagues, I see so many examples of it that I believe it is purposeful. I think they know exactly what they are doing, and I think they understand that if they can simply drive the economy down far enough that their political fortunes are much better off.

That is a terrible indictment of the Congress, a terrible indictment of the Democrats who run the Congress, but I am afraid it is very close to what the reality is in terms of the policies that we have been pursuing.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Speaker, the fact is that since I did not get any time from the liberal left a few minutes ago after 3 attempts, I would like to reply to some of their comments. I thought it was quite interesting that a gentleman read a constituent letter in which aerospace had been cut, and he had lost his job.

I sit on the committee, the Committee on Armed Services, that is infiltrated with the liberal left. It is dominated by the liberal left, and everything that they want to do is cut defense. They cut it by 25 percent, and the liberals would still cut it. And that is in the name of a defense benefit to other programs.

It does not take an economist to figure it out.

Mr. WALKER. In other words, when the gentleman was talking a little while ago about the poor person that lost their job in the aerospace industry, that may have something to do with the fact that Democrats were spending their time here trying to kill defense budgets?

Mr. CUNNINGHAM. Trying to kill defense budgets.

Mr. WALKER. There may be a translation here between Democrats trying to cut back on defense budgets and the fact that there are people out there in defense-related industry that are losing jobs.

Mr. CUNNINGHAM. That is correct.

Mr. WALKER. So that is another example where with their policies they have killed jobs.

Mr. CUNNINGHAM. Hundreds of thousands of jobs, as a matter of fact.

Let us take a look at what the outcome is. We have someone in the aerospace industry that has a job. They are receiving pay. They are feeding their family. They are paying into this budget or tax system that we have. They are getting medical benefits.

Let us RIF them, let us fire them. Let us cut defense and put the money into social welfare programs.

What we have just done is RIF that person. That person is now drawing unemployment. He does not have medical benefits anymore. So we have exacerbated the problem that we are trying to fix.

Sure, we want the person to have a job in this country without cutting back defense 25 percent, and there are those that want to cut it.

I heard Jerry Brown the other day say 50 to 75 percent. That would be disastrous for this country.

We saw the liberal left on the other side trying to save their bases, but yet they still want to cut defense.

Mr. WALKER. They want to cut defense, but a lot of them were running around trying to save their bases.

Mr. CUNNINGHAM. To save their bases.

Mr. WALKER. Does that not suggest what I suggested a few minutes ago, that they are more concerned about their own political survival than they are about what is good for the country? It certainly seems to me that that is a good example of exactly what has gone wrong here and what the American people have become so tired of in this Congress.

Mr. CUNNINGHAM. My colleague that had the time before did not listen when they were talking about Jimmy Carter. I sat in the Pentagon and watched Jimmy Carter nearly destroy this country. He could not have done more harm than if he had been wearing a red star on his hat.

He cut defense. He cut programs. It was Ronald Reagan, and I heard it mentioned, they doubled the defense budget. That is because Jimmy Carter cut it.

In 1980, I flew an airplane in a squadron which the average age was over 20 years. We had people killed because we did not have the parts. We did not have the planes and the upgrade equipment that we needed because the liberal left wanted to cut defense. It makes me sick.

The same Members that turned their backs and, yes, sir, the same Members that turned their backs, the 168 that voted against the men and women in Desert Storm, turned their backs on them, just like they did on me in Vietnam, is what we are fighting here.

The same Members that want to cut defense, and want to cut jobs. And then they cry that there is no money for unemployment.

If we created the jobs and allowed the jobs to succeed, we would not have the unemployment.

If we take a look at the deficit, there is more money spent on the interest on the deficit than all the special programs we have put together.

Mr. WALKER. In this year's budget, as the result of last year's budget, which the Democrats forced upon the President of the United States, we have ended up with a budget that spends more paying interest on the National Debt than on all the social programs combined, all the domestic discretionary programs. That includes education, housing, transportation.

Mr. CUNNINGHAM. Health care.

Mr. WALKER. Health care, other than Medicare, but all the things that are combined, research and development. We spend more just paying interest on the debt that we spend on all of those programs combined, and yet consistently what we see on the House floor are Democrats who enforce policies aimed at more spending and driving up the debt and driving up the cost of everything, thereby also killing jobs.

The fact is that when we are simply using money to pay interest on the debt, it is not going to productive activity, either government activity or activity in the private sector. That means less jobs.

So it is another way, their spending practices here that drive up debt are another way that they are killing jobs.

Mr. CUNNINGHAM. Let us take a look at the outcome of their bill. They claim there is money in this big pot. The money does not exist. It is a myth. It does not exist to pay for their bill. It would either increase this deficit in which we have no money because all the money for our programs that we want is being spent on interest. It will increase that deficit by $6 billion.

Mr. WALKER. The Members here earlier tonight who told us that there is money in the Trust Fund to pay for the benefits——

Mr. CUNNINGHAM. It is already spent.

Mr. WALKER. The money is not there. They have spent it away.

Mr. CUNNINGHAM. That is right.

Mr. WALKER. What did they spend it on? Do we have any idea? A little of everything I suppose.

Mr. CUNNINGHAM. Pork barrel.

Mr. WALKER. In other words, the money that was committed to him in trust, in a trust fund for unemployment benefits, they spent away on other things and there is no money in that? They are telling people all across the country that there is money here and we can simply get at that money.

Mr. DOOLITTLE. If the gentleman will yield, I thought we said this was a trust fund. A trust implies a fiduciary relationship to conserve the corpus of the trust for the purpose of meeting the needs of the beneficiary.

Are we saying that that money is not even there?

Mr. CUNNINGHAM. That is correct. There is not 1 penny left in that trust fund to pay for this bill that they want to do. The reason the President vetoed it is because we either have to increase the deficit by $6 million or raise taxes. And the Democrats would love the President to raise taxes again. That is what they insisted on in the last budget to pay for their spending.

Then they came back and criticized him.

□ 0100

Mr. WALKER. Well, in fact, do they not have an unemployment bill coming out of the Ways and Means Committee right now that raises taxes again?

Mr. CUNNINGHAM. This is true.

Mr. WALKER. And with knowing that tax increases in the economy, tax increases imposed upon basically small employers will kill more jobs, they are willing to kill jobs in order to get these benefits rather than do what the President wants to do, and that is sell off some military radio spectrums and get more activity in the private sector?

Mr. DELAY. Will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Texas.

Mr. DELAY. I am glad we got on this subject because we are putting it in perspective, because earlier tonight it seemed that we wanted to avoid why we are in the recession, and we wanted to avoid the reality, and the real numbers as to what the 1980's had proven. And it is really interesting that the American people know what the 1980's were. They can try to make it different, but the people that lived through the 1980's and benefited from the 1980's, and had jobs, got jobs from the jobs created in the 1980's understand what the 1980's were all about.

But to put it in perspective, they talk about the package that the President vetoed, that it was going to help 3 million people that had exhausted their benefits. Let me read to the gentleman, if you will allow me, from the Unemployment Insurance Reform Act Report, the committee report that accompanied the bill. In that report, written by the majority, because they wrote the bill, it says, "Currently only about 5 percent of the nearly 1.2 million workers who have been unemployed longer than 26 weeks receive EB," which is extended benefits. "The new FSC program," which is this new extended benefit program they tried to stuff down the throats of the American taxpayer, "probably would raise the proportion of those collecting extended benefits by about tenfold, to over 600,000 workers."

So their bill does not extend benefits to the 3 million that they are talking about. Their bill extended extra benefits to only 600,000 workers. And now the bill that they are bringing to the floor, that they are raising taxes to pay for, will probably extend benefits to even fewer numbers of workers.

Mr. WALKER. Do you mean they were wrong by about fivefold?

Mr. DELAY. The gentleman's arithmetic is pretty good. I think they were wrong about fivefold.

Mr. WALKER. It sounds as though their numbers they have been using to defend their position are about as good as the numbers on the charts they have been using.

Mr. DELAY. It is amazing to me how they cook up these numbers and take great liberty that not even the most liberal economist would take in cooking numbers and shifting numbers.

I mean, in one of the charts they claim, they labeled 1991 to 1993 the Reagan recession when President Reagan was inaugurated in 1981 and was not here. But I think the first program enacted was the Gramm-Latta bill.

Mr. WALKER. Precisely. And they backloaded it. Remember? One of the interesting things about the tax cut was that they backloaded it so that it really did not fully get into effect until about 1984.

Mr. DELAY. Exactly.

The whole point is that what they labeled the Reagan recession is indeed

the Carter recession along with what they labeled, and it is the first I have seen Democrats label that there was a Carter, admitted that there was a Carter recession. And I do not have my glasses on, but I think they claim it is like 1979 to 1980. Let me see if I can see that chart here. Yes, I think it is 1979 to 1980 is the Carter recession, and the next year another recession, 1981 to 1983 when, indeed, what it was a double-dip Carter recession.

And then they talk about the Carter years creating all of this growth. They count the first year of the Carter administration, which to be fair the Carter administration had nothing to do with in the first year of their administration, because it takes a while to gear up and get your policies going and those kinds of things. That growth came from the Ford administration. So they are very selective when they start talking about incomes and stuff, and they always talk about a timeframe of I think it is 1977, which is the Carter years, to 1989, which is a weird figure, 11 years, 12 years. So they are constantly cooking numbers.

Mr. WALKER. If I can come back to the gentleman, is it not true that on the one chart that they had there that they did not seem to want to discuss with us, that by using the first 3 years of each administration what they do is ignore the fourth year of the Carter administration when the whole economy was a disaster?

Mr. DELAY. Exactly.

Mr. WALKER. And where the whole thing plunged into the depths, and so if they actually put the fourth year into the Carter administration it would cause major problems for them. The same thing with the Johnson administration. They use the Johnson administration, the first 3 years. By the end of the Johnson administration the economy was in terrible shape.

Mr. DELAY. If the gentleman will further yield, they did not even count the second 4 years of the Reagan administration when growth was 14 percent.

Mr. WALKER. The gentleman is correct. They just completely left that off the chart, the whole second term of the Reagan administration when all of that growth was taking place, and we ought not ever talk about that because, my goodness, that might actually show figures that would ruin your whole point about how bad the country was in the 1980's. When my colleague from Pennsylvania suggested we go out and talk to the people in the country about how things are, when you talk to people about how things were in the 1980's, they certainly agree with the Democrats, things were terrible in the 1980's, and they agree right now that things are pretty bad, and everybody I talk to when I go door to door, or when I see people in the streets, or when I go to the local McDonald's and sit down and talk to people, sure, they think things are terrible right now. And they also know something, they know that something went drastically wrong last year when we passed that stupid budget deal, because up until then everything had been going pretty good, and the economy had been at least puttering along pretty well. And most of them were employed. And then all of a sudden something happened. Most people are smart enough to look back and see something, to look back and say you guys in Washington passed that dumb budget deal in the face of reregulating America and increasing spending at phenomenal rates. Then you get a recession, and it is just basic economics.

Mr. WALKER. And when you tax an anemic economy you get a recession, and that is exactly what happened.

And who insisted on the taxes? I do not know anybody on the Republican side, including the President of the United States, who was insisting on taxes. The President swallowed taxes, but the only people insisting on taxes were the Democratic leadership of this House, the same Democrats who have controlled this house for 42 years. There has not been one interruption in their control. This is the Democrat Congress. This is not a Republican Congress. We have nothing to say here. The only time we get a chance to say anything at any length is in these kinds of special orders at 12 o'clock at night.

Mr. DELAY. One o'clock.

Mr. WALKER. One o'clock, I am sorry.

Mr. CUNNINGHAM. Will the gentleman yield?

Mr. WALKER. I am glad to yield to the gentleman from California.

Mr. CUNNINGHAM. That is precisely why you see four freshman Congressmen here. In the 9 months we have been here we get rolled over every single day.

What the American public saw in the Thomas hearings is an example of what this Congress, this minority party goes through on a daily basis. And my colleague fights our battles daily, and I commend him for that. The President goes through the Thomas hearings every single day, because they make the rules, the Rules Committee. If we want to improve Congress, the first thing I would do is eliminate the Rules Committee.

Mr. WALKER. And you mean actually have open rules in the House where we actually debated real issues that were germane to the bills? Wow, would that be radical.

Mr. CUNNINGHAM. People ask us all of the time as freshmen, "Well, how do you like your first month?" You can make a lot of small victories, you can help a lot of people, and I want my fellow Members on the other side of the aisle to understand how it feels on this side. Every single day we roll over when you want. We had a person's words taken last week, and the majority leader said, "Oh, wait a minute, we didn't think the individual's words were going to be taken." That is like a coach in a ballgame that is kicked out of the ballgame. You cannot speak for the rest of the day. But the majority leader stood up and said, "Well, we think she didn't realize her words were going to be taken." She was told three times, and then he said, "Well, we do not think it is pertinent and let us have a vote," because you have the majority and you just rolled right over the top of us.

In the Thomas hearings they saw that Thomas was going to be nominated, and they did any sneaky thing they could, including releasing an FBI report to change that. The President faces that every single day. We as freshmen see it.

I talked to my friend on the other side of the aisle here about the civil rights bill, a bill that was directed at the President so bad that the opposition knew that the President would veto it, not to help people. Let us take a look and lay off politics and stop laying off Americans.

We would like to come up with a civil rights bill. We would like to come out with an unemployment bill that is not aimed at 1992.

Our leader, NEWT GINGRICH, told us tomorrow, next week we will provide checks for unemployment in the next weeks, and in the meantime the opposition can argue. We will get those checks out. But they do not want to hear it.

□ 0110

What they want is rhetoric for 1992, and that is what they stand on. That is why they set this session tonight. That is what is discouraging about being a freshman Member of Congress on this side of the aisle.

Mr. WALKER. Mr. Speaker, I yield to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I would concur with the remarks made here. Something is seriously wrong with this Congress. I think everybody knows it. We are charged with acting in the long-term interests of the people of the United States, and we have abrogated—I should say the Democrat leadership—I am not going to take responsibility for it. We are the minority party here. We believe in jobs, we believe in economic prosperity, we believe in helping the average American, all Americans, whatever income level or race or creed, to get ahead.

We are constantly being thwarted by empty rhetoric, by little shows that go on around here all the time with pretty graphs and fine flourishes of rhetoric and nothing of substance.

The American people are fed-up with this nonsense. We must do something

now to act in the long-term interests of the American people.

You know, I believe Government has two primary responsibilities; one is to recognize that the family is the basic unit of civilization and our policies ought to be strongly biased in favor of the family.

Mr. WALKER. Do you think the family wants a job, or do they want jobless benefits?

Mr. DOOLITTLE. That gets to my second point. The second point is that a job is the best form of welfare ever devised because it meets not only the material needs but the spiritual needs of the person; it builds self-esteem, allows people to get ahead.

Our national policy ought to be heavily biased in favor of job creation and economic growth. Our policies today are not oriented either toward the family or toward jobs.

Governmental taxation is killing the family. If the gentleman from Pennsylvania [Mr. KOSTMAYER], were still here, I would engage him in further debate. The statistics on the American family are shocking. And the Democrat irresponsibility and their uncontrollable, insatiable appetite for more and more spending is destroying the family. Let me illustrate how.

In 1948 the average family of four with a median income paid 2 percent of its total income to the Federal Government in all forms of taxes combined, 2 percent. That same family of four with a median income today pays 24 percent of its total income to the Federal Government in all forms of taxes collected.

Mr. WALKER. In 40 years it has gone up 12 times?

Mr. DOOLITTLE. Yes. Do we wonder why mothers are forced out of the home into the workplace? That charge has been laid on to us. They dismissed the 21 million jobs created under Ronald Reagan's enormous upsurge in economic activity, dismissed it by saying, "Oh, well, those are second jobs." Let me tell you second jobs do count.

Mr. WALKER. They are necessary with families struggling under the kind of economic burden we have imposed upon them.

Mr. DOOLITTLE. Yes. The Democrat-imposed spending which has ruined the economy, has forced people out of the home in order to have two incomes. Do you know what? Those two incomes do not have any more purchasing power than the one income did in the early 1970's. I am sad to admit that, but I believe that to be true.

Is that our fault? Is that Ronald Reagan's fault? Is that another failure of the trickle-down theories that he had? No. That is the Democrats' fault who have been ruining this country year in and year out by their disastrous policies.

This burden on the average family has gone up 12-fold. When you add in State and local taxes, the average family of four with a median income is paying one-third of its total income to the Government in taxes. Now, this Congress spends billions of dollars on different, what are perceived to be different, problems. We talk about the problem, we hear a lot about the poor educational performance of kids in school. The implication is that we are not spending enough money. That we must not have enough Federal spending programs in order to deal with this. This despite the fact that billions have been spent and there is very little to show for it.

We have the problems of teenage pregnancy. We are told, "Well, there is not enough sex education. We have to teach kids how they become pregnant."

Well, the more money we spend on this the more teenage pregnancies we get.

We have the problem of child abuse, the problem of spousal abuse, of homelessness, drug abuse, and criminal activity. Let me submit that all of these, in my judgment, are not isolated problems, as the liberal Democrats choose to view them and choose to concoct new programs supposedly to fix these problems. There are symptoms, they are terrible symptoms of the deterioration of the American family. We have heard a lot of debate about unemployment benefits. I am very concerned about the unemployed. The Democrats solution is to add another, I think, $6.5 billion just to throw that on to the national debt. It is going to be $350 billion in this budget year alone. Why do we not do something that benefits all Americans?

President Kennedy said the rising tide lifts all boats. He was a good liberal Democrat back in the 1960's.

Mr. WALKER. And what we know from this chart is that he was exactly right because in the 1980's, when we created the rising tide, virtually every income group increased its income from the lowest to the highest.

Mr. DOOLITTLE. That is exactly right. Trickle-down, Reaganomics, or whatever derisive term the Democrats want to use, let me tell you I would love to get back for the American people the benefits that we had as a result of the Reagan tax cut that we enjoyed for the first half of the 1980's.

When we talk about these social problems, we are going to spend billions more, and it will be to no account. Why do we not do something that does not cost us any money but that will benefit every American from the poorest to the richest? Let us control the insatiable growth in Federal spending.

You know, I have heard a lot about that. I am going to let the gentleman from Pennsylvania [Mr. WALKER] conclude, and I will address the insatiable Federal spending in the next hour when it becomes my opportunity.

But I will just observe that I think all of those terrible symptoms that I expressed need to be redressed. Why do we have it? Why is it unsafe? Why is this the murder capital of the United States, Washington, DC? Why are people concerned to ride the subways in New York City? Why do we have to put up with this?

If the Congress changed its policies so that we alleviated these problems, not through more crazy spending programs but through taking the pressure off the American family so that we could reduce that tax burden, so that we could strengthen the families to the fundamental values that should be transmitted to children so that the children could be educated by their parents, with schools assisting the parents in the education of their children; we would begin to get ahead in this country.

Mr. WALKER. Let me interrupt the gentleman to tell him that one of the ways in which we might get there is the suggestion of the gentleman from California, his colleague, made a couple of minutes ago, and that is if we could get outside the kind of rules process that governs us and allows us to debate some of those very issues. You know, we have a lot of bills come to the House floor that speak to those issues where we are not allowed to debate the issue.

When I first came to the Congress, speaking of history, when I came to the Congress in the late 1970's, most bills that came to the floor came under open rules. You could literally write amendments on the House floor and debate them.

Many times we had wide-ranging debates that covered all these topics. For instance, when the unemployment bill came up, you could actually add amendments to it. You could actually decide what the right policy was. You were not strangled by the Committee on Rules that told you that certain things are not in order, that only limited amendments were allowed. The highway bill that we had today, this is the first highway bill we have ever had before us that came out under a closed rule. Always before, we had the opportunity to debate the bill.

What did we have on this? We had people strangled, we could not even go after the major spending in the bill.

We have limited the ability of this House to address the serious issues that the gentleman raises, and we have done so because the Democrats are so unsure of their status in the country that they know they cannot allow open rules on the House floor. They know that some of the things would be brought to the House floor, would be voted on and their philosophy would be beaten. So they cannot afford to do that. So therefore they jam down our throats unemployment bills, for instance, which everybody knows are going to fail. If we actually had a chance to really debate that and really

amend it, the chances are we might actually come up with a bill that the President would sign, but we never get to that.

Mr. Speaker, I yield to the gentleman from California.

□ 0120

Mr. CUNNINGHAM. Mr. Speaker, I think why the freshmen are here is that it is out of a sense of frustration. We watch the other side of the aisle debate and only target for 1992 without trying to help people. We can sign a bill tomorrow to have checks on the table for the unemployed if they will just come and talk to the gentleman from Georgia [Mr. GINGRICH]. That will happen. It is a promise. We can have checks for the unemployed in which they want to help and which we want to help.

Stop the rhetoric. Let us help people because we have not been able to do that as freshmen. We get rolled over, and since it is an election year, everything that is targeted is for 1992. My colleagues sense in the people, and the people I am sure that are watching, sense frustration and anger. That is because we are not helping people. When they say, "Throw the rascals out," they are exactly right because we are ineffective. We are not doing our job, and then we go and raise our pay.

Mr. Speaker, people are frustrated with Congress, and the reason is because of exactly what is going on tonight. What I would much rather do than sit up here and belittle each other is to sit down and solve some of these problems. Let us get the checks out. Let us sit down, and negotiate and make it happen, and that is why the frustration.

Mr. WALKER. Mr. Speaker, I think the gentleman from California [Mr. CUNNINGHAM] is right. What we need is policy rather than politics. What we need is to create jobs rather than kill jobs, and it sure would be nice to have Congress working in those kinds of areas rather than trying to figure out what the next game of one-upmanship is to try to get the President of the United States.

Mr. Speaker, I would be happy to yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I just wanted to add maybe a footnote to this segment before we yield back to our colleagues on the other side of the aisle.

A recent study was done by the Joint Economic Committee, and I think it points up very clearly why raising taxes to pay for extended unemployment insurance benefits is frankly a zero-sum proposition because that study clearly showed that for every $1 in taxes that the Federal Government takes in, it costs the Federal Government $5. For every $1, it costs the Federal Government $5 in unemployment compensation and lost income taxes.

So, we can have all the charts we want.

I am sure we are going to hear in the next hour how there are proposals ready to come to the floor, and unfortunately their proposal will involve raising taxes, an insidious payroll tax increase, and the reality is that will ultimately cost us dearly in terms of even greater unemployment insurance compensation, as well as lost income taxes.

So, Mr. Speaker, I just want to thank the gentleman from Pennsylvania [Mr. WALKER] for allowing me to interject that.

Mr. WALKER. Mr. Speaker, the first alternative was to say to the President, as my colleagues know, accept this bill and raise the deficit. Now their solution is: Accept this bill and raise taxes, and in so doing of course they are asking the President to do like they asked him to do in the budget agreement last year, plunge the Nation further and further into a recession, kill more and more jobs, and, as a result, create more and more disasters. That probably serves their political game very well. If next summer they could point to the fact that the economy is in ruins, that would probably serve the politics very well.

Mr. Speaker, I think the American people would prefer to think that Congress thinks a little bit better than that and would like to see the economy back on track by next summer, and then let the political chips fall where they may, but do not make the American people the political pawns, the victims of bad policy in Washington.

We killed the economy with last year's budget deal. We plunged it into an unnecessary recession. Now the victims of that budget deal are being further victimized by a Congress that either cannot act or will not act responsibly.

I think that that is something which needs to be understood by all Americans as they view the proceedings here tonight and as they view the proceedings that roll out from tonight into the next several weeks.

ORDER OF BUSINESS

Mr. DERRICK. Madam Speaker, I ask unanimous consent to control the next hour of time.

The SPEAKER pro tempore (Ms. KAPTUR). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

THE PROBLEMS OF THE UNEMPLOYED IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. DERRICK] is recognized for 60 minutes.

Mr. DERRICK. Madam Speaker, this summer we hoped to undo what the Republican administration has done for the last decade. We hoped to once again rescue this country from administrations who are not concerned for the middle income, lower middle income, probably the upper middle income people of this country. What they are primarily concerned with is the very rich.

Now let me say that we have heard a lot about economic growth policies. I must say that I think it takes a reasonable amount of brass for anyone on the other side of the aisle to stand up and suggest that we Democrats adopt any of their growth policies. As my colleagues know, they do have a record, and their record is a public record, and what that record says is that in 1979–80 the annual deficit of this country was approximately $69 billion, and in 1990 the total debt of the Federal Government was approximately $1 trillion, a trillion dollar debt that, I may add, had been accumulated over 200 years of this country's history. In 1980 we were also the greatest creditor nation in the world.

As we moved into the 1980's with a Republican administration and a Republican Senate, I do not know what the percentage was; I have heard 98 percent, and I do not know whether that is correct; but they got most of what they wanted passed. They sure got the big blockbuster passed in 1981, the Gramm-Latta tax bill.

By 1985 the annual defict of this country was something over $200 billion. What is that? Four times what it was, almost four times what it was in 1980. Sure, we had prosperity, but I want to suggest to my colleagues, if they would like to give me a billion dollars a year and tell me I only have to pay the interest on it, I can have a grand old time until the interest amounts to a billion dollars, and then I have problems.

Madam Speaker, that is why this country has problems today, because that interest now is over a billion dollars. We saw the Republican administration piddle away the equity that our forebears had built up over a 200-year period. We saw our country become the greatest debtor nation in the world.

Now one does not have to listen to a Democrat saying this. David Stockman in his book, and in his magazine articles and in his utterings said it was all a sham, said they knew it was a sham. But it was a way to keep administrations in business, in office, to get them there and to keep them there.

□ 0130

So your own great guru, economic guru of the 1980's, tells you that it was a sham, and basically agrees with what I have told you here tonight. I am concerned about the folk out there that do not have jobs. I am concerned. I have never been without a job in my life, but I can imagine that it is a terrifying experience to have a family to support,

obligations to meet, and not be able to find a job.

Thank goodness we have unemployment compensation, and that helps some, but there is one thing that I can imagine that is even worse than not having a job and having obligations and a family to support, and that is not to have a job and to have my unemployment compensation run out. Can you imagine the desperation that families throughout this country, estimated to be 3.5 million this year, must feel, the desperation that goes down into their very gut that they cannot find a job and that their unemployment compensation is cut out? I will tell you that I cannot imagine that there are many worse feelings than that.

We Democrats, with some Republicans, have passed three bills through this body and through the Senate to help these people out, to extend to them a helping hand so that they can at least exist until they can find a job.

Now, you know, we all want to create more jobs, but if you are out there drowning and you are going down for the third time, it really does not help much for someone to come by and say, "Well, we will come back for you later," because most of these people will not be there later if we do not help them now.

The business about breaking the budget agreement, that is a lot of foolishness. The money is there in the trust fund to pay for these benefits. It has been paid in. It is $8.5 billion, and it is there for this very purpose. It was paid in so it would be there when it was needed, and it is needed today in this country for the millions whose unemployment benefits are running out.

So I ask those across the aisle, and maybe a few on our side that did not vote for it, to vote for an unemployment bill. And I ask the President of the United States, who I do not accuse of being an inhumane person—I know that he feels for these people—but, Mr. President, let us sign a bill and let us take care of these people.

I yield to the gentlelady from California [Ms. PELOSI] for 10 minutes.

Ms. PELOSI. I thank the gentleman for yielding.

Madam Speaker, I wish to thank the majority whip, Mr. BONIOR, for organizing this special order this evening, or now I guess it is this morning, 1:35 in the morning in Washington, DC. It is appropriate that we hold this allnight vigil to let jobless Americans know that their pain is not going unheeded by this body, even though the President, by his actions and his vetoes, has chosen to ignore them.

I guess the reaction of the public to the President's policy is beginning to hit home. We see in a local metropolitan journal today that the President is below 50 percent in his job rating because of the economy, and it is no wonder we see the members of his party squirm when this issue of the economy is brought to this floor.

Madam Speaker, in my State of California, 240,000 have lost their jobs during the current recession, and 153,000 people in California are out of work. In the Nation as a whole, 8.5 million Americans are looking for work. As winter approaches and their unemployment benefits run out, they face an emergency situation. Our colleague from South Carolina [Mr. DERRICK] very poignantly explained what it must feel like to them. How will they pay their heating bills? How will they feed their children? How will they pay their rent or their mortgages?

With a stroke of the pen the President wrote off these jobless Americans, and what does the President tell these people facing hunger and the danger of losing their homes? He says not to worry, that there is no emergency, and that economic prosperity is just around the corner; just be patient.

In reality, Madam Speaker, in vetoing the unemployment benefits for jobless Americans, the President has abandoned them.

Until the President has figured out a way to jump-start our ailing economy, the least he can do is agree with Congress that the jobless Americans deserve extended unemployment benefits. Extending unemployment benefits is certainly not unprecedented. Previous speakers in charts have referred to how in a bipartisan way Presidents of both parties—President Ford, President Reagan, and President Carter—in their administration have extended jobless benefits in past recessions, regardless of party.

It is only in the Presidency of President Bush and in his recession that we see the abandoning of that policy that has worked so well in past recessions.

Jobless benefits were extended during the economic downturn in 1957, 1960, and 1970. During the 1980's temporary benefit extensions were approved four times. But this year, the President says no.

One of the people that the President has said no to is one of my constituents, a young professional. I would like to read from a letter that I have received from her. She says:

My husband, an industrial designer, was laid off in late May and will run out of unemployment benefits at the end of the year. He has interviewed with every design firm in the Bay Area and registered with headhunters working nationwide. He's received a lot of encouragement from employers who have seen his portfolio but no one is in a position to hire. There have been no ads in the paper and no feedback from the headhunters. We're obviously in for a long haul.

I work full time and earn 49 percent of my husband's former salary. Without the unemployment benefits (which are just enough to pay our rent) we would have to give up our apartment and move in with friends. Six months is not enough time to find a job in a specialized field like industrial design, especially when industry is just holding its own and not investing in new products or environments.

We need and deserve more support from the United States government. . . .

We have a medical insurance bill of over $450 per month due to the "benefits" inherent in the COBRA system. Because of a "preexisting health problem", I have to stay with our present health insurance company until such time as my husband finds another job with benefits. The health insurance which was relatively inexpensive for us when most of the premium was paid by his company is now exorbitant but we are locked into possibly for the next 18 months.

I read this letter, Madam Speaker, because we are not talking about an unskilled laborer, we ae not talking about an entry-level person. We are talking about people—this has hit across the spectrum. This drives fear into all Americans. This is not just a the lowest level, affecting unskilled workers who are marginal and who are quick to lose their jobs during a time of a bad economy.

□ 0140

These are trained, educated people. Not that it is any less painful for somebody who is poor or somebody who is more in the middle income. But what I am saying is nobody is safe from this. As educated and skilled and as professionally prepared as people are, across the board we are seeing them facing this uncertainty.

It is not only the people who are unemployed, it is those who fear unemployment that are concerned about what happens to them if they should lose their job. A poor economy and an increase in joblessness, inadequate unemployment compensation, uneven health insurance, joblessness does not even tell the whole story, because we have many people, as I mentioned, who are underemployed and are working at substandard wages, wages much lower than their skills would warrant.

Earlier our colleagues were talking about competitiveness. When I say earlier, I mean much earlier this evening.

But we must not forget that crucial to competitiveness and to productivity is respect for the work force. Our international competitors do not ignore the worth of the work force. This is part of their success.

So whether it is wages and benefits when they are working, or unemployment compensation in the face of a downturn in the economy, or health benefits in either circumstances, we had a bill earlier this year, the Fairness Workplace—what was it, the bill that addressed permanent replacement of people on strike, again striking to the morale——

Mr. DERRICK. Striker replacement.

Ms. PELOSI. Striker replacement, hitting the morale of the American worker. This is part of that. We earlier this year had a debate on the fast track, and we kept emphasizing in the

debate on both sides of the issue how important it was to have certain assurances for American workers, that if they lose their jobs, there are some safety nets for them.

That is why it is so important for us to extend these unemployment benefits, so the American workers know that we stand with them as opposed to with the wealthy. We stand with them in this time that is fragile for them, and that the Presidential vetoes do not produce jobs nor feed children nor heat a home nor pay the rent. The President's veto of unemployment benefits is an act of cruelty to the American people. As he does this, he leaves now for several weeks of uninterrupted travel abroad.

I therefore again thank my colleagues for calling the Nation's attention to this issue.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. DERRICK. I yield to the gentleman for about 30 seconds.

Mr. DELAY. The gentleman gave a history of the 1980's. I just wanted to add to that history that which he left out. I wanted to discuss what the gentleman's opening remarks were in relation to the history that he gave about the 1980's.

He failed to mention, assuming that Reagan got all of his policies in the early 1980's, which he did not, that he did not even get the spending cuts he wanted. Because the gentleman failed to mention in his history that revenues increased an average of 7 to 8 percent over the last 10 years, yet spending increased 9 percent over the last 10 years.

Indeed, over the last 10 years Congress spent $515.8 billion more than the President requested. It was not a lack of revenues, it was spending.

Mr. DERRICK. Mr. Speaker, I will take back the balance of my time. We are all aware that President Reagan signed more tax increases than any other President in modern history.

Mr. Speaker, I yield to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, just last August President Bush said, "What I think is the economy is recovering. It is moving forward." That was just last month.

I do not know where in America the President has been traveling to reach that conclusion, but it sure was not my congressional district. Unemployment in my district, the Fifth District of South Carolina, is 7.8 percent. That is the highest in the State of South Carolina.

Last August when the President was speaking so optimistically about the economy, there were 21,600 people in my congressional district who were out of work. They could not find a job.

Of course, real unemployment is even higher, because this number, 21,600, only includes the people who are still actively seeking a job, who have not given up the search.

Also, 7.8 percent is the average unemployment in my district. There are counties in my district, some rural, some urban, where unemployment is even higher.

In the county adjacent to where I live, unemployment there has been 15 percent. Today it is 13.3 percent. In the second largest county in my district, unemployment has been over 11 percent. It is a mixture of cyclical unemployment due to this recession and structural unemployment due to the closure of businesses, textile firms, and other firms where jobs simply have not been restored.

Statewide in the State of South Carolina unemployment is just over 6 percent. One hundred and three thousand workers in South Carolina are out of a job. In our State we believe we still have a work ethic. These people do work. They want to work, and if they had any possible opportunity to work, they would still be working.

A year ago unemployment in South Carolina was 4.4 percent. So in 1 year, the last 12 months, unemployment has risen by over 1.5 percentage points, 27,000 people in the State of South Carolina.

Our economy has not improved, not in this Nation, not in our State. It has gotten worse. I do not know what the President has been reading to substantiate the remark that he made last August, but every magazine I pick up, every news story I read, has something like this article that was in the last edition of Time: "The slump that won't go away: America's rundown economy."

According to the Bureau of Labor Statistics, between January and March of 1991, which are the last figures available, there were 33 businesses in my State, and that is a small State, that suffered massive layoffs. Not just furloughs, not just cutbacks, but 6,400 people were laid off in these massive layoffs.

As I said, there are many causes for unemployment in South Carolina. Some are cyclical, some are structural. One of the major causes in our State is structural, layoffs and shutdowns due to the straits the textile industry and the apparel industry has found itself in, which is largely due to imports.

In our State the textile industry is and has been for years the largest manufacturing employer. It has suffered blow after blow in the 1980's and on into the 1990's. Even when our economy was doing well, the textile industry was suffering from import competition.

Between 1980 and 1990 the import of textile apparel rose from 28 percent of the domestic market to 60 percent of the domestic market. Back in 1980 we had a textile apparel trade deficit of $4.7 billion. By 1989 that had grown to $26.5 billion. It had grown fivefold in a period of 8 to 9 years. Today it accounts for more than one-fourth of our total trade deficit.

What is the reason here for these trade deficits? One major reason is that the Reagan and Bush administrations both have simply refused to try to stem the tide of textile imports. They have refused to negotiate tighter quotas with exporting countries, and have been lax in enforcing the quotas we have.

Congress on three occasions passed textile trade bills to stiffen their resolve. On each occasion either President Reagan or President Bush has vetoed the legislation we passed here by large margins.

What are the results of this laissez-faire trade policy? They can be measured in textile jobs. They are measured today. Since 1981, there have been 337 textile apparel plants in South Carolina alone closed. We are a State of 3.4 million people. We have had 337 plants in the last 9 years shut their doors. We have had 70,000 jobs lost due to plant closures.

In 1990 alone, 48 plants closed down. Ten thousand South Carolina textile workers lost their jobs. So far this year, 13 more plants have closed down, leading to the layoff of another 7,800 workers.

If this were not enough to harm the textile apparel industry, the Bush administration has been pushing a proposal in the GATT Uruguay Round in Geneva to eliminate the so-called multifiber arrangement, the only legal limits that allow us to restrain to some extent textile imports.

If this proposal is ever accepted, if it ever gets made into law, this country will have virtually no control over textiles from China, Taiwan, Bangladesh, and Korea, or any other exporting nation, and we could lose another 1.4 million textile jobs.

These are good jobs. The people who hold them are hardworking people. There is no feather bedding in a textile mill. These are proud people, and they are not asking for a handout. All they are asking for is the right to earn their way in our society.

President Bush came to our State back in 1984 on the presidential campaign. He was confronted by reporters with these statistics. When asked what his administration was going to do about them, he shrugged his shoulders and said, "C'est la vie. That is life."

□ 0150

Madam Speaker, I disagree with these trade policies. I believe in managed trade for textiles and apparel, but I will admit that managed trade versus free trade is open to debate. At the very least, however, I think it behooves those who are in favor of free trade to recognize that people will get hurt by free trade, that they will be victims. Workers will lose their jobs. They will lose their jobs to industries where the prevailing standards of worker occupational health and safety are much more

lax in the United States, where wages are a fraction of our wages. And knowing that, it is at least incumbent on those who advocate free trade who are going to be the victims of it.

That is where I have a real problem with this administration, particularly in a recession like this, because of the Reagan and Bush administration belief that the market will optimize the outcome. Instead of offering a helping hand, they would leave it to the invisible hand.

Madam Speaker, in the last 1930's, after the invisible hand took us into a deep depression, this country decided we wanted a New Deal for American workers. Among the things we established to remake our economy and our society was unemployment insurance.

Americans came to believe in this as part of the social safety net, part of the social insurance program that made America what it is and made our economy what it is.

In the 1950's, we added to it by providing extended unemployment benefits each time the economy went into a deep downturn. In the 1970's, President Nixon signed into law the Permanent Extended Benefits Program, which would be triggered automatically when the State economy or the National economy reached certain levels of unemployment.

We all know from this debate and from previous debates on the legislation that it would have extended benefits for this recession, Gramm-Latta back in 1981 tightened that trigger, so tight that it hardly works to help people who clearly deserve the help, even though this is the third most severe of nine postwar recessions. The trigger has affected only one State.

All we have sought in trying to extend unemployment benefits to those whose benefits have been exhausted and have run out is to give them a little help so that they can keep looking for a job, so that they can go to JPA or go to one of the unemployment training programs, continue to support their families while they seek some sort of additional and new employment.

I spoke earlier of a county in my district, Chester County, where unemployment has been 15 percent in the last year. I would like to close by reading a letter from a constituent written not to me but to President Bush, from a man in Chester County.

He is a man who spent 41 years working on the railroad. He is retired now. He is not unemployed. He has a railroad retirement check and some savings that he lives on.

Here is what he wrote President Bush, whom he said he voted for in 1980, 1984, and 1988.

There are hundreds of people in our community who are out of work through no fault of their own, many from plant closings, store closings, firms going bankrupt. You say that by extending unemployment benefits, it would open "bust the budget." Where are the $8 billion in this fund? You people that were fortunate enough to have been born into a wealthy family and have never experienced the trauma of having next-door neighbors who are close to becoming street people have no idea of what being destitute is all about.

There is a man who voted for President Bush 3 times. I quote him because he is graphic and compelling, but I also quote him because here is a man who is secure. He had a job. He has got retirement. He is like millions of other Americans who have a job, they are not so selfish as to not be able to see beyond their own self-security. They are not so selfish as to not want to understand and appreciate that they are their brother's keeper. They want to help their neighbors who do not have a job.

These people understand the economy of this country viscerally better than the President's Economic Advisers. They know what America is about because they made America. Their savings were America's capital formation.

Their blood won America's wars. Their work is America's productivity.

The President can ignore our debate tonight. He probably will. But he ought to stick around. He ought to stay home. He ought to travel the country and listen to people like these because they are the majority, a large majority. And they want to help the 8.4 million people, jobless in America today. They want to help them bear the burden of this recession.

Mr. ESPY. Madam Speaker, will the gentleman yield?

Mr. DERRICK. I yield to the gentleman from Mississippi.

Mr. ESPY. Madam Speaker, I am proud to follow the other gentleman from South Carolina. I guess we could say this is the southern segue, about 2 a.m. in the morning.

Let me begin by just saying that I am impressed with what the gentleman from South Carolina just said because really, as we stand here this morning, we have to try to put this in perspective. It is serious problem.

It is appropriate that we take this time to discuss this special issue of unemployment. We have about 2 million more Americans out of work than this time last year. We have cities all across this country going bankrupt, and if this economy has a cold, I would say from a Southern perspective that it is probably appropriate to say that if the Nation has a cold, the South has pneumonia. Particularly the Deep South, the State that I represent is in deep trouble.

I would like to talk about the illnesses and try to talk about the local impact of this recession and the plight of my constituents in my district.

If I can take off just on one thing that the gentleman from South Carolina just said, he talked about being our brother's keeper. This is really what it all about. When we die, and hopefully we go to the entrance of the pearly gates and we stand before St. Peter and the roll will be called and the history will be reviewed of our life, he is not going to ask us what percentage we won our last elections by. He is probably not going to ask the aggregate account about PAC funds. He is probably not going to ask how many frequent flyer miles we have.

I would think that he is going to ask questions in another sense. I think that he is going to ask what did we do while we were on Earth to make the lives of our fellow men and women a little bit better. He is going to ask, when we saw some homeless, did we try to house them. He is going to ask, when we saw some sick, did we try to care for them. And he is going to ask, when we saw some unemployed, did we try to find jobs. And while we were all about doing that, did we take care of their immediate needs. And that is what this debate is all about, taking care of the immediate needs of the unemployed men and women in America who, through no fault of their own, found themselves in the unemployed lines.

We just witnessed the end of another game of the World Series, and I am not showing any bias but I am for the Southern team. The same for this popular American sport goes, strike 3, and you are out. I am hoping and praying that that will not be true in the real game of life for one particular county that I am here to address tonight.

This is the county, one of my 22 counties in my district. In fact, it is the largest county I have.

In the last few months, not one, not two, but three industries have shut their doors in this particular county. One closure put 70 people out of work. The second put 200 of work, and a third will put 250 out of work. That is merely one community in Mississippi getting far too many strikes. That is more than 500 families now struggling with unemployment.

This last one really impacted me because of the time the second bell was ringing, calling the Members of Congress onto the floor to vote for this last unemployment benefit bill, which of course our President vetoed, I was being visited by an agent of that very company. I guess this was a massive strike. All the Representatives and politicians, everyone interested in creating jobs in our district, all were being visited at the same time about 15 minutes before they were telling the people at home that they were about to lose their jobs.

□ 0200

And at the same time we were asked to come over to vote on an unemployment benefit extension bill we were being told that this major American company, a multinational company in my district was about to close. And I

asked the gentleman, I said why are you leaving, is it a problem with the labor force, do the skills need to be upgraded, do you have some transportation problems, and he answered all of these question in the negative. And he just blamed it basically on the recession.

So during our last vote on unemployment, as I said, there was no doubt as I walked over from that sad meeting, there was no doubt in my mind how I would vote on that unemployment extension benefit vote.

The first unemployment benefit extension bill was vetoed, and the second one was vetoed, and none of our communities need this third one to be vetoed. Many of our unemployed who just do not have a chance to get a job during the recession would be sleeping better tonight if we could make it into law, an extension of the unemployment benefits.

In the last 4 months Mississippi has either ranked first, second, third, or fourth in unemployment. In August, another 2,083 Mississippians found that their unemployment benefits had been exhausted. We have a county in the southern part of my district where the current rate is a whopping 24 percent.

So there can be no doubt, Madam Speaker, that the recession is throwing strikes at communities all across our country. We have more than 8.4 million Americans out of work. All across the country, merely in the last 6 months, 1.8 million Americans have exhausted their unemployment benefits, and the most optimistic estimates indicate that at least 1.3 million of these Americans are still out of work and without benefits. And in the South, Madam Speaker, I will just tell you people call a spade a spade. There is little pretense in the South. If they like you you know it, and if they do not like you you probably know that too.

So the contradictions are apparent on their face, and they see contradictions in what we do in this body. Early in this year we sent $20 million to Bangladesh because of their typhoon. Well they asked us what about the American families struggling during the third largest recession for our country since World War II? We hear talk about supplemental food aid to the Soviet Union to forestall the empty stomachs in the advent of this long, cold winter. Well when are we going to consider an emergency to take care of our needs and the needs of our people as well?

We send $725,000 to the Philippines for volcano destruction. What about our 8 million unemployed?

So it boggles my mind when I think that we can get a consensus to do these things for others overseas but not to help the people in our own communities.

So we have to be very honest with ourselves. We have a recession that is stinging communities all across our country, and we have a responsibility to reach out and help.

This is the first recession since World War II that we have not extended unemployment benefits. We have been in this recession for more than a year. At what time will we 'fess up and call it an emergency?

During the recessions of the 1950's and the 1960's temporary programs were signed into law. In 1970 President Nixon signed legislation creating a permanent extended benefit program. Even President Reagan agreed four times to permit extended benefits.

By not extending the unemployment benefits we are telling working Americans that we know that there are hard times, that we know that it is a recession, it is hard to find work, we empathize, we sympathize, but basically that is just about it.

The critics for extending unemployment benefits like to point to the projected cost of $6.4 billion. They like to say that we do not have the money. Well we do have the money in the Federal unemployment trust fund. It is not a slush fund. It is no secret fund. It was specifically created to cover our unemployment during this time of emergency.

So let me finish with a letter that I received recently from a constituent in my district. Through this letter you can hear his pain and you can hear his suffering. He told me, Mr. Speaker, that "I am behind in my rent going on 3 months, behind on my phone bill, behind on my light bill. I have tried everybody and can't get any help. My wife only makes $140 a week. We are Christians," he says, "and we pay our tithes, plus we buy our groceries. By the time we do all of this, if we are lucky we might have $40 to live on. I do not know if there is any help or not, but you are my last hope." He need at least $2,000 to come up for air. "Please reply as soon as possible," he says. "Like I said, you are my last hope. Would you please try to help me."

This is not somebody who wants help next month or next week, Mr. Speaker. He needs help now, and that is simply all that we are trying to do.

We have done a good job in this country targeting our missiles, and now it is far past time that we do just as good a job targeting help to our unemployed.

President Bush ordered our bombers to stand down. Now we are just asking him to stand up for our unemployed Americans.

Mr. DERRICK. I thank the gentleman very much.

Mr. Speaker, I yield to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding and am pleased to participate in this all night vigil on behalf of the unemployed of the United States.

Let me say, I knew America was in trouble when President Bush's Secretary of Labor announced to unemployed workers in America that "the answer to unemployment was jobs." Now, I really don't think there's even one unemployed worker in America that doesn't understand that. It used to be the job of the Secretary of Labor to recommend to the President how to create the jobs to help move America's workers back onto the payrolls and off the unemployment rolls. But from this President and from his Labor Department we get silly and immature nostrums. We also get Presidential vetoes of bills to at least provide America's unemployed with unemployment compensation—which, I might add, these workers earned and their companies paid for into a trust fund—this is no giveaway program. We're talking about treating people as the law intended. And the law intends that unemployed workers shall be compensated.

Now you might ask, why would a President do this? Well the President says because he doesn't think unemployment is a budget emergency. So he vetoes the bill Congress passed 2 months ago that would have provided our workers with 10 weeks of extended unemployment benefits. Then when Congress, in dismay I might add, decided to pass another bill with only 7 weeks of extended benefits to accommodate the President, what did we get? Another veto. Why? The President says its not an emergency. But, of course, then the President says that aid to Egypt is an emergency. So, he asked Congress, over the objections of this Members, for $7 billion in loan forgiveness to Egypt. I ask the President, why is $7 billion to Egypt an emergency, but $5 billion to America not an emergency. Now, you say, well maybe Egypt was an exception. But no, then the President came back and asked Congress for emergency help for Turkey. And then he asked for emergency help for the savings and loan bailout. And then he asked for emergency help for the Kurds. I ask myself, do President Bush and I live in the same country? Well, I decided we don't in fact live in the same country. I think the President is out of touch. But I can understand why. In about a month he is scheduled to start another month of whirlwind foreign travel. It's hard to keep your mind on America when you're meeting with all these foreign dignitaries. Today, we had a President of a foreign nation who visited Congress. And I watched him driven up in a huge limousine. In fact, there were at least six gigantic, black, stretch limousines, a police escort in front of the limousines and more police escorts in back, and police motorcycles and sirens. Well, all in all, you really can't feel the ebb and flow of life on the streets of America when you're locked up in one of those air-conditioned, soundproof, mirrored window limousines. So, I can understand how a President loses touch.

□ 0210

So tonight, I would like to read a letter from a citizen of the United States. She can't afford to come to Washington. She probably will never visit the White House. And George Bush will never read her letter.

There is not time this evening to read it entirely into the RECORD, and so I will enter it, but she basically says apparently——

Mr. CUNNINGHAM. Mr. Speaker, will the gentlewoman yield?

Ms. KAPTUR. My time is very short. I cannot yield right now. I apologize.

PARLIAMENTARY INQUIRY

Mr. CUNNINGHAM. Mr. Speaker, I have a parliamentary inquiry.

Ms. KAPTUR. It is not a problem on Pennsylvania Avenue or in Kennebunkport, but it is, in fact, a legitimate crisis in northwest Ohio.

Mr. CUNNINGHAM. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. WHEAT). The gentleman from South Carolina [Mr. DERRICK] controls the time.

Does the gentleman from South Carolina yield for that parliamentary inquiry?

Mr. CUNNINGHAM. I have a parliamentary inquiry. If the gentlewoman fails to yield, there is a House rule that you may not read on the House floor, and I would insist on it unless I am privileged to have a yield.

Mr. DERRICK. You can do what you want to.

The SPEAKER pro tempore. The gentleman from South Carolina controls the time.

Does the gentleman from South Carolina yield for the purpose of a parliamentary inquiry?

Mr. DERRICK. I yield for the purpose of a parliamentary inquiry, that is all.

Mr. CUNNINGHAM. That is all I asked.

Ms. KAPTUR. Dear Mr. President, I would like to request that, before you issue another rosy statement regarding the state of the American economy, you spend a morning the way I did today—standing in line at the local unemployment office. Be sure you give yourself plenty of time, however. Those lines are long.

I am 39 years old, have an I.Q. of 132, a college degree, and have worked steadily since I was 19 years old. In all that time, I had never really had a problem finding a job. Afterall, I learn quickly, am a hard and dedicated worker, and have some pretty well-developed people skills. Things have changed for me, however, as they have changed for far too many Americans.

After 10 years with the same employer, through no fault of my own, my job was eliminated on March 31 of this year. Since then I have put a great deal of effort into trying to find a new job. By July, I had given up the idea of a challenging position with some sort of future. Even with my sights set lower than I would like, I have been unsuccessful to date. I have been told more than once by potential employers that they generally receive approximately 300 resumes or applications for each job I have pursued.

I have 1 week of unemployment benefits left. After that, I presume I will no longer be a part of the unemployment statistics since I understand these are normally pulled from the number of people receiving unemployment compensation. Those whose benefits have expired are not considered—afterall if they're not collecting, they obviously are employed, right? Wrong, Mr. President.

I'm glad you feel things are going well enough that there is no need for unemployment benefits to be extended. Apparently, unemployment is not a problem on Pennsylvania Avenue or in Kennebunkport. It is, however, a legitimate crisis in northwest Ohio. How unfortunate your political blinders prevent you from acknowledging the situation and providing some relief.

Now, one thing we're certain of. Since George Bush became President there are 300,000 less jobs in America. Between July 1990 and August 1991, total civilian employment in the United States dropped by 1.5 million jobs. In terms of duration and the number of jobs lost, the current downturn, as of August, ranks as the third most severe of the nine-post war recessions. But because of the Gramm-Latta unemployment trigger—a Republican program the qualifying hurdle is so extreme that most States were excluded from the extended unemployment benefit program. As a result, there is no precedent for the current situation. And Federal legislation is critical to help the families who have fallen through the safety net owed to them by this Nation.

Now some earlier in the evening asked why President Bush has vetoed two of our bills to extend benefits. Why has it taken him so long to pay attention to this issue. Hobart Rowen, a Washington Post reporter, stated it well this month when he wrote:

Earlier this year, George Bush could have sought a coalition with the Democrats to propose a number of stimulants, including a middle-income tax break with a safety net package, invoking the "emergency" provision of the budget deficit agreement. It would have been first-rate politics and economics. But Bush's timid group of advisers told him to hold off. When Democrats initiated legislation extending unemployment benefits, stubbornly, Bush refused to go along, and his economic advisers hammered away at the need for lower interest rates. They had no other policy * * *

So now tonight, we hear some members of the President's party try to cover their tracks. After all, recent polls indicate unemployment is now the No. 1 concern of Americans, with the overall economy right behind. But it won't wash anymore. The bill this Congress passed months ago, would have provided 10 weeks of extended benefits to my State of Ohio. But the President vetoed that original bill. And he vetoed a second bill we passed that tried to accommodate the President but would have provided only 7 weeks of benefits to my State. Now we're at it again, trying to craft a third bill on which we get the President's signature. The bill described by the Republican Members on the floor this evening that they were supporting—the Dole bill—would only provide 6 weeks of extended benefits and the number of eligible people who have exhausted all benefits would be lower. How can any sensible Member who has any compassion and decency be involved in this process of whittling down of our own people? I'd like to read from another citizen from my district:

OCTOBER 6, 1991.

Congresswoman MARCY KAPTUR,
Ninth District, Toledo, OH.

DEAR MS. KAPTUR: I see that the Senate approved 65–35, a bill (which I understand Bush vetoed) to extend unemployment by 20 weeks.

I do not hold with Bush's contention that it is contrary to last year's budget. The funds should be taken care of by the 8 billion that has been set aside by the trust fund for that purpose.

Bush has funds to help the Soviet's, was that figured in last years budget? I'm tired of his using funds that are designated for unemployment, social security, medicare etc. to off-set the deficit.

The increase to 20 weeks additional unemployment is close to my heart. I have a daughter approaching her 50th birthday, she has been unemployed since Feb. 91. She has exhausted her savings. Her children, teenagers, are living with their father in another State.

Today, I called her and she told me she may have to apply for welfare—she can no longer keep her health Insurance paid. That she hopes they will at least give her Medical help—she has several medical problems requiring medication. *She, "is ashamed to apply"* she said, but her savings are exhausted.

I am ashamed of myself. *I didn't, I couldn't* force myself to tell her (according to what I've read and heard that single people in Ohio are not helped).

My heart is breaking—after medicare is paid I have $484.00 Soc. Sec.—I pay $82.89 for Secondary Ins. a month. My husband gets $502.00 per. month. He has been disabled for a long time. We have never been on welfare. I can't bear to think she has to apply. I can only help so much—not enough.

I do not believe everyone eligible for the 20 weeks, would collect 20 weeks. If the recession is so near to ending Bush should be able to see that these people would be back to work. The cost would not be $6.4 billion, if the recession is soon ending.

These people who have worked all their lives are more than willing to be counted as taxpayers and not unemployed.

President Bush has vetoed two unemployment bills since August. He refused to declare an emergency, effectively killing the bill sent to him in August. Several weeks ago he outright vetoed

another unemployment bill. The Senate failed to override his veto by two votes.

In addition, President Bush has also threatened to veto emergency drought relief to farmers. Although 81 counties in Ohio have been declared disaster areas by the President's own Secretary of Agriculture, he still does not realize the economic devastation caused this summer in America's heartland.

The President is willing to support emergency help to foreign countries—to Egypt, to Turkey, and to the Kurds. The American people deserve his attention first, especially when they're hurting.

In the next several weeks, the Congress will send President Bush yet another bill to help millions of unemployed men and women in this country.

Recent polls indicate that unemployment is now the No. 1 concern of Americans, with the overall economy right behind.

In Ohio's Ninth District recent unemployment statistics put the percentage of those without jobs at 7.3 percent in Lucas County; 7.3 percent in Fulton County; and 6.2 percent in Wood County. Earlier this summer, the unemployment rate in Toledo stood at 11.3 percent—the highest in the State. Those numbers, of course, do not include those individuals who have exhausted all benefits and in many cases must seek public assistance. Our general relief rolls have tripled since 1980 as people fall off of unemployment benefits in an economy that is dead in the water and not growing fast enough to raise our standard of living.

In the meantime unemployment benefits beyond 26 weeks—extended benefits—are available in just one State—Rhode Island. Since January, more than 2 million unemployed workers have exhausted their benefits, with very few receiving extended benefits under the existing system. A record 350,000 jobless Americans ran out of benefits in July, and only 5 percent of those were eligible for extended benefits.

Historically, the Federal Government has consistently extended the weeks of unemployment insurance available to job losers during periods of high unemployment. Since the 1950's, the Federal Government has moved to provide extended benefits each time the economy took a major downturn. Temporary programs were signed into law during the 1957 and 1960 recessions. In 1970, President Nixon signed legislation creating a permanent extended benefits program. That program was automatically activated at either a State or national level depending on unemployment rates.

The Gramm-Latta II budget cuts of 1981 targeted the unemployment benefit program for several major cutbacks. Among these was an upward revision in the so-called trigger, or level of unemployment.

There is currently $8 billion in the unemployment trust fund. The legislation President Bush vetoed would have cost much less than that. Our new bill will cost only $5.2 billion. Why won't the President release the money that rightfully belongs to the American workers? Why? Why? Why? All I can conclude: He is just out of touch.

In closing this evening, let me say to those Americans who are listening—measure us by our deeds not only our words. For those unemployed families and individuals who desperately need help, know that this evening in our Nation's Capitol, during this all night vigil, we are sentries at the gate for you. We may not always be successful, for the opposition we face is indeed powerful. And some of it is callous. But in your letters, in your faces, in yours hearts, we are one with you. And in the end, our victory will be yours. For this body of the people was meant to be exactly that—your refuge in a storm, the most democratic institution of government on the face of the Earth. And as our Constitution intended "a legislative branch that would secure the blessings of liberty to ourselves and our posterity."

Mr. DERRICK. Mr. Speaker, I thank the gentlewoman.

Mr. Speaker, I wish to read a letter that one of my constituents addressed to President Bush. It is dated October 8, 1991:

NORTH AUGUSTA, SC,
October 8, 1991.

President GEORGE BUSH,
The White House, Washington, DC.

DEAR MR. BUSH: As I write this letter, the U.S. Congress has sent you a bill which would provide much needed assistance by extending benefits to millions of unemployed Americans. Based on your reaction to these and other issues facing our nation, I'd like to ask you a few questions.

Why do you say you'll veto the bill to extend unemployment benefits by calling it a "budget-buster"? You seem to have no problem justifying spending millions of dollars to send abroad or to buy another sophisticated weapon.

Why do you continually try to blame the Democrats in Congress for the budget deficit? You know as well as I, that you and Mr. Reagan caused our annual deficits and our national debt to skyrocket. Not one time in yours or Mr. Reagan's administrations have you sent a balanced budget proposal to the Congress. As a taxpayer, I am appalled at the fact that we have to borrow 832 million every day of the year just to pay the interest on our national debt. We will pay $304 billion this fiscal year just to pay the interest of which we gain absolutely nothing.

I suggest that, rather than trying to be the President of the so-called "NEW WORLD ORDER", you try being President of the United States and start showing some leadership in solving problems here at home.

I realize you were born into wealth and probably cannot relate to what I'm talking about. I doubt if you understand what it means to try to feed a family while earning minimum wages or what it means to postpone needed health care because there's not enough money for health treatment and food. But, you were elected to be my President and I am simply asking you to start leading and work with the Congress to solve the enormous problems here in America.

I am also sending copies of this letter to various members of Congress in an effort to encourage them to keep on working for Americans. I am a 56 year old, male who has always had to work for a living and my prayer is that I'll live to see another President who has compassion for Americans. Presidents like Franklin Roosevelt, Harry Truman, John Kennedy, Lyndon Johnson, and Jimmy Carter.

Sincerely,

THIRD DISTRICT CONSTITUENT.

Mr. Speaker, this comes from a gentleman in my district, and I think he says it very well.

What our folks out there cannot understand, nor do I frankly understand as the previous speaker mentioned, why we can forgive billions and billions and billions of dollars in debt to Egypt, to other countries, but yet we cannot spend money that is already there that has been set aside for that purpose for the extension of unemployment benefits for Americans. These are not bums out there, people that do not want to work. These are real Americans, the kind of people who have made this country the greatest Nation the world has every known.

These are people that fought in the trenches in the South Pacific and in Europe in the 1940's. These are men and women, as taxpayers, who brought about the greatest experiment that a country has ever brought about on the face of this Earth. They not only, in the 1940's, agreed to rebuild their allies, but they rebuilt their enemies, those who, before, would have destroyed them. No nation on the face of the Earth has ever done this, and these are the people who did it, these people and their children.

These are the people who have worked for years and years and years paying their taxes, fighting our wars, sending their sons and daughters to fight our wars. These are the people that have joined together in laughter and joyousness at our successes, and have cried and put an extra shoulder to the push when we did not do quite as well.

□ 0220

These are Americans in our large cities, these are Americans in our rural communities, like I represent in South Carolina, and, when I go home, I see communities that a decade ago were prosperous, thriving communities, active, hopeful for the future, and today I see little hope, much unemployment, unsureness about the future of this country. These are the people that we would deny, that the President would deny, that the Members of this body would deny, a mere extension, a mere extension of their unemployment benefits until they can get a job. And I repeat: These are not bums, these are not lazy people, these are not people who do not want a job. These are people

who are actively seeking employment and would much rather work than not work.

Mr. Speaker, we cannot as a Nation with a heart and a soul deny these people the pittance of our national wealth, giving to them a mere extension of their unemployment benefits.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WHEAT). The Chair would take this opportunity to remind all Members that remarks in debate should be addressed to the Chair and not to any potential viewing audience outside the Chamber, whether that audience would be television viewers or the President of the United States.

ORDER OF BUSINESS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to proceed with my special order for tonight.

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

There was no objection.

LET'S STOP THE POLITICS AND HELP THE PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. CUNNINGHAM] is recognized for 60 minutes.

Mr. CUNNINGHAM. Mr. Speaker, my colleague, the gentleman from South Carolina [Mr. DERRICK], a good friend, stated that the President raised taxes more than any other President in history. Well, if that is true, then why do we have such a deficit?

The reason and the answer is that the Democrats continue to spend day after day after day. We fight the battle here to cut that spending.

Mr. Speaker, the Democrats agreed to cut spending by $2 for each dollar increase, and when the American public asks, "Well, what is it busting the budget," and then they say the President vowed not to raise taxes and then he did, well, the deal, or the budget, for every dollar collected, the other side of the aisle agreed to cut $2 of spending. So, the President agreed, and all it was going to be was a tax savings for the American public, get us back on a road to recovery and balance the budget. But instead we continued to spend and spend and spend.

My colleagues, the gentleman from South Carolina [Mr. DERRICK] also stated that there was money in the account, in the trust account. Well, let us take a look at what we are saying, and that is trying to deceive the American public.

Let me suggest to my colleagues the following, Mr. Speaker. "If you got a shoe box with $8 billion in it under your bed, and you need some money, so you pull out that shoe box, and the amount of money that you take out of that shoe box you put in an IOU there. Now you can only spend this money for unemployment benefits. So, you put an IOU labeled 'unemployment benefits' in that shoe box until eventually all that $8 billion is gone, and the only thing in there is IOUs." Now how does that work? Under the present trust fund all taxes and moneys go into the general fund. That is why we are saying it is so important to keep America working, because then they are paying into this general fund, and in a year where we do not have a deficit, which we have not had for a long time, the interest or the excess money and the unemployment goes into the unemployment trust fund. And that is a fact.

I say to my colleagues, "All the years back you look and see the amount that should be in there is $8 billion. But because we're in a deficit, the government borrows from that and puts in that shoe box an IOU. There is no money there in that trust fund, and the Democrats are deceiving the American people by stating that there is."

Mr. Speaker, it is a fact, and it is not true, and I can provide an unbiased, bipartisan report from CRS that shows exactly that fact, and I would like to submit it for the RECORD. The money does not exist, and I think that is important. Democrats fail to understand the simple mathematics and choose to deceive the American people instead of owning up to the responsibilities.

The Republican whip, the gentleman from Georgia [Mr. GINGRICH], has stated it over and over again this evening. When we read the sorrowful letters from the other Members, I have empathy for those individuals, and the gentleman from Georgia [Mr. GINGRICH] stated that, as of tomorrow, next week, we will send checks for 10 weeks to those same individuals that wrote those letters. But will the other side of the aisle agree to do that? No, they will not. They would rather sit up here and lambaste the President for which he has no control.

Mr. Speaker, let us quit bashing, the attempted politics, and help people. All the other side of the aisle has to do, and I would ask the constituents, the unemployed, to write their Congressman and say, "Please accept it. I can get a check next week if you will just get away from the politics and looking for 1992."

Let us take a look at what that does. We talked about this big budget and a deficit, and national deficit. This bill extends that deficit by $6 billion—actually $6.5 billion. We spend more money on interest, on the national deficit interest, than all of the social programs put together—all of them. And, if we continue, we are going to turn into a pumpkin. So, what do we have to do? We have to reduce that deficit. This bill raises that deficit by either $6 billion, or we have to raise taxes by $6 billion.

Now I do not think the President is going to move his lips and raise taxes again $6 billion because it is precisely what we were talking about, not busting the budget. The attempt is to get back to a budget neutral, and we cannot do that with the increased spending, and again there is no money in that account.

Mr. Speaker, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the gentlemen from California [Mr. CUNNINGHAM], my colleague, for yielding, and I want to go back to something that he said because I think it is highly relevant to this debate. He said, "Let's forget about politics." I do not think the Democrat Party and the Members of this body who appeared this evening want to forget about politics, and the politics that they are concerned about are those that they have been instructed about by their own pollsters who tell them that the only way their presidential candidates will have a chance of winning in 1992 is if the economy goes bad and people are thrown out of work.

Now we have an interesting situation in America today in which the Republican Party needs to succeed, needs to win, needs to create jobs in order for their party to have political success, in order for our candidates, in order for our President, to be successful at the polls.

□ 0230

Now, the Democratic pollsters have told the leadership of the Democratic Party in the House of Representatives and the other body that they have to fail with respect to the economy before their people who are contemplating a run for the Presidency will even have a ghost of a chance of beating President Bush in 1992. I have come to the conclusion that it is appropriate for the American people to be highly suspicious of Democratic claims that they want the economy to do well.

I guess I would ask my friend from San Diego, who is a guy who has worked to bring jobs to our State—and incidentally, it is interesting that Democrats have stood up here and said that taxes have no effect on businessmens' decisions. We have watched businesses leaving San Diego and leaving California in droves because of the relatively high taxes that we have in comparison to other States in the country, including Texas and Alabama and Florida and places where taxes are very low. It is interesting when we ask businesses why they go, that they very often tell us that high taxes are a major reason for their departure, yet we have Democrats who stand up here and imply that somehow they have

never learned this age-old lesson that the whole world has learned now, and that is that the heavy hand of government, manifest in heavy taxes, does not push businesses away and does not restrain businesses from creating jobs, expanding their facilities, and doing all the things that are important to bring out full employment in this country.

Now, I guess I would ask my friend who has been working hard to keep businesses in San Diego and California, do you think taxes matter? Have taxes had an effect on our economy?

Mr. CUNNINGHAM. We put together a task force in San Diego, thanks to my colleague from California, and there were several areas all the way from environmental concerns to taxes. In some of the States they were offering, first of all, that a business could have its paperwork done, including environmental impacts done, within 14 days, and to start that business within 90 days.

In the State of California, for example, it takes 2 years in the high tax rates. For example, not only tax rates, but Roehrer Industries had its rent raised 900 percent. So it is a combination of taxes, laws that we impose, environmental constraints, and across-the-board things that cut jobs.

I agree that taxes were the number one concern out of this commission of over 200 businessmen in the city of San Diego.

Mr. HUNTER. It is interesting to me, if my colleague will continue to yield——

Mr. CUNNINGHAM. I will be happy to yield. I will yield.

Mr. HUNTER. That somehow the Democratic mentality of "Let's burn down the factory or terminate the factory" and somehow that is going to help the worker, continues to pervade their policies with respect to the Nation.

The idea that somehow there really is not an employer out there, there are just employees—when I heard these letters earlier this evening that were written by Americans who need to have a check, and which they can have in a couple of days if Democrats can swallow their pride and simply work with——

Mr. CUNNINGHAM. I think you brought up a very good point. If they really care about the people who wrote those letters, if they really care, they will come to the table and tomorrow we will sign checks for 10 weeks for those individuals, and then argue out our differences on the bill. But in the meantime, those unemployed can receive their benefits.

If those Members really have any heart that read those letters and care for those people, they will provide the means for them to get those dollars. The Republican Party, NEWT GINGRICH, and the President are willing to come to the table and do that.

But the overriding point is that under that bill, it is either $6 billion to the deficit or $6 billion increase in taxes, and I have already shown you that there is no money in the trust fund, and anyone that tells you that is dead wrong, and I am willing to prove it.

I continue to yield to my friend from California.

Mr. HUNTER. I thank the gentleman for yielding. I think we know to go to the other side of the job picture, and that is the fact that to create a high quality of life and to create a situation in which jobs are readily available for our people, you have to have employers, somebody who is going to go out there and take a chance, borrow money, take a risk, and create those jobs.

I had a gentleman in today that—since letters are being read by people who need jobs—I had a gentleman in today from San Diego who wants to create jobs, a gentleman from California who was a Captain in the Marines and who created a company with just a few people. He took over as an executive and ultimately became the chief executive officer of a company that now employs 4,000 people in San Diego. Those are 4,000 families that have paychecks every week because somebody was willing to go out and take a risk.

I asked him, "What can we do to create more jobs in San Diego?" And he said, "The one thing we need is a tax cut. I would like to have a tax cut in capital gains. That will create jobs. I would also like to have a tax cut for the middle class. That will have a salutary effect on the job situation also."

So the Democrats are good at giving half the picture, and they like to talk about the desperation of people who write them and say that they need to have a check. We agree that they need to have a check, and if they will cooperate at all and swallow their pride at all and work with this President, they will have checks going out within a matter of hours to the people that need checks.

But the Democrats, I think, like the dependence of people who are desperate. I think that their pollsters are people who see their only political success being an economic failure. I think they do not like the idea of having an economy that is booming in the early months of 1992, because that means they go down in the polls and, you know, I get the same feeling that I get when Jack Kemp was so hopeful with regard to his idea of home ownership for people who live in government housing and who have subsidized housing. When he brought that idea out to the floor and said, "These people"—he cited a number of them here in Washington with whom he had become good friends—he said, "We have a program here that will give these people a chance to own their own homes, to buy this home from the Government." I have never seen such looks of frustration and outrage as I saw on the faces of Democrats who realized they were about to lose a constituency. These people who were dependent on them and dependent on the Government for their Government-owned housing were about to have a chance to buy their own housing, and they flocked to the floor to fight this bill that would give people a right to own their own homes.

I see a little bit of that same flavor tonight. We have a lot of Members who stand up and they want to read the letters from people who say that they need that check, and we all agree that they need the check. But I do not think they really want to see jobs boom in the next 4 or 5 months, because then their pollsters are going to come in and say, "Listen, your guy is going to lose 2 to 1 no matter who he is. He is going to lose 2 to 1 to George Bush, and some of you may lose your job in the election."

Now, you can tell me—and maybe this is a country of hope, and I think it really has to be the country of hope for us to say, "Yes, we are optimistic and we know a number of Members on the other side of the aisle do not mind losing their jobs because voters may in fact give the Republican Party a real landslide in the fall of 1992. But they do not care about that. They want to see the country do well."

Now, you can ask me to believe that proposition. I find it very difficult to do that. I think one reason for the rejection of the Bush growth package is because the political leaders of the Democratic Party do not want to see a recovering economy, they want to see an economy which they can drag down to the floor on a daily basis, just like they used to drag down to the floor and talk about people who need subsidized housing. But they never want to be able to talk about those people being able to buy those houses and have the American dream.

Mr. DELAY. Would the gentleman yield on that?

I just think the gentleman is making such an important point here about what is happening in this Chamber. It is even happening tonight, and it happened all day today. The gentleman from Pennsylvania [Mr. WALKER] alluded to it in his remarks, and it is happening as we speak.

What is happening is an all-night special order, called actually by the Democrats. They were going to come down here and parade and beat up on the President, and read their letters, not expecting any sort of debate.

□ 0240

We felt it was a good idea, and we decided to come down here and join them in a real debate about what happened to this economy, who is responsible, and who has the ideas that could be

brought forward to create jobs for the people that are unemployed.

Yet what we have found is they do not want to debate. Like this morning, they did not want to debate the highway bill, so they passed a rule that did not allow any substantive amendments, completely shut off our side of the aisle from debating a 500-page, $150 billion bill, and we could not even debate it because we were not allowed to amend it.

Then they come here and want to carry on a dialogue. We were participating in a dialogue. The gentleman from Georgia, our distinguished minority whip, opened it up, and we had a good dialogue going.

Then they found that whoops, they are being challenged on their numbers that are cooked up, their charts that are drawn up comparing apples and oranges, that they are challenged on leaving out certain numbers, conveniently, and they stopped. They stopped yielding. They do not want to debate.

They wanted to get up here for an hour and continue their prepared remarks, reading their letters from poor people that do not have their jobs and are wondering where their next meal is coming from. Yet they do not want to investigate in a deep way what is happening in this country and who is responsible for what is happening in this country.

All they want to talk about is the new spending program that is a result of their economic policies that have brought us to where we are today. The reason why all these people are losing their jobs, there is too much spending in this country, there are too many taxes in this country, there are too many regulations in this country, and too much government in this country, that is forcing people to shut down their businesses and lay people off because they can no longer afford the government that the majority of this House and the majority of the Senate is giving them.

The President of the United States does not write a bill. He does not pass a bill on this floor. He cannot amend a bill on this floor. He cannot send a bill to the Senate from this floor. He cannot participate and vote in a conference committee.

What we are seeing is the result of a divided government. Frankly, I think it is really unfortunate that the Democrats do not want to come down to this floor and debate us on what is happening because they are scared of what is the truth, and they are trying to hide behind the truth. They do not want to confront us on that. Where are the Democrats.

Mr. CUNNINGHAM. I think the gentleman brought out a very important point in the fact we increased spending. My good friend and freshman colleague, the gentleman from California [Mr. DOOLITTLE], brought out earlier, and I am going to plagiarize his ideas and his thoughts, that a family of four in the 1940s paid 2 percent of their pay into income tax. Today that same family of four pays over 28 percent.

Why? Why do they have to pay? Why is it now where both parents are having to work, when it used to be when a family, the man or the woman, a single parent, could provide for that family? Because we increased the size of government. We increased the cost of government, and we have to increase taxes to pay for it.

What does that do? That destroys the family life. When we take a look at why and how jobs have been cut, just on this floor we debated base closures. Some of my liberal colleagues from the other side of the aisle want to cut defense. I heard a presidential candidate for their side saying he would cut defense by 75 percent.

Let us look at what that does. If you have a person who is working—and one of the letters was from a man in the aerospace industry—and that individual lost his job. While he had that job in the aerospace industry he was receiving a paycheck. While he received that paycheck he paid into this "general fund" that now we have a deficit in. He was also receiving health benefits. We have health care plans that we want to substitute for all people and have a health care plan that covers everybody.

But when he is fired, what happened? He loses his paycheck. He is no longer paying into that general fund. Instead, he is now drawing unemployment, or welfare, and he loses those benefits. So that exacerbates all the problems in our health care system for the people that we want to service, and causes less funds available for that.

In industry, across the board, we saw in Philadelphia a shipyard, thousands of people laid off. So when we cut defense in this country, without giving time to go over into the civilian industry, and you have to have a market before you can convert to civilian industry, then you cut this country's economy, and you cut literally thousands of jobs.

People say, well, we fired some sailors, we fired some defense contractors. But whether you sell pizza, whether you sell real estate, whether you are a worker like was read in these letters, you are affected when you cut defense in this country, plus you attack the sovereignty and defense readiness of this country.

Some colleagues will stand up here in demogoguery and tell you we spend too much money overseas. The majority of the Democrat Party voted for foreign aid. I am going to make a point that every time I hear a Democrat stand up and try to convince their constituents that we spend too much money overseas, I am going to bring up the point and point out each one of those individuals that have voted for foreign aid. That is a key factor.

They say well, the President is going on a trip.

Let us take a look at the President. If you will not bring and even pay the money to the people that are unemployed, the Democrats will not come over here, and I still invite them to do that, and send those checks out tomorrow, what good is the President here, if they will not help bring up a domestic agenda? All they want to do is lambast him.

Let us take a look at what he has done. In Desert Storm, Saddam Hussein took over a country. That country was an oil producer in which now Iraq and Kuwait, he controlled a large portion of the world's, not just the United States', but the world's energy source.

His next bid was to take over Qatar, which is another oil-producing nation, and then to move into Saudi Arabia, and then to move into Jordan, and then even attack Israel.

Can you imagine? Many people in this room are old enough to remember the gas lines in the 1980's. I do. I can remember people in this country freezing because they could not afford oil, in this country, the United States of America.

Can you imagine what that would do to gas prices, were Saddam Hussein to hold this country hostage? Transportation and the cost of goods?

When we talk about poor people not being able to afford goods or consumer goods, and one individual only had $40, that $40 would not buy a loaf of bread if Saddam Hussein had controlled our oil, or if we had a nuclear threat.

Remember, Israel destroyed a nuclear threat of Saddam Hussein in 1981. That was also accomplished in Desert Storm.

So when you talk about domestic programs, look what just Desert Storm did. Look what the Reagan-Bush administration did in bringing down the Soviet wall.

I can assure you if Jimmy Carter had carried through, that Soviet wall would have never come down, or if our liberal Democrats had. We even have Members of this body that are being investigated for consorting with Sandinistas. And you tell me that the wall would have come down under Jimmy Carter? And even a Speaker of this House?

No. So let us look at the domestic solutions of the President. With the wall coming down, I would hope that we can look beyond our nose. In 50 years I would hope that this country is looking more toward trade. There is going to be 400 million people in Eastern Europe and in the Soviet Union that want to live with the standards just like the United States. If we can start with free trade and create jobs, and when I say free trade, I mean fair trade, because this country has been skinned alive by

our policies from trading with other countries, and we have to learn from that experience as well.

□ 0250

Mr. BOEHNER. Mr. Speaker, I thank the gentleman from San Diego for yielding.

Earlier we were talking about taxes and taxes on the American family.

You were referring to the amount of taxes on the median income families of America and Federal taxes, 2 percent of 1950, today we are talking about 24 percent. But if you look at that same family of 4 in 1950 and you look at their total tax load, you will see that they paid an average of 4 percent of their median income in taxes, State, local, and Federal.

Today that average family of 4, median income family in America is paying 34 percent of their income in the way of taxes at State, local, and Federal levels, 34 percent.

When we talk about taxes, though, I think we are beginning to look at an issue that has come before us that has become so serious that something has to be done.

For the moment, think about the local political jurisdiction that we live in. Anywhere, it is broke. Think about the local school district that you live in. It is broke. The county that you live in is broke. Every State in America is broke. And the Federal Government is more than broke.

While all these levels of government are broke, they are taking 45 percent of our Nation's income in direct taxes. That does not include the cost of regulation and the products that we buy, which would move that number up about 55 percent of our Nation's income.

While they are already taking this vast amount of money in the way of income from Americans, they are all looking for ways to increase and enhance their revenue, their ability to gain more in taxes because there is more that they want to do.

I think that we are on a collision course, because I am still looking for that line of taxpayers with their hands up saying, "Raise my taxes. I am not paying enough."

The fact of the matter is Americans are right up to here with paying taxes. So we have a government at all levels looking for more revenue. We have the taxpayer on this side, trying to keep money in his pocket to provide for his family to keep our economy moving, and this collision course that we are on has begun some skirmishes.

In Ohio where I come from, we had a $2 billion budget shortfall but through work the General Assembly worked that out. But if we look at the problems they had in Connecticut, the problems they had in California, we saw these battles become even more significant.

The fact is we need a direction for government, a government that for once has to recognize that we cannot be everything to everybody. At all levels of government we are going to have to make decisions about what is the appropriate role of each of these levels of government, what can we afford to do and what is it that we must do as our role at these different levels of government.

If we think about the current economic decline that we are in, the current recession that we are having, I think that we have to go back and think about why do we have the problem that we have today. I often think about the late 1970's, when I had about as much interest in politics as any man walking up and down the street in the middle of Idaho.

I was reading about a problem in the savings and loan industry, a problem that could be cleaned up for $8 or $9 billion. What happened in the early 1980's? We did not try to clean it up in the U.S. Congress.

We decided to change the rules. Let us deregulate part of the savings and loan industry and let them grow out of the problem. So they began to grow.

The problem is not getting any better. The problem is getting much worse. They knew in the early to mid-1980's that there were severe problems in the savings and loan industry that could in fact be cleaned up. The cost now was $25 billion. But, no, we did not do that.

In 1986, Ronald Reagan and the administration asked this Congress to do something about solving the savings and loan problem before it got any worse. But, no, we drug our feet again.

Now we are looking at a savings and loan problem that is going to cost this country $500 billion, $500 billion to protect those people who had deposits in those savings and loans throughout the country.

Then what did we do? In 1986, we had tax reform. We took away all of the incentives to invest in commercial property, in low income housing, other types of income producing assets. We took away those incentives.

So what happens? All of a sudden even those companies in America, those capital forming companies in America that have significant investments in real estate, and who would those be, savings and loans, banks, insurance companies, we take away all those incentives, the market drops. All of a sudden we are making the problem in the savings and loan industry worse.

We are creating a problem in the banking industry, and now we are starting to see significant signs that we have problems in the insurance industry. And why?

Because Congress changed the rules midstream. We cannot afford to do that.

So what happens? Now that we have a recession rather than trying to look seriously at changing the reasons for the fact that we have a slow economy, trying to admit that we made some mistakes back in 1986 and maybe we ought to change direction a little bit, no, we do not want to do that. What we want to do is extend unemployment benefits for those people whose benefits have run out.

The fact of the matter is, I have 11 brothers and sisters, all middle-income and -lower Americans that are working hard to provide for their families. Two of them are unemployed. They are not in the unemployment line because they would not take the benefits. They are out looking for a job.

If in fact we want to help Americans and we want to get this economy moving, the last thing we want to do is extend unemployment benefits. What we want to do is to provide impetus to this economy to create jobs, because the best thing we can do for middle America is to give them a job, is to help set policies that will create an environment where people will invest, where people will be comfortable investing, where there is a fair return on their investment, not changing the rules midstream.

That is what we can do in this Congress tomorrow, if we want to, if we truly in fact want to help middle-income Americans.

Mr. DOOLITTLE. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Speaker, we have heard talk of the terribly negative impact on the family of these economic policies that basically have been dictated by the Democratic majority in the Congress. I am very concerned about the impact on the family.

There is a statistic out that says that today parents spent 40 percent less time with their children than they did in 1965. Coincidentally, that statistic corresponds with a transition in America from predominantly a one-income-earner household to a two-income-earner household.

Because as my colleague from Ohio pointed out, the average family today pays over one-third of its total income to all levels of government in taxes. We are taxing them out of the home, away from their children. And what is the harvest that we reap?

The harvest is broken homes. We know for years that studies have shown that one of the leading causes of divorce is financial pressure, financial pressure on families is at an all-time high today, being applied by Uncle Sam, and the other levels of government which have their hand out demanding incessantly money from our families.

We are destroying the American family.

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, I think

it is really important, the gentleman from Ohio also mentioned it earlier, the gentleman from California thought rightly points out the huge amount of taxes that each family pays. I think it is more important or as important to also point out the cost of government along and added to the taxes that each family pays, because those families do not realize the cost of the goods that they buy and the services that they buy are increased by the regulations that all levels of government put on those cost of goods, thereby lowering their standard of living. Or another way of putting it, raising their cost of living.

So if we add all the costs of government, taxes, regulations, the increased cost due to regulation, we are talking about over 50 percent of the family's income is going to pay for the cost of government.

□ 0300

That is very significant, the point the gentleman is trying to make.

Mr. DOOLITTLE. I appreciate the gentleman from Texas making that point, because that is absolutely true. Government, by its nature, is inherently inefficient. That is why our founders said and tried to give a system where as little as possible would be done by the Government. They knew that this was dangerous. George Washington said once, government is not reason, it is not eloquence, it is force, and like fire it is a dangerous servant and a fearful master. And this force today is sapping the lifeblood of Americans, destroying their families.

And what is the response of liberal government, dominated by Democrats, and what has it been for decades in this country? More of the same. If the same failed programs are not working, increase them by 11 percent or 12 percent and we will cure the patient, and the patient gets sicker and sicker. The more the medicine is administered, the worse it gets. And, of course, as we increase the spending, this slows down the growth of our economy. It accelerates the rate of inflation. It raises the cost of our money that we want to borrow, because we are competing with our own Government in the money markets. And it, generally speaking, lowers the quality of life, reduces the standard of living.

I am very dismayed to see what is happening to our families. I join with my colleagues across the aisle. They decry the present situation. I decry the present situation. This is inexcusable.

Malcolm Forbes, Jr. wrote a little article in something called Imprimis, a very interesting article and it is called the New World Order of Freedom. He says this present recession we are in is one of the most unnecessary economic downturns of the postwar era. This basically has been created by government, and he lists several reasons why. For one thing, the Federal Reserve decides to keep the interest rate too high for too long. This is one of the inherent problems of having this much governmental power concentrated someplace over the economy. It is frequently misused. It was one of the leading causes of the Great Depression. It was back with us here, keeping the rates too high for too long.

We also had a reign of terror by regulators responding to the banking scandal and the junk bond scandal, and they so tightened down on the regulations that lending institutions were either unwilling or unable to make loans to creditworthy customers.

We also had the Treasury periodically, he pointed out, embarked on a binge to drive down the value of the dollar, and of course, the value of the dollar dropped until they backed off. And then compounding those three errors was the grossest error of all, which was, and I mean even John Maynard Keynes, whom our liberal Democrat friends have idolized for decades, even he said you never raise taxes in a recession, and yet that is exactly what happened. We hiked the taxes, and we did it under the phony guise of trying to do something about the deficit.

How many times have we hiked the taxes in order to ostensibly do something about the deficit when its real purpose was, in my estimation, to postpone $100 million or $1 billion in tax cuts that would have been mandated by Gramm-Rudman. And so we have to have some rhetoric and a plan to delay what for liberals is the unthinkable, the idea that we should have spending cuts. If I said tax, I meant spending cuts called for by Gramm-Rudman, and so we have this phony budget deal, the 1-year anniversary of which is now 13 days away.

Mr. DELAY. Will the gentleman yield on that point?

Mr. CUNNINGHAM. I am happy to yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I think the gentleman is really getting to the crux of the matter, that the budget agreement was passed in the face of a recession, a recession that had already started when we passed the budget agreement of last year. And I understand the gentleman was not here when we did that. But, I say we. We did not do it. It is very interesting, they did it, and it is very interesting to note that every Democrat Member that has come to the floor tonight to speak, to bash the President and blame him for the recession, voted for the budget agreement that raised taxes in the face of a recession, every Member except one. That is the gentleman from North Dakota [Mr. DORGAN], and he voted for the first one. When we defeated the first budget agreement, he voted for that one. But he voted against the second one. But every Member that has spoken on the floor in this all night special order from the Democrat side of the aisle voted for the budget agreement that raised taxes in the face of a recession, that put the very people out of work that they are trying to pass the unemployment compensation bill for.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I am happy to yield to the gentleman from California.

Mr. HUNTER. I thank my good friend, the gentleman from San Diego, for yielding, and I appreciate the remarks of my other friend, Mr. DOOLITTLE, who has made some very cogent commentary on this issue.

One thing I think we have to continue to remind our friends on the Democrat side of the aisle is this: they are not giving any money to the American people who are unemployed. They are not taking any paychecks out of their pockets. They are taking tax money from the American people and redistributing it back to the American people. And it irritates me to hear these statements of compassion for unemployed people which they would meet by sending the people's tax money back to them.

There are no Members on the Democrat side of the aisle tonight who have offered to give any money from their own paychecks to the American people. Let us make that very clear. What we are saying on the Republican side of the aisle is simply this: we know, there is no longer even a facade, the Democrats have been told you have to have a continued recession or you are not going to have a chance in 1992, kiss the White House goodbye and any chances whatsoever of winning the election. We know that the Democrats have to have the recession extended, and that is why when I lay a few bets around here I am betting they are not going to come forth with any package, they are not going to agree to any growth package, not because they think it will not work, but because they know it will work. The last thing they want to have is a booming economy with Americans going back to work.

They have exactly the same attitude that they had with respect to the homeless. When Jack Kemp said yes, let us let the homeless have some homes, let us let them purchase some of these homes from the Government which are being given to them, where they are being kept as a constituency of the Democrat Party, people that are dependent, let us let them have their own homes, well you saw nothing but long faces on the other side of the aisle. The idea of letting people have the American dream was horrible from a Democrat perspective because they lost those people as political constituents. And they do not want to lose these unemployed people as political constituents. The last thing they want to see is these people who are writing

them letters saying I do need my unemployment check either first, getting that check, because the Democrats have worked with the Dole-Michel bill to see to it that those checks go out, and the whip said they would go out within 48 hours, they do not want to see that. And the second thing that the Democrats do not want to see is those people getting jobs, because those people then are not going to the polls and vote Democratic. They are going to vote Republican in increasing numbers.

We have to maintain prosperity, my colleagues. The Republican Party has to maintain prosperity. The Democrats need recession, and that is why my bet is we are not going to see them sign up on any growth package, and they want to see this debate on unemployment benefits extended as long as possible, and they will not work with the President for a signable bill. That is my nonoptimistic assessment.

Mr. CUNNINGHAM. If the gentleman will give me just 1 minute of my time, I have talked to many of my freshmen counterparts on the Democrat side, and they want as much change as the freshmen present here tonight and I think the Republican leadership. I think that the American people are upset and they are mad because this Congress does not do its job. When we target, just like the gentleman from California stated, when they target 1992 in a Presidential election instead of helping people, that is wrong.

□ 0310

I have some colleagues on the other side, many colleagues on the Democratic side, that want to see that change also, but it is the liberal leadership that will not let that happen that is looking toward 1992, and I would plead with my freshmen colleagues on the other side to come forward and accept a bid to give checks to those people.

I would hope that my colleagues read 10,000 of those letters, 10,000 of them, because if they have any compassion whatsoever in their hearts, they will come forward and provide those checks, and the Republican Party will meet them halfway. That is all we ask is to meet us halfway.

And with that, I yield to my friend.

Mr. DELAY. I thank the gentleman for yielding.

He makes an excellent point following the other gentleman from California pointing out how this is nothing more than politics.

Many of the Democrats that have come down to the floor tonight have talked about the President declaring an emergency for the Turks and an emergency for this foreign group and that foreign group, and he will not declare an emergency for the unemployed in this country.

Now, it is, I grant you, an emergency if you have lost your job. It is an emergency to that person that lost a job, and my heart goes out to them, and hopefully, as the gentleman points out, we can pass a bill that the President will sign.

But what they do not point out is that unemployment today is 6.8 percent, 6.8 percent. Now, we have extended benefits before on unemployment compensation three times in the recent past since 1970.

The first time unemployment was 6 percent, and I remember, we were almost in revolution because unemployment was 6 percent, and we took away the extended benefits when unemployment reached 4.9 percent.

Now, the real emergency came in 1974 during the Carter years. We have had Members come down here for the first time since I have been in Congress lauding the Carter years, which boggles my mind, but in the Carter years when unemployment reached 7.2 percent, 4 percentage points above what it is now, we extended benefits for almost 3 years. When unemployment went down to 6.8, which it is right now, we took away the extended benefits. Then, as a result of the Carter years, the recession in 1981, we implemented extended benefits again in a real emergency when unemployment was 10 percent, 10.1 percent, in September of 1982, and took it off, and it took this Congress to do that, took it off when unemployment reached 7.3.

Now, what they are claiming is that there is this huge emergency out there, 6.8 percent, and we have to extend these benefits. Well, the President is willing to extend the benefits in the Dole-Michel bill; they extend the benefits for 10 weeks, and they pay for it through rather ingenious ways.

Mr. BONIOR. Is the gentleman suggesting there is not a big emergency out there?

Mr. DELAY. No. I am saying——

Mr. CUNNINGHAM. Parliamentary inquiry.

Mr. BONIOR. Or that it was such that——

Mr. CUNNINGHAM. Point of order; regular order, Mr. Speaker.

Mr. BONIOR. Would the gentleman yield? Is this gentleman suggesting that there is not a real emergency out there?

Mr. WOLPE. Will the gentleman yield?

Mr. CUNNINGHAM. No, I will not, and I will tell you exactly why I will not yield.

Because I asked three times when the Democrats had the time, and they absolutely refused, Mr. Speaker, and I refuse to give up the time that I was denied to debate. Now, if in the next hour you wish to restore that debate, the future hour, I would be more than happy to give it.

Mr. BONIOR. Well, I am just disappointed that the gentleman will not answer a question of whether this is a big deal or not.

The SPEAKER pro tempore (Mr. WHEAT). The gentleman from California has the time.

Mr. DELAY. I think the gentleman from California is very right in not yielding, because all of a sudden we have awakened the Democrats, and now they want to debate. But I will answer the distinguished majority whip.

I think that there is an emergency when you lose your job, and there is an emergency. The President has recognized, but it is nowhere near the emergencies of the past, and the President has recognized that there are some that have lost their benefits, and he is willing to go 10 weeks, but he pays for it through ingenious ways and does not bust the budget agreement or raise taxes to pay for it.

Raising taxes puts more people out of work. They did not learn the lesson of last year of raising taxes in a recession and put hundreds of thousands of people out of work. They are going to come back and, because of this emergency, want to raise taxes again to put more people out of work. What happens then?

Do they go to an even more extensive unemployment compensation package that extends benefits even more and then raise more taxes, put more people out of work? It is a never ending cycle. That is what we have been talking about all night tonight, the bankrupt economic policies of the Democratic Party which have put people out of work.

They now want to come back and put expensive programs and do not want a bill signed, because if they did, they would work with the President and pass a bill that he will sign, but they do not want that. They want to keep passing these bills so that the President has to veto them so that they can continue their commercials and their ads to try to make political points.

Mr. CUNNINGHAM. I yield to the gentleman from California.

Mr. HUNTER. I thank my friend for yielding.

Let me make a point to my friend, the distinguished majority whip.

As a member of the Republican leadership, I watched this debate. I watched it initially commence with statements by the distinguished whip from the majority side, answered by statements from our whip, the gentleman from Georgia [Mr. GINGRICH]. The gentleman from Georgia gave a large amount of his time to the other side to respond, yielded very liberally, I might add.

When the next Speaker took his turn, who was the gentleman from Wisconsin [Mr. OBEY], the gentleman from Wisconsin refused to yield and was, in my opinion, less than polite to the Members of our side who wanted to engage in debate.

Now, I can appreciate the gentleman, the majority whip, not wanting to ex-

change and have a debate which we on the Republican side thought we were going to have, but I sat here for about 45 minutes until I simply left in disgust, because the gentleman from Wisconsin [Mr. OBEY] cut off every Republican attempt to engage in any debate, any statement that went over three words and was, in my opinion, less than polite to the Republican side of the aisle.

Mr. CUNNINGHAM. Reclaiming a little bit of my time——

Mr. BONIOR. I would respond to that, but the gentleman will not yield to me.

Mr. CUNNINGHAM. The gentleman from South Carolina [Mr. DERRICK] did the same thing. I requested three different times to each of the gentlemen to speak.

Mr. BONIOR. I would be delighted to respond to my colleague, if he would yield, and of course I will take the next hour, and I will share it with those who wish on both sides of the aisle.

Mr. CUNNINGHAM. In that case, I yield to the gentleman.

Mr. BONIOR. Let us be very clear about what happened over the last couple of hours. We had a large number of Members here, more than the Republicans had; we had about 40 people, and that is not to suggest that you have not participated, because you have had a large number as well, who were backed up here who wanted to talk. The problem became obvious that we had to have people use their time during the hour that the gentleman from Wisconsin [Mr. OBEY] controlled, and the hour that the gentleman from South Carolina [Mr. DERRICK] controlled.

I told the gentleman from Texas [Mr. DELAY] that once a debate proceeded beyond those two gentlemen into my time and time after that, we would reengage in the debate process that we did have and that you correctly pointed out that the minority whips liberally yielded to us.

So I anticipate that will occur after I make a statement and yield to my friend, the gentleman from Michigan [Mr. WOLPE], and then we would hope in the next half hour we would be delighted to engage you in debate after that.

Mr. CUNNINGHAM. I thank the distinguished majority whip.

I was disappointed myself though. There were several occasions in which we could have spent at least as little as 20 seconds to answer a question, and we were denied that right. We will continue yielding as necessary.

I think that one of the important factors that comes up and that I would like to point out, and we look again at some of the things that cause a loss of jobs and that cause this country ill, and I would still beg, and I would get down on my knees if the Members from the opposite party would service the people that are unemployed by accepting this side's humble plea to provide those funds but without raising taxes, without increasing the deficit, and we would be happy to do that.

I take a look at some of the things in San Diego that we have an immediate problem with, and I would ask help in the future for those things.

□ 0320

The reason I bring this out, and we are talking about jobs, we have 10,000 illegal aliens per day coming across the border in San Diego. Seventy percent of all babies born in Los Angeles hospitals are to illegal aliens, and when we talk about jobs for the American people, we need help. We are being invaded. We need to shut it down, and I have still been unable to receive any help from the majority side.

I heard that we need cops on the beat. Well, I want to tell you, Mr. Speaker, the cops in San Diego, the law enforcement agencies, are on the beat and they are working hard. We have only 800 border patrolmen to stop that flow.

I would ask the other side, because I have talked, as I mentioned, to some of my freshman Democrats, they want to see a change and they want to see this political rhetoric stopped and they want to help people, all the way from civil rights bills to unemployment bills. Instead of lambasting the President, if you really care about those people you read the letters from, if you really do care to help the unemployed, negotiate with this side and you will have it in 48 hours. If you do not, I think it shows the American people where your true values lie.

Mr. Speaker, I yield back the balance of my time.

THE PAIN OF THE UNEMPLOYED

The SPEAKER pro tempore (Mr. WHEAT). Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Mr. Speaker, let me say at the outset that I wish at this point to make clear to my colleagues that after a statement that I will make, I will yield to my friend, the gentleman from Michigan, and my friend, the gentleman from Indiana, and to whomever else on my side. We hope to conduct a debate with ourselves for 30 minutes and then we will open up to any of our colleagues on the Republican side who wish to engage us in debate.

Mr. Speaker, we can cite statistics until the cows come home, but nothing I think brings home the pain of unemployment more than a family from my district, Warren, MI, who recently called my office. The father is a skilled tradesman, worked 20 years, but he has been unemployed since March. He has looked all over. One day he sat down with the yellow pages and made 300 phone calls and did not get one interview. This family has three children. The 12-year-old has allergies that turned into asthma. By now they cannot afford to take him to the doctor. They finally talked the doctor into taking a postdated check for $72 to take care of this young man's problem. There is no telling when there will be money in the bank to cover it.

Is this an usual story, Mr. Speaker? Well, by no means. We have an economic disaster in Michigan. I have 12 percent of my people out of work. They cannot pay their mortgages. They cannot pay doctor bills, like the one I just described. They are having a difficult time even putting food on the table because of the policies of the Governor of the State with regard to people who are in desperate need, whether it is housing, food, or energy assistance.

Unemployment was at 8.3 percent in July. In August it jumped to 9.1 percent in Michigan. Now it is 10 percent and it is even higher in places where the auto industry is predominant.

I have got 25,000 people out of work.

Let me tell you about my district northeast of Detroit, a suburban county made up of people who came from Detroit, whether to Warren or to Roseville or St. Clair Shores. In 1940, Macomb County had 107,000 people. Now it has 717,000 people. It is bigger than seven States of the Union. They are hard-working people. They are people not used to the idea that they might not be able to find work or find a job, people like a man from St. Clair Shores who wrote me last week and said:

> I am the father of four girls, two of whom are in college. A third is a junior in high school. I have been laid off for 21 weeks. So far the only jobs I could find pay $5 and $6 an hour. One person cannot live on this, let alone a family, especially with the taxes we have to pay. There won't be many payroll taxes taken out, but we still have FICA to pay, sales tax to pay, utility bills, and my house taxes are going through the roof. I am lucky. I just landed a temporary job that hopefully will last until Christmas. By that time I hope President Bush's economy will have turned around or that you will have pushed through a bill that will have extended the unemployment benefits until it does turn around.
>
> President Bush should also be told that charity begins at home. Instead of sending money to other countries, he should be taking care of his own in this country. America is bleeding. We need help now.

Mr. Speaker, I have got lots of letters like that.

Mr. Speaker, that is why I am here today. That is why my colleagues, the gentleman from Indiana [Mr. VISCLOSKY], my colleague, the gentleman from Missouri [Mr. WHEAT], my friend, the gentleman from Michigan [Mr. WOLPE], and the gentlewoman from the State of Washington [Mrs. UNSOELD] is here. We are here because we have got a serious situation on our hands. We have got people who need help.

Listen to what a conservative writer, Mr. Fred Barnes, writes about President Bush. He is a conservative writer:

Bush bristles at the notion that he is a foreign policy President who ignores domestic problems, but the idea has stuck for good reason because of his itinerary. Check his itinerary this year.

Barnes went on:

He went to Mexico. He swung through France, Britain, Greece and Turkey. He was at the Moscow Summit. He visited Czechoslovakia, Germany, France, on a one-day foray. Canada, Martinque and Bermuda on another, and he is not finished. In November he will travel to Japan, Korea, Singapore and Australia. He will also drop by meetings in Italy and the Netherlands and if a Mideast Conference begins this fall, as it will be, Geneva is the likely location.

Mr. Barnes is wrong on that. Mr. Barnes is often wrong.

He will be in Madrid. He wouldn't miss it, and we wouldn't want him to miss it.

But the point is that the President has been all over the world. He needs to focus his attention here at home. With the entire cold war international system disappearing before our eyes, it is no surprise that our attention is riveted to the dramas that are unfolding in other parts of the world, but those I think who gaze across the Atlantic imagining ways to play a role in these momentous, and they are momentous events, have only really to turn around to see another dramatic story, the story of courageous hard-working people who also need help, and I am talking about Americans in each of our districts, Americans who have been squeezed, squeezed by a deep, and this is a deep and prolonged recession, squeezed by tough competition from Germany and France and the countries of the Pacific rim, squeezed by a system that has raised taxes for the poor and middle class, but given a $25,000 a year cut to the richest 1 percent, squeezed by a health care system that cannot afford to take care of that 12-year-old boy of that father who is out of work, a health care system that is inexpensive for those who have insurance and devastating for 37 million Americans who do not have a dime of insurance and cannot afford it.

But this administration has not noticed that Westinghouse lays off 4,000 workers because of a $1.5 billion third-quarter loss, and President Bush says, "As you can see, the economy is recovering."

In my State, 437,000 people are unemployed, 437,000 people, and Budget Director Darman says the recession ended in May.

DuPont lays off 5,300 workers. Boeing lays off 2,500 workers. American Express, 1,700 workers, and the Secretary of the Treasury, Mr. Darman, says that this recession is no big deal.

Well, it is a hell of a big deal to a lot of people in those numbers. They are real. They are suffering. They have pain. They have the dignity of work that has been taken from them and they need help.

We sent a bill to the President to help millions of Americans, many jobless for the first time in their lives to get back on their feet, and the President calls it garbage and vetoes it, garbage. The President declares an emergency to help the Kurds. He has declared an emergency to help the Turks. He has declared an emergency to help the people of Bangladesh. Why will he not focus in on these people, 437,000 in my State, 25,000 in my district?

□ 0330

Why won't he help Americans take care of our own? Why turn his back? Why apply this crazy double standard: Help for those overseas, neglect for those at home?

Well, I am here to tell you, and my colleagues who have been here tonight and will be here in the morning are here to tell you, that we are not done yet. If the President wants to sit down and negotiate a bill, we are obviously willing to do it, but we are not going to sign away our responsibilities as Congressmen and Congresswomen and let him write every piece of legislation he wants down. That is not why we are here.

We have come a long way. He vetoed the last bill we sent him. He neglected the first bill we sent him. Now we are back to a third bill. We have come down on the benefits. We have even taken some of the options to pay for it that he has in his own bill, the Dole bill. We expect the President to make the next move. We expect the President to come forward and suggest ways of dealing with this unemployment compensation issue.

That is why we are here tonight. We want to call attention to the issue. We want to talk to the American people and we want to tell them how we are going to come back to the President with another bill, and we will do it again and again and again until he gets it right.

It seems to me that the message ought to be sinking in. All one needs to do is to look at the polls to understand this issue is mortally wounding the President. He does not need to have this wound in him. He is down in the polls. This is the No. 1 issue people mention when they are asked, "What is on your mind? What do you think the Congress and the President ought to addressing?" Twenty percent of the people say "unemployment." An additional 17 percent say "the economy."

Mr. Speaker, let me close with yet another letter from one of my constituents in Mount Clemens, my home town in my district. Listen to what he said about his family. He said:

We are educated people. I have an electrical engineering degree. To serve my country I did a tour in Vietnam. Now I need help. With a wife and three children, we are living with shattered dreams and in fright from day to day. My savings are gone and we may soon have to put the home we worked 18 years for on the market.

The American dream, to have a home, a family, and then, bam, and it is gone. And it is happening in every community in this country. People are scared to death. They are losing their homes, Mr. President.

He asked me at the end of this letter, "Is there any hope in sight?" Well, I would like to say to my constituent that there is hope on the way. Here is a man who wants nothing more than the dignity of work, a chance to work to provide for his family. For years he supported his family, worked hard, paid his mortgage. He has put food on the table. He did not complain. He served the country when he was called. Now he needs help.

We have a trust fund with $8 billion from his pay, deferred pay from his employer that the employer had put in there for this purpose. We have a terrible economic situation on our hands with millions of people out of work, and we cannot get the President, we cannot get my colleagues—not all of them, I should say to my friends who are listening across the country and who may be listening in their offices—there are many who voted on this side of the aisle on our unemployment compensation bill. We got 300 votes in this Chamber. Fifty-five Republicans joined us on the bill that we sent, that the President turned his back on and vetoed.

So I say to you, my friends and colleagues, that our job tonight is to mark a third attempt to get the President to do what is right. We are giving him another chance next week and I hope he takes it, and I hope he understands the real necessity of moving this economy forward. We did a couple of things already last night. We passed a major bill, a transportation bill, with huge margins, 340-some votes, I believe, way over the necessary numbers to override.

The President has threatened to veto that bill. That will put 2 million people to work over a 6-year period. We did that, and we are going to get that bill out of conference and on his desk soon.

We have passed an unemployment compensation bill twice. We are going to pass it a third time, and hopefully he will join in and reason with us, and get something that can help people.

Then we are going to come back with a growth package for middle-income people, providing tax cuts for the middle income in our society, so we can have a little bubble-up instead of this old trickledown that does not seem to trickle anywhere except in the pockets of the wealthy of this country.

I hope the President understands that we are serious. We want to get our country moving again.

Mr. HUNTER. Will my good friend yield?

Mr. BONIOR. I will yield for a second, and then I want to yield to my good friend [Mr. WOLPE], the gentleman from Michigan.

Mr. HUNTER. Madam Speaker, my friend, the distinguished majority whip, talked about working with the President and the President working with Congress. The President obviously will sign the Dole-Michel bill that pays for 10 weeks of benefits, and we have an assurance that that will be signed by the President within a few hours after its passage here.

If the gentleman is sincere, could he give us an assurance on the part of the Democratic leadership that it will pass the President's bill, the Dole-Michel bill, the one he says he will sign, so they can get those checks?

Mr. BONIOR. The Dole-Michel bill is not going to meet the needs of the country. The Dole-Michel bill does not even take into consideration the needs of veterans who voluntarily removed themselves from the service and are thrown back in an economy that cannot take care of itself. The people who went over and fought for us, came back, and came back into this economy, they get short shrifted under that bill. Everybody else receives 26 weeks of unextended benefits. We try to bring veterans up on our bill to the same level that the rest of the society has.

The Dole-Michel bill does not do that. Dole-Michel leaves out and does not reach back and take into consideration the almost 800,000 people that our bill does.

Now, we are not suggesting that we have to go 100 percent in the direction that we are after in those two areas and in others, but the Dole-Michel bill is woefully inadequate at this point, and it is certainly not something we are going to buy.

Mr. WOLPE. Would the gentleman yield just on that part?

Mr. BONIOR. Yes, I will yield.

Mr. WOLPE. I thank the gentleman for yielding.

One of the things I found most troubling in the debate that has occurred up to this point has been the suggestion from the other side of the aisle that somehow the issue would be totally resolved simply by acceptance of the bill that the President has indicated he would be prepared to sign into law, suggesting that all that is at stake here is a little political squabble.

You know, one of the things that is really absolutely remarkable is that my own State of Michigan, the State of the gentleman in the well right now, happens to be the State with the second highest unemployment rate in the United States. West Virginia is the only other State that has an unemployment rate higher than our own.

And do you know that under the bill the President would sign there is not a single worker in our State that would be eligible for additional benefits? That is the kind of assistance that the President proposed to extend.

Mr. BONIOR. Not one?

Mr. WOLPE. Not one. So then you ask, "Gee, whiz, why don't we just roll over and accept the President's wishes on that kind of issue?" Well, that is unconscionable.

Mr. WISE. Would the gentleman yield for 30 seconds?

Mr. BONIOR. I yield to my friend from West Virginia.

Mr. WISE. Just for 30 seconds, since West Virginia was mentioned.

Under the President's bill, it is interesting to note that as far as reachback benefits, those who have exhausted their benefits and would be seeking additional benefits under the Democratic bill, which the last bill would have provided 20 weeks for, the President's bill does not provide one time, zero, none.

For those who would go forward, those who will exhaust their benefits in the future and who would be eligible for extended benefits, the President's bill provides up to six weeks. The Democrats' bill provides 20 weeks. No money for those who have exhausted benefits and would seek additional benefits, absolutely none under the President's bill.

Mr. BONIOR. We have come down on our third bill from 20 to 13 weeks. We are not exactly being obstreperous.

Mr. DELAY. Would the gentleman yield?

Mr. BONIOR. Yes, I will yield to the gentleman.

Mr. DELAY. What the gentleman from California and our Whip had suggested is that if you really wanted to do something, we could have done it a long time ago, and done it with the Dole-Michel bill, and then fought out all this other stuff that you were talking about that we have disagreements over. That is what we are talking about. We are not even talking about the President's bill in lieu of your bill.

We are saying that if you were really interested in having the checks flow as quickly as possible, you would have taken one that the President would have signed right away, and then fought out the rest of it.

Mr. BONIOR. The President did sign the first one right away. Then he refused to release the funds.

Mr. HUNTER. He failed to sign the emergency clause because he would not say this country is in a state of emergency.

Mr. BONIOR. You do not think it is? You do not think 437,000 people in my State alone is not an emergency?

□ 0340

Mr. HUNTER. I would say at a time when we are trying to assure financial markets, at a time we are trying to make the economy go, the idea that the President is going to go out and call the American economy a state of emergency may not be a good idea. No, I think, let me just say I agree with my friend from Texas that there is plenty of room and plenty of time, and there has been plenty of time for the Democrat leadership to work with the President. Because the main problem that the President has had with the bill has not been the coverage that the gentleman talks about, it is the pay-as-you-go.

Mr. BONIOR. I do not know that the President has made one entree to the Democratic leadership that I am aware of. He may have and I may not be aware of it, but I am not aware of any, to try to deal with this problem in a realistic way.

The answer that the President has had has been this is garbage. The answer that the Secretary of Treasury has had is that the recession is no big deal. The answer Dick Darman has had is that these extended benefits perpetuate people to stay on unemployment.

It hardly signals they are interested in dealing with the issue.

Mr. HUNTER. The President's representative appear as Mr. MICHEL on our side and Mr. DOLE in the other body. Those gentlemen are always available to work on this with the distinguished majority whip, and they will be available in a couple of hours to continue to work on it. Would the gentleman be interested in working with them?

Mr. BONIOR. We are delighted to work with anybody interested. I want to get benefits to my people.

Madam Speaker, I yield to my friend, the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Madam Speaker, I want to respond to the gentleman from Texas who said—I have been hearing this refrain all night as I have been listening to this discussion of "the checks will flow, the checks will flow."

Madam Speaker, that is the point: the checks will not flow under Dole-Michel. They will flow for 6 weeks to those in the future who exhaust those benefits. To those on July 17 triggered off, and a number of States triggered off on that date, of which West Virginia is one, no checks will flow. Dole-Michel does not help.

Mr. BONIOR. I yield to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Madam Speaker, I thank the gentleman for yielding.

There is a journalist in my district in the city of Lansing by the name of John Schneider, who wrote a piece for the Lansing State Journal very recently. I would like to read a small portion of that article of his.

William Trice, Jr., died Saturday of intestinal cancer at the age of 23.

On Sunday morning, his widowed mother, Chevey Trice, went around to local churches with a tin cup in an effort to collect enough money to bury her son. She came up short.

On Sunday afternoon she left this message on my office answering machine: "I'm calling to find out if there's any way you could

run something in the paper to help me bury my son. He died yesterday. I don't have any insurance. The undertakers can't do anything to help me because social services isn't paying anything now. Anything you could do to help me would be appreciated."

Chevy Trice is broke. Her son is dead after an excruciating illness. Now she has to beg for the money it will take to put him in the ground.

And we call ourselves a civilized society.

A so-called "glitch" in the state budget has left $43 million in emergency funds up in the air, including money for indigent funerals.

Mr. Schneider goes on:

They call it fiscal responsibility. They call it politics. They call it a "glitch" in the process.

By any name, it is a mother having to beg for money to bury her son.

Madam Speaker, I read that article because I do not know of any more poignant way to try to convey the human face that lies behind this deep, deep recession that we face in my State of Michigan, and that is faced in States all across this country of ours.

I happen to have the congressional district in Michigan that has the lowest unemployment rate. There is no other district that has a lower unemployment rate: 7.2 percent. However, the unemployment rate in my congressional district is still higher than the national average.

In district after district all across my State there are unemployment rates of 8, 9, 10 percent, and higher. Ours is a State in crisis. Human misery is everywhere. People are frustrated. They are angry. They frankly cannot understand how a President can see fit to declare an emergency in order to trigger funding to meet human needs around the world, from Bangladesh to Turkey to the Kurdish population, and somehow cannot find it within his grasp to identify an emergency right here in our own country.

Mr. BONIOR. How much money has the President declared, I might ask my colleague, in emergency funds for around the world, and how much has declared at home here?

Mr. WOLPE. As of this date, there has been some $1 billion declared in emergencies, for emergencies around the world, and there has been $36 million committed to domestic emergencies.

Mr. CUNNINGHAM. Would the gentleman yield for 10 seconds?

Mr. BONIOR. I will yield.

Mr. CUNNINGHAM. I would ask the distinguished majority whip, did the gentleman vote for the foreign aid bill?

Mr. BONIOR. Which one?

Mr. CUNNINGHAM. Any of them.

Mr. BONIOR. Some I have, some I haven't.

Mr. CUNNINGHAM. Daily we hear that we spend too much money overseas, and the majority from the Democrat Party have voted for the foreign aid bills. Yet they say we spend too much overseas.

Mr. BONIOR. The Republicans have, too. Let us be clear about that. Republicans vote for the foreign aid bills as well as Democrats do. I voted for some and I voted against some.

Mr. CUNNINGHAM. I have no contest for that. I voted for the foreign aid bills. I do not stand up and lambast that we are spending too much overseas in demagoguery.

Mr. WOLPE. The point we are attempting to make here is that it is a double standard. It seems much easier for the President to declare an emergency elsewhere to allow the expenditure of funds that would otherwise be curtailed under the budget agreement. But when it comes to dealing with the situation right here at home, he finds himself unable to declare that same emergency. That is the problem we are trying to address.

It is important to understand that in our State of Michigan not only do we have these extraordinarily high rates of unemployment, we also have a tremendous number of people who have been unemployed for a long period of time. There are over 750,000 individuals in our State that have already exhausted their unemployment compensation benefits. There are in the neighborhood of 134,000 people that are likely to exhaust their benefits in the next 10 months.

Clearly, the situation we face is truly of critical proportions. We have a State in which the whole economy is falling apart. We have an auto industry that just this past week reported losses of some $5 billion. We have State government layoffs occurring by the thousands.

Just a couple of weeks ago our Governor announced that there were some 82,000 people being dropped from general assistance rolls. I could go on and on and on.

The consequences of this recession are evident when you travel in my congressional district and throughout my State.

What is happening in Michigan is not an isolated phenomena. It has been fascinating this evening to listen to the debate and discussion on the floor. Sometimes we in Michigan think, my gosh, it cannot be as bad elsewhere. To hear my colleagues from the South and colleagues from all around this country describing what is happening to people within their communities, within their local districts, it is clear that we have a national economic recession that is costing this country enormously in terms of economic productivity and in terms of human sadness.

We are a country of increasingly sharp inequalities. It is absolutely remarkable that we can have a situation now where the top 1 percent, the wealthiest Americans, have as much income as the bottom 40 percent combined. What an incredible comment on the kind of economic concentration that has occurred.

Over the past decade, just the increase in the income of the top 1 percent exceeds the increase in the income of the bottom 90 percent of the American population. So not only are there many, many people in our country that are suffering as they have not suffered probably since the years of the Great Depression, but they are doing so in the context of seeing a very few in our society benefit enormously by the economic policies of this past decade.

We have a standard of living that is eroding. Americans today are finding it increasingly hard simply to make ends meet. It takes two incomes simply to hold a family together. That is why issues like health care, issues like day care, issues of tax relief for the middle class, are issues that have become so much more central to our national political debate.

□ 0350

There is probably no element of the population that we profess to care more about and yet are more victimized by what has been happening to our economy in the last decade than our children. What an extraordinary commentary it is to find that there are over 13 million American children today that live below the poverty line. One in every five American children lives in poverty, and if recent trends continue, one in four will be living in poverty by the year 2000. To make matters worse, between 9 million and 12 million of our children in this country, and more than 14 million women of child-bearing age, have no health insurance.

Approximately 7 million of our kids today do not even receive routine child care or medical care. In 1986, 37 percent of the children between 1 and 5 that were in families below the poverty line had not seen a physician within the past year.

Immunization rates for preschool children against diphtheria and tetanus and similar illnesses averaged 41 percent higher in many Western European countries than in the United States.

In 1990, more than 25,000 cases of measles were reported in the United States, almost 17 times the all-time low number reported in 1983 and almost half of these cases were reported among preschool children.

Something is wrong when we have a society that has the kind of wealth that is evident, if we just look at the upper income portion of our population, and yet we cannot meet the basic human needs of the children of our society who, I think, represent our future. There is something sadly wrong with our priorities and something terribly wrong with our direction.

We wonder, in the midst of all that kind of evidence of human misery, of neglect, why it is that people are frustrated, why they feel alienated, why we

have rising ethnic and racial tension in our society.

It is so clear that there is simply not the sense of hope that has been characteristic of the American experience over so many earlier generations.

We are in the process right now of producing the first generation of Americans that will not be able to keep up with that of their parents in terms of their living standards and in terms of their own sense of opportunity in the years ahead. My hope is that if we can begin to broaden the public debate and if people begin to zero in on precisely how truly serious our economic decline has been, then maybe we can mobilize the kind of national effort that will finally get the President's attention.

This debate over unemployment compensation benefits is a critical debate in and of itself because there are so many people out there that are desperately, urgently in need. If we can respond to those people, we can begin to regenerate that sense of the possibility of change, the sense that there can be a better future, that the Government will finally do something meaningful to meet their problems and their needs.

I hope that we do not stop there. There are so many other things we can do and must be doing in the weeks and months ahead. I hope the President will be with us rather than resist us at each of these steps.

It is time to reduce the economic squeeze on the middle class. We can do that by the kind of child-care tax credits and tax relief legislation that have been offered by the gentleman from New York [Mr. DOWNEY] in the House and Mr. GORE in the Senate. We can move that legislation this year. I hope we will.

We can begin to rebuild America. We began that process, I think, today with passage of the Public Works transportation infrastructure legislation. We can begin to really create new jobs, decent, well-paying jobs for American workers throughout this land of ours by doing all those things that have been so neglected in the past decade: rebuilding our roads, bridges, and highways; attending to our educational system; beginning by making the public investments that are critical to our economic future.

We have a huge homeless population today. People say, "Why are there so many homeless out there?"

Well, when we cut the kind of Federal support that has been out there to assist senior citizens and low-income citizens by over 70 percent in the past decade, of course we are not going to have enough housing available for people who simply do not have the purchasing power to acquire that housing. There are tremendous needs out there, and we can begin to meet those needs if we can begin to change our priorities.

It is a big debate. I do not understand why there should even be a debate about whether or not we should go back and take a second look at the budget agreement we entered into a year ago. A lot has happened in this past year.

The President himself has finally acknowledged that it is time to roll back the armaments, to begin to reduce our nuclear arsenals. Yet even as we speak, we have a defense budget in the neighborhood of $300 billion, over 60 percent of which is targeted at the defense of Europe. Is it not about time we reevaluate where we are with all of the tremendous changes that have occurred in the course of this year?

It is time to take that second look, to begin to retarget and redirect those resources, both to reduce the deficit and to meet these high priority domestic needs that have been so neglected for so many years.

I think that if we can begin to develop that sense of commitment to the redirection of our national goals and priorities, we can regenerate within this society of ours a new sense of faith and confidence on the part of the American citizens that this Government of theirs is really working for them. I think that is the challenge to all of us in this body.

I think that is the challenge that is really before our President as we speak this evening. I hope that President Bush will heed the urgency of the cries that are going up, not only from my State of Michigan but from across this country of ours. The need is urgent. It is real. It is time that he respond.

Mr. BONIOR. I thank my colleague for his eloquent statement and his concern and his thoughtfulness about the future direction of the country.

I yield to my friend from Missouri [Mr. WHEAT].

Mr. WHEAT. Mr. Speaker, I thank the gentleman for yielding to me.

I appreciate the fact that Members on the other side of the aisle also want to participate in this debate. I have, in fact, listened intently to what the Members on the other side of the aisle have had to say this evening on this very important question.

I came this evening to tell the story of one constituent of mine, but I think it is important before I tell her story that I clear up some misperceptions that I think have been created in the minds of some who may be listening to this debate, because as I listened, I got the feeling from some of the statements that were made that we were talking about a different kind of unemployed person than unfortunately those I have had the opportunity to become familiar with.

The kind of people that I heard being talked about from the other side of the aisle were the people who could be given an incentive to go out and get a job by denying them unemployment benefits. I understand that there are all kinds of economic theories. I understand that the gentlemen on the other side are sincere in their beliefs and sincere in their entreaties to those on this side of the aisle. But I think it is important to recognize that when we are talking about unemployed people as counted for unemployment benefits, we are only talking about people who are seeking jobs.

I would say I do not know how it is done in other States except that it is done the same way in every State of the Union, that you have to certify that you have an ongoing search for a job on a weekly basis in order to be eligible for unemployment benefits.

In fact, when people become so discouraged after a long search for a job and they have been unable to get one that they stop looking for a job, they are then no longer eligible for unemployment benefits and not counted in these unemployment statistics we are talking about.

In my own community in Kansas City almost every job that is advertised at a new plant opening, for every one job advertised, there will be hundreds of people who are applying for that job.

But I think it is also fair, as I pointed out, that we do not want to have a misconception or a misperception about the people who are unemployed, that we not have a misperception about the leaders of this country, and I have listened to some of the debate about the President's travels. I for one think it is appropriate that the President travel around the world. I recognize that we in this Nation have responsibilities around the world and the President as the leader of our Nation has responsibilities around the world also. As a Member of Congress I have had the opportunity to do a little traveling, some with the distinguished chairman of the Africa Subcommittee, Mr. WOLPE. I have traveled with him to South Africa, and I have traveled with the chairman of the Select Committee on Hunger to places like Peru, and Haiti, Somalia, the Soviet Union, Sudan, and Ethiopia. I have had the opportunity to see the miserable and the wretched of the Earth. And we have started to judge some of these nations and the conditions in these countries by how they treat those in their society with the least potential to take care of themselves, the children in those countries.

Recently, I had the opportunity to go to a country where the statistics and where the children were in a miserable condition in that country where one-fifth of all the children lived in poverty, one-fourth of all the children went to bed hungry every night, one-third of all of those children received inadequate if any health care, and one-half of all of the new homeless people in that country were children. Where was this wretched country? In Africa, in Asia, in South America? I think ev-

eryone understands that the answer is no. This country described by a previous chairman of the Select Committee on Hunger, Mickey Leland, as a beautiful country suffering through a nightmare is in fact our very own beloved United States of America. And this is a country that, as a result of our depressed economic conditions, and the fact that people have lost jobs through no fault of their own, is no longer able to care for its children in an appropriate way.

It is with this backdrop that I give you the story of Bonita Smith, a constituent in my district, one of those people who is currently unemployed, one of the people I want to defend because she has been actively, like many other people in Kansas City, looking for a job for many months.

I first came to know Mrs. Smith last year when she contacted me to request assistance with a tax liability problem she had. She had inadvertently believed that she did not have to pay taxes on a deferred savings plan of approximately $4,000. She was laid off from her job at the phone company where she had worked for some 19 years. Last week she called me and told me that she was distraught and upset because her tax liability, which was originally about $1,400, was now $2,000 and growing. The reason it was growing is that she had been paying $50 out of her unemployment benefits to attempt to cover this tax liability. The $50 was not enough to cover the principal and the interest and the penalties, and she was afraid she was going to lose her home because the IRS had placed a lien on her home. She told me she could no longer afford to make the payments because her unemployment benefits had run out, and she did not have any other source of income. She also said that without any income she did not know how she was going to be able to buy food, pay her utilities, pay for her mortgage, pay Uncle Sam, or pay the IRS. In tears she told me that she had been working for over 30 years, and that she had always paid her fair share of taxes, that she had even contributed time and money to help the needy and had not expected to become one of them.

In preparation for her retirement years she had set up a savings plan to supplement her retirement pension and Social Security. Unfortunately, she did not plan to lose her job after 19 years, and she did not plan for it to take her months, if not years, because of a depressed economy, to be able to find a new job. She did not plan to spend her entire severance pay of $13,000 and her entire savings to keep a roof over her head and food in her mouth, because no one would give an individual in their fifties a job.

I understand the rules of the House do not allow Members of Congress to talk directly to the President. But I think the President would want to hear from Mrs. Smith. She wanted the President to know that he should be ashamed of himself for vetoing the unemployment bill. Her unemployment benefit was her only source of income, and the only thing that kept her from being hungry and homeless. And it is the only source of income for hundreds of thousands of others in my area. She asked me: "Doesn't he understand that people are suffering in America?" I explained to her that we did have responsibilities overseas. She answered that she felt sorry for the people around the world and that she felt sorry for the hungry people in the Soviet Union, but she reminded me and she wanted me to remind him that the American people put us in office, not the Soviets, and it is time that the President made the American people a priority.

Mrs. Smith lost her home. I would like to be able to tell you that this is an isolated story. But unfortunately, it is not. These people have lost their jobs. They have lost their jobs and their livelihoods through no fault of their own. No matter who you blame, the Government, the President, the Congress, it is through no fault of the working people of this country that they cannot find jobs.

It is time to respond to that situation, to make sure not only that we have a growing economy, but until the time that the economy is capable of taking care of all of the displaced people in our economy, that unemployment benefits continue so that people can continue with their lives.

Mr. BONIOR. I thank my colleague for his eloquent statement. As I said earlier, statistics do not really I believe tell the pain that is out there. I think my colleague from Missouri, as my colleague from Michigan, has vividly and poignantly demonstrated the real agony and pain out there.

Before I yield to my friend from Indiana [Mr. VISCLOSKY] I want to yield to the gentleman from Texas [Mr. DELAY] and then I will yield after my friend from Indiana to the gentleman from the State of Washington.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. I will be very brief because this is a very compelling and a very sad story that the gentleman from Missouri tells. And the gentleman from Missouri is one of the better Members of this House. He is a very caring man and a very thoughtful man.

But what we are talking about here is setting priorities. The lady that he described has every right to have those feelings about the President. But I wonder how she would have felt if she was told that we could have paid for those benefits that the gentleman from Missouri wants by taking it from other programs. To give an example, I have a whole list of them here, but would the woman he described be interested to know that those who are doing research in animal waste are doing quite well, and we could have taken that program. There are a lot of programs that we could have either reduced or eliminated to pay for the benefits that the gentleman wants for this lady, and everyone wants.

The problem here is that the President is demanding that we pay for the program rather than just carte blanche say no, we are not going to set priorities.

Mr. BONIOR. Mr. Speaker, I yield to my friend from Missouri to answer.

Mr. WHEAT. I understand that the gentleman has asked the question in all sincerity, and we could talk about a number of budgets where the funds could come from to pay for unemployment benefits. I for one would disagree strongly with the idea that we should sell off the airwaves at fire sale prices to fund unemployment benefits when in fact funds are available in the trust fund to pay for those benefits in our society.

□ 0410

But I think what is most compelling would be to point out to the gentleman that the bill that the President is demanding be passed would not have helped Mrs. Smith or any of my constituents at all, because under the very complicated formula that is included in that bill, despite the fact that this has been one of the most severe recessions we have ever faced, my constituents would not be eligible for the extended benefits in that bill.

Mr. BONIOR. I thank my colleague for pointing that out, as is the case in Michigan as well and West Virginia.

I yield to my friend, the gentleman from Indiana [Mr. VISCLOSKY].

Mr. VISCLOSKY. Madam Speaker, I appreciate the gentleman yielding.

In this case, I am happy to point out that Indiana is not a national leader. We are not No. 1. We are not No. 2 in terms of unemployment claims in the United States.

Indiana's annual rate at this point in time is 5.7 percent, although in terms of congressional districts, the First District in Indiana, which I represent, is the highest within the State, 6.6.

What I would like to talk about before I get into the question of the unemployed are those who no longer live in northwest Indiana who are working for less money than they earned just several years ago.

In the previous hour, several of the speakers talked about the whole concept of hope, and I would have to agree with that. I think the question of hope, the idea of progress is fundamental in terms of the United States of America, that that next generation is going to be better than the last.

When I grew up in the Glen Park neighborhood of Gary, it was my impression that that was the American

dream. People immigrated to the United States of America so that they could get a job at that point in either an oil refinery or a steel mill or the ancillary industries around them so that they, for the first time, could make sure that their children graduated from high school, their children could go to college and improve their conditions so that their grandchildren could have a better life.

I went to school with a gentleman by the name of Nick Zuckatansky, a fellow Slovak. I went to high school with Nick. At the end of high school when we graduated in 1967, we decided to take different career paths. I went on to college in Gary, IN, and Nick went to 4th and Broadway to get a job with USX Corp., a job from time to time from which he was laid off, but which he retained for nearly 16 years.

By the end of the 1980's under Ronald Reagan and George Bush, his economic circumstances became untenable. Nick Zuckatansky does not show up in the unemployment rate in northwest Indiana, because he had to move. He is now living in the State of Arizona making significantly less in terms of his hourly wage rate, and certainly enjoying fewer benefits.

I do believe it is the American tradition to move to improve yourself. It is not the American tradition to move because you are forced to, because no one cares about your economic plight.

During a pancake breakfast at a Lions function during the spring of this year, I bumped into a gentleman whom I did not recognize who indicated that we had met at some time before, several years before, at a plant called Combustion Engineering in East Chicago. Subsequently that plant closed, and I asked him what he is doing. He is now working in the State of Illinois. He had to move to get a job. I asked him, "Relatively speaking, what are you making now compared to what you were making 3 years ago?" He is making half of what he made before at an industrial position, and his wife, who is a legal secretary in the city of Chicago, is making more than he is.

The fact is, in terms of studies for Lake and Porter Counties in Indiana, the personal income for nonfarm workers has collapsed. From 1980 to 1988, that percentage dropped by 22 percent in Lake County. It dropped 19 percent in Porter County.

Certainly we see, in terms of national statistics, that same type of collapse.

So I think that what we are talking about here is not just those raw percentages of people who are not working in Gary, IN, or East Chicago, but people who have had to leave their families, who have had to leave their churches, who have had to leave their neighborhoods, their groups, social organizations to get a job somewhere else, and in some instances, at half of what the rate was before.

In terms of what the unemployment situation looks like today, I think it is grievous. The month that George Bush took office as President of the United States, 3,038,000 Americans were unemployed. In the month of September, 4,801,000 individuals lost their jobs.

Now, as I indicated on the floor of this Chamber 2 weeks ago, that represents one American worker losing their job for every minute George Bush has been President of the United States, and to now not act in a decisive fashion, forgetting for the moment all of those who have seen their income collapse, but those who have no source of income, I think is unconscionable.

The previous speaker, the gentleman from Michigan [Mr. WOLPE], talked about that next generation, and I return to the concept of hope. I think that is why we are all, Republicans and Democrats in this Chamber and in the Government, is to make sure that that next generation has a better life.

When I was growing up during the 1960's, the theory was "Do not trust anyone over 30." Personally, being the type of individual I am, I figured time was on my side. I did not necessarily subscribe to it. I think the saying has a lot of truth today, and in terms of young families aged between 25 and 34, if you look at their income decline, if you look at the slowdown of their earnings, if you look at their lower wage rates, we see a continual decline in terms of the types of employment, if employment is even available.

I do think that we have reached a moment in our Nation's history where we have got to deal with those people who find themselves in a desperate situation. The unemployment rate in my district, while not high by some States' standards such as the gentleman's State of Michigan, is, nevertheless, at a 5-year high in Indiana, and I do think it is time for the President of the United States to act.

Mr. HUNTER. Will the gentleman yield?

Mr. BONIOR. I want to get the gentlewoman from Washington on, because she has been here all night. She has not said anything yet. I only have 5 minutes left.

Mr. CUNNINGHAM. You told us you would yield time, 30 minutes.

Mr. BONIOR. Pardon me?

Mr. CUNNINGHAM. You told me in the beginning when you were yielding time that you would yield 30 minutes.

Mr. BONIOR. The gentleman from California has been talking on this floor all night. He is standing up now, and he is suggesting that my friend, the gentlewoman from Washington, has no right to speak. I do not appreciate that. I do not appreciate your attitude. I do not appreciate the idea that you would come to the floor and impugn the integrity of the gentlewoman from Washington.

Mr. CUNNINGHAM. I am impugning your integrity.

Mr. BONIOR. I do not yield to the gentleman; I do not yield; I do not yield to the gentleman, wherever you are from. I yield to the gentlewoman from Washington.

Mrs. UNSOELD. Thank you.

The SPEAKER pro tempore. The gentleman from Michigan controls the time.

Mr. CUNNINGHAM. Vote for the Sandinistas.

Mr. BONIOR. That is the type of argument, Mr. Speaker, that is the type of thing these people have resorted to. Now they are back to foreign policy. They cannot deal with the heartache at home. The gentleman from California cannot deal with the fact that his administration, his party, has put so many people out of work.

The gentlewoman from Washington.

Mr. HUNTER. Will the gentleman yield?

Mr. BONIOR. I will not yield.

Mrs. UNSOELD. There has been comment made tonight that we on this side of the aisle would be able to have the unemployed receive benefits immediately if we would simply go along with the proposal that is coming from the other side of the aisle, that somehow the Democratic proposal which would provide an extension of benefits, and this time is our third attempt to get a bill that would be signed into law, 7 weeks and 13 weeks, that somehow that is a budget buster, but that the Republican version for 10 weeks is going to provide checks tomorrow.

How could there be such a difference, with a maximum of 3 weeks, that one would be a budget buster and one would be a panacea for this problem that the United States faces?

In the President's veto message that was issued earlier this month, he complained that the Democratic bill, unlike existing law or what DOLE was proposing, used the State's total unemployment as a standard, as the trigger for determining whether that State would be able to make use of extended unemployment compensation. The administration wants to use as a trigger, as a standard, only those unemployed who came from insured jobs.

About half would not be covered under that kind of a standard, and, hence, the trigger would not take place.

It is no wonder that the Republicans say that their bill would be preferable. They are going to define out of existence States that have workers who have dropped off the edge of the cliff because they no longer have the ability to receive unemployment compensation. They have not been able to stay in a program long enough to be able to get retraining. They have no options, and very cynically the Republicans would say, "We will give benefits within 24 hours if you will go along with our proposal," but they will not allow a trigger that would go into effect to

really provide the assistance we need right now.

□ 0420

I regret, I say to the majority whip, that I have to yield back the time. I am going to stick around because this issue is too important. I have workers in my area who are going through such pain and I want to tell some of those stories before this night is over.

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding to me. I appreciate that the hour is about 4:20 a.m. We are all tired. We have had a long day. Maybe we can just take a deep breath and try to come to some understanding.

I just want to ask the gentleman, because he is in the leadership and a very distinguished Member of the House this question. Why do the Democrats not write an unemployment compensation bill that is paid for, that sets priorities, that looks at other programs, and decides that maybe we could forgo a particular program in order to pay for this, in order to adhere to a budget agreement that the gentleman voted for?

Mr. BONIOR. Well, I would answer my colleague, the gentleman from Texas, by saying as I have on half a dozen occasions on this House floor, we believe this program has already been paid for by the employer through compensation from the employee. We have $8.2 billion in this fund that can and should be spent for those who need it. We tried that. We tried it twice. The President said no.

But I might add, we had 365 Members of Congress, Republicans and Democrats, who agreed with that position the last time around.

So we came back and we decided we would try something different. We decreased the benefits. We provided a mechanism to finance this. We also took even from the President's own bill a partial finance mechanism that deals with students defaults.

Now the President, and obviously Members of your own party, are suggesting that this is not good enough. I do not know where we have to go to get this resolved, but we will keep trying until the American people understand that we are serious about taking care of these people who are suffering, as my colleagues have demonstrated in their remarks this evening.

Mr. RAHALL. Mr. Speaker, I need not say anything after I've said that West Virginia's unemployment rate at the present time is just short of being in double digits. Currently, West Virginia's rate is 9.8 percent. That's an average statewide unemployment rate. But, Mr. Speaker, the unemployment rate in many towns and cities located in my district are in double digits—some that in the past relied solely upon the coal industry for their economic well-being are nearing 50 percent in unemployment statistics.

Twice we have sent the President bills that would have extended unemployment benefits for those who have exhausted the first 26 weeks without having found a new job. Our bills would have extended those benefits for up to an additional 20 weeks, depending on which States have the highest rates of unemployment—and West Virginia would have qualified for the extra 20 weeks—and twice he has vetoed the legislation.

It makes me wonder, really, just what is going on around here.

Do we have a Democratic majority in both the House and the Senate, or not? Our people—all hard-working Americans who are suddenly unemployed through no fault of their own—but because businesses are downsizing, or undergoing reductions in force for reorganization purposes, or going bankrupt—and these people have worked for decades in the same job, during which time their employers and they have contributed to what is called the unemployment insurance trust fund. That fund now boasts a surplus of $8 billion—and still we are told that the Congress can't override a veto because we provided no way—no new tax—with which to pay for the new extended benefits. We are told that to send the President a bill with no means of paying its costs is bursting last year's budget agreement on pay-as-you-go requirements. I don't care. I voted against last year's so-called budget agreement that was built on new taxes.

What is that unemployment insurance trust fund for? Why do we need a new tax if we have a trust fund bursting with surplus funds, intended for this very purpose?

Is this trust fund, like the highway trust fund, being held hostage in order to mask the real size of the deficit—making it look smaller than it is? Oh. I see. Sort of the same way we used the Social Security Trust Fund until it was taken off budget, right?

Do you want to know what I think? I think Americans are entitled to get back what they've paid into the trust fund for just such emergencies as this—a prolonged recession. This recession has cost millions of people their jobs, and it continues to keep jobs from becoming available, which in turn keeps able and willing workers from getting jobs, which in turn caused them to use up their unemployment benefits. These people—and you've heard this all before—have home mortgages, children in school, young adult children in college, car payments coming due, food that needs to be bought, and heating and medical bills to be met—and their benefits have run out and they have no place to go—except to their elected representatives. That's us. And we have tried and tried—twice going on three times now—to extend those benefits so homes are saved, and cars are not repossessed, and college tuitions can be paid, and food and clothing can be bought, and people don't die from lack of medical care.

The esteemed chairman of the House Ways and Means Committee has a new extended benefits plan, which does raise taxes in order to fund the bill, at lesser costs, but with the top extension of benefits amounting to only 13 instead of 20 weeks. Will the President find this one acceptable? Or will he veto it, too? Will either body be able to override the veto. I think if the House has a chance to vote it will be able to override a veto this time around, just as it would have overridden the veto of the last bill, had it had a chance to vote.

Mr. Speaker, there is a lot of talk going around that the recession is over. Well, it isn't. And even if it were, it is common knowledge—common sense to everyone but the White House—to acknowledge what is true, and that is the fact that even when a recession ends the unemployment rate does not suddenly drop. Business and industry are still hesitant to start hiring again—and indeed a recent survey of business and industry showed that they have no intention of taking on new hires in the immediate future.

And what about areas of the country where it isn't bad enough that business and industry have a freeze on new hires for the foreseeable future—but where plant closings continue to be the order of the day?

Where is that happening? In West Virginia, in my Fourth District.

Once again, the Maidenform plants located in Princeton in Mercer County, and in Huntington in Cabell County, WV, are closing down those two plants, tossing another 220 workers into the pool of the unemployed. In Mercer County that means 145 people out of work; in Cabell County, 75 persons are out of work by the end of this year. Merry Christmas and Happy New Year!

Where will Maidenform relocate? We are not sure. The union representatives seem to think they are headed for Mexico—or offshore to one of their other plants already working out of Jamaica, the Dominican Republic, or Costa Rica. Or how about Florida, a right-to-work State. Always, when plants close in our States and districts, the owners seem to be headed anywhere where people will work for practically nothing, or as in right-to-work States, at nonunion wages.

This is part and parcel of what I feared the most when Congress agreed to the Mexico Free Trade Agreement and put it on a fast track. Every time one of us got up on the floor of this House and warned that jobs would disappear—others got up and said they wouldn't. They have, and they are, and they will continue to move offshore and south of the border, putting more and more Americans out of work, who will probably exhaust their unemployment benefits before business and industry begin to rehire, because this recession isn't over yet, whether the President has the common sense to understand that or not.

If that is what this body agreed to—and it did—to allow those jobs to move south—to move off American soil onto foreign soil—then the least this body can do is to enact legislation allowing those who are unemployed as a result to draw unemployment benefits beyond the normal 26 week period, should they find themselves still unemployed at the end of that time period.

Mr. Speaker, there are 11,019 workers in West Virginia who have exhausted their unemployment benefits; they've received not one dime since March of this year. There are 7,442 who have exhausted their benefits, but are still actively looking for work. Between October of this year and June of next year—an estimated 13,752 West Virginians will exhaust

their benefits and be eligible for extended benefits—if we can get a bill through.

That is a snapshot of West Virginia's unemployed.

We are told that the average American worker can expect to face the loss of a job at least once or twice during a lifetime of working. Because of that, the Federal Government has always offered extended weeks of unemployment insurance to those who have lost jobs during periods of high unemployment. Since the 1950's the Government has moved to provide these extended benefits, each and every time a major economic downturn has occurred.

It was during Reagan's first 100 days that a so-called upward revision in the so-called trigger or level of unemployment was enacted, which States were required to meet before extended benefits could be made available. The economic conditions required to trigger extended benefits under the Reagan law, which we are currently dealing with, are so extreme that most States are excluded from receiving them. Even so, during Reagan's administration we were able to get permission from the White House to extend benefits on a temporary basis on four separate occasions.

There is no precedent for the current situation. None at all. Yet between July of last year, and August of this year, total civilian employment in the United States dropped by 1.5 million jobs. This downturn ranks as the third most severe of the nine postwar recessions. Yet it still does not trigger automatic extended benefits under the Reagan trigger, and Bush refuses to ease that trigger.

We have 8.5 million Americans out of work and out of benefits. Add the 1 million who are believed to have stopped looking for jobs that aren't there, and that total is 9.5 million Americans out of work and out of luck. It is estimated that an additional 2.8 million will join the 9.5 million out of work Americans over the course of the next 10 months. That will bring the total to 12.3 million Americans out of work.

Just let me reiterate here, Mr. Speaker, that West Virginia is one of the four States—including Michigan, Mississippi, and Massachusetts—with the highest unemployment rates in the Nation. Running a close second to those four States just mentioned, are California, Pennsylvania, and New Mexico, with the second highest rates of unemployed workers.

I know that many of us are asking President Bush to come back to America, and begging him to stop focusing on foreign affairs in order to help us get our own house in order. But let me tell you something I don't want Bush to come back if he is going to wear his rose-colored glasses through which he sees only rosy scenarios. We know well enough that when he is looking through those glasses, he sees the recession at an end and no need for extended unemployment benefits, or any other domestic aid.

Take off your rose-colored glasses, Mr. President, and join us in a walk down Main Street, America, and tell us what you see, and what you intend to do about it.

Mr. ANDERSON. Mr. Speaker, the Democratic Party has traditionally been the party of the working-class and middle-class Americans. Never has this fact been so apparent as during the debate on extending unemployment benefits. In late July, Democrats moved to extend unemployment benefits to help workers displaced through no fault of their own by this unyielding recession. Unfortunately, these efforts were rebuffed by an administration that wrongly viewed extending benefits as an impediment to an economic recovery, a decision that has defied the prescriptions of economists. They assured Congress that recovery was right around the corner. Here we are, nearly 3 months later, and the recession is still with us. American workers are still suffering, and unemployment is still an emergency in this country.

Democrat proposals during the summer tried to provide relief to those workers to help them get back on their feet again before the problem got out of control. These efforts ran into the brick wall of the Bush administration and its veto power. In July, Office of Management and Budget [OMB] Director Richard Darman stated that the administration would veto extended unemployment insurance benefits because the situation "would not in our judgment be an emergency * * * benefits have the perverse effect of becoming an incentive to be unemployed." Congress, realizing that the unemployment rate was growing without incentives, passed the first jobless benefit bill.

However, the escalating unemployment rate was not deemed an emergency by President Bush, who vetoed the measure. Despite the President's veto, Democrats drafted another proposal, S. 1722, to help out-of-work Americans. This legislation provided a minimum of 7 weeks of extended benefits for all workers whose benefits have expired, and a maximum of 20 if the State's total unemployment rate was above 8 percent. S. 1722 would have provided extended benefits to about 80 percent of all individuals who exhausted their benefits within the last 6 months, as well as to all individuals who are expected to exhaust their benefits in the next 10 months. California, whose unemployment rate was 7.9 percent in September, would have been eligible for 13 weeks of extended benefits.

These efforts were again thwarted by the administration. On the positive side, some progress was made. Although the administration still did not consider unemployment to be a domestic emergency, at least they recognized that there was a problem. In response, a Republican alternative was offered by Senator DOLE. Members of Congress urged this bill to be passed because the President would support its passage. Unfortunately, this was a case of too little too late. This bill would provide 6 weeks for benefits if a State's adjusted insured unemployment rate exceeded 5 percent, and 10 weeks if it exceeded 6 percent. This measure would have excluded more than 80 percent of individuals who have exhausted benefits during the last 6 months. Under the Democratic bill, the unemployed would have received, on average, about $655, or 57 percent, more in total benefits than under the Dole proposal.

Mr. Speaker, the President has requested emergency funding to help the Kurds, Turkey, the Sudan, Angola, Bangladesh, and Ethiopia. He has denied such funds to the unemployed of America. Maybe this is why 70 percent of the American people think that the President spends too much time on foreign problems and not enough on the problems of this country. Only 37 percent approve of his handling of the economy. It is time to get this administration to concentrate its vision on the problems in our country.

Unemployment statistics continue to illustrate the seriousness of this situation. Between July 1990 and August 1991, the U.S. economy lost 1.5 million jobs. During the last 6 months, more than 1.8 million Americans have exhausted their unemployment benefits. While these numbers are sobering, they do not tell the frustration and the pain felt by the individuals who have been affected by this impasse. People such as Donald Lebel from Long Beach, who has been out of work for a year due to the recession. His benefits ran out 6 months ago, and he and many others in my district want to know what we are going to do about it? I say to Donald and to the rest of the people in my district that the Democratic Party will continue its effort to pass an unemployment bill that will provide real help during your time of need. We will be where we have always been, on your side.

Mr. STOKES. I want to thank the distinguished majority whip, Mr. BONIOR, for organizing this special order to emphasize the plight of the unemployed in America, and the imperative need to provide these honest, hard-working people with extended unemployment benefits while they continue to search for work. I also want to thank my colleague, the gentlelady form Ohio [Ms. KAPTUR], for talking this time to participate in the special order, and allow other members of the Ohio delegation to share their thoughts on this issue.

Mr. Speaker, I deem it an utter travesty that we are still here discussing the need for extended unemployment benefits after Congress has already enacted two bills to provide these benefits to America's unemployed. It is unconscionable that the President has not recognized the urgent need for extending unemployment benefits, and continues to cling to the theory that the recession is over, and that extended benefits are unnecessary. I think that the President's position on this issue is, to use his own words, "pure garbage."

I raised the issue of an extension of unemployment benefits with the administration during appropriations hearings, and was told that the administration anticipated a mild recession, with relatively few people exhausting their unemployment benefits. The numbers have proved otherwise. There are over 8.5 million Americans out of work, and 3.5 million unemployed workers are expected to exhaust their benefits this year. Only 38 percent of those out of work get unemployment benefits—a historic low.

Mr. Speaker, I firmly believe that legislation to provide extended unemployment benefits is absolutely necessary in light of the current recession. Permit me to cite unemployment statistics from my hometown of Cleveland, OH. According to a recent report of the Bureau of Labor Statistics, in 1990, Cleveland had the highest unemployment rate for blacks among large U.S. cities for the second year in a row. The overall unemployment rate in Cleveland in 1990 was second in the Nation, trailing only Detroit among large cities. These rankings do not tell the whole story; the actual numbers are startling.

In 1990, the black unemployment rate in Cleveland was 20.7 percent. In other words, more than one in five of Cleveland's blacks was unemployed. The overall unemployment rate was 13.8 percent, meaning that more than one in eight of all Clevelanders was unemployed last year.

More importantly, these numbers do not tell the real story, because unemployment figures are not valid estimates of the true unemployment rate. Official Government unemployment estimates do not count workers who have exhausted their benefits or given up searching for jobs that simply are not available. These statistics also count part-time workers as part of the labor force, which completely ignores the fact that these individuals are underemployed.

In addition, the unemployment rate does not even begin to touch upon the most painful aspect of the current recession that was brought about by 10 years of Reagan-Bush economic policies which reaped massive budget deficits, the savings and loan debacle, and tripled the public debt. The most painful legacy of the Reagan-Bush era is the sickening statistics on the growing poverty rate in America.

In Cuyahoga County, OH, nearly one-fifth of the population live in poverty. Within the city of Cleveland, over 40 percent of the population is poor. Since 1980, the county's poverty rate has increased by 41.8 percent. An even more disturbing trend reflected in these factors is that during the last 5 years, a large majority of the county's poverty growth has been in the suburbs, not in the city of Cleveland.

Mr. Speaker, extending unemployment benefits beyond 26 weeks is absolutely necessary. I can hardly imagine a situation which could be more damaging to the self-esteem and mental health of an individual than to become unemployed. Consider how much more painful it must be to still not be able to find work after searching for work for more than 6 months.

The administration tells us that the recovery has begun. Where is the recovery in Cleveland, Mr. Speaker? Our unemployed workers cannot use promises of a recovery to pay their rent, or to purchase food and clothing. Our unemployed workers cannot use statistical decimal points from Labor Department reports to buy supplies for children preparing to start school this fall.

Opposition to extending unemployment benefits on the basis of an illusory promised recovery is a slap in the face of millions of citizens. If the President can find an emergency in Kuwait, or in Kurdistan, what about Cleveland? Let's not hear talk about the budget or the deficit from the administration whose budgets and economic policies over the last 11 years produced the deficit and the recession that produced the unemployment situation that extension of benefits is designed to address.

I urge President Bush to show compassion to the millions of Americans who face the tragedy of being unemployed every day. Show the working men and women that you care about them and their plight by signing legislation to provide extended benefits to help them when they are in their time of most desperate need. President Bush, sign legislation to extend unemployment benefits because it is the compassionate and humane thing to do, because it is reasonable and absolutely necessary for millions of American workers.

Mr. PEASE. Mr. Speaker, each time the House has considered legislation to extend unemployment benefits I have supported it, although reluctantly. I was not reluctant to provide benefits to these workers—it clearly is the right thing to do. Rather, I was reluctant to support the previous bills because they did not meet the pay-as-you-go requirements that were established in last year's budget agreement. I feel that complying with the budget agreement—as it is written today—is crucial if we have any chance of reducing the Federal deficit which continues to skyrocket. Because the bill before the House today meets the pay-as-you-go requirements established last year, I wholeheartedly support it.

This bill clearly and straightforwardly addresses the concerns raised by the President when he scuttled the previous two bills that this Congress has passed. The benefits are completely funded over the next 5 years so that it will not add to this Nation's horrendous deficit.

The measures adopted to finance the bill are reasonable. One of the provisions—permanently extending the IRS' tax refund offset program—is the same as was proposed in the Republican extended benefit bill. The other two measures—extending the temporary portion of the Federal unemployment tax for an additional year and temporarily increasing the tax base by $700—are natural provisions for funding an extension of unemployment benefits.

The funding provisions of the bill were designed so that they would not exacerbate the difficulties employers are facing in today's economy. The changes to the Federal unemployment tax paid by employers will not begin to take effect until 1993, when it is widely expected that the economy will be in better shape. By delaying this tax increase until 1993 we allow employers to recover from the recession.

In addition to being fiscally responsible, the bill makes two changes to the unemployment compensation system that Congress has previously supported. First, it allows the States to provide unemployment benefits to nonprofessional school employees between academic years or terms. This provision has passed the House three separate times, only to be stricken by the Senate.

The other provision provides unemployment benefits to ex-service members on the same basis as we provide benefits to civilian employees. Currently, ex-service members must wait 4 weeks before they can begin collecting unemployment benefits. Civilian employees begin receiving benefits after only 1 week. Ex-service members also only receive 13 weeks of benefits, instead of the 26 weeks that are provided to civilian employees. This bill puts ex-service members on an even basis with civilian employees.

In summary, this bill does all the right things. It provides desperately needed benefits to unemployed workers, and it does so in a fiscally responsible way. It also corrects two aspects of the current unemployment compensation system that should be corrected. Now we need to do the right thing and pass this bill.

Mr. MINETA. Mr. Speaker, a single night cannot solve the increasing problem of unemployment in America.

But perhaps, Mr. Speaker, a single night—a vigil by Members of Congress from all across this Nation—will send a message to the White House that will be heard, and that will be heeded.

That message, Mr. Speaker, is that the American people are hurting.

We are suffering from the bruising effects of domestic economic policies that have failed, that are insensitive, and that are the product of ideologues at 1600 Pennsylvania Avenue.

I would like to congratulate our majority whip, my fine friend and colleague, DAVID BONIOR of Michigan, for his leadership in confronting this legacy left to our Nation by the Reagan and now the Bush administrations.

And I would also like to thank the distinguished majority whip for this opportunity to get the message to the White House that Americans are suffering from the recession that the White House would have us believe is over.

More than eight million Americans are unemployed in America tonight.

Their unemployment benefits are expiring rapidly.

In many cases, those benefits have expired already.

Is the recession over when 8 million Americans cannot find jobs and less than 40 percent of these parents and professionals continue to receive unemployment benefits?

No, Mr. Speaker. I don't think so. And those 8 million Americans know so.

People are giving up, dropping out of the statistics.

Others are taking part-time jobs or minimum-wage jobs that cannot meet their financial needs.

Even in more prosperous regions like my own home—Silicon Valley, CA—the cost of living is so high that when people are suddenly out of work and unable to find jobs, they find it immediately difficult to put food on the table and keep a roof over their heads.

Oftentimes, Mr. Speaker, their only option is the supplement provided by amendment insurance benefits.

And with the recession dragging on and those benefits running out, the only thing on the increase is desperation—not hope.

Every day, my office receives calls from constituents who spend hours filling out applications for employment, yet find opportunities scarce.

This Member of Congress needs no lectures from the White House.

Don't try to convince me that people aren't suffering, or that they'd use extended benefits as an incentive not to work.

Americans want to work, Mr. Speaker.

Americans want to pay their own way.

But housing costs money. Real money.

So does food and electricity and clothing and transportation and medical care.

How can anyone seriously believe that unemployment benefits are anything more than a temporary safety net?

How can anyone seriously believe that unemployed breadwinners want to watch their families doing without, that they want to watch everything that they've ever worked for go down the drain?

How many Americans have become resigned to living out of their cars or in shelters?

Tell me, Mr. Speaker, is that now the American dream?

I certainly hope not.

This Congress passed a modest provision to help people survive while Democrats try to redirect our national priorities and undo the damage of the last 10 years of the Reagan-Bush White House.

The first time we sent our bill up to the White House, the President signed it into law—but he then refused to implement it.

And then, more recently, he just said no, and the Senate failed to override his veto.

I cannot understand how the President of the United States can look out of the oval office window and fail to see millions of unemployed Americans who need to be helped during the recession which he and the ideologues at the White House have created through failed economic policies.

Americans are willing to help people all over the world, and I hope that will always be the case.

But we must also help our own, and we must do it now.

When faced with pictures and videotapes of the damage and destruction wrought by the firestorm that recently swept through the Oakland-Berkeley Hills area in California, the President reacted, as he should, in an immediate and humanitarian manner.

How then can he continue to ignore the cries for help of those people who, through no fault of their own, find themselves unemployed and in need of help?

These are Americans who do not readily ask for assistance.

These are Americans who want jobs, who want to work, who are asking only for a short-term assist during this particularly trying time.

It seems to me, Mr. Speaker, that our friends and neighbors are due that much from Washington, at the very least.

Mr. HUGHES. Mr. Speaker, I rise to echo my colleagues' most serious concern for the economy and especially for those Americans who have been hardest hit by the current recesssion—the unemployed.

Americans across the country share this concern. Today's Washington Post reports that 42 percent of Americans named unemployment and the country's economic problems as their biggest concern, and nearly half of those interviewed believed that Americans are worse off now than they were 4 years ago. According to the poll, 60 percent of those surveyed disapprove of the way the President is handling the economy.

Many working Americans who sympathized with the unemployed a few months ago are today finding themselves out of the work force. And, unfortunately, there is no guarantee that more jobs won't be lost tomorrow, next week, or even next month.

And what is the administration's response? They keep repeating the same old rhetoric—there is no emergency, recovery is right around the corner, and what we need is a cut in the capital gains tax to stimulate the economy.

Well the economy has not improved since we first debated an unemployment benefit extension in August, and in fact it has gotten worse. Even greater numbers of unemployed Americans have exhausted their unemployment benefits, and they are growing weary by these day as they struggle to make ends meet, hold on to their homes, and feed their families.

I would like to share with you the excerpts of a letter I have received from one of my constituents in southern New Jersey.

Mrs. Janet Kauffmann from Bridgeton, New Jersey, writes:

"My husband was laid off December 17, 1990, because of restructuring within the department. He was told he had been a good worker—he worked for this company for 15 years—but he made the most money in his department and the easiest way to cut costs was to let him go.

They gave him 6 weeks severance pay, and health insurance for 3 weeks. Then he signed up for unemployment. My husband was a maintenance supervisor and now he can't find a job pumping gas. You see he is 50 years old.

He received 6½ weeks of extended unemployment, now that has run out. He is still looking for work daily, applying to places as far away as Philadelphia which is 1 hour and 15 minutes from our home.

My husband has a child from a previous relationship. He is expected to continue to pay $65 per week in child support even though his unemployment has run out he has absolutely no income.

I have a 12-year-old daughter that lives with me on a shared-custody basis. I make $17,000 a year as a secretary. I am the sole support of our family right now, trying to make ends meet, feed the family, and pay all the bills.

We have gone through more than half of our savings, just to keep up with the monthly bills. Now with Christmas on the way, and with a 9-year-old and a 12-year-old, how merry will it be?

I see recession in my future. I do not see an economic upturn. Do you think you and your family could live on $17,000 per year? If not, please help the unemployed, while they continue to look for work, for their self esteem, and a decent standard of living. Please vote to extend the unemployment benefits."

Mr. Speaker, we owe it to American families, like the Kauffmann's, to provide what little relief we can during these difficult economic times. I strongly urge the President to reconsider his position on the extension of unemployment benefits.

A thousand points of light will be a little help or consolation to the families of unemployed workers this holiday season because too many Americans have had their lights extinguished by the recession.

We can, however, make this holiday season a little brighter for American families. Let's give these families some hope by passing an unemployment benefit extension.

Mr. GAYDOS. Mr. Speaker, it is a real shame that we are here again to discuss unemployment compensation extension legislation. Hopefully, this time, with a little cooperation from the President and the Senate, we can enact legislation to extend unemployment benefits to those Americans who have exhausted their compensation.

Yesterday, the House Committee on Ways and Means marked up the bill, H.R. 3575, the third unemployment compensation extension plan this session. I am sure I do not have to remind my fellow Members and the American public what happened to the previous two unemployment measures we sent down to 1600 Pennsylvania Avenue for approval. To put it mildly, the needs and cries of the American people were flatly ignored.

In an effort to make the White House and the Senate a bit more receptive to the idea of extended benefits, the provisions in this legislation permit up to 13, rather than 20 weeks of additional assistance for people who have exhausted their benefits.

Fortunately, there are many of us who will continue pushing for extended unemployment benefits; we will not stop our fight to bring relief to the constituents in our congressional districts who have exhausted their benefits, and those who are about to. Unfortunately, Mr. Speaker, we have a President who does not see or understand the unemployment problems facing our Nation. He feels that we just want to give handouts to people who are too lazy to work or look for a job.

Well, I can assure the President that we are not giving handouts to anybody, we are making an effort to give the people back some of their hard-earned tax dollars to keep them on their feet while they continue their search for some type of employment.

Currently in the United States, there are approximately 8.5 million Americans who are out of work. Another 423,000 have just filed their initial unemployment insurance claims. Back home in my district, we have lost thousands of jobs over the past few years and we have lost them because of unfair foreign competition that has deindustrialized the United States.

During the so-called largest economic expansion of our time, the Reagan revolution, southwestern Pennsylvania continued to lose thousands of manufacturing jobs to overseas competitors who manipulate our market for their own selfish interests. Can anybody tell me why we are letting so many foreign goods into this country when it is obviously destroying our manufacturing infrastructure and job market? We are not even treated fairly in the international marketplace. As a resultant, there are lost jobs in McKeesport; lost jobs in Pittsburgh; lost jobs in Pennsylvania; and yes, lost jobs in America.

As I have stated on this floor countless times before, my own district has undergone a transition that has forced the jobs of some 40,000 steelworkers to be reduced to barely 5,000 workers involved with the creation of steel, iron, and coke. Now, even as we speak, some of those remaining 5,000 workers are worried about where their next paycheck will come from.

Of the 67 counties in Pennsylvania, Allegheny County has the second highest number of unemployed people in the State. In Allegheny County alone, there are 34,300 people who are out of work; and another 7,515 have exhausted their unemployment benefits.

Westmoreland County is also hard hit. Although Westmoreland County is less populated than Allegheny County, there are 10,600 people who are jobless and 2,753 of them have exhausted their unemployment benefits.

If you put these figures together, these two southwestern Pennsylvania counties account for a total of 44,900 people who are out of work and another 10,268 who have exhausted

their unemployment benefits between the months of March and August 1991. Do these figures portray an economic recovery in the United States? If there has been one it sure seems to have either ignored or bypassed southwestern Pennsylvania.

Since 1988, the present administration has been touting an economic policy which has the lowest growth rate in modern history—less than 1 percent in over a 3-year period. Even President Ford, who was in office less than 3 years had a better growth rate than this administration. I personally cannot recall a time when economic growth has been so stagnant. The situation we are confronted with tells me we have a President who is more concerned with his image overseas than he is with the welfare of the American people. Mr. Speaker, it is obvious that he lacks the wherewithal to produce an effective domestic policy.

Many will say that new jobs have been created in some other sector of the economy and I will agree with them; but those workers who are fortunate enough to step into one, do it knowing they are going to earn considerably less, they know they will be denied adequate health care and possibly even a feasible retirement plan. They take the job because they have to provide for themselves and their families.

As we are discussing a method to extend unemployment benefits, I must wonder why the American worker has been put on the backburner and misled into believing that this Nation is on the road to economic recovery. The American worker has helped us industrialize this Nation; they have helped us win wars; and they have helped us become one of the strongest economic countries in the world.

Mr. Speaker, we must make the President understand and admit that there is a problem out there and steps need to be taken to help relieve those people who have lost their benefits and who are suffering because of the recession that is plaguing our country. I believe it is high time we start repaying American workers for what they have done for America and the least we can do is grant them an additional 13 weeks of unemployment benefits.

The administration and this body have been eager to assist nations overseas who have been struck by emergencies, let us now give the American people the same consideration. Mr. Speaker, when this legislation is considered on the floor of the House, it will be our job to send a message to the White House so our President recognizes the unemployment emergency existing in his own backyard.

Mr. DIXON. Mr. Speaker, I rise today to join my colleagues in this special order discussing the sad state of our economy and the despair of many Americans. For America's working families and those who have lost their jobs are suffering during these recessionary times. Don't let anyone tell you any different.

Since last July, Congress has been working to provide emergency unemployment insurance compensation to thousands of Americans who are unemployed. We have already passed two emergency unemployment bills, but to no avail. S. 1722, our most recent bill, would have provided up to 20 weeks of vital relief for Americans who have lost their jobs by no fault of their own. Unfortunately, our kinder and gentler President vetoed this bill. He did not want to admit to the American people how much trouble our economy was in.

Well, today's headlines and the latest polls show that Americans are suffering. They know that business losses are growing and that there has been a loss in the number of available jobs and a steady increase in the number of unemployed and underemployed Americans. The polls show that unemployment has replaced crime and drugs as the Nation's biggest problem.

President Bush maintains that the Nation's economy is on the upswing and the recession is over. Recently, the Labor Department announced that the unemployment rate for the month of September fell to 6.7 percent. The administration portrays this as an indication that the job situation is improving. This is an illusion. The number of discouraged workers—those who have given up looking because they cannot find work—rose in September alone, by 106,000 to 1.1 million. Furthermore, aggregate unemployment figures obscure the severity of the situation in particular States. For example, in Michigan, unemployment is at 9.7 percent; in Massachusetts, it is 9.2 percent; in California, it is 7.7 percent.

A constituent of mine in Los Angeles who asked that I support the Emergency Unemployment Insurance Act wrote:

> I agree with all Senators who stated that the Congress must take care of Americans in our present recession, without the President's obvious apathy toward the American people. The President allows emergency aid for Desert Storm and Kurdish aid, why not the similar interest toward citizens of our country?

That's a good question. Congress has been addressing the needs of those at home as well as those abroad. We have consistently supported measures that provide support for the working people of America. Measures such as the Family and Medical Leave Act, Higher Education Act, affordable housing, child care and Head Start for our Nation's children have demonstrated our commitment to working families.

We now have a compromise unemployment bill coming through the pipeline. With its own funding mechanism, this measure would provide up to 13 weeks of extended unemployment benefits for an estimated 3 million victims of the current recession. Hopefully, the President will not deny the American people any longer.

People out of work need help with their mortgage payments and other essential household expenses, including food. The new bill will ease the minds of unemployed people by helping them out for a few more weeks.

THE UNEMPLOYMENT PROBLEM

The SPEAKER pro tempore (Mr. EVANS). Under a previous order of the House, the gentleman from California [Mr. DOOLITTLE] is recognized for 60 minutes.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I misspoke earlier. I said that every Member from that side of the aisle who has spoken in this all-night special order voted for the budget agreement and I excepted the gentleman from North Dakota who voted against it, but I did say that he voted for the first budget agreement that was defeated, and I misspoke.

The gentleman from North Dakota [Mr. DORGAN] did not vote for either of the budget agreements, and I might add that the gentlewoman from Washington also voted against both budget agreements. Therefore, I do not hold them responsible for all the jobs that were lost because of the budget agreements.

Mr. DOOLITTLE. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding to me.

Let me direct my remarks to the majority whip who has just spoken.

Once again, I have watched on the House floor and I would like to get the attention of the majority whip, from the beginning of this special order.

First, I watched our people yielding in a give and take that I thought was beneficial to the debate. That abruptly ceased with the gentleman from Wisconsin [Mr. OBEY] taking his hour and refusing to yield, being less than courteous to our Members.

I watched the gentleman from California [Mr. CUNNINGHAM] a few minutes ago stand up for about 25 minutes waiting to get one question in. When he objected to the whip not yielding to him, the whip abruptly turned on him and lost his temper.

I guess I have come to the conclusion that if this is the same comity with which we are working, you believe you are working in a reasonable way with the administration on putting together an unemployment insurance bill for the people of this country, I can understand why there has not been an agreement between the administration and the Democrat leadership of this House.

Now, the majority whip also said, "Why are you bringing foreign policy into this?"

The gentleman from San Diego, CA, Mr. CUNNINGHAM, brought it in for the simple reason that it had already been injected in the debate by the gentleman from Michigan [Mr. WOLPE], who is the chairman of a major subcommittee with respect to Africa and funding, sending American foreign aid dollars to Africa.

The gentleman from Michigan [Mr. WOLPE] was implying that the President of the United States, in fact saying the President of the United States, spends a great deal of time and money helping other people around the world.

The gentleman from California [Mr. CUNNINGHAM] was responding to that particular point with respect to foreign policy.

So let me just say to my friend, looking at this from an objective viewpoint

as a guy who likes give and take debate and who has engaged in it with the gentleman from Michigan on several other occasions when we have had special orders, it looks to me like the time that we have had tonight has been done under the basis of what is the Democrat time is Democrat time, and what is Republican time is negotiable.

I would like to ask the gentleman to yield to the whip for a response. I think the whip owes the gentleman from California [Mr. CUNNINGHAM] an apology.

Mr. DOOLITTLE. Mr. Speaker, I yield to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Well, on the contrary, Mr. Speaker, quite the contrary.

Let me just say that before I spoke I laid out for my colleagues on this side of the aisle what we were going to do. I was going to make a statement. I was going to yield to my colleagues who had not spoken who had been here all night.

The gentleman from California [Mr. CUNNINGHAM], the gentleman from California (Mr. HUNTER] and others have been speaking on this floor. We have had people all night who have not had a chance to respond. I yielded a half a dozen times during my time in the well, so it is not fair to suggest that I did not yield. I would have yielded longer, except I have people here who have been here all night who need to make a statement.

Now, with respect to the foreign policy issue, the gentleman from California [Mr. CUNNINGHAM] stood up and called me a Sandinista. I did not ask that his words be taken down. The gentleman knows and I know and everybody else knows what that means. He was basically calling me a Communist on the floor of the House. I did not ask that his words be taken down, because I thought that would be going too far.

Mr. HUNTER. Mr. Speaker, will the gentleman yield to me?

Mr. DOOLITTLE. Yes, I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, without addressing the gentleman's discussion with the gentleman from California [Mr. CUNNINGHAM], let me simply go to the first point that the gentleman made. The first point that he made was that Democrats have waited for a long time to speak and he wanted to make sure they had a chance to speak.

My suggestion to him would be simply this, that in that case he could have explained that in an even-handed manner.

Mr. BONIOR. I did twice.

Mr. HUNTER. Well, let me just say this gentleman thought that the way the gentleman from California [Mr. CUNNINGHAM] described it, we were going to have a back and forth discussion. That was my understanding.

But second, we have had Republicans waiting.

Now, when the gentleman from Georgia [Mr. GINGRICH] was yielding and other people on his side of the aisle, we had eight Republicans waiting here for their time. Some of them left because they never got a chance.

Mr. BONIOR. So did our people leave.

Mr. HUNTER. The point is that both sides had people inconvienced because of the fact that we had a back and forth discussion. That was not unreasonable from our point of view, and I do not think it should have been unreasonable from the majority side.

Mr. BONIOR. But common courtesy, obviously, we have seen people sitting here for hours. Let them make a statement before I yield.

Mr. HUNTER. Let me just say to the gentleman, the gentleman lost his temper.

Mr. BONIOR. I did lost my temper. I lost my temper on what I lost my temper on.

Mr. HUNTER. Now, we have sat here on this side of the aisle and heard some pretty strong language from the gentleman from Wisconsin [Mr. OBEY] without anybody getting up and returning it in kind.

I think as the gentleman from Texas said, it is a later hour. We have had a long debate over a very important issue. I simply think that the gentleman has not been temperate in his treatments and I do not think that the majority side has been fair in their treatment in this special order.

Now, I have mentally allotted this time that we have had on back and forth discussions, and I would simply say that it looks to me it has been about two to one on our side. Our people have been yielding about twice as much time as the other side has.

Mr. BONIOR. Well, there are more of us than there are of you.

Mr. HUNTER. Well, I think that is true, and I think that attitude has pervaded these special orders.

Mr. BONIOR. Well, it is a reality in terms of people speaking. I mean, the gentleman will admit that.

□ 0430

Mr. HUNTER. No, I am saying with respect to the speakers who have stood up.

Mr. BONIOR. Is the gentleman denying the fact that we have more Members than yours and that our people want to speak here?

Mr. HUNTER. No. Taking that as a given, I am saying for every Democrat, in my estimation, who has stood up and taken his time, he has yielded about half as much as the average Republican who has stood up and taken his time to speak on the House floor. So in my estimation these has been unequal treatment. There has not been comity on the floor of the House tonight, and that has been the result of some unreasonable refusing to yield on your side.

I do not think we need to beat this thing to death. But when we have our discussion in the future, I think the gentleman on the other side respects and appreciates a good back-and-forth debate as much as we do and we would be happy to give more time to the gentlelady from Washington who wants to talk about her unemployment situation in Washington.

We would also like to talk about the spotted owl because I think they have—my visit to Washington indicated to me that they also had a part to play in this situation.

But I thank the gentleman for listening to me, and I hope that we can have a little more comity in the future.

Mr. DOOLITTLE. Mr. Speaker, I yield to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Mr. Speaker, first of all, Mr. Majority Whip, I sat here for a full hour and requested time to speak and I was denied. I sat a second hour, requested three times and was denied, regardless of the number of people, to make a point.

When I had my time, the gentleman asked if he could speak, and I was still upset at not having any opportunity to speak, and out of courtesy to the majority whip I stated I would be happy to, even in lieu that we were not given time. At that time he stated that we would be given time in the debate, back and forth.

I would like to make clear also for the record that I did not call the gentleman a Sandinista, I said "support your Sandinistas." The gentleman talks about foreign aid, you talk about who we support in foreign aid, and that is exactly what I was talking about.

I apologize for losing my temper.

But at the same time, I was denied time for 3 hours in a row, I say to the majority whip, and that is not right.

Mr. DOOLITTLE. Mr. Speaker, I yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. I thank the gentleman for yielding.

This is really for the purpose of addressing the majority whip because I too was waiting with a great deal of anticipation for the second half-hour of his hour during which he promised the opportunity for some debate or at least a colloquy. I harken back to the majority whip's comments when this legislation first came before the Committee on Rules because I watched that televised proceeding in its entirety and I can well recall, as I am sure the majority whip does, that when the minority whip came before the Committee on Rules and offered his economic growth package either as an en block amendment or as a substitute amendment, the majority whip showed some interest in that legislation. In fact, I think the majority whip made some com-

ments to the effect that there were some things in that package that the majority whip would like to see actually become legislation at some point in time.

So I had intended, and that is why I prevailed on my colleague to yield to me now, I had intended to ask the majority whip if he could identify for us what in that package he found attractive, since there have been allusions on his side of the aisle this evening about moving the economy forward, getting that economic engine going again. I cannot quite see how, as important as it may be, how unemployment compensation benefits or the extension thereof would help to start that economic engine again.

Furthermore, the majority whip referred to apparently some recent public opinion surveys where this whole issue, as he described it, the unemployment compensation issue is very much on the minds of Americans. But by his own statistical breakdown, I think he referred to a 20-percent figure of the Americans listing unemployment concerns as the No. 1 issue on their minds and 17 percent, almost an identical number, concerned about the general condition of the economy and our economic future in the short term in this country.

So I thank my colleague for yielding, for this opportunity to pose that question to the majority whip. Again, he showed some interest, some receptivity to the minority whip's comments before the Committee on Rules. I would like to know what in that package he found attractive, what we can do to get the economic engine going again and, frankly, when we might be able to look to some sort of initiative on that side of the aisle so that we can focus on these very important economic growth and job-creation measures as well.

Mr. DOOLITTLE. Mr. Speaker, I yield to the gentleman from Michigan.

Mr. BONIOR. I thank the gentleman for yielding.

Mr. Speaker, the minority whip, when he came before the Committee on Rules, laid out his package which included five or six different programs of growth, some of which I think were very helpful and positive, and I will just give an example here.

He talked about enterprise zones. I am an advocate of enterprise zones. I am an advocate, quite frankly, of capital gains targeted to enterprise zones. I have seen them work in cities. I would suggest that that is not a bad component to have, from my own standpoint—I do not speak for my party; this is my own personal view—in a growth package at some point.

Now, whether that is possible, given the complexity of putting together a package this fall, I do not know. I think the heart of our package or any package that we do this fall in the middle-class tax cuts, I think ought to be the heart and soul of the engine that makes it go.

But enterprise zones and other issues that the gentleman from Georgia raised that were attractive, and I am sure would be attractive to others in our party.

First, Senator BENTSEN is interested, obviously, and attracted to the IRA proposal.

So that is my answer to that.

Mr. RIGGS. I appreciate the majority whip's observations and simply would point out that much of what we have heard tonight on the other side of the aisle I think is really based on genuine human concern and compassion for our fellow Americans.

But I have to believe that that still falls short of addressing the needs of Americans, without a real emphasis on economic growth, job-creation measures. So, hopefully, we will be able to take the majority whip at his word and see again some sort of initiative coming forth on that side of the aisle.

Again, I thank my colleague for yielding.

Mr. DOOLITTLE. I thank the gentleman.

Mr. Speaker, I believe that the concerns, everyone's concerns, particularly those of the majority party, in discussing the needs of those who are unemployed, are very legitimate. I am very concerned about the grave state of the economy, and I have so communicated that concern to the President. I am urging that we get a growth-oriented package. But I think that we need to focus on a version of history here that I do not really think is fair or is accurate, which has been given. I would like to go back to the 1980's, the Reagan economic policies which have been derided here again. We have heard trickledown did not work, when in fact statistics are quite to the contrary.

After the Reagan tax cut took effect, which was a three-stage tax cut that was phased in, I think it was over a period of 2½ years, the median family income hit a record level. The inflation adjusted gross national product rose by 32 percent during those years; 20 million new jobs were created. The proportion of the U.S. population holding jobs reached a new record of 63.1 percent.

Inflation adjusted income for all segments of the population rose.

For black Americans it jumped by 16.5 percent, whereas previously it had actually declined by over 10 percent.

Inflation adjusted median income for women climbed by more than 28 percent, whereas previously it had dropped by nearly 3 percent.

Inflation adjusted income of the bottom 20 percent of families rose by almost 12 percent; previous to that time it had dropped by over 12 percent.

These are significant gains, dramatic gains.

Mr. Speaker, I would submit that if we want to get out of the doldrums that we have fallen into, we have a pattern and we can follow that pattern.

I know we are speaking at 20 minutes before 5 a.m., to a nearly empty Chamber, but those Americans who may watch this later on in a rebroadcast or someone who has gotten up early perhaps and sees it now, I hope you realize that this is our opportunity to explain some of the most pressing issues of the day.

□ 0440

Mr. ROHRABACHER. Mr. Speaker, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Speaker, when I left this Chamber about 4 hours ago I vowed that I would come back and participate further in the debate. When I left we were looking at charts that I did not have a chance to question the gentleman who was making the presentation on because he decided that instead of answers, we were going to have filibusters.

I would just like to say that before I left, the charts I saw, and this ground has probably been covered, but I would like to just note as I go into my remarks, I saw charts being presented to the American people that looked like beautiful charts but, interestingly enough, the charts had absolutely nothing to do with unemployment, which was supposedly what was the motivating factor on the other side of the aisle.

In fact, the individual portraying these charts admitted that they had nothing to do with unemployment. In fact, when you looked at the charts, they also had nothing to do with job creation. We saw the charts, and they also had nothing to do with job creation. We saw the charts, and they also had nothing to do with inflation and other ideas and concepts that deal directly with the wealth and prosperity of our people.

What we saw, and I think it is down there at this point, at this time, what we saw was a chart that dealt with how many people were covered by unemployment insurance. Let us note that that chart made Jimmy Carter look very good. Usually when the Democrats had both control of the Presidency and both Houses of Congress, any chart dealing with unemployment benefits looked good because you have so many more people on unemployment benefits.

It is often said that Democrats like the poor so much, they make a lot more of them.

One of the charts I saw was a chart which, by the way, presents such an inaccurate image of reality it is almost humorous, and it was so skewed that it was presenting just the first 3 years of various administrations and portraying to the public exactly how much growth was experienced during those administrations.

Under that scenario, of course, you have Jimmy Carter, and I think it had 11 percent growth under the Carter administration.

You cannot fool the American people with phony baloney like that. They know what happened under the Carter administration. Nobody wants to go back to the Carter administration.

But you can have all charts you want. Ronald Reagan was not reelected in 1984 because the people were so dissatisfied with him, and all of a sudden the good days of the Carter administration turned into a disaster, but they were blinded by some commercial on TV. The reason Ronald Reagan was reelected by such a great degree and that President Bush was elected thereafter was because the American people felt they were better off.

Indeed, no lines on a piece of paper are going to convince them otherwise. In fact, most of the charts that we have seen coming from the other side of the aisle over the last 3 years have a funny component to them. It is almost every time you take a look at a chart that says look how bad the Reagan years were, if you look real close at the figures of what they are actually analyzing, they have added in the Carter years to the Reagan years. In fact, usually their charts leave out the last couple of years of the Reagan years, which were also growth years.

The American people are not going to be fooled by people trying to tell us that things were so great under Jimmy Carter. I have something in my pocket when we were speaking of charts that I thought was interesting. I just sort of while I was watching the gentleman on the floor present his charts and talking about how bad the Reagan administration was and how bad the 1980's were, I remember him talking about how he was there in 1981 when the Reagan policies were first put in place. I thought it was very interesting that this is a newspaper clipping that I just happened to find in my pocket.

This was taken out of the paper about a month ago. It was taken out of the Washington Times. I have another clipping from the Washington Post which says the same thing. It says "U.S. poverty rate up. Median income falls."

The Washington Times has a chart, and it has this headline: "The first rise in poverty since 1983."

Now, one of the most important aspects of these headlines is the fact that it is suggesting that for the first time since 1983 there has been an increase in poverty. If you listen to the other side of the aisle you would think that the Reagan administration had brought great increases in poverty upon our people.

That has not happened at all. In fact, we have the first increase in poverty since 1983, which suggests it was going in the opposite direction for all of these years.

Now, why is that? Well, I think it has something to do with the policies. What is also interesting about the policies when you take a look at the numbers and the years you are talking about what policies affected what administrations, I worked in the Reagan administration. I knew what policies we were putting in place and when they were put in place. I also could say that it takes a little time for those policies to actually impact upon the economy.

Usually what happens in a President's third term is when his economic policies actually begin impacting on an economy. So usually if you really want to analyze how policies are impacting on an economy, you do not chart the first 2 years of an administration.

Yes, if you took a chart of Jimmy Carter's first two years, you would think perhaps the growth rate and the job rate and some of the other factors were pretty good, because his policies had not had a chance to come on-line yet and to affect the economy.

Anybody who stands in front of this body and tries to tell the American people that you are going to judge Jimmy Carter by the first 2 years of his administration, and leave out the figures for the last year, is—well, I do not think the American people will buy that. Let me just put it that way.

The fact is that you look at an administration, you look at their policies, and you take about 2 years for those policies to really have maximum impact. You sort of judge the administration from the third year.

If you judge Jimmy Carter by that, and you analyze the Carter administration at a time when this body was controlled by the Democratic Party, the Senate was controlled by the Democratic Party, the executive branch was controlled by the Democratic Party, it became an unmitigated disaster for the United States of America.

If we had charts to show what was happening when they had control of this body and the Senate and the executive branch, the charts would go like this. Unemployment would start going like this. Inflation would start going like this. Interest rates would start going like this. The poverty rate would start going like this.

In fact, when Ronald Reagan's policies began to have effect, which we start in about 1983, it would start going in exactly the opposite direction.

The American people know that. You cannot fool the American people with a bunch of squiggles on a piece of paper. The American people I hope by now understand that poor President Bush has been put into a corner time and time again by liberal, big spending Democrats who have forced him to accept more spending than he would have liked. In fact, what we are experiencing now, the lament that comes from the other side of the hall, is lamenting policies that they forced upon the administration. They actually put the President in a box and said you have to reverse your position on taxes.

Well, I stood at this very spot a year before these maladies had come on and said if we increase taxes at a time when you have a faltering economy, we are going to have massive increases in unemployment. You will have undercut economic growth, and you will have a high deficit and higher unemployment and higher taxes, the worst of all worlds.

Do people really believe that President Bush wanted to break his word, wanted to go back and gleefully went back on his word in terms of no new taxes?

He was forced into that position by liberal Democrats who were absolutely joyful when they managed to get him to a position where he felt he had to give in to the Democratic pressures to raise taxes.

Well, that joy on the other side of the aisle has led to misery for the American people. All of the things that we have heard tonight about the lamenting may be honest concern. The people on the other side of the aisle may have honest concern for the well-being of certain individuals, and we hear case after case after case after case where this individual is going through a hardship.

Do not point your fingers at me. Do not point your fingers at the administration, when you are saying why this individual is going through hardship. Those individuals who supposedly, the other side of the aisle is so caring and concerned about, are being put through the wringer by the fact that we were forced to raise taxes at a time when our economy was weak. It was predictable. I know I predicted it. I know everybody who is standing here today predicted it. So do not come back and say, "It is the administration's fault."

All revenue bills start in this body. Anybody who complains about the tax structure of this country favoring the rich better look and see who controls this body. Revenue bills begin in the House of Representatives. In fact, when we hear people complaining about Ronald Reagan's terrible policies, let us also remember that if the Democrats wanted to stop it, they controlled this body every single year of the Reagan administration.

Let me add, when I was in the Reagan administration, yet, I remember that on some of those tax bills, there were some things that we thought were unfair. I remember that the liberal Democrats themselves had put on major special interest proposals within our own tax legislation, and we were concerned about that.

In fact, I remember listening to Democrats attack the administration for being so much in favor of the special interests and such. We looked back during the Reagan years, we found out

that in all of the machinations that were going on when the tax bill was going through that it was actually the liberal Democrats that put on the most odious special interest legislation or provisions of the tax bill.

We had a very simple idea, and that was across-the-board tax rate reductions so that every American would benefit equally.

Do not tell us, the people who do not control this body, that the loopholes in the tax system are coming from the Republican Party. Those loopholes are not being put in by the Republican Party. We have no control of that. Anything that goes through this body is controlled by the people on that side of the aisle. It is as simple as that.

Unless they would go along with it, those provisions would not be in the Tax Code. Thank God, early in the Reagan administration, and we were able to attract enough support from that side support from that side of the aisle to at least have this overall reduction by 25 percent in the tax rate, which brought about a greater prosperity and greater job creation and a longer period of extension than this country had ever known in its history. If Ronald Reagan, instead, would have not been elected and those policies that were being followed under the Carter administration, which we were suffering under by them, it was not the first 2 years of the Carter administration. It was the last 2 years, when his policies had impact. If those policies had remained in place, the deficit which we also hear lamented from the other side of the aisle, the deficit, they say. "Look, under Ronald Reagan the deficits are going like this."

What would have happened to that deficit had we had the same increase in unemployment, the same increase in inflation? The same increase in interest rates that were going on because of the Carter years? That deficit would not have been going like this, as it did under the Reagan administration. It would have been going like this. It would have been totally out of control early on.

What has happened now? What we are experiencing right now is the fact that in 1986 the liberal Democrats retook the U.S. Senate and step by step by step have been reinstituting regulation and overtaxation; namely, the same policies that got us into the mess in the late 1970s.

And as liberal Democratic policies are being put in place by a Congress that is controlled in both bodies by liberal Democrats we are facing hardship. We are facing decline. We are facing the potential of higher inflation.

As we have heard over and over and over again this evening, we are facing a situation where individual Americans are going through great hardship. Their families are being wrenched. Yes, alcoholism, drug use, all of the things, child abuse, all of the terrible social problems that flow from hard times and unemployment are coming out in our society. But those things are coming out not independent of the policies that were put in place but because of the policies that have been put in place, not by the President of the United States but by the liberal Democrats that control both Houses of Congress, by the liberal Democrats who forced the President of the United States and gleefully forced the President of the United States into a massive tax increase at a time when our economy was on the edge.

And it pushed our economy right over the edge. No one can tell me that they are sympathetic for individual Americans while they go about systematically destroying the economy of the United States of America, because it is that economy that permits our people to live in prosperity and decency. And those hardship cases that we hear about bear a direct relationship to the high taxes and big spending that took place in the 1970's and brought us misery and have been taking place now.

When we hear people lamenting about the unemployed, what is fascinating, it is as if by magic, by lamenting and showing we are so concerned that all of a sudden our policies will have a good impact on the unemployed. That is not the case at all. Simply because one is concerned does not mean one is right headed, does not mean one's ideas are correct.

In fact, since I have been here not only the tax policies have been wrong. What I have seen from the other side of the aisle is the most efficient and effective job-destroying machine in the history of mankind. It has been seated on the other side of the aisle with a smiling face and good intentions.

Good intentions do not feed anybody. Good intentions do not bring down the deficit. Good intentions do not help people out of their misery.

When we have legislation and our major legislation projects are aimed at supposedly helping people but in the end destroy job creating business, we are not doing anybody a favor. If we have got a civil rights bill that is a quota bill and does nothing but provide work for lawyers but destroys the capability of businessmen to do their jobs because of excessive litigation, what we have done is help lawyers and hurt the average American.

We keep hearing about competitiveness and we keep hearing about job creation, but we see things like mandated leave. Mandated leave? It might be very well-intended. What is the project of mandated leave?

What we are going to have is fewer jobs created, and mandated leave may be well-intended, but in the end it may be the straw that breaks the camel's back and puts certain businesses out of business, perhaps it is the quota system or the quota civil rights bill that will put them out of work.

If that does not, perhaps striker replacement will do the job. There is a bill that guarantees that America is going to have more strikes and that labor relations within our companies are going to be more costly.

Is this what we should be doing during the weak economy, basically provide more incentives for strikes and conflict between labor and management?

That is something for people who really are concerned and care about the unemployed and the downtrodden. That it creates ill will between management and labor by changing the rules of the game to encourage strikes. Then we have got something else. After all, being compassionate, why do we just not let business bear the total expense of a national health care system? Does that not sound great? We are giving the people health care, and we do not even have to raise taxes. We will just put it on the small businessman.

Boy, it really sounds like we care about people that way.

□ 0500

The only trouble is you end up with people who now have jobs ending up without jobs. So they not only do not have health care, they do not have jobs anymore.

Now all of these are very well intended, and perhaps all of the rest of the spending programs that go through this Hall, this Hall that is controlled by liberal Democrats, perhaps all of it is very well intended. I mean I know that some people have hearts that bleed from everything from the snail darter to little birds, the spotted owl and birds' nests. I know they care about people because they say it over and over again. That does not mean their policies are going to result in a healthy economy. That does not mean that their policies are going to end up with jobs and a decent living for individuals.

After forcing businesses, both small and large, to pay for all of their ill-conceived and anticompetitive measures, I have no doubt that if the Democrats succeed in these things that I have talked about, which is their agenda, which they have to some degree, that businesses, yes, businesses will be forced to lay off people, and more people will be added to the unemployment rolls.

And there is another thing, another thing that I am certain of, that if that happens, and as we see our economy is sputtering, the Democrats will blame the President, yes, blame the President. You can have as many anticompetitive measures, you can raise taxes and kick the economy right off the edge of the cliff, but then you blame the President, as if the President—of course, you blame the Presi-

dent for any inequities that are in the tax system. Holy cow, who makes the laws around here anyway.

I know, and I think the American people are beginning to become aware of this. It is happening over and over and over again.

When you take a look at the minimum wage increase that we had, and you know I will have to say on the minimum wage, again, obviously, who does not want people to earn more money? Who does not want to have people at the lowest income levels earning more money? What we have done with the minimum wage, and every economist of any prestige has indicated over and over again that what the increase in the minimum wage was going to do was it was going to hurt the very poorest Americans. It was going to hurt the very people who were struggling the most, they would be hurt by an increase in the minimum wage. And, by the way, more unemployment was predicted when we increased the minimum wage from $3.80 to $4.25, but that did not make any difference. Just the fact that it was going to increase unemployment did not deter any of those good-hearted people on the other side of the aisle who voted for that.

When we increased the gas taxes, when we had a 60-day plant closing notification, what happened? Or when we had an increase in the so-called luxury tax? I do not have to go over that and over that again. We keep going over it. I think the American people are getting the idea. We raised the taxes in order to pay for the programs, programs aimed at helping people who are out of work and poor Americans. Sure, we raised the luxury tax, and what did it do? It put more people out of work, so we have more people that we need to help, and the fact is that the luxury tax did not raise any money at all. It resulted in a net decrease in money coming into the Government, and it resulted in major increases in unemployment because businesses that were once healthy are no longer healthy, and they are laying off people. And I would imagine tonight some of the hard-luck stories that we have heard, and I do not say hard-luck stories with a hardened heart, they are hard-luck stories because these people are suffering, but the fact is those hard-luck stories perhaps can be traced right back to the increase in the luxury tax which put out of work some people who have been perhaps working in the boat industry. The luxury tax has totally destroyed the boat industry.

Now our economy is sputtering and staggering around like a drunken sailor, and Democrats who control this body and control both bodies of Congress have been running around like pranksters trying to trip a disoriented economy by increasing spending and by raising taxes. And I will tell you, at a time when this body began, let us not forget that the people who are telling us they are concerned about these individual cases that we have heard about, these are the same people that were so concerned that they managed to give themselves the largest pay increase in the history of this country. You cannot have it both ways. You cannot put $50,000 more a year in your own pocket, and then sit there and lament and lament how hard it is for the unemployed. You just cannot do it.

I am not saying that a lot of Republicans did not vote for that pay raise. A lot of Republicans did vote for that pay raise, sure they did. But I will tell you one thing. I do not know of anybody in the majority, I do not know of anybody who did not vote for it, and I will tell you this much, that it would never have happened had the Democratic leadership not been pushing for that pay raise. If they would not have pushed for it, if the word would have gone out that I am sorry, we have a situation where some Americans are going through some rough times and it is not a good itme, it is not a good time to increase our own pay by $50,000, I can tell you there would have been no pay raise whatsoever. Do not let anybody kid you that anything can get through this Hall if the Democrat leadership decides they do not want it to go through this Hall. So do not tell me that just because a few Republicans voted for that pay raise that in any way this party deserves the responsibility. A lot of us in this party fought against it and spoke against it, and I remember delivering petitions up on the steps. And there were a few people from the other party as well, stalwarts.

And what do the unemployed want, they do not want to hear people saying, "We care." They do not want to hear people say, "Oh, we are crying every night for you and we know how hard it is." They do not want that. They want a job. They want an economy that will help them improve their condition.

Yes, it is nice to hear somebody say words that let you know that they have got a good heart, and I know there are some people around Washington who spend all of their time trying to prove that they have got a good heart, and a lot of people think that they do not have a very good head on their shoulders because they run around with policies that are actually going in exactly the opposite direction in terms of the well-being for average working people.

What African-Americans want is they do not want a quota, they want a fair chance, and you can have all of the quota civil rights bills that you want, but if our economy is going downhill, black Americans and all other Americans are going to suffer, and they are not going to have any jobs, and there are not going to be any businesses or lawyers to file lawsuits against, because those people are not going to have the jobs in the first place because they will not exist. I think what working men and women in this country want are jobs, and what the people who create jobs want is to get the Government off their back so that they can move forward and produce the products and the services that they sell to the public.

We are in an internationally competitive situation, yet we see our businesses loaded down, burdened with more and more regulations, more and more well-intentioned legislation, and we are providing a well-intentioned path to economic hell for our own businessmen, and thus our own working population.

The fact is we live in an internationally competitive market, and every time we do something to burden our own businessmen unnecessarily what we are doing, even if it is well-intentioned, what we are doing is putting people out of business, and what we are doing is putting people to work on the Pacific rim in other countries.

Democrats have shown us since they took over the Senate in 1986 that they were willing to force the President of the United States into higher taxes and into reaccepting the Carter policies that led to disaster in the United States of America. I happen to believe that the Government which governs best governs least. And I happen to believe that Thomas Jefferson and some of these things have truths that ring true to us and not only create freedom but create prosperity.

Ronald Reagan, a man who I worked for, when his policies were finally put in place, as time went on, the type of headlines we had were dramatic decreases in unemployment. If we could have a chart showing, and I do not know if we have it on the board there, but if we could have a chart showing how many people were unemployed during the Reagan years we would find it was like this at the beginning when the Carter policies were in place, when the policies that were put in place when the Democrats controlled both Houses of Congress the unemployment rate you would see being like this, and the number of unemployed Americans like this, that is what the chart would look like, and that is the kind of policies we should have now. But the Republicans do not control both Houses of Congress.

Instead, what we have is an increasing, an increasing Federal budget and a decreasing family budget.

□ 0510

And we are talking about what is going on with the typical American family. It does not happen independently of the fact that our Government is sucking up all the investment capital for new jobs and sucking up more and more of the family's income in taxes.

The projected outlays for 1991 are a staggering $1.35 trillion. Now, that is an increase from 1988 of $286.8 billion in just 3 years. Today's budget gobbles up 25 percent of the Nation's GNP, and the liberal Democrats who control both the House and the Senate continued their program of trying to buy off voters or trying to save people with very good-hearted but wrong-headed policies. What is going to happen if we keep up this spending spree that we are on, and regulating spree? By 2020 the Federal budget will take 41 percent of the gross national product.

You cannot have a private-sector economy thriving, you cannot have private people, you cannot have private citizens prosper if the Government is sucking up all the resources of the society, while in the Eastern bloc we see these people jumping over walls trying to get here, struggling to create free-enterprise socieities, the liberal, big-spending Democrats who control both Houses of Congress are hell-bent to take us to the very system that they are trying to escape, which is more and more Government, even though it is very well-intended Government. It is more and more Government control.

I happen to believe that, free of Government mandates, directions, its instructions, commands, and obligations, the American people will see to it that our economy will grow and prosper if they have the resources in their hands to invest; they will invest in new businesses, and businesses that provide goods and services that the people want.

Our job is to reduce that Government burden that weighs down the producers, the producers who produce both jobs and wealth for our society.

Let us give Americans the freedom to get back to work. Let us not give them a handout. Let us not stand here and keep debating what we are going to give to the people.

Because we cannot give anything to the American people that we do not take away from them with our other hand. Let us talk about freeing them from the burden of Government, freeing them from nonsensical policies that put them out of work. Let us talk about freeing them from these social ills that come with unemployment by creating an economy that will give them jobs.

The American people believe in free enterprise. The American people know that free enterprise has worked for them in the past. The Republicans in Congress are offering alternatives that are progrowth, projob, profree enterprise, and proprogress.

We care more about people and jobs than we do snail darters, than we do about creating charts that look nice but do not tell the truth to the people about their own condition, and those charts that we saw earlier are not going to fool anybody when we talk about tax increases during a recession, which is what was foisted upon the American people and forced upon the President last year. They know that that is what is causing this problem that we are going through today.

We have lots of proposals on this side that will help that cannot even get to the floor. We have heard a lot about capital gains tonight. OK, people realize it, the liberal Democrats are not going to permit a reduction in the capital gains tax, because that will deny liberal, big-spending Democrats the right or the ability to pit one group of Americans who are less fortunate against another class of Americans who are more fortunate. It is called class-warfare politics or ward-style politics.

But we can, if they will not do that, at least they could repeal the earnings limitation on elderly Americans. There is a proposal for you that would help a lot of these people who are going through hard times now and suffering because they are older Americans. They can barely get by, but yet we, and I say we, the people who control this body, refuse to permit us to repeal a tax which actually taxes older Americans at a level, at a higher level, than what Donald Trump is taxed. The highest tax rate in this country is not on the rich; the highest tax rates in this country are on elderly Americans who want to work, elderly Americans who need to work, and if this body and the people who control this body wanted to relieve that burden on elderly Americans, they could do it tomorrow, but they will not do that in the same way they will not relieve the burden of those people who are unemployed by permitting our unemployment benefits bill to come to the floor.

You know, for example, we are talking about creating a free trade association between Mexico and Canada. These are initiatives of the President. I do not know how much support that is going to have on the other side of the aisle. I am going to wait and see exactly how much support it has from the Democratic leadership.

We could pass the balanced budget, and it would have some disagreement on my side of the aisle, too, I might add, but we could pass the balanced-budget amendment, and there is nothing that would give more confidence to people who are trying to create businesses in this country or people who want to invest, or people who have the long-term interests of our country and our people at heart than if we passed the balanced-budget amendment or gave the President of the United States line-item authority over the budget. There would be no confidence-building measure that would work faster than that in terms of turning around the dismal attitude we find among investors and businessmen today.

If we want to help the less fortunate among us, why can we not pass urban enterprise zones? You know, Ronald Reagan talked about it and pushed for it for years. I wrote speeches for Ronald Reagan about urban enterprise zones 10 years ago. And do you know why we did not have urban enterprise zones? Because the liberal Democrats who controlled this body all of those years refused to let that legislation even onto the floor.

If you are concerned about the least fortunate among us, let us help working elderly Americans who are barely making it. Let us set up urban enterprise zones and give the least fortunate among us a chance. That is the way you help people. You do not put them on the dole. You do not make them more dependent on Government programs. You free them from the Government burden and you perhaps give added incentives so the free-enterprise system will focus on their special needs.

Passing these Republican initiatives will help spur and create new jobs. It will spur growth and create jobs. It will bring about progress, but more importantly, what it will do is it will help the individual Americans who are going through such great hardship now, people who are having trouble with their families, people who have nowhere to turn. They do not know what is happening. They know that during the 1980's they were working, because the unemployment rate went down dramatically during that time, but now, try as hard as they can, they cannot find a job and, that is right, I am concerned about that.

But the way we turn that around is to create more jobs and to make sure that any American who wants to work has a job and can find a job. That is not going to happen with the policies we see coming from the other side of the aisle.

Mr. DOOLITTLE. I yield to the gentleman from Ohio.

Mr. BOEHNER. I thank the gentleman from California and congratulate our good friend from southern California for his excellent remarks this morning.

He talked about the regulations that this Congress and Congresses before have imposed on the private sector. There are some economists that have pointed out and suggested that this may be the first true regulatory recession that this country has ever faced.

The Government has so strangled the private sector that it cannot operate. If you look at what is going on with the banks and savings and loans, the problems they are having with the regulators, the problems we are having with credit, if you are looking for the problems that we have among our businessmen and our small businesses in America, they are being strangled by regulation.

You even talked about some of the new regulations, the Civil Rights Act,

striker replacement, parental leave, OSHA reform, but, you know, what the most amazing part of all that is, is that all of these regulations that we put on the private sector we, in Congress, exempt ourselves from those laws, "Well, it would not work; it is really not constitutional; well, you know, really, it would not work in a congressional office, because this is not like the real world."

Well, they are right, this is not like the real world. But what it is, it is hypocrisy. That is the point I am going to make, it is hypocrisy that we will not live under the same laws in this institution that the American people will, because the majority party in this institution that has run this institution for over 40 years will not allow it to happen, because they have gotten themselves up on a pedestal.

□ 0520

So why do I bring up hypocrisy? Well, that is really why we are all here tonight. Never a word was said in this Chamber before July 15 about helping those people who ran out of unemployment benefits. It was never brought up. All of a sudden in the last two weeks of July we have got this big issue. We have this major problem in America about helping those who have lost their unemployment benefits.

A bill was passed here before we recessed in August. The intent was not to help unemployed workers. It was to create a political issue that the Democrats could carry for the month of August when we were not going to be here so they would have some way to bash the President and the White House press operation.

So we come back. They are finished with their month full of bashing.

The next issue is, well, we are going to send another bill down there and the President has to sign this bill or veto it.

What is this all about? They know full well the President is not going to sign this bill. The whole issue again is to send a bill down there, not to help unemployed workers, but to create a political issue.

Now we are going to go through it again next week, another political issue, a charade that is being played on the backs of the least well off people in America, those people without a job whose unemployment benefits have run out.

A lot of us are here tonight to talk about a growth package. Let us not deal with the symptoms. Let us begin to deal with the real problem that we are having in this country. Let us create some jobs. Let us admit that we made some mistakes in the last year in some of the policies that we passed in this House; but no, we are not going to deal with that because that will not fit the political agenda of the Democratic Party for 1992. It is hypocrisy. The time for hypocrisy, I think, is over.

It is time for the people in this House on both sides of the aisle to sit down and begin to work out policies that are truly going to help every American in this country.

Mr. DOOLITTLE. Mr. Speaker, my time is about gone, but I will have the opportunity I am sure to jump in here further.

I would just conclude that the Reagan economic package as we had taking us out of terribly high inflation, extremely high interest rates, and very high unemployment, the conditions we faced when Ronald Reagan took office in 1981, that formula which produced 20 million jobs, gave us a record high level for median-family income, did something remarkable, brought inflation under control at the same time that we had a tax cut, and raised basically everybody's standard of living. That formula is what we are going to look to, I believe, for success today. As we do that and as we talk about capital gains, I think we are going to make some progress, and unless and until we do that, I do not see us doing anything but limping along here and millions of Americans are going to be needless, hapless victims of this.

FURTHER ANALYSIS OF THE UNEMPLOYMENT PROBLEM

The SPEAKER pro tempore (Mr. EVANS). Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 60 minutes.

Mr. WISE. Mr. Speaker, I would like to say to my colleagues on both sides of the aisle, I would like to explain my situation before we start. Our situation on this side of the aisle is that we have an estimated 10 or 11 people who will be rolling in during this hour. Many are already here and many have been waiting for a long time. I want to try to encourage debate as much as possible, but I would also ask that we permit these people to make their remarks. I am going to make mine fairly short and thus save more time for those who will be coming.

Just opening up this section on unemployment, Mr. Speaker, I think it is important to note what unemployment compensation is and what it is not. It is not any kind of welfare. It is not a handout. It is not something, I have heard the words bleeding heart tossed around here. Unemployment compensation is something that working people who are temporarily out of work need in order to sustain themselves so that they can work again. These are extended benefits that because the recession is gripping our country in many areas of our country, it is not possible to find new work within 6 months, the 26 weeks that is the normal unemployment compensation program, that then extended benefits are necessary for those persons so that they can keep body and soul together.

It is interesting that when a bank has a problem or a savings and loan, when business has a problem, a large corporation, it is called a liquidity problem and you help them out. You give them time to carry their loans or whatever.

When an unemployed person has a problem, though, it is 26 weeks apparently, according to this administration, and then shut it down.

I think it is interesting to note that we build, and I think it is important to be focusing on the infrastructure of many nations, and we ought to include ourselves in that, but at that same time the infrastructure of our families is often neglected. Unemployment compensation helps those people who have been paying taxes for years, working Americans paying taxes. It helps them to be able to pay taxes again.

But it seems to me that if this Congress is going to be asked shortly by the administration to come up with probably $30 billion for additional savings and loan deposits, perhaps as much as $80 billion, I have heard $30 billion for banks and so on, that this Congress and the President ought to be willing to recognize that the people of this country, the working person who is unemployed, has been a depositor and is entitled to the same respect.

One personal anecdote. I was coming out of a Burger King at home the other day about 3 weeks ago. A fellow in a pickup truck drove up and stopped. He saw me and recognized me and came up and said—gave me his name, I will call him Roy—and said, "Will the President sign this new unemployment bill?"

And then he told me his story. He had been laid off in the previous March with 300 others from a manufacturing plant. There were no jobs in the area. He was doing all he could. He was out that day looking for work and he was saying, "I've got trouble making, of course, the truck payment, the home payment and also the tuition payment for my daughter to be at the State university."

So a family trying to keep it together and trying to make sure that they get higher education for their children, and do what some of the folks on both sides of the aisle have been talking about tonight, invest in themselves.

There has been a lot of talk about graphs. As one who is chairman of the Democratic Study Group, I guess we put out more graphs and many of them have been used tonight. I just would like to note that I think we probably do not need graphs. The working person does not need graphs because the facts speak for themselves, that in the almost 3 years of the Bush administration there has been the lowest growth of any postwar President, seven-tenths of 1 percent.

Someone raised the question, "Why do you point to 3 years?"

Well, we are trying to compare it to previous Presidents. For instances, Ronald Reagan had almost 6 percent growth; Jimmy Carter, 11.7 percent, Gerald Ford, 5.1.

At the optimum, and this is using the administration's own figures, at the optimum the growth at the conclusion of the Bush administration after 4 years will be 3 percent.

There is a budget deficit. There is a job deficit, too, 300,000 jobs lost, less jobs from the time that President Bush came into office until today. Working people know that.

As somebody has pointed out on the other side of the aisle, both sides can wave graphs. They know the situation.

At this point, as I say, I have a large number of Members on our side of the aisle. I would like to ask them if they could keep their remarks initially to somewhere between 3 and 5 minutes so we can get everybody in.

Mr. Speaker, I yield to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, I thank the gentleman for yielding to me.

I have been reminded tonight by a Republican campaign manual that was discovered by the press in my State a few years back. There were a couple recommendations in it, that the truth did not matter, it was what you could get the public to believe that mattered, and that if you said something over and over again, the public would come to believe it.

We are here tonight because we believe that the American public deserves to know the truth.

I have a couple cases in my State that I would particularly like to talk about, but I want to place their situations into a context of what has been happening to the hard-working Americans and families in this country, because they are having a really hard time right now, in addition to unemployment.

Look what has happened in the last decade. For the top 1 percent of this country, income measured in today's dollars, their income rose from an average of $203,000 per household in 1977 to over $450,000 in 1988, more than double.

□ 0530

The lowest 60 percent, that is, the majority of this country, the lowest 60 percent enjoyed less than a 1 percent income growth in the last decade. For the poorest one-fifth of households, the average cash income after taxes actually dropped 10 percent and 9 out of 10 Americans, Madam Speaker, are paying more taxes today while the top 1 percent, with average incomes over $549,000, now enjoy an average tax cut of over $82,000 per year. That is what has been happening in the last decade. It is not fair, but it is a very Republican policy.

It is the direct result of more than a decade of Reaganomics that also brought us a tripling of the national debt, and it began the closing down of support for middle America in our social institutions.

Adjusted for inflation in 1989, we were spending the same for education, training, unemployment and social services as in 1975. What we need in this country is jobs, we need to put people on welfare back to work and make jobs for the hardworking Americans who want to support their families. The President says the recession is over.

Madam Speaker, how many people in this country do you think agree with that statement? Every day I hear about new layoffs, jobs disappearing, unemployment compensation running out, and the unemployment figures would be a whole lot higher but folks have dropped off the charts because they have been out of work so long.

I received a letter from a women. She and her husband came to testify at a hearing we had in the district. She wrote me this last week that,

> As a family of five, we have gone through more crises in the last year than most people do in a lifetime. In October 1990, my husband lost his job as a logger. That was blow No. 1. Then in January 1991 we had to file for bankruptcy. That was blow No. 2. The same month I was hospitalized for viral meningitis. We paid our medical premium in order to have the hospitalization covered. That was blow No. 3, which meant that we could not make a mortgage payment for this month, blow No. 4.
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> When we went down to apply for food stamps, $50 was all we were allowed because we were told medical insurance is not necessary under Federal regulations. Well, in March my husband began college, blow No. 6. He was not eligible for any program dollars, so we had to completely change our life style, too. I had to go to work full-time, making one-third of what my husband made working in the woods. Our feelings are that they say to retrain, but they do not offer any support system. They say to compromise, but so far we are the only ones giving. Our children sacrificed their time spent with their mom and my husband had to go through all the red tape to apply for a Pell Grant.

I also have somebody who wrote me who has been working with the unemployed in the State. He says that,

> Initially, most individuals were in disbelief that their company would actually lay them off. Next came anger once they realized that they really were laid off. And then came acceptance and working toward finding another career. The time involved in between each of these feelings varied with each individual.

He talked about one case where a man in his early 50's came to see him. He was a logger, had worked for the same company for approximately 25 years. He got the basic information from the man and then started inquiring about what direction he wanted to go in finding a new job. The man, in his 50's broke down in tears. When this assistant inquired as to what the problem was, the unemployed person informed him that he could not read or write and would probably not be able to find a new job. He thought his life had come to an end because of this turn of events. He blamed himself for the fact that his company closed down and that he was thrown out of work.

Madam Speaker, what we need to do at this time is to invest in jobs. We need a massive investment in this country to build the infrastructure. The program that we adopted yesterday on the House floor is a start in that direction to provide real jobs for the people of this country. I heard mention tonight about poor President Bush, who was forced to adopt taxes because of the Congress. This is the most vetoing President who has ever been. The Democrats had to back down last October on the budget resolution, and the President got what he wanted, which included taxes. It included a separation between savings in the military to be able to apply toward rebuilding this country.

The President gets exactly what he wants through his veto power. Madam Speaker, we do not have the two-thirds' vote to be able to turn the program around so that we can provide an extension of the unemployment compensation, so that we can provide jobs for the hardworking people of this country, so that we can provide health care for those who do not have it, because we do not have a two-thirds' vote.

Madam Speaker, the people of this country need to know that.

Mr. WISE. Madam Speaker, I yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I thank the gentleman for yielding.

Madam Speaker, I just wanted to ask the gentlewoman from Washington, she is not suggesting that George Bush wanted those increased taxes in the budget agreement last year, that he advocated the increased taxes in the budget agreement last year?

Mrs. UNSOELD. The President, I believe, had a ceremony in the Rose Garden or someplace like that, expressing great delight with that package; yes, I am suggesting that that was his proposal.

Mr. WISE. Madam Speaker, I yield to the gentlewoman from Connecticut [Mrs. KENNELLY]

Mrs. KENNELLY. I thank the gentleman for yielding.

Madam Speaker, I would like to begin my remarks this morning by just pointing out that I had asked the gentleman from California to yield, and I understand the time is very tight on both sides, and he could not.

Mr. ROHRBACHER. If the gentleman would yield, I apologize for that.

Mrs. KENNELLY. I thank the gentleman.

Madam Speaker, I wanted to make the point for the RECORD because the gentleman did say that all revenue bills begin in this Chamber, in the House, which is usually, except under certain circumstances, correct. They then go to the other Chamber and then become law when they are signed by the President of the United States. I just wanted to point out that it was always remarkable to me, as a member of the Committee on Ways and Means, that the Treasury would come over, whether it be Mr. Regan or Mr. Baker, and he would express the desires and needs of President Reagan during the Reagan years, those "It's morning in America" years.

They were done professionally and done to the point and legislation would go forward because legislation is necessary to run the country.

Then, in spite of all the rhetoric, in spite of all the anti-tax stances, I think most of us are anti-tax, none of us enjoys paying our taxes; but in spite of all the rhetoric for all those years, it was always remarkable to me that President Reagan would very quietly sign those tax bills year after year after year. That was the only point I wanted to mention.

Madam Speaker, I am a member of the Committee on Ways and Means. We deal in facts. We not only deal in facts; for some years now we have been under the restriction of pay-as-you-go. That is kind of a new idea since this summit.

We have been doing that for a number of years. The bill gets out of committee, you pay for it. So that is what we are attempting to do with the unemployment compensation benefit and the extended benefits that we are addressing tonight.

I would like to just get us back to the point: I watched as this debate began earlier in the evening. I think we tried to have some comity, but then we lost it.

I heard a great many things talked about, which is what we do here, we talk back and forth, we debate.

□ 0540

Madam Speaker, I heard people talk about growth packages, I heard people talk about capital gains. Just a few minutes ago I heard the gentleman from California talk about enterprise zones. I have been an advocate, a pusher, of enterprise zones as long as I have been in this Congress, but I heard a lot of things being talked about.

However, Madam Speaker, I believe what the gentleman from Michigan [Mr. BONIOR], our majority whip, when he took out this time to have this situation taken up, what he wanted to talk about was unemployment compensation. What we had hoped we would discuss is unemployment compensation and extended benefits.

Now let me just read to my colleagues what we were going to talk about.

The Social Security Act of 1935 (Public Law 74-271) created the Federal-State unemployment compensation (UC) system. It has two main objectives: (1) to provide temporary and partial wage replacement to involuntarily unemployed workers who were recently employed; and (2) to help stabilize the economy during rcessions.

Madam Speaker, these are the two reasons we have unemployment compensation.

The U.S. Department of Labor oversees the system, but each State administers its own program. Because Federal law defines the District of Columbia, Puerto Rico, and the Virgin Islands as "States" for the purposes of unemployment compensation, there are 53 State programs.

The Federal Unemployment Tax Act of 1939 (Public Law 76-379) and titles III, IX, and XII of the Social Security Act form the framework of the system. The Federal Unemployment Tax Act (FUTA).

That is capital F, capital U, capital T, capital A. That is what it stands for, the Federal Unemployment Tax Act.

FUTA currently imposes a 6.2 percent gross tax rate on the first $7,000 paid annually on covered employers to each employee. Employers in States with programs approved by the Federal Government and with no delinquent Federal loans may credit 5.4 percentage points against the 6.2 percent tax rate.

And the description of the program goes on.

In 1976 Congress passed a temporary surtax of 0.2 percent of taxable wages to be added to the permanent FUTA tax. This was Public Law 94-556. Thus, the current tax rate has two components.

I could continue to read from this book that makes up programs to help run this country, but what I am trying to make is a point. It is we are talking about unemployment compensation, and we are talking about extended benefits.

Now to those people, when they think about unemployment compensation, they never quite get to the point of extended benefits because they do not think they are going to be unemployed. But they probably do think about the FUTA tax, and, when they look at the FUTA tax and the little piece of paper that comes with their pay check, they say, "Oh, my heavens. What I could do with that money if that did not have to go toward unemployment compensation." But every once in a while something happens to surprise someone, or shock someone, or they cannot quite believe it, and for hundreds and thousands of people in this country what happens is they are unemployed, and, because they are unemployed, they need unemployment compensation, and they think, "For heaven's sake. I hope that's going to take care of it, and, before my unemployment compensation runs out, I'm going to have a job again." However, as my colleagues know, when we have a recession it is a little hard to get a job. So their unemployment compensation runs out, and they say, "I hope I have extended benefits in my State."

Well, the way the program is at this point, it is rather difficult to get those extended benefits, but, if we get to the point where our unemployment does run out, a situation that is bad enough, maybe they do qualify for extended benefits.

What I am saying here is every one of us hopes that we never have to collect unemployment compensation, that we never have to worry about extended benefits. The fact of the matter is hundreds of thousands of American citizens are in the position where they have run out of their unemployment, and they need extended benefits, and that is what the whole question is.

I do not care what charts my colleagues are looking at; I do not care what situation they are thinking about. If someone is unemployed, they have responsibilities. They have responsibilities to their family, they have responsibilities to pay a mortgage, they have responsibilities to pay the car payment, they have responsibilities to just keep going, and that time has come in their life when they might never have had to look to their Government, never had to look to our Government, for anything. They were independent, they worked, they took care of themselves, they took care of their family. They did not need anything. But they were a good citizen. They were willing to pay their taxes and do their fair share, and they knew that FUTA was coming out of their pay check, and though they did not appreciate it, it was part of what is and how we run this country. But then they lost their job, and they, who never had to ask their Government for anything, certainly expected that that money would be there to give them a hand to carry out their responsibilities.

Yet somehow we have reached the point, a time in this country, where we are arguing, debating, having vigils like we have had tonight back and forth, up and down, saying, "Will we have extended benefits, or won't we?" We tried it once one way, and I have to admit it was disingenuous the way it was done. The President had two choices. One choice let him sign the bill, and nothing happened. That was the first thing that happened. The second time the legislation was passed. We say, "All right, Mr. President. Declare an emergency so these extended benefits can happened. People that are unemployed need them so badly." That did not work either, and so we are back the third time.

Madam Speaker, we are back where I have been before. We are back to pay-as-you-go, and this time we can say all we want. We can debate for hour after hour. This time everything is in place. The legislation was passed yesterday out of the Committee on Ways and Means. It is paid for. Next week it

comes to the floor of the House, and I would only say that anybody who has debated tonight, or anybody who is going to debate next week, this is an up or down calling.

I say to my colleagues, "You either believe in extended jobless benefits, or you don't. You either believe American citizens lost their jobs, having paid in from their own pay checks to a trust fund, that they expected would be there when they needed it. You either are for that or you are against it."

Madam Speaker, I am embarrassed that we had to try to do this three times, but that is the way it is, and where we are right now is an up or down vote next week on whether we believe in extended benefits for people who are unemployed.

Oh, I have got my story. I came over with my story, and I have got a perfect right to tell my story, and Madam Speaker, I am going to read just a portion of a letter from one of my constituents, an out-of-work legal assistant. This letter was sent to me, a copy, because the original was sent to the President.

DEAR MR. PRESIDENT: For many months I have been extremely displeased with your domestic programs (or, perhaps I should say, your lack of some).

I happen to be one of the unemployed. I am 54 years old, divorced, not in the best of health and worried sick that I will soon end up on the street. I am exhausting my savings and am "bone weary" from disappointing job interviews where I find I am one of 50 or 60 who are vying for the same position. I do temporary assignments when they are available. My unemployment compensation is about to run out and when I heard on the evening news last night that you have no intention of signing an extension for unemployment benefits, I just knew it was high time to sit down and send this letter to you.

Mr. Bush, I live in one of your "home" states. Up until a year and a half ago I had a good job with a firm in Hartford. Since that time I have had to rely on temporary assignments, unemployment compensation and my savings.

If you have no plan to extend the unemployment insurance benefit, then what in the heck do you think people (such as myself) are supposed to do?

Madam Speaker, the letter goes on, and I think the people on the other side of the aisle have their letters, and we all certainly have had our letters. But, as my colleagues know, a letter can say a certain amount, but look in the eyes of somebody who is out on unemployment compensation, and their benefits are about to run out, and they are not sure that they are going to be eligible for extended benefits, let alone will those extended benefits be there.

That happened to me this summer when I was walking into the Stop and Shop. There was a table set up, and there was some gentleman selling tickets for a veterans fund raiser. We have all done this, volunteered to do this type of thing, and four gentleman were sitting together, and one of them said, "BARBARA, you're not the Congressman in this district. Another woman is my congresswoman. But you're here, and I've got you here, and I want to ask you something. What are you going to do with me?".

Now here is a gentleman, does not look different than anybody else, sitting with his friends. One could tell that he did not want to say anything about himself being unemployed, but he had a Congresswoman, and he was going to tell her what he thought.

He said, "I've never asked for anything. I've never needed anything. But I've lost my job, my benefits are about to run out, and I need extended benefits. I would hope, if you do one thing, you vote for extended benefits. I hope, if you are down there getting that large pay check and you get, that you could do one thing for me, and that's vote for extended benefits."

□ 0550

I looked him in the eye and he looked me in the eye and neither of us were very happy. I could not just say to him, of course, this is going to happen. I realized this thing had become so contentious that nobody knew exactly where they were or what they were doing.

So I say to my colleagues, to end my remarks, next week let us be able to look all our constituents in the eye and say that we finally can get something straight, that we can vote up or down on extended benefits, that we believe in unemployment compensation because it was there and is a trust fund and the people paid for it, and that we know who we are and what we are about and that this country, if you work for a living and try to take care of your family and try to make your payments and you lose your job, there will be somebody there to help you. That was what you did when you worked to pay for extended benefits.

I just ask my colleagues, let us get together, Republicans and Democrats, conservatives and liberals, and vote yes next week.

Mr. WISE. Mr. Speaker, I thank the gentlewoman for her remarks.

At this time I yield to the gentleman from Illinois [Mr. EVANS], who is about to speak. The gentleman just pointed something out. I was saying we are going to have to limit our remarks, we have so many people here.

He said how good that is, that at a quarter of 6 in the morning there are that many that have been waiting for a long time to speak. That is how intensely we feel about this unemployment issue.

Mr. EVANS. Mr. Speaker, I think some of the most compelling testimony that I heard regarding the unemployment compensation legislation that we have been promoting here on the Democratic side was given by Charles Chappel, a very highly decorated combat veteran of Vietnam who spoke before the Joint Economic Committee.

I have an excerpt from his testimony that I will read from. He said,

I received many medals in Vietnam. I do not expect to get any medals for surviving this recession. But I do expect my Government, that I put my life on the line for, to fulfill its responsibilities to the citizens of this country. We need jobs. In the past the Government has created job programs to help people through recessions. If the Government will not provide jobs, then we need a way to survive in the meantime. We need more weeks of unemployment benefits now.

It also needs to be pointed out that the bill that Bush killed would have provided the same 26 weeks of unemployment to people coming out of the military as the rest of the working population. Currently, there is only 13 weeks of unemployment benefits available to those people in the Armed Forces who are unable to find a job.

This Nation moves the world. But it is people like ourselves who move the Nation. And there are millions of us who are doing nothing but moving backwards, not forward. It is time to turn things around.

We have heard a lot about the Republican plan on unemployment, yet this Republican plan proposes to cut unemployment benefits for veterans in a way that is unfair and wrong. The Republican plan not only offers veterans less unemployment coverage than the Democratic bill, but less unemployment coverage than the current law.

It gives unemployment benefits only to those released for the good of the service or those who leave the service after extending their term at the request of the service.

This means that those who chose voluntarily to separate from the service at the completion of their incurred obligation will not receive unemployment under the Republican bill. And to add insult to injury, the Republicans change the law to eliminate coverage of military men and women who are currently eligible. This includes veterans returning from Desert Storm and Desert Shield and other service personnel who leave the service after serving out their tours of duty with honorable discharge.

Those cuts amount to a cut of $535 million or 65 percent in unemployment benefits for veterans over the next 5 years.

In contrast, the Democratic bill that we are supporting retains the basic eligibility rules established in 1982, whereby service personnel receive benefits if they have completed their first term of service honorably or they have been honorably discharged before their first term is completed, such as early release for such reasons as for the convenience of the Government or medical disqualification for hardhip. We also restore equity for veterans by giving them the same weeks of benefits that the private sector employees receive.

This is not the only group of people who are not reached by the Republican plan, because a good many people have previously exhausted their benefits and will receive absolutely no help from the Republican plan.

The Republican bill helps jobless workers in only six States. In Illinois, no workers now jobless and out of benefits would get any help. The bill reported out of the Committee on Ways and Means, however, this week recognizes that there are over 90,000 jobless workers in Illinois who have run out of benefits. And this bill provides them with extended benefits.

I am very pleased to join with the gentleman's special order, and I thank the gentleman for yielding to me.

Mr. WISE. I thank the gentleman. I know he has been involved and how active he has been on this issue.

I now yield to the gentleman from New York [Mr. SERRANO], who has also been very eloquent on this issue many times before.

Mr. SERRANO. I thank the gentleman for the opportunity, Madam Speaker. I always find myself in a dilemma whenever we discuss something this important on the floor. That is, to see to what extent I should stay strictly on the subject at hand and not bring in information or a conversation that speaks about other related issues.

However, today as I do on so many other occasions, I come to the conclusion that I cannot just discuss just what is at hand because representing the poorest district in the Nation indicates that I have knowledge that some of my colleagues on the other side may not have. And that is what we are seeing here today, this opposition to helping people who are in need, is something that is not new where I come from.

We have been hovering around 20-percent unemployment for the last 10 to 12 years. That is a fact. The Labor Department in this country finds it difficult at times to determine how many people in my community are looking for a job and how many have in fact dropped out of looking for a job because they have just given up.

The good news is that I have that information. The bad news is that there is very little being done to correct that information.

When you add, then, all of those issues together, you find that an area like the South Bronx suffers from related issues, issues which then speak to the fact that people would like to see a better tomorrow. Where there are people who are employed in my district, I probably have a very large number, if not the largest number of underemployed people.

I probably supply more dishwashers to the economy than anywhere else in the country. I supply more domestic workers to the economy than anywhere else in the country. And what are we saying here? That on top of the misery of living in that part of the world and having to deal with that kind of a situation within the greatest and richest country on Earth, you are now, if you do find a job and find yourselves unemployed, going to be told by the same government that for years has told you, your cousin and your brother that there was nothing for you to do in this society, that now you will not even get some extended benefits to cover you in the hope that someday you will be able to be one of the few in my area that may find a job.

Then you have to deal on a daily basis with all the other problems that affect the society. How many of my colleagues have really ever seen a crack-addicted baby? A baby shaking at birth because that baby is addicted to crack? It looks in a horrible way like taking a spider and turning it upside down and, as the legs begin to shake, that is what the baby's limbs do.

I realize that there are Members, especially on the other side, who would say, "Wait a minute, don't come blaming this on this particular issue. There are people here who in the final analysis have created those situations for themselves."

Well, granted. And in the final analysis, a crack-smoking pregnant woman did that to herself. But in the initial analysis, there is a society that created situations and allowed situations to take place, not for all, I do not make excuses for all, but certainly for most.

Tuberculosis, a word that is now part of our history, not in the South Bronx. It is part of our present. Tuberculosis, outbreaks of tuberculosis, not related only to the AIDS epidemic but tuberculosis with babies, with new arrivals, with people who are poor. In my district, you go to the local hospital, Lincoln Hospital, and you begin to leave for the hospital around this time, not only are they not watching me in my district because I am probably the only part of New York City that does not have cable TV yet, but they are leaving for the hospital now, to begin at 7:30 to line up. And if they are lucky by 4:30 or 5 o'clock that afternoon they would have seen a doctor.

□ 0600

Again, a related subject? Absolutely so, all related to a government basically and an administration that for the last 10 years or so has said hey, if you are in that condition it is because you have brought it onto yourself, and if you do not get some of this trickle-down that we keep sending you, then it is your problem, not mine. We have the will, but we do not have the wallet.

I know there was a discussion when I came in around 4 o'clock that we should not bring foreign affairs in, but I do remember a few months ago when we had the will and therefore we had the wallet for Kuwait against Iraq. I wonder if the same wallet is not available for my people in the South Bronx for some extended unemployment benefits.

I really think that the tragedy of this country is that people who were never affected before are now beginning to see what it is like to live in other parts of the country. And I could sarcastically say, "Well, welcome to the club. It looks like you may not get extended unemployment benefits," because the same administration that has been saying no to my community in general is going to say no now to you on this specific issue. But I am not that sarcastic and I am not that cruel. I want people to get their extended benefits.

But do you know something, you take two babies in this society, take two women giving birth. One woman gives birth in my district, and they both will go through the same beautiful, maybe painful but joyfully painful situation. And I was part of that recently, about 2½ years ago when my son was born, and I was in the delivery room, and it was the greatest thing that ever happened, my fifth child, and yet it was wholly a new experience to see it happen, and that baby was born in the South Bronx. In Spanish we have a phrase which I will translate which is dar a luz, which means brings a child to light. When a baby sees light in the South Bronx, it is destined to run into all kinds of misery.

What people with unemployment insurance who are lacking benefits are now beginning to see is some of that misery. They are beginning to come to the conclusion that the administration would rather play around with 30-second spots than to say to them you are hurting and we are going to help you.

So I stand here today joining my colleagues, not saying I am not going to care about those people who are unemployed because I have bigger problems. What I am saying is those of us who have an opportunity to get a job in the South Bronx are now going to be told that since they are going to be hurt by the economy even more than they were before they cannot get unemployment insurance. And second, I am standing here to remind us that we are using the word "extension." This is an extended part of the misery, of the indifference of a government that says you can make it on your own; I am not going to give you a hand. But if you move out of the country and you fall under a Communist regime, then obviously I am going to give you a hand.

That is why it has to change. That is what has to change. That is why it is 6:03 in the morning. I am here to say do not allow what has happened to my district, that indifference, to prevail throughout the rest of the country.

Mr. WISE. I thank the gentleman very much for his very powerful statement. I now turn to someone who has been very, very active on this issue speaking in many ways, the gentleman from Rhode Island, Mr. REED.

Mr. REED. Mr. Speaker, I thank the gentleman for yielding to discuss this critically important issue.

Many of my colleagues have been before me all evening talking about these statistics. They are stark and brutal. In my home State the unemployment rate is 9.1 percent. It is probably higher than that, but the way we calculate unemployment in America is that we do not count those people who have given up hope and are simply not even looking for work.

My State was one of the first States to qualify for extended unemployment benefits. Ironically, those benefits terminated last week. We have approximately 40,000 people in Rhode Island who are unemployed, and unless we do something they will be unemployed without hope, without means of support, without means to sustain themselves in a crushing economic downturn.

Those are the statistics, but the human face of this dilemma is much more compelling. And like many of my colleagues, I have received letters from Rhode Island. I received a letter from a woman in Narragansett.

She writes:

NARRAGANSETT, RI.

Today I was informed by the Department of Employment Security that my extended benefits would cease at the end of September. Since I have only collected this money for 2 weeks, I was shocked.

I worked for one of the credit unions that was closed last January, and was unable to find employment until 3 weeks ago. The position I have consists of only 19 hours a week, and the Department of Employment Security made up the difference. In 2 weeks I will not receive that difference.

I certainly hope that you are accepting the deception that less people are unemployed the fact is, in Rhode Island, and most of the Northeast, more people than ever are unemployed, but because their benefits have been exhausted, they are no longer part of the statistics in the unemployment role—leading one to assume fewer people are unemployed.

This is simply not true.

How am I to survive as a recently divorced woman, age 55, working 19 hours a week, earning $6.00 per hour?

ANN DURANTE.

I think the people of America have a much keener sense of the reality that they face than does the President who continually refuses to recognize the dire circumstances that people face.

Here is another letter from a Rhode Islander:

LINCOLN, RI.

What is being done to extend unemployment benefits? It took me 6 months to qualify for unemployment after being laid off from a job I had only had for 5 months. What I am collecting is minimal to say the least. I now understand there will be no extension. How am I supposed to live?

What is being done to give recognition to people like me who I am told fall through the cracks. I am a 49-year-old widow who earned a 4-year college degree in 3 years and owes the Government almost $13,000 in student loans.

I graduated from college in December 1989. I completed five internships while in college and did all the networking I was told would ensure a position when I graduated. It didn't.

I searched for help while I kept applying for work. I went to welfare. They said I don't qualify. I have called just about every agency in this State to no avail. Displaced homemakers said I am one of the people who fall through the cracks. Several agencies said I am one of the people that fall through the cracks.

I do not live in a crack. I need help, not charity but help. I have been working hard to better my life.

I need assistance and there seems to be none for me, why?

CAROLYN BROOKS.

Why, Mr. President? I cannot answer that. We have sent you bills. We have given you the authority to declare an emergency. We have asked you, we have pleaded with you, and you have turned your back on people like this.

I could go on and on with the record of human misery, of suffering, a record that belies what many people struggled for in building this country, a country where people have opportunity, a country where people can make themselves better through hard work, through education. That economy, that country is disappearing. People are appalled. They disbelieve. They cannot understand why the President is so insensitive to this issue and I cannot either.

They also cannot understand why he does not sense that this is a problem not of some invisible group of people that show up periodically as transient employment. These are our neighbors, these are people who I grew up with, who I went to school with, who until recently were working as I am working.

This country was built by generations of people willing to sacrifice, contribute, to build. They left us a legacy which we are not fulfilling, and that is at least at a minimum providing opportunity to our citizens in times of distress. We must respond to this. We must provide unemployment extension benefits, and we must do it promptly.

I thank the gentleman for yielding.

Mr. WISE. Mr. Speaker, I thank the gentleman from a State that also has high unemployment, the State of Rhode Island. I know very well of what the gentleman is speaking and he states it well.

Mr. Speaker, I yield to the gentlewoman from Connecticut [Ms. DELAURO], also a very active Member on this issue.

Ms. DELAURO. Mr. Speaker, I thank the gentleman very much for yielding.

This morning, Mr. Speaker, my Democratic colleagues and I remain awake to show our support for the millions of middle class Americans who are struggling really to try to make it through this devastating recession, but who have callously been ignored by their President.

□ 0610

My Democratic colleagues and I care about those millions of Americans who will go sleepless tonight because they have lost their jobs, or they do not know how they will be able to make it through tomorrow or the rest of the week or how they are going to pay their bills at the end of this month. These Americans who only wish that they could find a job, keep their homes heated, put food on the table, and pay for health care for their families have been consistently neglected by an administration that cares more about a capital gains tax for the rich than for the tragic plight of working Americans.

We are here this morning because we are deeply concerned about the present and the future direction of this country. We are facing an emergency.

Democrats have been trying to do something about it, but the President has yet to act. In my home State of Connecticut, we know the havoc that this recession is wreaking on middle-class families perhaps more than any other State.

An article in yesterday's Hartford Courant quotes an economist of the Federal Reserve Bank of Boston as saying that in New England the economic downturn has not yet hit bottom. Two years of recession in the Northeast, and we still have not hit the bottom.

How much more can people take? Since the mid-1980's, our region has lost a quarter of its manufacturing jobs, and the manufacturing sector is the single most important indicator of economic health and the possibilities for recovery.

These recent statistics prove that our economy is sick and that there is no cure in sight.

In New England, we have been suffering from the recession for over 2 years, longer than any other region of the country, and the middle class is being hit the hardest. This is a middle-class recession.

If the President does not want to listen to Federal Reserve economists, then that is his prerogative, but it is his job to listen to the people of this country.

I did not need to read these statistics in yesterday's paper to understand the depth of the recession. Since my first day in office, I have heard from my constituents who have been telling me of their fears, of their pain, and of their sleepless nights.

I recently received a letter from a constituent, and I will read briefly from the letter:

Never did I think I would ever go on welfare. My husband and myself have worked for our money since we were 18.

Now we had no hope, except that he would get unemployment compensation. In the meantime, months of rent bills, loans, education bills were piling up. We lived day to day.

I myself tried submitting resumes everywhere and I decided to apply a temporary agency, and I was employed by mid April. I was fortunate, my husband was not so fortunate. Meanwhile, our daughter only knew that her daddy lost his job. Before you know

it, children feel pressure, they know something is wrong. What do you tell a child? What about future education or employment?

By then my husband was submitting resumes to so many companies, there just are not enough jobs. He is still submitting resumes but no luck. It's a shame he worked 13 years and can't receive more benefits, an extension on his unemployment.

We are still struggling week to week now. My job is a temporary assignment and they say any time this assignment is over. Our medical benefits ran out in February of this year and my daughter's medical alone has cost us $300 so far.

Now another winter. What is in store for us now? What I can't believe is that President Bush will send "foreign aid" to other countries when we have people starving here, and homeless people here too?

Mr. Speaker, I spend every weekend at home listening to my constituents, and what they tell me is no different than what I have been hearing for months. People are scared about the future, that old American dream no longer seems within reach of average working families, and they want some answers.

The White House listens to the cries of the Kurds and the cries of the Bangladeshis. Why cannot the White House acknowledge the anguish of American people? It is time for the President to wake up to the reality of what is going on in this country.

The reality is unmet car payments, looming mortgage notes, unreachable tuition payments, and crushing health care premiums, and most of all, the reality is that millions of people are unable to sleep tonight, unable to sleep, Mr. Speaker, and this one night we spend together is a symbol of our solidarity and to let people in this country know that we have not forgotten them.

Mr. WISE. I thank the gentlewoman. The next person I would like to yield to is the gentleman from Florida [Mr. BACCHUS].

Mr. BACCHUS. Mr. Speaker, I thank the gentleman from West Virginia. I thank him for his leadership.

Mr. Speaker, I have been listening to this debate through much of the night, and now into the morning. An hour or so ago I listened to my friend and colleague, the gentleman from California [Mr. ROHRABACHER]. I listened to him frequently.

He and I serve together on the Committee on Science, Space and Technology. He and I work together to try to get America back on the cutting edge and competing edge in high technology, and that is certainly one thing we need to do as a country.

I agree with much of what he said this morning about the need to invest in the future, the productivity, the capital formation, and I am one Democrat who supports a balanced-budget amendment to the Constitution so that we can make the difficult choices and move beyond this pointless and self-defeating budget agreement.

As a former trade negotiator for this country, I believe we need a new and vigorous and effective and strong trade policy. I certainly believe strongly that we need some tax reform, and especially tax relief for the middle class. I am one Democrat who is willing to consider and support restructuring of capital gains as part of that tax reform package.

I believe we need a Marshall Plan for America. We have rebuilt Japan, and we rebuilt Europe. Now we need to rebuild the United States of America.

But in the meantime, in the meantime, Mr. Speaker, look at the reality we face in this country, and look at the reality we face in my district, the 11th District of Florida in central Florida, in a place that includes Disney World and the Kennedy Space Center and the high technology corridor and much of what is good and progressive and prosperous about America. Look at what is happening in central Florida.

In Orange County, there are 5,579 of my constituents who have exhausted their unemployment benefits. In Brevard County, there are 3,363 who have exhausted their benefits. In Indian River County, there are 1,165 who have exhausted their unemployment benefits. In Osceola County there are 762 who have exhausted those benefits. That is 10,869 of my constituents who have exhausted their benefits among about 33,000 who are unemployed.

This is in the midst of central Florida, in the midst of a place that is still among the most prosperous places in this country. Our unemployment is the highest it has been in a decade.

Statewide in Florida we now have 126,000 people who have exhausted their unemployment benefits.

Now, these are not people who are not looking for work. These are not people who are looking for a handout. These are people who want very much to work and who have been a part of making America work in recent years. They are engineers, they are bankers, they are people who have been in our service economy, they are people who have been in our manufacturing economy making boats and cars. I am concerned about them.

I am concerned about their families. I want to do everything that I can to help them by changing our economic policies and restructuring our taxes and investing in the future.

But in the meantime they need to pay the grocery bill. They need to make the auto payment. They need to make the house payment. And I want to help them do that.

They are entitled to have a government that is on their side, and also I am concerned especially about the businesses in central Florida and what the impact of not extending unemployment benefits will be for the business community.

What if the default rate goes up on credit cards? What will that do to an already precarious banking situation in central Florida and elsewhere? what if people cannot make their car payments? The auto industry is already in the doldrums. What if these people cannot position themselves so that they can take advantage of those new high technology jobs that happen to come along? Where will they be then? And what will we be able to do to make the transition we have to make in our economy?

Our residential housing industry in central Florida is in the dregs. What if these people cannot make their house payments?

□ 0620

What is the ripple effect on the business community?

Finally, Madam Speaker, if all this is true in central Florida, if all this is true in the haven of Disney World and for hope and for sunshine, then what are things like in West Virginia and the south Bronx?

I represent my district and I work as hard for my district as I can. I believe fervently that unemployment compensation needs to be extended to the people in my district, but as a Member of the House of Representatives I think of the Nation as well, and I believe I must speak up for the Nation as well as for my district.

If we are suffering in central Florida, as we are in a place that is still more prosperous than many other places throughout America, then how many more are suffering around the country?

I believe we need to do a lot to improve our economy. We need to do much in this Congress to restore the faith and confidence of the people in the Congress; but I believe the best thing we can do, Mr. Speaker, is to begin to be responsive to the real needs of the people, and among the real needs of the people I represent is the need to extend unemployment compensation benefits.

Mr. WISE. Madam Speaker, I thank the gentleman for his very moving remarks. The gentleman from Florida has stated very well the problem that many of us are having across the country.

Mr. BACCHUS. Madam Speaker, I thank the gentleman.

Mr. WISE. Madam Speaker, I yield to the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Madam Speaker, I thank my distinguished colleague for the opportunity to speak this morning about the unemployment situation here in this country.

Madam Speaker, there are 55,000 reasons why I rise to speak about the important issue of unemployment. As I am limited in time, I will focus my attention only on three reasons: Peter Pollet, William Koski, and Gordon Liptak.

They are just three ordinary people, who've worked hard all their lives, paid

their taxes and expected very little, in return from their government. Now, they are unemployed. Their pain and agony must become our concern.

Madam Speaker, during the 1980's New Hampshire was the land of opportunity. The Granite State was the fastest growing State east of the Mississippi River. The unemployment rate was low, wages were high, land speculation was rampant. New Hampshire was in a drunken stupor—drunk on borrowed money and driven by the desire to make a quick buck. Well, Madam Speaker, the drinking binge is over and we are feeling the hangover.

Unfortunately, this hangover not only hurts our heads—but also our hearts and souls. It is hurting those who speculated and those who saved. Those on Wall Street and on Main Street. Everyone is hurting.

Personal income has declined in New Hampshire more than any another State.

There are at least 55,000 people unemployed.

More jobless workers have exhausted their unemployment insurance in the first 8 months of this year than the last 2 years combined.

Eighteen hundred manufacturing jobs left New Hampshire since 1988—that is 16 percent of that work force.

Welfare cases have increased by 44 percent over the past year.

Bankruptcies are the highest in the country. The top five banks have closed taking with them nearly 500 jobs.

Madam Speaker, my focus is on jobs. Producing jobs, keeping jobs, and improving the economic climate. We must remember—the best social program is a good job.

Peter Pollet, Bill Koski, and Gordon Liptak represent to me a human tragedy. They are hard-working Americans, proud and independent. They are not looking for a handout—they are looking for a job. I would like to tell you a little bit about each of them so you and all America can understand their plight.

Pete Pollet is an unemployed purchasing agent from Concord, NH. Two years ago, he was earning a good living and looking forward to his retirement years. He worked hard all his life. He was happy and secure. Today, he is scared. His unemployment insurance has been exhausted. He has borrowed money from friends and family and drained his savings. He has been told by the local welfare office that he is ineligible for any form of assistance until he cashes in his $2,000 IRA. Pete may be broke, but he is not broken. Pete helped start an unemployment network group, that offers moral and technical support to the unemployed without spending a nickel of taxpayers' money.

For the first time in 40 years, William Koski, from Keene, NH, is unemployed. He lost his job as a service manager at a local car dealership. His unemployment benefits will run out soon. In New Hampshire, the maximum unemployment insurance benefit is $179 per week. Regardless of previous income the largest amount issued per recipient is less than $5,000 yearly. I spoke to Bill last week and he expressed his frustration with the President's veto of the unemployment insurance extension bill. He asked me how we can send money all over the world—and then cannot take care of our people at home, particularly after paying into the system for 40 years. Where does he fall on the list of national priorities? He told me that he thought about calling the White House to express his concerns, but decided against it because he thought no one would care.

Madam Speaker, I do not know Gordon Liptak and I might not have the opportunity to meet him. He is from Plymouth, NH, and worked in sales prior to becoming unemployed. He was a member of Pete Pollet's unemployment network. I say "was" because he is leaving New Hampshire. Today, he is in Wichita, KS to interview for a job at the Boeing factory. I would like to share with you a letter he sent the group prior to leaving. "My wife and I love New Hampshire," he wrote, "But we can no longer make a living here and keep a home with the opportunities very low for the next several years, an increase in property taxes, and a failing bank system which has become quite harsh on its customers. We must immigrate to a more fertile land as our parents did."

Madam Speaker, Pete Pollet, Bill Koski, and Gordon Liptak need and deserve our help.

We need fairness and responsibility in government. That's why I am proud of my vote on the extension of unemployment insurance benefits.

I have focused my attention on two areas, both of which produce jobs for New Hampshire.

First, I am working hard to make sure that New Hampshire gets its fair share of Federal funds. As a member of the Public Works and Transportation Committee, I have fought for the inclusion of $10 million in New Hampshire highway projects for the 2d congressional district of New Hampshire. The highway bill will include three major infrastructure projects including the replacement of the Ledyard Bridge in Hanover and the Winchester Bridge and the Second Nashua River Crossing. These highway projects will mean an influx of money to New Hampshire's economy, jobs for our citizens and improved highways for our State.

The second area I have tried to address, as it relates to jobs, is economic growth. As a Member of Congress, I have taken advantage of every opportunity to promote New Hampshire. I have aggressively sought to build relationships between New Hampshire business people and their counterparts both nationally and internationally. We must recognize that a rising tide lifts all ships. A strong economy makes for a strong society.

This summer, I was pleased to host the delegation meeting between the United States Congress and the European Parliament. This was a unique opportunity for our business community to expand their contacts. This meeting has resulted in at least one signed contracts. This meeting has resulted in at least one signed contract and several others pending. These relationships will mean jobs for New Hampshire.

During the Persian Gulf war, I had the opportunity to help Test Systems, Inc., a small company in Hudson, NH, that was trying to get the Pentagon to listen to their proposal to combat the problems of "friendly fire."

The Pentagon had hundred of firms working on this and seemed uninterested in listening. I was able to call attention to this issue and give Test Systems, Inc. a chance to compete. Consequently, Test Systems, Inc. won the contract with the Department of Defense and went on to save lives in the Persian Gulf and to create jobs in New Hampshire.

Madam Speaker, when are we going to respond to the needs of the average American citizens? When will we take responsibility for the problems our folks are having?

It is not too much to ask foreign countries, who have benefited for the last 40 years to start paying for their security provided by the United States. It is not too much to ask that foreign debt be repaid just as our banks expect us to repay our loans. It is not too much to expect us to ask this government to provide a temporary measure of relief for those in financial need. I am aware of the questions: "Where does it come from?" and "Who will pay for it?"

But, my reply is: Who paid for the forgiveness of the $7 billion loan to Egypt? Why can we not close bases overseas and keep our security forces at home? Who paid for the $100 billion bill for the Persian Gulf war?

Let us be realistic and fair when we look at these issues. The budget agreement has been broken time and time again by the administration and the Congress alike. Let us not play politics with innocent people's lives. Let us help them in this time of need and then go to work solving the budget problem immediately afterwards, and put a stop, once and for all, to these partisan attacks by both parties because of their mutual irresponsibility.

Mr. WISE. Madam Speaker, our time has expired. I appreciate the remarks the gentleman has made about what is going on in New Hampshire. I know how hard the gentleman has been fighting.

ORDER OF BUSINESS

Mr. DELAY. Madam Speaker, I ask unanimous consent to proceed for 60 minutes.

The SPEAKER pro tempore (Ms. DELAURO). Is there objection to the request of the gentleman from Texas?

There was no objection.

UNEMPLOYMENT COMPENSATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes.

Mr. DELAY. Madam Speaker, I yield to the gentleman from California [Mr. RIGGS] who in a very short period of time, less than a year, has already distinguished himself in this House.

Mr. RIGGS. Madam Speaker, I want to thank the gentleman for his kind comments, and I also thank him for his leadership that I have heard on this side of the aisle. It has been a long evening and hopefully we all have learned a little something from it.

The thought that keeps coming to my mind as I have listened to the debate, with numerous speakers on both sides of the aisle, into these wee hours and now the dawning of a new day is that they still do not get it.

What we heard tonight is a procession of speakers on the other side of the aisle talking about, frankly, let us be honest, austerity, and what we have heard on our side of the aisle is a procession of speakers talking repeatedly about growth. I do not think the contrast could be more stark, particularly in terms of the future of the very Americans that we are both concerned about.

First of all, we are still debating this issue over what do we do or how do we fund extended unemployment insurance benefits.

I think it is important and noteworthy to go back over some basic facts, that we have just concluded a Federal fiscal year with a record budget deficit, annual budget deficit in our country's history, with a figure somewhere in excess of $350 billion. Spending is now 25 percent of the gross national product and increasing all the time, particularly with the debt service on the national debt compounded.

□ 0630

Taxes are peaking back up to where they were before the Reagan tax cuts. We have heard about the very deleterious effects on the economy as a result of that bleak fiscal situation.

We have also talked a little bit tonight about taxes. I find it ironic, and I sometimes wonder how much more evidence our colleagues on the other side of the aisle need before they become convinced that additional taxes is just not the answer.

There is a lot of published research in this area. The U.S. Chamber of Commerce study of the period between 1940 through 1988, which concluded that every time taxes are increased by $1—I am sure this has been mentioned on this floor before—but spending increases by $1.72.

More recently, a very interesting article pertaining to the luxury tax, which my good friend, the gentleman from California [Mr. ROHRABACHER] stressed in his very, very articulate remarks. I mentioned this earlier this evening, but I want to mention it again.

According to a recent study by the Congress's Joint Economic Committee, that is, our committee, a bipartisan committee, as they all are in the House, according to the study produced by that Joint Economic Committee, the luxury tax, and here we are talking about not just a tax on boats or yachts in excess of $100,000 but also the luxury tax on private airplanes and cars, is estimated to cost 9,000 jobs in America. What is the further down side to that? Of course, according to this study, that is costing us, our Government, $5 in unemployment compensation—were we go again, unemployment insurance benefits—and the lost income taxes for every $1 that that luxury tax has netted.

Mr. DELAY. Madam Speaker, could the gentleman repeat that again?

Mr. RIGGS. I will read right from the USA Today article. I want to stress that again.

According to a study by Congress's Joint Economic Committee, the luxury tax will cost more than 9,000 jobs. On top of that, it is costing the Government nearly $5 for every $1 in taxes it gains because of unemployment compensation and lost income taxes.

So we heard a lot of talk tonight. They stopped just short, on the other side of the aisle, of endorsing a tax increase, but I want to remind my colleagues on the other side of the aisle that someone in this body who has a thing or two to say about tax increases, the illustrious chairman of the Committee on Ways and Means, was also quoted recently in USA Today, and this is a direct quote attributed to Chairman ROSTENKOWSKI: "The worst thing you can do is raise taxes in a recession."

That is a pretty basic economic argument, but it is one that I think has to be stressed and repeatedly stressed to our colleagues on the other side of the aisle, because there is, frankly, an alternative. Many people who preceded me tonight have talked about those alternatives. They really go back to our fundamental agenda on economic growth and job creation. The gentleman has an outstanding piece of legislation that unfortunately we are not able to see fast-tracking on, or as much consideration as we would like to see on this side, I am proud to say I am a cosponsor of that. There are others, other proposals as well. The majority whip's. The whole emphasis over here is on empowerment and economic growth versus more welfare, more food stamps, more AFDC, more public housing, because we really do think that it would make a fundamental difference in the future of this country. We think it makes a lot of sense to link effort and reward, which is a compelling argument for empowerment and welfare reform.

We say on our side of the aisle, and there are others in our party who have been saying this, Secretary Kemp; you say, "Soak the rich," we say "Create the circumstances where you can get rich."

That is, again, a very fundamental difference between our parties. We want to see an economic growth package. We heard the majority whip, when I pressed him on this point earlier today before the gentleman from Connecticut [Mr. GEJDENSON] arrived, I pressed him on this point because he did make some committal comments when the unemployment insurance bill went to the Committee on Rules for the first time. I pressed him on that point as to what he had in mind in terms of an economic growth package. We heard something about enterprise zones or enterprise zones where a capital gains taxation rate would be in effect. As far as I am concerned, it does not go nearly far enough, but at least, apparently now, there is some willingness, perhaps as a result of today or this evening's or this morning's disclosure, to consider an economic growth package.

I say let us lower the capital gains taxation rate.

You know, we keep hearing over and over and over again that that is a tax for the rich. I do not get that kind of feedback when I go home and get out in my district and talk to average Americans, small business owners.

What I get is they believe from their perspective, and these are people who are engaged in economic activity day in and day out, that they believe it would be a direct stimulus or an incentive for them, a direct stimulus to promote investment in savings and, therefore, reinvestment and job creation in the economy.

But I harken back to the President's State of the Union Address. I can remember he was right here in this body and he laid out on the table for our consideration the possibility of doing some sort of study as to whether or not truly reducing the rate of capital gains taxation on long-term assets would generate revenues or, for that matter, cause a loss of revenues to the Federal Treasury. That idea, tucked away in the State of the Union Address, was dismissed as dead on arrival by our colleagues on the Democratic side of the aisle.

So we are, I think, looking for some sort of sign, some sort of recognition,

maybe I ought to say, from our colleagues on the other side of the aisle, that it is at least equally important, if not more important, to talk about economic growth and job creation within the context of this debate on unemployment insurance benefits.

Maybe we can flesh out the economic growth agenda, talking about IRA's for first-time homebuyers again, a concept that the gentleman from Texas [Mr. DELAY] has embraced in his bill; greenlining neighborhoods, eliminating capital gains taxes altogether in those areas. We attempted to take a small step in that direction by the bank reform bill by greenlining neighborhoods, that is to say, reducing bank premiums for financial institutions that will lend in those urban neighborhoods.

But I think there is a small recognition there on the part of the 50-someodd members of the Committee on Banking, Finance and Urban Affairs, that there is good credibility or good validity for pursuing this idea further.

I noticed the other day in the paper that Secretary Kemp, when he was out our way in San Francisco, speaking to the Commonwealth Club, embraced what he described as a radical idea. He said, "Why don't we eliminate all income and payroll taxes," I think he said up to 190 percent of the poverty level for the poorest Americans in our society, a wonderful idea, as far as I am concerned. Again, it goes to the heart of the agenda we would like to promote on this side of the aisle. Again, that is enpowerment, empowerment which leads to self-sufficiency; empowerment which leads to the creation of productive, meaningful jobs for those Americans who are unemployed or underemployed in the private sector.

Those are fundamental ideas to Republicanism, ideas that I think we can be very proud of embracing on our side of the aisle.

So, again, I thank the gentleman for his leadership in organizing our response to the special order, and I will continue to stand alongside him and support him. I do not know if the gentleman would like to pick his time up again here or what, but I will stick around until a little bit later.

Mr. DELAY. I appreciate the remarks of the gentleman. The gentleman has been here all night long, along with several of us, defending the honor of this side of the aisle and defending it very well. And I really appreciate the time that the gentleman has spent.

His constituents should know, Madam Speaker, that this gentleman puts his money where his mouth is. He spends many, many hours at it.

We have been in this special order since a little after 9 yesterday evening, and it is now 20 minutes until 7 in the morning on Thursday, discussing the economy of this country and what is wrong with it, who is responsible for it and what we can do with it.

We have before us the distinguished economics professor from Texas, who is also the ranking member on the Joint Economic Committee and a very astute man as to what is happening and why with our economy and what we ought to be doing about it.

Madam Speaker, I yield to the gentleman from Texas.

Mr. ARMEY. I thank the gentleman for yielding.

Madam Speaker, I have always been fascinated by the debates in the U.S. Congress and in the Government generally with respect to what to do about the vagaries of the business cycle.

□ 0640

I remember, for example, during the 1960's, when we were involved in the war in Vietnam, and at the same time the Johnson administration wanted to engage in what he called the War on Poverty massive increases in Government spending for both military reasons and for domestic spending programs. It was at that time, as a matter of fact, that we made a fundamental restructuring of the Federal Government's budget and began the process of entitlement growth to the point where entitlements that amounted to about 16 percent of the Federal budget in 1963 have grown to the point today where the entitlements are about 52 percent of the budget.

Now an entitlement program is a program where by some enabling legislation we define certain characteristics, if they are displayed by an American citizen, automatically entitles them to a Government subsidy or a Government check. Once these programs are put in place, then the expenditure of funds for those programs will grow by the number of people who exhibit those characteristics for which the Government spending is designated unless there is some redefinition of the program. And of course, as entitlements have grown from the 1960's, the deficit has grown, the budget has grown, and it has become increasingly more imperative that the Government take increased dollars from the American taxpayers.

Now I remember in that great debate about the simultaneous launching of a war on poverty and the escalation of the war in Vietnam under President Johnson, when he was cautioned by his economic advisers that we had to either have increased spending on one side or the other side, or match the increased spending with increased taxes. He said, "No, we can do both, and we can do it without increasing the taxes." That set off a phenomenon in the history of business cycles, not only domestically or internationally, but something nobody had ever seen before, something we called stagflation, the simultaneous occurrence of inflation and recession, and of course this had a tremendous impact on the American people, particularly the older people who were living on retired incomes as their incomes were eroded by that inflation that went on throughout the 1970's.

Most of us remember the 1970's. I remember the 1970's vividly, and these were not good times for the American people. In fact, the American people became so discouraged about the inability of the Federal Government to do anything that even Jimmy Carter proclaimed we were in the days of malaise, and frankly he was just totally frustrated.

Now Ronald Reagan came along at a time when the economics profession was stumped by stagflation, when the Carter administration was absolutely devastated by stagflation, when Nixon had been frustrated, Ford had been frustrated, Johnson had been bewildered by this phenomenon. Reagan came along, and he clearly saw early in his first term that the first thing that had to be done was to break the back of inflation. And my colleagues will recall he did that with extremely tight money policies early in the 1980's, which did cause a recession early in the 1980's, and then of course, once that inflation was broken and we stabilized prices, we then had the economic miracle of the 1980's.

Madam Speaker, in terms of writing the history of one decade after another, the Democrats in Congress continually tried to write, rewrite the history of the 1980's. It appears as though they cannot stand prosperity, and I suppose it is no wonder. They do not do well under good times. But the fact of the matter is the 1980's, especially in comparison with the 1970's, was an extra extraordinary prosperous period of time, and in fact, if we have honest reporting of the statistical record of these two periods, it is clear that the only period of time in the recent history of this country when in fact the rich got richer, albeit by not very much, and in fact the poor got poorer, was in the last 4 years of the 1970's, when in fact Jimmy Carter was the Democrat President with a Democrat Congress, and Democrat policies reigned in this country. Now that is in fact a fact that is distorted by Democrat controlled Government reporting agencies, particularly the Congressional Budget Office, an agency that is infamous for its inaccuracy and its ideologically driven analysis, as if it somehow was a failure of the 1980's. But the 1980's were not a failure.

Now we come along after the longest peacetime growth period in the history of this country with stable prices. The economy was headed in the last years of the 1980's for a recession. This is seen, incidentally, very clearly, the coming of the recession. The softening of the economy was seen very clearly by two particular men in this Congress, one a Democrat, one a Republican, the gentleman from Texas [Mr. ARCHER],

the ranking Republican on the Committee on Ways and Means, and the gentleman from Georgia [Mr. JENKINS], a Democrat member of the Committee on Ways and Means, that put together in 1989 the Archer-Jenkins proposal for the reduction of the capital gains tax. This was opposed by the chairman of the committee. It was opposed by the Democrat leadership in both the House and the Senate. But it was such a clearly understood alternative to the impending recession that in fact the entire Committee on Ways and Means, over the objections of their committee chairman, passed the Archer-Jenkins capital gains reduction proposal in 1989. It was brought to the floor of the House, passed the House of Representatives by a 100-percent margin because we saw the recession coming and wanted to head it off. And then, of course, it was killed in the Senate by Senate Majority Leader MITCHELL.

Why? Why would we kill a proposal that everybody would understand would avert a recession? Because of an ideological perspective that is frankly goofy, that somehow or another it is immoral in this country to be successful and to have that success rewarded with higher incomes, that it must be necessary to punish the rich, nor to pass any law that can be perceived as a concession to the rich.

Now let me talk about capital gains taxation for a moment. When we go to work at our jobs and take our incomes in the form of wages and salaries, we have that income taxed. One of the things incidentally that I find obnoxious about the manner in which any income is taxed, and my colleagues' income is taxed, and incidentally my income tax when I was a college professor, not in the Government, is that I have been personally required all my working life, which began when I was 14 years old, to take some portion of my income and put it into the most ill-conceived, badly managed retirement program in the history of Western civilization called the Social Security system. I did not particularly like putting my money in a program mismanaged by the Federal Government as opposed to the other places I might have put my savings for my retirement where I could have managed them myself, but the law left me no choice. My Social Security tax is also included in my gross taxable income, and I pay income tax on that money. So, the Government is in fact literally taxing my income and taxing the taxes on that income with the FICA tax, that aberration in the tax code that ought to be attended to.

Now let us say, after I get done paying all my taxes, doing what I can for my children, my family, paying the ordinary expenses of mortgage, car payments, groceries and everything, I managed to save something.

□ 0650

Now, if in fact you are going to save and you are going to do so productively for yourself and your family in the future, you are going to put those savings someplace where they will, one, be safe; and, two, have a chance to grow. And you might do that in this great country of free enterprise by buying equity in American business enterprises. This is called a capital purchase. In doing that, buying that equity, you make money available for the great corporations of this country with which to invest in the machines and equipment where their labor force will be employed.

I was standing on the floor of a factory in my district talking to a skilled machinist one day. He was showing me a new machine, a million-dollar machine, with which he worked in that factory making landing gear for aircraft. He pointed out to me that he could not, nor could his entire family, with an entire generation of life savings, have acquired enough equity capital to have purchased this machine and have it put in place. So it was bought by a lot of folks.

So let us say that you hold that capital interest that you hold in the form of, perhaps, a stock, or perhaps in the form of an IRA account, or in the form of a retirement account, and as it accrues in value over the years, the increase in that value is mitigated against by the inflation in prices, so that you have in fact a nominal value increase that will be greater than the real value increase, because, of course, as prices go up the purchasing power of your dollar goes down.

You may get, for the dollar you put in this year, a dollar and a half 5 years from now, but if the dollar and a half 5 years from now only has 90 percent of the purchasing power of the dollar you put in, you only really then received $1.35 worth of income, or 35 cents worth of increase, rather than 50 cents worth of increase, because of the inflation mitigation.

Now, in our Tax Code we do not allow that person who has the discipline to save, to invest, to make capital formation possible, to index that capital gain for inflation so that they pay taxes on the real increase in the value. They are asked to pay taxes on the entire increase, which is in effect, again, taxing that same money over again. If you put your money in a savings account, you are taxed again.

What happens is that American people begin to realize, as Richard Kramer, a high school pal of mine, told me in 1958 "There is no sense in saving your money." I always call this the Kramer effect. That is because if you save your money, you are going to have inflation that is going to reduce its purchasing power 5 years from now, and even if you have anything left after the inflation has eroded the value of that money, the Government is going to tax it away. So his point was, "I will spend it now instead of later."

Now, if in fact we all spend it now instead of later, then we have nothing to supply the process of investment for which the machines can be purchased. Now, reverse that process. Let us say that we, No. 1, allow people who are disciplined and who have the right to index the increase in the value of their savings for inflation, so that in fact they are reporting to the Government their real gain, not an illusionary gain, and pay taxes at a lower rate on that real gain. Now, all of a sudden people have a greater incentive to save. "There is something in it for me."

I will guarantee you that I am no different than any other citizen in this country. I am not going to make a sacrifice of something I have now for something in the future unless I clearly see there is something in it for me that compensates for the sacrifice, and if in fact the potential gain that I can find is taken away from me, either by inflation or by government taxes, I am not going to make the sacrifice.

So if in fact we then urge that by a capital gains reduction people will in fact save more, investment will go forward, jobs will be created, and that is what history has proven.

Now, then, why would somebody want to kill the Archer-Jenkins proposal and create this recession, as the Senate majority leader, MITCHELL, a Democrat from Maine, did? Because, rather than understanding the way the economy works and the way people work within the economy, he was hidebound by an ideological proposition that somehow or another it is just that the rich be punished, and the mistaken conception that it is only the rich that enjoy capital gains income.

The fact of the matter—and let me close on this point—is if you are an American citizen today and if you have worked hard all your life, and if you have put any part of your earnings into a retirement program that you yourself control, rather than one controlled for you by the Government, that retirement program has its gain, its growth, its promise for your retirement security in the fact that it is held in the U.S. corporate securities in an equity holding with respect to the great firms of this country.

If you impose a capital gains tax, you are reducing the value of those retirement programs for all those hard-working Americans across this country, and they are the first, worst losers of these capital gains taxes. Not only do they lose the value of their retirement program, but they lose, all too often, their ability to hold and maintain a job.

I want to thank the gentleman for yielding to me.

Mr. DELAY. I am just constantly amazed at the gentleman from Texas'

total grasp of what drives this engine we call the economy that brings the lifestyle and the standard of living that we have all come to enjoy in this country.

You know, I have been standing and participating in this special order all night, and I have been listening to all of the presentations, especially the presentations brought by the other side of the aisle. They called their all-night special order to illustrate the need and the emergency for having extended benefits for unemployment compensation. I commend them for their diligence and activism in that regard, but I think I would like to recap what I learned during the evening.

First off, according to the Democrats on that side of the aisle, there is a whole different history from the history that I remember living through in the 1980's. There is an incredible distortion. All night long we have heard how bad the 1980's were, how bad Reaganomics was, how the people suffered, how incomes went down, and how the country was in terrible shape.

I do not remember those 1980's. I remember the 1980's of a completely different nature, and I think the people in this country who lived through those 1980's understand it too. All incomes went up, some more than others, but all incomes went up. It is just fact.

We created, over a long period of time, if you take 8 years, 17 million new jobs; 10 years, 21 million new jobs, the longest—you have heard it before—the longest peacetime growth in the history of this country; growth, real growth in our economy.

But then I heard all the negatives of the 1980's blamed on Ronald Reagan. They gave him no credit for the good things that happened. In fact, they claimed there were no good things, and then they blamed the debt and the deficit on Reagan.

□ 0700

They were very careful, very careful to leave out some very important facts, that because of the Reagan policies that he was able to put in place, and he was not able to put all policies in place when he first took office, over the period of the 8 years that Ronald Reagan served, yes, the debt went up and the deficit went up under his administration. But I am quick to point out something that the Democrats failed to point out. That is that revenues almost doubled in that 10-year period, especially if we count 1989 and 1990. Revenues doubled. They went up an average of 7 percent to 8 percent a year every year in the 1980's. The only problem was that spending went up an average of 9 percent.

They also pointed out, I think erroneously, that Congress never spent over the President's request, that we always adhered to the President's budgets. I serve on the Appropriations Committee and I know all of this works. We always pass out bills that are usually below the request of the President, usually leaving out massive programs that we put back in supplementals later on.

Mr. ARMEY. Madam Speaker, will the gentleman yield?

Mr. DELAY. I am glad to yield to the gentleman from Texas.

Mr. ARMEY. Madam Speaker, let me first of all say that this point about the President's budget is a sore spot with me. I remember the passage of the Budget Reform and Impoundment Control Act of 1974. That act inspires me to Armey's axiom, which is any time the Democrats pass legislation with the word "reform" in the title, one must ask what is being taken away from the American people. And the Budget Reform Act of 1974 was designed to cut the President out of the budget process.

The fact of the matter is in early January, in every calendar year, the President must submit a budget for the ensuing fiscal year. And every President since I have been in Congress has met his deadline of January 3. The budget has been submitted to Congress. It has been a very thick document, perhaps 1,000 pages in great detail, spelling out the programs and recommendations of the President. And understand, the President makes a budget recommendation to Congress, and the Presidents have met that deadline and made their recommendations in great detail. Congress then, in the Budget Committee that I serve on, has set that set of recommendations aside by the President, given it nothing but ridicule, particularly focusing year after year on the economic assumptions of the President and belittling those assumptions. And then, in their efforts to meet a legal mandate to have a budget by April 15, they have never met the deadline to have their budget proposed, they have brought it out in October after the fiscal year has begun for which the budget is supposed to govern, and come to the floor of this Congress with a budget proposal from the Budget Committee that is generally less than this in its detail and has accepted all of the assumptions of the President that they belittled all year long.

Mr. DELAY. And I might add to the gentleman, waived that budget every time it got in the way of increasing their spending.

I might also point out that over the last 10 years this Congress has spent $515.8 million more than the President has requested.

Mr. ARMEY. If the gentleman will yield, the fact is if the Democrats who control Congress want the President to be responsible for the budget process, then they should pass a new Budget Reform Act that says the President will sign the budget that Congress creates or veto it, and that the Congress will then abide by the budget that is then a legally binding document. But let the American people understand that the budget, whatever form it takes—a thorough, complete job by the President, or a piece of flimflam by the Congress—is nothing but a political document. Once it is passed and Congress has done all of their political posturing, they simply go about their business, spending the people's money as foolishly as they like in total disregard even to their own budget.

Mr. DELAY. And usually presented to the President, those spending bills, in a take-all-or-nothing mode.

Mr. ARMEY. Absolutely.

Mr. DELAY. He has to either sign it or shut down the Government, which in some cases creates great controversy in this country.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. DELAY. Does the gentleman wish to talk on this topic?

Mr. CUNNINGHAM. Yes, I do.

Mr. DELAY. We are talking about the deficit and the debt blamed on Ronald Reagan during the 1990's. That has been going on this whole night.

Mr. CUNNINGHAM. I thank the gentleman for yielding. I think it is important to note that the money we spend just on interest on the deficit is more than we spend for all of the social programs together. Let me repeat that. The money spent on interest is more than all of the social programs put together.

Why is that important? The gentlewoman from the other side of the aisle on the Ways and Means Committee said that the unemployment bill that the Democrats put out was paid for. And how was it paid for? It was paid for out of a trust fund. That money does not exist. I would like to submit the CRS nonpartisan report that shows how that money does not exist.

If you have a shoebox and you have $8 billion in it, and you need some money, you put in an IOU in there because that money can only be spent for unemployment, and pretty soon you take more money out, and put in another IOU until you have a lot of IOU's in there worth $8 billion that say unemployment. How that works in the real world is you have taxes which feed the general fund, and in a nondeficit year, yes, that money, that excess money would go into that trust fund. But in a deficit year that money is drawn in and another IOU is placed in there. That money does not exist, and the President promised he would veto a bill that would increase the deficit by $6 billion or if he had to raise taxes.

Now the Democrats would love the President to have to raise taxes so that they can lambast him again. But he is not going to do that.

And I would say to my colleagues under NEWT GINGRICH's plan, the Dole-

Michel amendment, it may not cover all of the people but at least we will get checks out. No checks will be put out if the Democrats want to proceed with their plan.

Let us sit down and get the Dole-Michel money out, the checks out to those folks it covers, and then I would ask my colleagues to sit down and we will discuss and argue out the rest and get the rest of the checks out that we need, and it will not cost the American public an increase in the deficit or an increase in taxes.

Mr. GEJDENSON. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, I only would just say we ought to get this deficit issue straight. Ronald Reagan never ended up with a budget that he did not want, because he could have vetoed it. No budget that becomes law went into effect with an override. When he became President the deficit was $900 billion from George Washington to the first day of Ronald Reagan's term, and now we are at $3.2 trillion, and most of that was under Ronald Reagan's watch and George Bush's watch.

Mr. CUNNINGHAM. If the gentleman would yield back, would you say that President Bush wanted the tax increase? The budget deal was that for every dollar raised in increase that we would cut spending $2, and what we are doing here is busting that agreement.

Mr. GEJDENSON. What I recall of the budget summit, and I was not a summiteer, was that the place the President drew the line in the sand was when someone proposed taxing people with $1 million a year in income. He was happy to tax boaters, he was happy to tax other people in lots of ways as long as it did not tax the richest 1 percent in the country.

Mr. DELAY. Just let me say the President was not happy to tax anybody. The Democrats would not come to the table unless the President put taxes on the table.

Now I do not guarantee, but I would be willing to bet, that if you asked the President today did he make a good deal, I think he would admit that it was a pretty bad deal. Anyway, the Republicans on this side thought it was a bad deal. We defeated the vote on the first budget agreement and tried very desperately to stop the second one.

Mr. ROHRABACHER. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from California.

Mr. ROHRABACHER. The only people I know in this town who are happy about increasing the taxes are liberal Democrats who believe that bigger government leads to a better life for the people. Now they honestly believe that.

President Bush does not believe that. President Bush was boxed in. He knew he was going to have to go back on a campaign pledge, but the Democrats gleefully boxed him in.

□ 0710

And now we hear this debate about really heart-wrenching stories. This is what we have heard all night from all across the country from people who are unemployed. Believe me, I feel just as bad when I hear these stories as anyone.

The question is, who made these people unemployed. Who is putting these people through the wringer? Who put these people through the wringer, who made them unemployed are the people who were taxing our economy out of existence, the people who are taxing private-sector jobs away and putting American citizens who could live in prosperity and happiness and should live in an economy where they can have a choice of jobs, they are putting them right out of work, and they are sucking all the money here.

Mr. GEJDENSON. It is as if you ignore history. Out of the last 24 years, there have been Republican Presidents for the last 20 years. President Bush has the lowest growth rate of any President since Eisenhower.

Mr. ROHRABACHER. But Presidents are not the ones who pass the laws. This idea that Ronald Reagan created a higher deficit, my gosh, if the same policies would have remained in place as when Ronald Reagan became President which then gave us, by the way, those policies gave us high inflation, high interest rates, much higher unemployment, if those policies would have stayed in place, the budget deficit would have been twice or three times as big.

The fact is it is not the President who passes the laws. President Reagan's policies were enacted to a certain degree, and to the degree that they were——

Mr. GEJDENSON. He claimed victory when they happened.

Mr. ROHRABACHER. To the degree that they were, we had less of a deficit and lower unemployment.

Mr. DELAY. Let me reclaim my time, because I am running out of time, and there are a couple of points I really want to make. I appreciate the discussion, and I think it is very, very useful.

But I just want to get back to why we are here tonight. And the reason we are here tonight is that the Democrats are blaming President Bush for not passing an extension of benefits to the unemployment compensation. All we are saying is pay for it, just pay for it.

I asked the majority leader earlier this morning, "Why do you not write a bill that you pay for?" And he says, "Well, we have a trust fund. We have already addressed that." There is no trust fund, so we are just asking you to pay for it by prioritizing spending in this country.

For instance, President Bush on this side of the aisle all night long has been blasted because he declared emergencies in order to bust the budget agreement to take care of people in foreign countries.

From the report on the Democrats' own unemployment, their own unemployment compensation extension bill, it says that, "But what is an emergency? The majority is arguing that the President and Congress has declared a host of emergencies already." Reference is then made to all manner of disasters all over the world. In fact, however, Congress and the administration have used the emergency clause of the Budget Act to exempt a total of only $1 billion from Budget Act provisions.

This money has been used for three purposes. Now, let us get this straight. What are the three purposes that President Bush is being bashed about? One is $236 million for disaster assistance to the Kurds and others affected by Desert Storm. No, we all understand, and I do not want to debate Desert Storm again. But all of a sudden that side of the aisle that voted against Desert Storm were all for it when it was going on, and then when that terrible disaster happened to the Kurds, that the Kurds would have lost their lives, lost their lives, not their jobs, the American people and this Congress decided to declare an emergency of $236 million.

The second one that the President is being criticized for is the most important one, and they will not tell you what that is, but I will. This is incredible. The President is being criticized for declaring an emergency overseas for what, $59 million to protect and evacuate Americans from the Persian Gulf region.

The third one is for, what, $850 million for Israel and Turkey to help them defray the costs incurred in supporting the U.S. in Iraq, and that was a major, major battle, if you will remember. Israel came in and wanted another $600 million on top of the $3 billion that they already received.

Now, all we are saying is that it is a disaster. It may be an emergency. We can debate that. But why do you not set priorities?

For instance, have unemployment compensation extension of benefits and pay for it by Congress' foreign travel. Give up your foreign travel, no more flights across the borders of the United States which will help pay for those people that we have heard from on all of these letters that were read all night long. Let us stop foreign travel by Members of Congress.

I do not know how much money that is, but I am willing to bet you that that is a big pot of money that can go to extended benefits for the unemployed. If you are so concerned about the unemployed, give up your foreign travel.

How about a whole list of things that we have suggested, an incredible list? Just pick a few out of here, like, oh, how about $500,000; eliminate $500,000, or save it, and send it to unemployment compensation by stopping research on animal waste. Research on animal waste? $500,000. How about $60,000 for surveying the nursery industry, or $450,000 for collecting the data necessary to produce the report, to produce the report on cotton gins? What about, let us just put a moratorium on Agriculture Research Service buildings and facilities that amount to $50 million?

I guarantee you you could find the $5 billion to $6 billion in this whole list of things like that in this. We are just asking you to set a few priorities and pay for this program. You do not want to pay for it.

Mr. ROHRABACHER. If the gentleman will yield further, for one moment, every one of those items that he is talking about, how did those get into the budget? They got into the budget because the people who control this body, the liberal big-spending Democrats who control this body were servicing special-interest groups at the taxpayers' expense. And what we have had is tremendous irresponsibility by sucking money out of the private sector, out of job-creating private-sector companies and transferring it to garbage special-interest programs like we have just heard, and they are so numerous, no wonder people are unemployed.

Mr. DELAY. I want to make my points, and I will get back to the gentleman.

I will give the gentleman just one more. Yesterday we debated the intermodal bill, and some called it the highway bill, but the intermodal bill because a lot of it goes to mass transit. We doubled the money, almost doubled the money, for mass transit. We took $13 billion out of general revenue and put it into mass transit, general revenue. We could have cut that in half and paid for this unemployment compensation bill.

Let me just go on and finish it, because I wanted to yield to the gentleman for his point.

Now, what we heard, this side of the aisle is talking about job creation, jobs, give these unemployed people the opportunity to get jobs.

This side of the aisle's answer to the economy is, first, the Gore-Downey bill, which is their growth answer, because I do not count any other growth packages that have come in the last 2 weeks of polls showing that it is popular to be progrowth all of a sudden, and a lot of Democrats have gotten religion, and they started copying some of our progrowth packages and manipulated them a little bit to please some political constituencies.

The Gore-Downey bill, there is nothing in the Gore-Downey bill that is progrowth. The Gore-Downey bill is a reflection of Democratic philosophy. It is a redistribution of wealth. It is taking from one group of Americans and giving it to another group of Americans, and nothing changes as far as creating jobs. That is one.

Their second answer is the highway bill. We are going to put everybody back to work by building highways and rail systems.

Now, I have got a little report here that was done, a summary, done by CBO, the Democrat group, the CBO. This report shows that in these highway bills, jobs, new jobs, are not created immediately. In fact, nearly 4 years, and I am quoting from the report, nearly 4 years after the trough of the recession and 2 years after the passage of the initial MPW, which is a highway bill, authorizing legislation, do effects happen to create new jobs. The jobs are not even going to be here when they want them. They are going to be 4 years down the road.

We did not change anything. Only 30 percent of construction spending goes to labor; 70 percent goes to material. So that $150 billion bill, only 30 percent goes to labor, and then we restrict that to Davis-Bacon so that only unions get this highway money.

□ 0720

That is not going to help the autoworker in Michigan or the poor person getting a job in the South Bronx or in these other places that we have heard the hard luck stories from. That is their growth package.

The Gore-Downey bill which is redistribution of wealth, the highway bill that only affects one industry and one type of worker, and then we go into extension of unemployment benefits to take care of the problems that were created by the budget agreement, that by the way every Member who has spoken here tonight voted for the budget agreement, except two, the gentleman from North Dakota [Mr. DORGAN] and the gentlewoman from Washington [Mrs. UNSOELD].

I exempted the freshmen because they did not have the opportunity, although I bet a bunch of them would have voted for it.

That budget agreement has cost more jobs than you can imagine. They are responsible for passing it, and now they turn around and want an extension of unemployment benefits that they will not prioritize and pay for.

Our view is not more new taxes, cut spending and have real growth packages, and I have got one real quickly.

A real growth package creates jobs by lowering the cost of labor, lowering the cost of capital, and lowering the cost of savings.

My bill that I have offered, and I have offered it back in February before the polls hit, my bill lowers the cost of labor because it cuts payroll taxes. You know, a lot of Americans pay higher payroll taxes today than they pay income taxes. It cuts the cost of labor.

We cut the cost of capital, and we had a discussion about cutting capital gains to 15 percent.

We move capital by moving depreciation, which is nothing more than a government scam. When somebody buys something, you have to expense it over a period of time so that the government does not lose revenue.

We phase that out into expensing so people start buying machinery and start turning production and start creating jobs because people are building that machinery to fill those factories, and than lower savings by new IRA's, a real IRA where people can invest up to $6,000 a couple and take it out tax free when they want to take it out, or take it out in the middle for buying your first home or educating your children or catastrophic illness. That is real growth.

What we are witnessing here tonight and the whole reason for the nightlong special order is a frustration of divided government.

Madam Speaker, the only thing I can ask the American people is do not give us any more divided government. Either give us a Democrat President or a Republican Congress.

Mr. MAZZOLI. Madam Speaker, will my friend yield for a second?

Mr. DELAY. I am glad to yield to the gentleman from Kentucky.

Mr. MAZZOLI. Madam Speaker, before I get into my point, I want to thank the gentleman for the hospitality of this past weekend when I happened to be in the gentleman's district. I enjoyed being with the gentleman very much.

I would just like to make, with respect to my friend, the gentleman from California [Mr. ROHRABACHER] the fact that just a second ago he was castigating big spending, leftwinging Democrats in these bills, that they spend wildly and everything; but I recall vividly last night barely a few hours ago the gentleman came over to pay tribute to the gentleman from New Jersey [Mr. ROE] who was managing this bill that we had on the floor, the highway bill, which has received a lot of disapprobation during this special order, and he came over and said, "You made a good effort and I am going to vote for your bill."

So I mean, this is some evidence of the fact that these bills that are crafted by left leaning wild spending Democrats are not all that bad.

Mr. ROHRABACHER. Madam Speaker, if the gentleman will yield so I can answer that, the fact was that I voted for that bill after we put our enormous energy and giving major speeches on the floor trying to pressure the Democrats out of raising the gas tax an extra nickel which would have hurt average Americans, after a great deal of

strain on our part and pressure on our part to take some of the pork out of the bill, and I thought that the chairman had made a good faith effort to try to meet us halfway, but it was a 49-to-51 decision; but the gentleman is right, but we only did it because of pressure from this side of the aisle.

THE NEED FOR UNEMPLOYMENT COMPENSATION

The SPEAKER pro tempore. (Ms. DELAURO). Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 60 minutes.

Mr. GEJDENSON. Madam Speaker, I yield to the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Madam Speaker, I thank the gentleman for yielding to me.

Madam Speaker, the city of Washington, the Capital of the United States, and the one city in this vast country that belongs to every American, is very beautiful and very quiet at 6 o'clock in the morning, eastern time, as this special order begins. The Capitol building, usually teeming with tourists during the business day, is eerily quiet; isolated.

In many respects, this stillness has a symbolic quality above and beyond the beauty of the morning. It is representative of the feelings of isolation that people feel toward their government.

The electorate, I know, deeply distrusts this Government.

In virtually every poll published in the last years, the American public is downbeat about the direction of the country. They believe it is the servant of special interests, and the rich. The broad middle class doesn't believe government represents them.

Twenty years of stagnant incomes has contributed to this mistrust. A generation of governmental failure—Vietnam, Watergate, the oil embargo, the hostages, the HUD and S&L scandals, et cetera.—cemented these feelings.

Government is no longer viewed as fair and is no longer seen as capable of solving problems.

As my friend, Scott Miller, has written:

> Government is the window at the end of the long aggravating line that says "closed," the instructions that don't make sense in English, the check that gets lost in the mail, the mutual scratching of backs over crystal glasses of Chardonnay, the grant to investigate the sex lives of Rhesus Monkeys.

Politics is no longer seen seeking solutions but is seen instead as the search for power and a competition for the spot atop a greasy pole.

A deeply concerned and committed group of people have done something extraordinary beginning last evening and into this morning.

Knowing of this isolation, and mistrust, they stayed at work all night to talk about our country, our economy, and the recession. Some will say, talk isn't action. But that is wrong.

For starters, we are discussing the history of why, after a recession that has harmed us for more than a year, the unemployed people of this country have not received extended unemployment benefits.

That history needs to be understood, and it needs to be repeated, over and over again. President Bush—the man who promised a kinder, gentler administration—failed to be either kind or gentle to more than 3 million Americans who lost their jobs for an extended period.

And we will discuss that history again.

But at a more basic level, this discussion is necessary because a vital democracy requires an ongoing dialog between the people and those they elect to serve them.

In a democracy, talk is action because the freedom to discuss these issues is what makes America the special place it is, and the better place we want it to be.

Congressman DAVID BONIOR, a Representative from Michigan, and the House majority whip, is responsible for this dialog. And he deserves special recognition for the role he is playing.

More important, he has been the legislative strategist helping the Democratic leadership in the House pass the unemployment compensation legislation.

And I want to thank him for bringing this discussion to the American people all night, all morning, for the last 3 months, and for all his hard work until we get this job done.

ECONOMIC BACKDROP

The Republicans don't want to talk about the 8.5 million Americans who are out of work. The Republicans don't want to discuss the lowest record of economic growth for any President since the end of World War II—a record established by President Bush.

They don't want to acknowledge that working Americans are paying more in taxes, getting fewer Government services, and experiencing stagnant or dropping incomes.

Our economic growth is lower than that of Japan, France, Germany, Holland and Italy. Countries whose laws provide their workers better skills, longer vacations, and family leave, also have higher levels of economic growth and larger manufacturing wages than the United States.

Our competitors have discovered what we have forgotten: When you keep a contract of cooperation and conscience with your working families, they will make your society more productive. That is why Europe and Asia are growing, and America is standing still.

America has always looked to the middle class, our working families, as the strength of our system—politically, socially and culturally.

Democrats believe that now is the time to invest in our workers because prosperity in the homes of middle-income families is now understood to be the foundation of national prosperity and national economic strength.

The American economy for more than 40 years was the envy of the world. It was the engine of growth and social justice. It produced goods and services and food in abundant quantities.

Our economy funded a humane public agenda that raised the incomes and aspirations of a growing middle class and improved the lives of the underclass. We had problems from time to time, but we grew and we produced jobs and we created opportunity.

For the last 10 years, Democrats have warned of a day of reckoning. We warned that excessive tax cuts for the rich, wasteful military spending, and neglect of the middle class would someday combine to dampen our abundance and diminish our prospects.

We warned that high deficits, reduced investment in public works, huge trade imbalances, and a stagnant standard of living for middle class people would hurt us not just individually but nationally.

We may have been heard, but we were ignored. We lived a paper prosperity and existed on fool's gold. And now, I believe, the day of reckoning is here.

Since last summer, America has been in recession. Layoffs and business failures have cascaded through this economy. Auto showrooms are empty. Hotels cannot give their rooms away.

Consumer confidence is virtually nonexistent. Profits are declining. People who served in Desert Storm are being discharged and they have nowhere to bring their skills. The workers who welded and shaped our defenses have lost their jobs, and they linger idle.

The problems of our economy are deep, they are structural, and they will take years to fix. But there are some problems, like helping the unemployed, that can be solved today, now, immediately. And I am not talking about welfare or short-term fixes.

When America has gone into recession, we have typically enacted long-term benefits to help the unemployed, and others. In a recession, this country makes a promise not simply to the jobless but to all of us.

By providing unemployment benefits to workers, we replace their wages and enable them to eat and take care of their children, and we fight recession by maintaining, even for a limited time, their purchasing power.

That is a promise we kept during the last Republican recession, and that is a promise we have wanted to keep during this Republican recession.

Unemployment insurance is not a welfare program. Every unemployed worker entitled to insurance checks has already paid a premium to the government while he or she was employed.

When you are in a recession, it often takes more than 26 weeks for the average worker to find a new job. That is why we pay long-term benefits.

While President Bush wants to keep this money in Washington, we believe the money in the trust fund belongs to the unemployed people who paid for these benefits.

He wants to kill the checks, we want to mail the money to the people to whom it is owed.

We should be paying those benefits now, and we would be—but for massive resistance on the part of the President, his administration, and his allies in Congress.

HISTORY OF UNEMPLOYMENT BATTLES THIS YEAR

In the beginning, when the recession was upon us, they were simply insensitive. Treasury Secretary Brady said the recession was "no big deal." It was administration's policy to say: the recession doesn't exist, and it will be short. Or, the recession doesn't exist, but we're coming out of it.

Their reaction was cruel, political; an act of denial. And they would not work with us to put together an unemployment compensation bill.

Finally, we decided to pass legislation over the administration's objections. The Labor Secretary called our effort a deterrent to economic growth. Budget Director Darman said jobless benefits encourage people to become unemployed. Then they stopped arguing and began deceiving the American people.

For months, the administration has been handing out foreign aid benefits to countries across the globe by using a loophole in the budget law.

The budget law generally prohibits new spending, but permits the President to declare emergencies and spend our money unilaterally.

And so the President saw suffering among the Kurds in Iraq. He declared their plight an emergency. And aid paid for by the generosity of the American people fed and housed and protected the Kurdish people.

The President saw suffering in Bangladesh, and he sent them aid to stanch it. The President saw the economic problems of Egypt, and he forgave their debts to us.

Time and again, the President saw suffering overseas, and he used the loophole in our budget law to spend American tax dollars to help foreigners. And these were worthy causes all.

This President is farsighted, no question about it. Not in the philosophical sense, but farsighted the way optometrists mean it. The President can see suffering overseas but not when it is happening right before his eyes.

Madam Speaker, $55 billion in help for disasters from Bangladesh to Kurdistan—aid to Egypt, Poland, Israel, and Turkey. But what about the jobless here at home?

Most of us in Congress thought the disasters here at home commanded our attention.

We thought jobless Americans in Cairo, IL were as important as starving people in Cairo, Egypt.

We thought the loophole in the budget law should be used to treat the economic emergency at home by permitting the expenditure of funds for unemployment benefits.

So we sent the President a law that enabled him to sign legislation and declare an emergency and help the jobless. And here is where the deceit came in.

The President signed the bill to show his concern. But then he failed to declare the emergency, because he was more concerned about the deficit than jobless Americans who couldn't feed their kids.

That wasn't concern, it was cynicism; it was heartlessness; it was irresponsibility. The kind of irresponsibility that leapt through the President's comment at a $1,000-a-plate fundraiser when he called our bill garbage.

So, the President killed our unemployment benefits bill last August. When we reconvened after Labor Day, Congress enacted another unemployment benefits extension measure.

We adopted a bill that didn't enable the President to show his concern. Our proposal simply said: This is an emergency. Our people need additional weeks of extended benefits. And we urged him to sign the legislation.

The proposal we sent to the President attempted to meet this need though not extravagantly. In my home district, for example, the average benefits for unemployed workers is around $143 a week.

These are not poor people, these are working people, and they deserve our help through a rough time, because they built this country. And this program is their insurance program—bought and paid for.

In September, I walked some neighborhoods in St. Louis without mailing notices ahead of time. Spontaneously, on every block, people poured out of their homes, and I ended up having an ad hoc town meeting on the street.

Among the participants were laid-off workers, middle-class people, angry and perplexed by the actions of a President to block these benefits. All I could do was tell them we'd fight as hard as we could to get him to change his mind.

We sent him the bill during the unfortunate events which gripped our country just a few weeks ago. As my colleagues will recall, the President received the measure during the second set of hearings which involved his Supreme Court nominee.

We hoped the President would sign the bill. But he did not.

With the public's attention properly turned to the Senate, the President quietly vetoed the unemployment benefits bill.

I don't think it's an exaggeration to say, he told the unemployed to drop dead.

This week, the House Ways and Means Committee reported out our third attempt to win benefits for the long-term jobless among us.

Next week, the legislation will be on the House floor. We will pass it. The Senate, I am sure, will do the same.

We speak to the American people in these extraordinary circumstances because we want them to rise with us and to urge the President to recognize their suffering. We urge the President to recognize the pain caused by this recession.

We want him to sign the unemployment compensation bill and to go about the great work that must also be done to rebuild this Nation economically.

Tonight, as my colleagues know, the administration again threatened to veto our unemployment bill. This is our reply: I know the President is more concerned about his foreign travel than unemployed Americans, but we feel differently.

We want to help the jobless feed their families, and a veto override might remind the President of his responsibilities here at home.

ECONOMIC POLICIES FOR THE FUTURE

Madam Speaker, before yielding to some of my colleagues, let me close with these thoughts.

America's role as the peacekeeper in the last half of the 20th century will be much heralded and studied by historians. But this much is clear: Our unstinting acts of protection for freedom were also acts of sacrifice.

As we rebuilt our weaponry, our competitors rebuilt themselves economically. We did not. And now we are in a recession.

The great casualties of the 1980's will be remembered as communism, whose passing we do not lament, and the American standard of living, which we must revive.

As we seek to define our future, we must ask the President this question: Where do working Americans fit in your new world order? While he extends his hand outward to help those in need overseas, he slams it down on working families here at home.

He stops us from cutting their taxes, and insists we raise taxes on the middle class. He stops us from helping them find health care.

He stops us from helping them send their kids to college and get the loans to do it. And, with one stroke of the pen, the President's hand will stop us from providing them unemployment benefits when the Republican recession cost them their jobs.

Fewer people are working today than on the January day in 1989 when President Bush took office. On that day, he promised to use his power to help people.

Today, he can use the power he has to help the American people weather the recession he and his economic policies helped create.

Tomorrow, we can turn our attention to the pro-growth policies we must adopt to catch our allies in the international economic competition.

So now is the time to act, and to take actions that will make a real difference in the lives of the American people.

Not the deceit of a capital gains tax reduction; that will only widen the gap between the richest in this society and the rapidly shrinking and deeply despairing middle class.

Not the absurdity of cutting more people from the Guaranteed Student Loan Program so that fewer middle class kids go to college. Because the fact is, we need to cut middle class taxes and expand the number of their children who go on to higher education. And Democrats expect to bring legislation that does those things to the floor this fall and next year.

Even if the President declines to act, we will act. Because we will stand with America's working families and work to rebuild this Nation economically.

CONCLUSION

I came to Congress in 1976 because I believed that a wise government can attend to the needs of the people we are sent here to serve. I believe that even more passionately today. I believe that action is what the people are demanding, and I understand that inaction is what frustrates them about Washington and the political system which seems frozen in the ice of its own indifference.

We cannot recapture their trust with one action; dedicated action is required overtime. But I say to the American people: hear our voices even now, at 6 o'clock in the morning, as the Sun rises over your Capitol. We are here to serve you, and we will try to do better in the days and weeks ahead.

□ 0740

Mr. GEJDENSON. I would like to commend the majority leader, the gentleman from Missouri [Mr. GEPHARDT] for his well-focused remarks. The only thing that I would like to add to it is that the picture is actually worse than even the majority leader portrayed it. In the case of some of our closest allies the United States has for some 50 years subsidized their defense. In the case of countries like Germany, France, and England, American military personnel and American taxpayers have been providing subsidies to their government. About $140 billion goes to Western Europe and Japan some 50 years after the end of World War II.

So, I wanted to find out what kind of benefits they had in Germany for the unemployed, particularly for people who are unemployed in their midfifties and later, where oftentimes it is hardest, even in a growing economy, to get a new job.

□ 0750

In Germany they have 130 weeks of unemployment for some of these people. Now, why can they afford not only 130 weeks of unemployment, parental leave, and national health care? Because American taxpayers are transferring $140 billion from this country to theirs so that they can pay for health care and education and unemployment compensation which we apparently, according to the President, cannot afford. We hope the President would lead the administration to negotiate with our NATO allies to stop this. Let them pay for it. Their per capita income is higher than ours, their economies are growing faster than ours, and frankly, we need to bring those dollars home to revive our economy.

Let me spend one moment on what unemployment compensation does for our economy, not the people that are unemployed. The difference is clear. If you want the President's proposal, you are talking about helping less than 400 people in a congressional district, as compared to over 3,000 people in the proposal the majority leader outlined, per congressional district. I do not know what the President and his administration think is going to happen to the over 2,000 people that he pays no attention to, but for us in this Congress, I think it is our responsibility to make sure that they are well taken care of.

But it is the same thing that happens in a housing crisis. If everybody is selling their house in the neighborhood, the value of your house is going to go down. If we are dumping real estate on the market, everybody's real estate starts to fall.

It is the same thing with the unemployed. As the unemployed lose their purchasing power, as they are no longer able to take care of the needs of their families, everybody in that community is impacted. People lose their jobs because these former workers no longer are able to buy the necessities for their own families, and as they lose their homes, other people's homes lose value in the same community.

This is not simply a program that helps those who have a right to expect it after having worked for decades paying taxes, providing for the assistance to pay for NATO and for our support for the Japanese, and now we say we cannot afford to help these people. Hopefully this will also be a lesson to America in general.

There is a feeling often that Congress gets gridlocked. Congress is not gridlocked. We passed this bill twice by two-thirds in the House, by just two votes short of two-thirds in the other body. It is not the Congress that is gridlocked on reviving the American economy, it is the administration.

Running this government by veto and threat of veto is what has brought us to this point, with deficits that annually are larger than the entire 4 years of the Carter administration.

You know, it is interesting. The administration and its predecessor run for office based on the fact that the President leads the country and sets the direction and the tone of the country, and then when they get there, it is everybody's fault but theirs. We are going to have to take the challenge here. We have the votes in this body to pass this extension by over two-thirds, and I hope we can work with the Members of the other body to make sure that Americans are not left behind.

At this time I would like to yield to Mr. DYMALLY.

Mr. DYMALLY. I thank the gentleman for yielding.

Let me express my deepest disappointment that my colleagues on the other side indulge in partisan rhetoric rather than facing up to the problems which we are now experiencing with the unemployed all over this country. Rather than addressing unemployment, or rather than addressing the issue before us, they are defending President Reagan, who is in retirement, receiving large honoraria from Japan. That is a very irrelevant response to a very critical issue here today.

Madam Speaker, I rise to speak on behalf of the jobless men and women of our Nation. Those who have labored long and hard to make sure that our Nation is an economic world leader, but instead discovered that more and more of them are without jobs. America, despite its military prowess, is no longer an economic superpower but rather is struggling to survive strong competition from Japan and Europe. We are in the middle of one of the worst recessions, in fact the third worst recession since World War I.

By July of this year, the national unemployment rate was 6.8 percent, this means that more than 8.5 million Americans are jobless, and actively looking for work. Unfortunately, this is not the whole story, because this figure, depressing as it may seem, does not include the 1 million workers who had given up their search for jobs that do not exist, and have dropped out of the work force. Unemployment affects all regions of the United States. The highest unemployment rates are in West Virginia, Massachusetts, and Michigan; other States suffering higher rates than the national average include, Florida, Pennsylvania, New Mexico, and my home State of California which ranks ninth in the Nation. My district suffers from an average 7.6 percent unemployment rate this year. Yet

the trend is more disturbing. Since March there has been an increase in unemployment reaching levels of up to 8.5 percent. Again these figures are misleading because they fail to show the number of people who have given up on looking for work.

During the past 6 months, more than 2 million people have exhausted their unemployment benefits. At best 1.3 million of those are still jobless, and without benefits. Historically, the Federal Government has shouldered its responsibility by providing an extended unemployment benefit program to help workers during an economic downturn. During the Reagan administration's budget cuts, the level of unemployment required before extended benefits could be made available was so extreme that most States were excluded from the extended benefit program even when the Nation plunged into its deepest recession of the postwar era in 1982.

Currently, only a few States offer extended benefits, and less than 5 percent of the 334,000 people who exhausted their regular benefits reside in any of those States.

Congress has tried twice this year to fulfill its responsibility to the American people by passing—in July—legislation extending jobless benefits for up to 20 additional weeks in States hit hardest by the current recession. It was not implemented because the President refused to declare an emergency. Congress then passed a second bill, S. 1722, which contains within it the declaration of emergency. Again the President refused to allow this bill to become law. Only this time he vetoed it. S. 1722 would have provided extended benefits to 80 percent of all those who exhausted their benefits in the last 6 months, provided that they continued to look for work. And to all those who expected to exhaust regular benefits during the next 10 months. Under S. 1722 the number of weeks of extended benefits depend on the severity of unemployment in the State. While all those exhausting their benefits in the future would receive a minimum of 7 weeks, those in States with a 7- to 8-percent unemployment rate would receive 13 weeks of benefits. A State like California with an unemployment rate exceeding 8 percent would be eligible for 20 weeks.

We have no alternative but to pass another extended unemployment benefits bill until all jobless Americans are helped. We have to ask the American people to support us in making their voices heard, because no one can be certain who will be on the unemployment rolls next.

Madam Speaker, I say all this with seriousness because any one, who was in a period of his life jobless, knows what this means for him, or her and for a family. Yet, I do realize that what we are trying to do here is a short term solution; it is similar to a cold medicine—where the symptoms are relieved but the disease is not affected. We have to examine our society, after more than a decade of Republican rule and try to devise a policy which will save our Nation from this recession. If we look around, it is not difficult to see that the problem of homelessness has not improved but rather increased. The cost of affordable housing is still beyond the means of many young people. The quality of life for the middle class has declined. In fact the middle class shrank, at the same time that the rich got richer.

We have to take a hard look at our policies, increase our investment in education, job training, and job creation. We have to ensure that our system of taxation is more equitable for the middle and working classes of our society. And we must support our industrial sector as we convert from a war to a peace economy, retrain our workers, and help them find new jobs. We have to deal with the problem of job migration by irresponsible corporations, who regardless of their increased profits, dismantle their U.S. factories and relocate to where the rate of exploitation of workers is greater. It is troublesome when one talks to average Americans or reads some of these horror stories such as the one cited in the October 20, 1991, Philadelphia Inquirer. A metal stamp worker, Mollie James, worked for 33 years to earn a $7.91 hourly wage, only to see her job terminated as new management transferred jobs to Mexico where the hourly rate is $1.50. All that Mollie James got for her 33 years of service was $3,171.66 in severance pay, or a little under $100 for each year she had worked.

Mr. Speaker we have a responsibility to the Mollie James of this Nation, not to allow this to happen again. We must protect their jobs, and failing that at least provide them with adequate unemployment benefits.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. ANDREWS].

Mr. ANDREWS of New Jersey. I thank the gentleman for yielding.

Mr. Speaker, it has been a long and impassioned night of concern and commitment about this issue, and the sun is rising over Washington, DC. But for many Americans, it is still night. Mr. Speaker, there are Americans who are getting up this morning and about to send their children off to school in tattered clothes because they cannot afford new ones, without enough money in their pockets to pay for a decent school lunch, and for them it is still night.

There are Americans who will sit in courtrooms this morning across this country in foreclosure proceedings as they lose their homes and their businesses, and for them it is still night. There are Americans who will leave their homes this morning and go stand again in the unemployment line, if they have not already exhausted their benefits, and for them it is still night.

It has been a long night of a long recession, and the minimum that we can do is that we extend a helping hand to those in the middle of that night with some brightness and some hope in the form of an extension of unemployment benefits. It is the minimum standard of decency that we extend some help to those people.

What we ought to be doing and what I hope this body will do in the future, is to talk about getting them back to work. Where do we find the money to get them back to work? Take it from the foreign defense subsidies, as Mr. GEJDENSON just said; take it away from the bailout of the savings and loan institutions; make the RTC act more like a business; take it away from some of the wasteful programs that get funded year after year after year here in Washington, and to make people who have fathered children start to take some responsibility for the children they have fathered.

Take it from there. End the long night for people who have suffered and begin some ray of hope, some rising sun in their lives. I hope we will begin by passing this bill next week, having the President sign it, and moving on to economic growth.

Mr. GEJDENSON. I yield to the gentleman from Oklahoma [Mr. SYNAR].

Mr. SYNAR. Mr. Speaker, the long-term unemployed are bearing the brunt of the continuing downturn in the economy. The longer these persons are unable to find enployment, the more critical the impact is on them and on their families. The families in Oklahoma, unfortunately, are not exempt from the effects of this continuing recession.

Unemployment is a reality, and a long-term reality. Many of my constituents are unable to find jobs after being laid off. This means that many cannot pay basic expenses and thus face the loss of homes they worked so hard to purchase.

The high school graduates and college graduates cannot find employment and if they are so lucky it usually means a job in low paying service jobs. These jobs are often without any long-term benefits, health insurance, and pay minimum wage or only slightly above minimum wage. These jobs destroy any dreams of owning homes or supporting a family. Many of these kids end up living with their parents for longer and longer.

It is inconceivable to me that President Bush has vetoed two different unemployment benefits bills on the basis that they would bust the budget. The unemployment trust fund was designed specifically to address the need for unemployment benefits in time of crisis.

The refusal to use the unemployment trust fund for its intended purpose

means that businesses alone are paying a special tax used only to reduce the deficit. They are contributing more than their fair share of deficit reduction. At the same time, emergency funds are allocated to pay for overseas emergencies.

Under Presidents Eisenhower, Nixon, Carter, and Bush, extended benefits were provided. President Bush has failed in his obligation to the American people to provide for them in time of greatest need only because of his fear of being proved wrong about the state of the American economy.

The time is long overdue for President Bush to spend time in his own country talking to people that have been actively looking for jobs for over 26 weeks. He needs to get out off his lecture circuit and his rounds of foreign meetings and see what is happening in America. Maybe then will he understand the need to stop playing politics with the disadvantaged in this country.

□ 0800

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Speaker, I want to thank my friend from Connecticut for yielding this time. I want to salute the leadership for having scheduled this special order which has gone on through the evening, because it does focus attention in a very poignant way on just exactly what we mean when we talk about unemployment.

I can give you the statistics for Kentucky, my home State: 7.7 percent unemployment translates into 140,000 people. That is up 50 percent in 1 year.

In the Third District which I am privileged to represent, which is constituted in Louisville and Jefferson County, KY, 7.2 percent are unemployed. That translates into 21,000 people. That is up 35 percent.

Now, those are the raw numbers. That is important, and that is certainly a detail which we have to seize upon. But much more important than the numbers are exactly what those numbers mean. Those numbers mean men and women and people who have been workers steadily for many, many years. It means people who have been contributors for many years. Those are the people that stand behind each and every one of these numbers.

So what this special order has done and what the majority leader's statement a moment ago did very vividly is to paint the real human dimension of this thing we call unemployment. Therefore, having voted for the unemployment bills that passed this summer, the unemployment bill that passed this month, I intend to vote for the unemployment bill which will be on this floor next week.

I would only ask the President to look behind the numbers and see the faces of the Kentuckians, the Oklahomans, the Missourians, the New Yorkers, and all the people who stand behind those numbers. I hope the President, looking at the human dimension of unemployment, will sign this bill into law.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, last week, the Encore Shoe Corp. in Chase City, VA, announced that it will be closing its doors at the end of January; 207 employees will lose their jobs.

This is the 10th business or industry that has closed its doors in a 3 county area since last November. Encore's Earl Kanz had this to say to the Chase City and Clarksville news people following the announcement:

This was an extremely difficult decision to make, and not a pleasant one.

The economy and the availability of lower-priced imports played an extremely important part in the decisionmaking process.

We're being driven by the retail climate and the very fact [that] there is a decrease in the prices people can pay for merchandise.

Like so many of the accounts we have heard over and over since last night, this announcement has a tragic, human dimension to it; 207 more people—many with families—will lose their jobs.

Darlene Clark, after learning she would lose her job at Encore, had this to say: "I want another job, but I don't know where to look."

How many more Darlene Clarks are there in the Fifth Congressional District who want another job, but don't know where to look?

How many more Darlene Clarks are there across Virginia? Across America?

Mr. Speaker, in my Southside Virginia District, I am concerned that few of those laid off from the Encore shoe plant have any hope of finding another job any time soon—full-time or part-time.

Listen to the unemployment figures from my rural congressional district.

According to the latest figures available to me this morning, unemployment now stands at 18.5. percent in Lunenburg County, 12.4 percent in Prince Edward County, 8.6 percent in Franklin County, 8.3 percent in Charlotte County, and 8.1 percent in Halifax County.

In Matinsville, it is 9.8 percent. Danville, the largest city in the Fifth Congressional District, has an unemployment rate of 12.5 percent. These statistics represent families, friends, and neighbors who, through no fault of their own, are out of work.

Thousands of these workers have now exhausted their unemployment benefits. Thousands of these workers are increasingly unable to make mortgage and car payments, or pay the rent, or afford the weekly grocery bill.

Congress has approved legislation that would allow every State to provide emergency unemployment compensation benefits to unemployed workers who have exhausted their unemployment benefits.

We proposed to pay for those benefits by drawing from the extended benefits account of the unemployment trust fund.

The balance, paid by employees, in that fund now totals approximately $8 billion.

The Department of Labor estimated that after financing the full $6.4 billion of the emergency unemployment compensation benefits, the trust fund would still have a balance of nearly $2 billion at the end of the fiscal year that ends September 30, 1992.

I would like to read a letter I received recently from Betty Coffey, a constituent who lives in Altavista, VA.

DEAR CONGRESSMAN PAYNE: I was disappointed last night when I heard the veto of the unemployment bill was not overridden.

My husband was laid off from work at the Lynchburg Foundry March 15, 1991, because they did not have enough orders. My husband is 59½ years old.

On September 12, 1991, he went to work for BGF in Altavista. On Monday October 14, he was told Friday the 18th would be his last day. He was also told he was a good worker and it was not anything he had done. Business has slowed down.

We feel the millions of unemployed out there should be helped until the recession is over.

Sincerely,

Betty Coffey.

P.S. Fred's unemployment ran out in September.

I believe that our Government must provide a safety net for its citizens when a weak economy means that millions of Americans have no immediate prospects for employment, especially when dedicated trust funds are sitting idle and unspent in Washington for just these types of circumstances.

Mr. Speaker, I believe it is our duty to the citizens of this county to quickly extend our unemployment benefits to our workers until our economy gets back on its feet. I hope the President will focus on the importance of helping our unemployed citizens and join with us in doing our duty providing extended unemployment benefits.

Mr. Speaker, I request that a copy of two articles from the October 14, 1991, edition of the News-Progress of Clarksville and Chase City be entered into the RECORD.

Mr. Speaker, for the RECORD I submit the newspaper articles concerning the Encore plant closing.

ENCORE CLOSING DOORS

(By Cathy Cochelin)

CHASE CITY.—More than 200 area residents will lose their jobs by the end of January when Encore Shoe Corp. closes its 3-years-old Chase City plant, officials with the New England-based company announced last week.

"This was an extremely difficult decision to make and not a pleasant one," company

official Earl Katz said Thursday by telephone from his Rochester, N.H., office.

"The economy and the availability of lower-priced imports played an extremely important part in the decision-making process. We're being driven by the retail climate and the very fact there is a decrease in the prices people will pay for merchandise."

News of the closing was delivered to Chase City on Tuesday by Encore's vice president of manufacturing, who spent the day in meetings with plant manager Eugene Allgood and employees, Katz said.

Layoffs of the Dodd Street facility's 207 employees are expected to begin Friday and continue until the plant closes on Jan. 31, he said.

"We've talked about mothballing the plant until spring to see if conditions improve such that we could resume operations, but all of that is just up in the air right now," Katz said.

The company, which manufactures men's and women's casual and dress shoes under the "Zodiac" label, closed another plant in New England last winter, and when the Chase City plant is gone, only a manufacturing facility in Rochester, N.H., and an imports warehouse in Maine, will remain as Encore Shoe Corp.

When the Encore plant first opened in Chase City, the company did not import footwear, but Katz said that in the last two years the firm has had to join the import business.

"It's extremely difficult to compete with countries such as China that pay employees $1.50 an hour," he said.

The Chase City plant opened in April 1988 under a five-year $165,000 lease-purchase agreement with the Town of Chase City for the building and a contract with former occupant Craddock-Terry Shoe Co. for the equipment.

Craddock-Terry closed its operations in Chase City after declaring bankruptcy in 1987, and the town later purchased the 46,000-square-foot facility with industrial development funds and entered into the agreement with Encore.

The company added an additional 6,000 square feet of space to the facility in 1989.

Chase City Town Manager Rickey Reese was out of town when news of the closing was first made public last week, but he said Thursday that he talked with Katz by telephone as soon as he was told of the shutdown.

"Of course, we're very sorry that people will be out of work, but hopefully, the retail climate of the shoe industry will change and either Encore can reopen here or another shoe manufacturer will come into the facility," Reese said.

He said Encore officials said they might be in a position to help the town secure another shoe manufacturer for the building should Encore be unable to return.

Meanwhile, Katz said his company would continue to make monthly payments to the town according to the lease-purchase agreement. Those payments fall between $3,000 and $4,000 per month, depending on the current interest rate, Reese said.

"They have assured me that they will continue with their obligation to the town," Reese said. "And again, hopefully, the economy will take an upturn and they will be able to come back to Chase City."

News of the shutdown came as a shock to many plant employees Tuesday, according to plant manager Eugene Allgood of Victoria.

"We had no idea this was coming," Allgood said. "Things had been a little bit slack in the last few weeks, but just before that, we were working steady and even had overtime. Domestic shoes are just not selling."

He said some of his workers had already found new jobs and he expected others to leave as the days go by.

Katz said his company is taking steps through the Virginia Employment Commission to place eligible employees in retraining programs.

"We have had pleasant relationships with the people in Chase City," he said. "Our employees have done an excellent job for us and this closing is in no way a reflection on their workmanship."

ANNOUNCEMENT ROCKS COMMUNITY, NOT WORKERS

CHASE CITY.—News of the impending closing of Encore Shoe Corp.'s local plant spread quickly through Chase City late last week as employees and their families, merchants, business leaders and town officials contemplated the loss of an annual payroll estimated in excess of $2 million.

Although officials at Encore's home office in Rochester, N.H., refused to release total annual payroll statistics for the local plant because of fluctuations as the number of employees and the hours they work, the loss of weekly paychecks for the 207 people to be affected by the closing is sure to be felt in Chase City and the surrounding area.

To be hardest hit by the closing, which is scheduled for completion on Jan. 31, are employees of the plant, many of whom have worked at Encore since it opened here more than three years ago.

"I hated to hear about the closing," said Shirley Barnette of Chase City, a 34-year-old single mother of two. "But I knew that there was nothing I could do about it. I shouldn't have hung in here until they decided to close."

Employed in the plant's shoe sole pairing department for more than a year, Barnette said she intends to look for another job, although she hasn't decided on a new occupation.

Darlene Clark, a 22-year-old Chase City resident who has been in the plant's cutting department for three years, said she might use the closing as an opportunity to return to school.

"I'm not sure what I'll do because there are no more jobs out there," Clark said. "All the jobs are taken. I want to find another job, but I just don't know where to look."

In recent months, she said her hours at Encore had dwindled to about 13 per week.

Joyce Daniel, 33, of Chase City, the mother of four, said she was not shocked to learn of the closing because rumors to that effect had been traveling among employees for months.

As far as benefits, Encore Shoe Corp. offered its employees in the Chase City plant a health insurance plan that is financed equally by the employee and the company. Encore officials said Friday that they did not know how many employees were enrolled in the plan.

Outside the walls of Encore, members of the Chase City business community received news of the closing with concern.

"Any business that closes down in Chase City is not good news," said Allen Murray of Central Fidelity Bank. "It affects the individuals personally and jeopardizes the stability of the community. Everyone is affected."

Murray said townspeople must join together in securing a replacement industry if Encore is unable to return.

"I've been very distressed and concerned over this announcement," said Chase City Council member Ruth Scott. "I'm just sure it's going to be felt all over town, by the merchants, in the restaurants. It's a great loss to the town and I just don't know where these people are going to find work."

Representatives of the Virginia Employment Commission in South Hill met with plant management Thursday and said they would return to the plant next week.

"We presented several options to the plant manager and supervisors and now it is up to them to decide what to do," said VEC supervisor Midge Shipley.

She said her office could begin registering employees for job services before the plant actually closes, as well as provide in-house seminars on topics such as stress and budget management.

Approximately 10 businesses and industries in Mecklenburg, Brunswick and Lunenburg countries have closed since last November, Shipley said.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, my mother is 91 years old. Every Sunday morning after Mass I have breakfast with her and get great wisdom from her.

Recently she said, "You know, DALE, things are getting like they were back in the 1930's."

I said, "What do you mean, Mother?"

She said, "Well, the unemployment we have here, Flint has been terribly stricken by unemployment, automobile city." She said, "The way we are treating their unions at Castle's, they just busted the union there." She said, "They don't like sharing this country with us."

My mother is a very wise woman. "They don't like sharing this country with us."

You know, my mother is a matriarch of a family that has always worked. She went to work when she was 16 years of age in the factory in Muskegon, MI. She is worried about her children, mostly her grandchildren and her great-grandchildren, who are not able to get jobs. She has seen this country in good times and in bad times, but she has concluded they don't want to share this country with us.

Mr. Speaker, that is great wisdom. I have seen this change, and she has seen this change in her 91 years. We have got to turn this country around and make sure that everyone in this country has what is right. Unemployment compensation is a matter of simple justice.

Here is a woman who since she was 16 years old went to work, and all she is asking for is help for those people who are willing to work, people that have shown they want to work.

Mr. Speaker, my mother is right. Please tell President Bush to share this country with us.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Speaker, DALE KILDEE's mother and my father must

have either gone to the same school or been of the same generation, because my father has etched on his mind the image he has conveyed about the Great Depression—hopelessness, frustration, the seeds of economic and political chaos.

Out of that depression grew a government that provided confidence for people, an administration that said we care about folks that are hurting, and out of that came the safety net of the New Deal.

Kansas, where I am from, is not a high-unemployment State. Our numbers are less than 4.5 percent. Yet in my own district there are nearly 15,000 people unemployed, many of whom have fallen through that safety net and are no longer eligible for unemployment benefits.

In my whole State there are 60,000 people unemployed. Those numbers do not reflect the sorry state of American agriculture, which has suffered so dramatically and whose numbers do not compute into the national unemployment figures.

□ 0810

But as I said before, etched in my mind is the Great Depression, the life that my father and mother shared during that time period, and the fact of what government can do, which is several things. One is to help people through the tough times. That is what President Bush seems to have forgotten about.

Millions of Americans are having extraordinarily difficult personal times in their lives, and the extension of these unemployment benefits will allow the people to make it through the tough times, make it through with some dignity.

But beyond that, our Government can provide people with the confidence and the job-building capability in order to ensure that jobs will be there in the future. The years during the Bush administration have been the worst economic growth in the last 40 or 50 years. Our job is to turn that around. Our job is to give people confidence that this country can work and provide opportunities for the folks who are working and for their children and grandchildren.

The first step is to pass an extension of unemployment compensation which will take the sting away from our bad economy. Our next steps are to build the confidence, to build jobs so that folks 10 and 15 years from now will not have to face this problem again.

I thank the gentleman for yielding.

Mr. GEJDENSON. Mr. Speaker, I would just say more supply-side economics is throwing these people who have lost their unemployment benefits a lifeline after they have gone under. Even if you believe that we could go through this supply side ruse one more time, and there are not a lot of people trotting out Professor Laffer as their economic guru these days, by the time the recovery will come these people will have lost their homes, their cars, and their kids will have been pulled out of school.

Mr. Speaker, I yield to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is a fascinating exercise because you can use a lot of rhetoric, you can use a lot of descriptive language, you can use a lot of everything with the command that you have of the English language, but you cannot obscure the facts. No matter what you say from this well or from the committee table or the President says from the White House, you cannot obscure the facts.

The facts in Florida are that in my 16th Congressional District for the last data available, 27,625 people were unemployed. That is 8.4 percent of the work force.

You cannot dispute the fact that in the period January to March of this year alone 22,000-plus workers were laid off, and of those, 3,000 had already exhausted their benefits.

You cannot dispute the fact that there are every day more and more downsizing, bankruptcies, closings of plants and businesses, day by day putting more and more Americans out on the street.

The President can continue to have his advisers come forward and be disingenuous enough to tell Americans that the recession is over. They know better. We know better. When you go home and you go to the unemployment office you see more and more new claims being established by people who for some reason do not have any idea the recession is over. They just got fired for no fault of their own.

Florida Power & Light has just announced a downsizing, 1,500 people. Allied Signal just had a downsizing, 6,000 people. Delta bought Pan Am, a number of thousand will be laid off. Eastern went out of business, 6,000 more in my area laid off.

These are facts, and the President of the United States can sit in that White House all he wants and wag his finger and say, "I feel terrible, but I am going to play golf. Tell me when this is over." And by the way, you, Mr. Boskin, and you, Mr. Darman, and you, Mr. Sununu, and you, Mr. Fitzwater, the ultimate in twisting the realities, go out and tell them the recession is over. They will believe you. We created a few jobs.

The difference is the number of jobs that are being lost has far exceeded the number of jobs that are being created.

These are Americans. These are our constituents. These are our friends and neighbors. These are people that make up the backbone of this country, and they are being neglected by the man in 1600 Pennsylvania Avenue.

America must wake up. This is going to continue. It is going to get worse until the President of the United States decides to join with the rest of us who have twice voted to extend these unemployment benefits to friends and neighbors who deserve them, people who fought in Vietnam, people who fought in the Second World War and people who fought in Desert Storm.

You cannot mouth platitudes anymore. You do not get bread from being concerned, you get bread from working.

The President has a job. Now is the time to give the rest of Americans who do not have any more benefits a chance to live like decent human beings until they can find that job so that they can support and feed and clothe and house their families, their kids, the future of our country.

I thank the gentleman for yielding.

Mr. GEJDENSON. I thank the gentleman.

Mr. Speaker, I yield to the gentlewoman from Indiana [Ms. LONG].

Ms. LONG. Mr. Speaker, I am pleased to join the dozens of Members who have—throughout last evening and this morning—spent hours discussing a real problem facing real Americans. As we know, the problem is unemployment in our Nation. As we also know, this is a problem that the Congress has addressed by passing legislation to extend unemployment benefits. And as we also—unfortunately know—the President did not agree that these measures to assist unemployed Americans and their families were worthy of his support.

One of the reasons that the administration opposed the measures was that they believed that the recession was over and that the need for extended unemployment benefits had passed.

This is simply not true. As economists will testify, the unemployment rate is one of the last economic indicators to show improvement when you come out of a recession. With the growth rates coming out of this recession projected at about 2 to 2.5 percent of GNP, uncharacteristically low by historical standards, we can expect the number of long-term unemployed workers to continue to rise, even after we are officially out of a recession. Clearly, the administration argument that we don't need to extend unemployment benefits because the recession has ended is a red herring.

Mr. Speaker, I want to call attention to the fact that while September's unemployment rate stands at 6.7 percent—about 8.5 million people—only 14,000 individuals currently qualify for extended benefits. This year, less than 40 percent of the unemployed workers receive unemployment benefits. In addition, this country now has over 4 million uncompensated unemployed workers. In contrast, in 1975, the unemploy-

ment rate was 8.5 percent. However, over 900,000 workers qualified for extended benefits and 75.5 percent of the unemployed received benefits. Even though the unemployment rate was higher in 1975 than it is in 1991, we have twice as many workers not receiving benefits than was the case in 1975.

In addition, there has been constant growth in the extended benefit trust fund balance since 1986. This year, the balance in the trust fund is over $8 billion. It doesn't take a genius to figure out why this fund has been growing by leaps and bounds—those who need extended benefits cannot qualify for them. What good is an extended benefit program if it does not serve those who need it the most?

When individuals are faced with these critical situations, and they see Government failing to address their problems, they get angry. I get angry too. The unemployment insurance system in this Nation was designed to assist unemployed Americans. Americans paid into the unemployment insurance trust fund. Employers paid into the unemployment trust fund. Money is in—and has been in—the unemployment trust fund. It is there ready, and waiting to be used for its intended purpose.

Mr. Speaker, nobody likes to be unemployed and throughout last evening and this morning, we have heard stories of good, decent, hard-working Americans who face—for the first time in their life—almost unbearable economic hardships. Though their hardship was brought about by an economic recession, the fact that this country has a broken unemployment compensation system only adds to their plight and frustration.

The hard-working constituents in my district, unfortunately, are intimately aware of this country's failures with regard to unemployment compensation. It fact, we had one frustrated individual from my district who called and described his plight. His unemployment benefits expired, he could not find a job, and he was frustrated. When he visited my office, he had just been evicted from his apartment. The only option available to this individual was to seek shelter at the local rescue mission.

Families in my district are also suffering due to the failures with the unemployment compensation system. I recently had a call from a family with six children. Like many families, both parents had to work in order to feed and clothe their children. Several months ago the father lost his job and exhausted his unemployment benefits. Even after constant searching, he still cannot find work. This family does not ask the Government to provide them with a handout, they simply would like an opportunity to support themselves.

The Congress sent the President legislation to address this issue. The measures did waive the requirements of last year's budget agreement in order to assist unemployed Americans. The measures would not have—I repeat they would not have required the President to raise taxes. We do not need to raise taxes to pay for extended benefits. As I stated a few moments ago—there is a surplus in the trust fund.

Mr. Speaker, when my constituents see the President willing to declare it an emergency for foreign policy considerations, but not willing to address the pressing needs of the unemployed in this country, they feel like they have been let down. I agree with them.

The fact of the matter is that the loss of unemployment benefits is a significant and growing problem which is squeezing already pinched middle-income Americans. I am hopeful that the Congress and the President will join together in a bipartisan effort to address this urgent issue. I hope that work begins today.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentlewoman from Missouri [Ms. HORN].

Ms. HORN. Mr. Speaker, I would like to just use this brief amount of time to give a couple of names and perhaps faces to some of the statistics we have been hearing.

Mary Reedy in my district was laid off from her job as a program analyst with McDonnell Douglas a year ago. She estimates she sent out more than 700 résumés and had a couple of hundred job interviews. For that she got two temporary jobs and lots of disappointment.

□ 0820

Mary says she has fought depression while laid off, sometimes having to force herself to get up and face the day. Laid-off workers often feel shock, denial, depression, rejection, and loss of identity. These are people who are used to working, who want to work.

When a person is laid off, it affects the whole family. Stress is high. Finances are tight, and the roles of family members change.

The St. Louis area has lost 11,500 manufacturing jobs, 4,800 construction jobs, and 4,400 wholesale and retail jobs in the last year alone.

In August, 91,000 people were unemployed in the St. Louis area and looking for work; 47,500 of them had been laid off.

To put another name and face to these statistics, Mike Pullum wants to work, too. It has been a year since this 32-year-old electrical engineer lost his job at McDonnell Douglas in the first wave of this company's 11,000 layoffs. After 12 months of filling out applications, mailing résumés, and sweating through interviews, Mike is still looking for work. He said it is a joke to turn on the news or read in the paper that the economy is easing up.

Mr. Speaker, I am pleased to add my voice to all of these that have spoken so eloquently throughout the night about the need of our American people.

Mr. Bush, wake up and listen.

Mr. GEJDENSON. I yield to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. First, I want to say that this has been the House at its best, and I think that we ought to be doing things like this, real debate, much more often and bring the issues to the American people.

I just want to say, and I want to ask the President to look into the faces of the people who have come up to me in the last month: a woman who has worked at a firm for 30 years, day in and day out. The firm closed. Her unemployment benefits are gone. This is a woman who wants to work, who still has a family and a house and a mortgage to pay. Look into her face and then tell her "no." How about a young family man who came up to my office the other week, just had twins, been with the same company doing a mechanical job for 8 years, for no reason, nothing due to him, the company says, "No more."

The President ought to look into his face. You ought to look into his face and still vote "no."

These are people who want to work. These are the backbone of America. They are hurting, and for the first time that I can remember, this country is saying "no" to those types of people.

Well, my colleagues, the day we say "no" is the day we stop being the greatest country in the world. We must move this legislation.

Mr. GEJDENSON. Mr. Speaker, I yield to the gentleman from New York [Mr. DOWNEY].

Mr. DOWNEY. I had the opportunity this Monday to go to the Patchogue unemployment office in Brooklyn, NY, to talk to those that have just started filing for claims, and a lot of those folks who are in the process of exhausting their unemployment benefits. If you speak to them, you realize that to make an argument, as some of our colleagues have made, that the growth package will provide them jobs and really provide them hope is an absurdity.

These people face in the next week or two the reduction of benefits. They have to tell their families how they are going to pay their rent. They simply cannot do it.

The other point that I find fascinating is that somehow the Democrats are to blame for offering a bill that is more generous and more complete and that if we would only accept what the President offered us, which would mean that 900,000 people would not get benefits, everything would be OK.

This is also preposterous nonsense. The Republican Party, the President of the United States, did not show up with a plan until this was on the floor. The Vice President of the United States still runs around talking as though there is no recession.

We need to wake up. We need to pass this bill and get on with the business of helping people who want help temporarily before they get back to work. That is what this bill is about, and it is desperately needed, not rhetoric about who will grow and when, but benefits now for people who need it.

Mr. GEJDENSON. I would like to just commend the gentleman for his work on middle-class tax relief as well as on this issue.

Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I commend our majority whip, the gentleman from Michigan [Mr. BONIOR], for organizing this debate on unemployment and just to join those voices of my colleagues and say that we owe the people of this country nothing less than the passage of this bill, and the President owes the people of this country his signature.

We are talking about individuals and families who have gone to work every day, who work hard, and for the most part through no fault of their own, their job had disappeared out from underneath them. The economic underpinnings of their families, of their security, of their future, of their hopes and dreams have now disappeared. They have paid into the unemployment fund. The employers have paid into the unemployment fund. It is time now to give this money back to these individuals so they will not lose their homes, so they will not lose the college education for their children, so they will be able to pay their bills until they can get another job. That is what they are doing. They are looking for work.

Our obligation is to help them in that effort. That is what a kind country, that is what a compassionate country, and that is what a very smart country would do.

It cannot be the answer to the recession is to create more poor people. They need unemployment benefits, and they need them now.

I thank the gentleman.

Mr. GEJDENSON. I yield to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman for yielding.

I really want to follow on what the gentleman from California was saying and the gentleman from Connecticut. This is about families. This is about tearing at the very fabric of families.

Imagine what unemployment does to how a family survives. It is also that they paid into this insurance, and it kind of feels like the average insurance policy most Americans know, that when you need it you cannot get it out. Why? Because the administration wants to use it to offset the deficit. Let us be perfectly clear on that.

Well, they did not cause the deficit. The administration did. Meanwhile, the money they paid in for their insurance is being held hostage, and they cannot make their payments. That is outrageous.

Yes, the other side's plan is cheaper. Of course; because it leaves almost a million people out of it. A million families.

Why in the world would we do this? I really salute the gentleman from Michigan [Mr. BONIOR] and all the Members who stood here and talked about the very, very difficult problem.

This is not a kinder, gentler America if we do not take action. This is outrageous. So, for America's families, for the future, for heaven's sake, let us do this, and let us do it and get the President to sign it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DYMALLY). The Chair wishes to remind all Members that remarks made should be addressed to the Chair.

WHAT ARE THE AMERICAN PEOPLE LOOKING FOR FROM THE CONGRESS?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ROTH] is recognized for 60 minutes.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. ROTH. I am happy to yield to the gentleman from Texas.

Mr. DELAY. Very quickly before the gentleman starts his remarks, I appreciate the gentleman, and I do not want to disrupt his train of thought.

I just am sorry to see that the gentlewoman has left the floor, the gentlewoman from Indiana has left the floor, because I wanted to get some time to compliment the gentlewoman, because I have been keeping a tab on everyone who has spoken on this issue tonight.

Every person who has spoken on this issue tonight with the exception of the gentleman from North Dakota [Mr. DORGAN], the gentlewoman from Washington [Mrs. UNSOELD], and the gentlewoman from Indiana [Ms. LONG] has voted for the budget agreement that caused the loss of so many jobs that brings us to this point today, and the gentlewoman from Indiana had every right, more right than any other speaker on that side of the aisle, to speak about the plight of the unemployed, because she had no hand in the deepening and lengthening of this recession.

Mr. ROTH. I was happy to yield to my friend from Texas.

Mr. Speaker, it has been asked: what are the American people looking for from the Congress?

Let me say that they are looking for four things: courage, judgment, integrity, and dedication. Quite frankly, we have had an all-night session. I have not seen that much integrity, because many times people on the other side of the aisle would not yield. It was a political tirade against the man down in the White House.

But after this marathon of words, I would like to quote the favorite author of the gentleman from Connecticut [Mr. GEJDENSON], my friend from Connecticut, Goethe, who said, "We have had enough talk; now, let us see the deeds." And I think that is what the American people are saying. We have had enough talk. Now, let us see the deeds.

You know, you can talk to 10 different economists, and you get 10 different answers, but they all sing out of the same hymn book when you ask them what is the biggest cause of our problems in the economy today. They say the huge deficits.

Now, who is causing the huge deficits? For 38 years, 38 consecutive years this House, the House of Representatives, has been ruled by the Democratic Party. Every single chairman, every single Speaker, every single subcommittee chairman all have been Democrat. Today we have 267 Democrats and 168 Republicans. That is all, just 168. But we have 267 Democrats. They can do anything.

My good friend from Colorado who is still on the floor, and I was hoping I could talk to some others, but she is the only one left, so I have to, I guess, address my remarks to her, said, "These deficits caused by this administration."

Well, my dear friend from Colorado, the President of the United States cannot buy this pen without the approval of this House.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. ROTH. I would be happy to, and you have 267 Members. I am happy to yield.

□ 1230

Mrs. SCHROEDER. Mr. Speaker, I think the gentleman would also agree that the President of the United States is the Chief Fiscal Officer and we cannot do anything until he sends a budget up here. That is step one. He has always started with a higher deficit than we have ever ended up with, so let us put it in that context.

Mr. ROTH. Well, Mr. Speaker, I am glad to respond to that, and I am glad I yielded time to my friend, the gentlewoman from Colorado.

When Ronald Reagan was in the White House, I was in the Oval Office with him one time and I said, "Mr. President, these deficits, we have got to address these deficits."

The President said, "You are absolutely right. We need a balanced budget in this country."

But he looked at me and he said, "But what have you done with every

budget I have sent to Capitol Hill? You have thrown it in the wastepaper basket."

And do you know, it is true. We did not adopt in the entire 8 years of Reagan's Presidency, we did not adopt his budget once, not once.

Our friends on the other side of the aisle have 267 Members. We have 168. It takes 217 Members to do anything in this Congress, except change the Constitution, and they have got 267 votes. You have got 40 more votes than you need to pass anything through this body, and yet you are in all night long bashing the President.

I have somewhat of a solution. Why do we not forget about Democrat and Republican and look at what is best for the Nation for a change? If we really want to help the people who are out there working, let us put aside these partisan differences. Let us ask ourselves what is in the best interests of the country? What is in the best interests of the working people? What is in the best interests of the long-range good of this country? What is the best interests of my kid and your kids. That is what we should be asking.

You know, I asked the Democrat leader, the gentleman from Missouri [Mr. GEPHARDT] to yield to me because I wanted to ask him something. He said that the President is only interested in foreign affairs. He does not care about domestic affairs at all.

Well, we know that is not the case, but today we have a bill on the calendar, the Democrat foreign aid bill, $25 billion to send overseas, $25 billion that the Democrats are asking the American people to borrow and then ship overseas.

Now, wait a minute. What kind of a foreign policy is that? How is that helping working people?

You know, we have boat manufacturers back in my home State of Wisconsin. We had a lot of jobs there building boats, but after the majority in this House passed the so-called boat tax, what happened? These jobs are now in the Caribbean. They are all overseas. They are not here in America anymore.

Mr. Speaker, it is time to stop posturing. That is why when people say, "What do the American people want out of Congress?" They want people with courage, judgment, dedication, and yes, integrity.

What does integrity mean? It means that we say what we feel here in our hearts. That is what it means. It means more than just posturing. That is why I think it is so important for us to take a look at these issues and say, "Yes, let's move forward. Let's do what is in the best interests of the country. Let's do something about the real estate tax."

In 1986 this Congress passed a change in the real estate law, and what happened? Commercial real estate and housing in this country dried up.

Since the end of the Second World War, we have had eight serious recessions and in each recession the locomotive that brought us out of that recession was the construction industry.

So if we, Democrats and Republicans, want to do something for working people in this country, want to do something for this country, then let us take a look at that law. We can repeal that law today or change that law to give incentives again to building.

We talk about capital gains. Some people say capital gains, well, they are not for capital gains because they say it is not going to help the poor.

Well, capital gains not only will help the rich and the middle class, it will help the poor, too.

Why? Because it is going to stimulate the economy. The first year, you are going to get $5 billion additional tax funds into the National Treasury if we pass capital gains. Anyone who sells their house is going to have some capital gains consequences, so when people say that capital gains only helps the rich, that is nonsense. That is political demagoguery, and that is the type of thing that I think the American people are upset about and the American people want us to overcome that.

We have got problems in savings and loans. We have problems in banking. Where is the banking bill? Why do we not pass a decent banking bill?

I do not care what two powerful chairmen do. Out of 435 Members, we have two powerful committee chairmen who are tying up the banking bill. It is going to cost the American people billions of dollars.

If we were truly men of judgment and integrity and dedication, we would say, "Gentlemen, I don't care what kind of fights you have behind closed doors, we are bringing the banking bill to the floor. We have got to address this banking issue, and we have got to do it now."

We have got what they call the Resolution Trust Corporation. It is now the largest corporation in the United States, set up by this Congress to dispose of assets taken over by the failed savings and loans.

Yes, let us have pay-as-you-go. Some of my friends on the other side of the aisle say that is true, let us have pay-as-you-go. Let us do it, but let us come to the floor and tell the American people how we are going to do it. Are we going to borrow money? Are we going to tax? Are we going to cut spending? And where are we going to tax and where are we going to cut spending? That is what we mean by judgment, integrity, and dedication.

We have legislation coming to the floor, as we have mentioned before, dealing with the boat tax. That has caused a big problem for us back home. There are many people who are very much concerned about this legislation.

Why is this legislation tied up? Why is it not on the floor? We could be voting on this bill now.

We have all kinds of people who have said, well, we are not concerned about the poor, the working people. I do not know of any party that is more concerned about working people than the Republican Party. After all, I did not see any Republicans over here voting for a 5-cent-a-gallon gasoline tax or even proposed it. Who is that going to hit the hardest? Mr. Rockefeller? Of course not. It is going to hit the people I represent who are driving to work every morning.

So that is what I mean by courage, judgment, integrity, and dedication.

Mr. Speaker, I know there are other people who want some time. Let me just say a few words here that I jotted down of a speech not given by me, of course, but given by someone from the other side of the aisle. I hear this so often, people up here wringing their hands. What do the American people want of their Congressmen?

Well, let me tell you what I think they want from their Congressmen. Here is what one man from the other side of the aisle years ago said:

When at some future date the high court of history sits in judgment on each of us recording whether in our own brief span of service we fulfilled our responsibility to our country, our success or failure will be measured by four questions, and they are these:

One. Were we truly men and women of courage, with the courage to stand up to one's enemies and the courage to stand up when necessary to one's associates.

And how often do we have to stand up, how often do we have the courage to stand up to our associates, to our good friends, like the gentleman from Minnesota [Mr. OBERSTAR] who is such a great Congressman. Do I always have the courage to stand up to him when I think that he is wrong?

The courage to resist public pressure as well as private greed.

The second question is:

Were we truly men and women of judgment with perceptive judgment of the future as well as of the past, of our own mistakes as well as the mistakes of others, with enough wisdom to know what we did not know and enough candor to admit it.

We have had an all-night session. I am sorry to say that I do not think we have had a lot of candor. We have had a lot of bashing of each other, but not a lot of candor.

Three. Were we truly men and women of integrity, men and women who never ran out on the principles in which we believed, never ran out on the people who believed in us, men and women who neither financial gain nor political ambition could ever divert from the fulfillment of their sacred trust.

We have a sacred trust here.

Four. Were we truly men and women of dedication with an honor mortgaged to no single individual or group.

How often do we have to vote here because some interest group pressures us, or some interest group tells us we have to do this or that.

Honor mortgaged to no single individual or group and compromised by no private obliga-

tion or aim, but devoted solely to the public good and the national interest.

Courage, judgment, dedication, and integrity, that is what we have to get back to again.

So with that, Mr. Speaker, I yield to my friend, the gentleman from California [Mr. DOOLITTLE], who has been waiting patiently.

Mr. DOOLITTLE. Mr. Speaker, beginning at 9 o'clock last night we have been as Republicans slammed regularly by the Democrats for not supporting their bankrupt and bankrupting unemployment benefits extension bill.

Mr. Speaker, I think we need to get right to the essence of this issue. This is just typical of the approach of the other side.

□ 0840

They wanted to deal with symptoms and not with the problem. I think we must deal with symptoms and with the problem. We have indicated we are ready at a moment's notice to pass a bill that extends the benefits for 10 weeks and we pay for the bill.

What happens if we pass this bill that our Democratic colleagues say is so necessary? They say, "let us do it." Well, that costs an extra $6 billion. They have identified no source. So the source will be the same one we always use, the good old American taxpayer; throw that little bit of extra burden on him, make people work a little longer, a little harder, and make the standard just a little bit lower than it is today, and then we will have some new rhetoric when the 20 weeks runs out and when the economy is still stalled, because that is the problem.

We do not have an economy that is growing. It is burdened down by excessive taxation and by spending that will not quit.

The gentleman from Wisconsin is absolutely right, there is a lack of integrity in their approach, the approach of that side. Let us get right to what the problem is. It is excessive spending on the part of the Government.

You know, in the decade of the 1980's, every year we had inflation at an average rate of 4 percent. Every year we had an increase in revenues to the Federal Treasury of 7 percent. Every year, on the average, we had an increase in Federal expenditures of 11 percent; 4 percent annual inflation, 7 percent annual increases to the Treasury, 11 percent in annual spending increases.

Our total national debt is over $2.7 trillion. And, you know, it is funny, we always hear from the Democrats how we are going to do something about the deficit. That always means, by the way, that we postpone something more immediate, which was to happen, like the Gramm-Rudman cuts which would have kicked in 100 billion dollars worth of cuts.

In exchange for that we get a tax hike with the promise that things will get better when we deal with the deficit. And yet it is just fascinating that that never works out. Every time we have the tax increase, it is followed by a higher deficit.

Guess what; this year it is no different. Our deficit this year is $300 billion. That makes the deficits running during the Reagan years look smaller.

Next year's smaller deficit in the fiscal year in which we are presently, it is estimated to be $350 billion or higher.

Now, our Democratic friends, along with a lot of rhetoric, a lot of crying out there, pretending to—I guess in some cases it is not pretending, but I have to be a little cynical about it based on what the realities are—conveying their sense of sympathy with those who are unemployed. and yet it is their economic policies that are keeping our people unemployed.

There is no excuse for the greatest, the strongest and the richest country in the world having this kind of an economy. The key to getting this economy growing again is, as the gentleman from Wisconsin alluded to, a cut in the capital gains tax.

We have heard a lot of demagoguery going on for months now about how this is terrible, we are cutting taxes for the rich. Well, you know what? A great Democratic President once said a rising tide lifts all boats.

Now, another way of saying that is that the poor get richer when the rich get richer.

You have to recognize that concept in order for us to advance economically in this country.

Let me tell you something about capital gains. I think this is interesting.

You get the feeling that these are multimillionaires declaring their capital gains, that the average person is not able to avail himself or herself of this.

Well, 70 percent of the taxpayers who report capital gains have other income less than $50,000. Let me say that again: 70 percent of Americans who declare capital gains have other income of less than $50,000. That amounts to 10 million Americans—$50,000—that does not sound like millionaires, Mr. Speaker. That sounds like people who, for a variety of reasons, are seeking to get out of their old investment and get into another one.

Let us take an example or two. A middle-class family has a piece of real estate in which they have invested for their son or daughter to be able to pay for the college expenses. That piece of real estate is sold. Well, because we tax capital gains at a higher rate, and by the way, we have the highest capital gains tax rate of the major industrial nations in the world. This is incredible.

So that poor family that has been having this investment for college, about a third of that investment is going to be made up of inflation. Right? Which even though we consider it low, 4 percent a year, low by comparison with what it was during the Carter years, even so, 4 percent begins to add up. So a third of the value of that property is inflation because we do not have lower capital gains tax rates and this family gets taxed on what is inflation.

It is not real income to them. But they are going to pay the full freight for it because we as a Congress, because the Democrats will not let us be reasonable and lower this rate.

That is hurting the middle-class working families. Look at the widow who has a ranch, her husband had a ranch and she wants to sell off some of the land in order to make ends meet. Well, same problem, going to pay full taxes on all of that despite the fact that a lot of it is due to inflation.

It is a gross injustice and it needs to be changed.

Here is a interesting item, by the way: Malcolm Forbes, Jr., in an issue of something called Imprimis, gave a dissertation on what we need to do in order to get on the road to prosperity, in order to help people. That is what we are talking about, helping people by putting the economy in order.

He compared what has gone on in Japan with what goes on here in this country. He looked at Japan in the middle 1960's Their version of the Dow-Jones average at that point was just slightly above 1,000 and ours was just right at 1,000 during that same time period.

Earlier this year there was a big flurry when all of a sudden we touched briefly the 3,000 mark on our Dow-Jones average. And now the Japanese just crossed 22,000 on their Dow-Jones average.

So we went from 1,000 to 3,000. They went from 1,000 to 22,000 despite a severe stock market crash last year.

What is the difference? Well, the difference is, during the time when our capital gains tax averaged between 28 and 35 percent, theirs averaged between 0 and 5 percent. That is the difference. The Japanese are also being cited for this, that, and the other thing relative to the impressive performance of their economy. Funny, is it not, that they treat capital gains differently than we do?

It is no mistake that they have the gains that they are having. We treat caiptal gains very punitively. We discourage people from making new investments, from turning over those dollars, creating new jobs.

We talk about jobs. Let me tell you, coming from California I am very worried about jobs. We have over 20 percent of the defense expenditures being made in this country. We all know what is slated to happen to defense expenditures.

We all know that we are having a reduction by 500,000 people in the next year, out of the Armed Forces. Califor-

nia is in a severe recession. What are we going to do when all these people come out onto the streets, either coming out of the military without jobs or coming out of the defense industry and they will not have a job? So what are we going to do then? Are the Democrats going to offer us a $12 billion opportunity to address their needs with no more real long-term solutions, just more demagoguery and posturing before the media?

Why do we not do something now that actually creates jobs? Let us help the people that need the help. I am for that.

If you do not have a job, you have a crisis, I will stipulate to that. The President, and we as Republicans, have offered to support that. We would get checks out tomorrow if the Congress would meet today and pass this bill, as the various speakers have indicated.

Then we deal with the immediate problem, but, more importantly, in my opinion, by making this reduction in the capital gains tax, we begin to deal with the long-range problem.

□ 0850

Let us do something that creates economic growth and job creation because, Mr. Speaker, we think we have a problem now. Wait until we start turning people out. We have got to create jobs for them in the private sector. If we sit back and do nothing, like the Democrats have typically done, a lot of hot air and no meaninglful action, we are all going to be much worse off as a country.

I would like just to observe another great Democrat, one I claim as a Republican. He was head of the Democrat Republican Party, Thomas Jefferson. I think the Democrats have an annual dinner every March or April to honor him. He said in his inaugural address:

"What more is necessary to make us a happy and prosperous people?"

Here is the answer he gave:

"A wise and frugal government which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread which it has earned."

Labor is every person who works for a living today, and, as we have heard in earlier testimony on the House floor, the average family today is paying over one-third of its income in taxes to all levels of government. This is a travesty. Our tax policy is driving our people out of their homes in order to work to pay their tax bill. The family is breaking down. As a result of the breakdown of the family, we are seeing enormous social problems emerge, and the typical liberal response is to throw more money at each one of the individual symptoms coming from this breakdown of the family. But they do not see it as that. They see them as individual problems.

Mr. Speaker, the Democrats say, "We're going to have to do something over here to help the homeless, and something over here to help with drug abuse, and something over here to help with teenage delinquency, and something over here to help the poor educational performance of the kids in school."

Mr. Speaker, all of these problems are really symptoms of one problem, the breaking down of the family, and we have got to do something about it, and that something consists of getting the economy growing again, cutting the capital gains tax and restraining spending. If we would restrain spending for 5 years, increases to no more than the rate of inflation, our budget would come into balance. That is the way to balance the budget, and, once we balance the budget, then we will relieve the pressure on the financial markets, the lending rate can drop, and we can have ever-increasing opportunities for people, economically speaking.

Mr. ROTH. Mr. Speaker, I thank the gentleman from California [Mr. DOOLITTLE] for his excellent contribution and for his dedication here on the floor.

I yield to my friend, the other gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. ROTH] very much, and I just want to add a punctuation point to the comment of my good friend and colleague, the gentleman from California [Mr. DOOLITTLE], and that was in the wee hours of the morning, for those of us who did dawn patrol duty here in the House today, I was able to engage the majority whip in a bit of colloquy in terms of those elements of the economic growth package he might find acceptable, and he made a very revealing comment, I thought, because he talked about and endorsed enterprise zones, and within the context of that conversation allowed as to how perhaps we ought to have a reduced rate of taxation on capital gains in those enterprise zones. So, I am hoping that my colleagues can help me because perhaps I am missing something here, and the majority leader stalked off into the night, so I did not get a chance to ask him a followup question with regard to this. But I am puzzled.

Mr. Speaker, I fail to see how capital gains tax reduction in so-called urban enterprise zones can be effective and yet not be effective in other areas of the country, in other parts of the economy, and I do not know if my colleague was following that particular colleague, but I just wanted to add a punctuation point to that.

Mr. ROTH. Mr. Speaker, I am sure the majority leader is going to be answering the gentleman's question for him. The majority leader is also going to, I am sure, answer the questions today when the bill comes up.

See, here in the House we have 267 Democrats. We have 168 Republicans. There are 99 more of them than there are of us.

We talked a little bit ago about 38 consecutive years of the Democrats running this House. Thirty-eight consecutive years. Every spending bill, every tax bill, must originate in this House.

I heard on the radio last night driving in that the spending bill that Senator BENTSEN is talking about, he says:

Yes, but it's got to start in the House. According to the Constitution all these tax bills have to start in the House of course.

Thirty-eight consecutive years every Speaker, every chairman, every subcommittee chairman, has been a Democrat, and we are going to have to change this country, and the way to change it is by changing this House.

Now my friend from California talked indirectly about integrity, and he asked a question of the majority leader, and I would have another question to ask of the majority leader who spoke here this morning. He said that the President is only interested in foreign affairs. He said he does not care about the people domestically. And he said this: He said it is time to take care of our own people and our own problems first for a change.

Mr. Speaker, I endorse that. I believe that. But we have to remember integrity. When the majority leader was on the floor, I wanted him to yield to me because, when he was talking about foreign policy today, I mean that takes real chutzpah. Today the Democrats have on the floor, on the calendar, a bill to send $25 billion overseas that we are going to borrow and saddle on our kids, and then to say the President does not care about the American taxpayer, he only cares about foreign policy. At the same time on the same day they have on the calendar to borrow $25 billion and shovel it overseas. Now that takes chutzpah.

In addition there is in this bill, on this foreign aid bill, $2 million to teach the American people—yes, there is $2 million, I say to the gentleman from Wisconsin [Mr. SENSENBRENNER]—to teach the American people why they should love foreign aid. We are talking taxpayer dollars for trying to brainwash our own people, and we wonder why people are upset with Congress. Is that courage? Is that judgment? Is that integrity? Is that dedication?

Now the majority leader is going to answer the gentleman's question, I am sure, and I am sure he will answer ours, too.

As my colleagues know, there is such a thing as posturing, and then there is such a thing as integrity, and, when I hear some of these comments during the night, there is a word for that. It is rich in our American agricultural tradition, but I cannot use it here on the floor.

Mr. Speaker, I would be happy to yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I thank the gentleman. I just wanted to point out that my earlier comments were referring to a colloquy between myself and the majority whip, so, if I said the majority leader, I apologize, but I did, as the gentleman correctly pointed out, attempt to get the majority leader to yield to me to no avail.

I might also add that of course the majority leader was the person of a passing parade of prime time players on the other side of the aisle who trooped in here in the early morning.

Mr. ROTH. Mr. Speaker, I want to point out to the majority leader, because I believe he was one of the advocates of the luxury tax, that our Joint Economic Committee has now estimated that that luxury tax, talking about real Americans and putting a face, if my colleagues will, on the unemployment picture could cost us 9,000 jobs, and the committee furthermore says that it is costing the Federal Government nearly $5 for every $1 in taxes it gains through this luxury tax because of unemployment compensation and lost income taxes, and I simply wanted to have the opportunity to pose that point to the majority leader and see if he would acknowledge me.

Mr. Speaker, I am going to yield to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I would just like to quote Malcolm Forbes who, I think we would acknowledge, is somewhat of a financial expert. This is out of Imprimus again.

One of the biggest canards ever foisted upon the American public is that capital gains cuts exploit the poor and shield the rich. The truth is they benefit everyone. By the same reasoning high capital gains tax has hurt everyone, regardless of their tax bracket.

Mr. Speaker, if we had done what the Japanese had done, then perhaps our Dow Jones would be at 22,000 today instead of someplace under 3,000.

Mr. ROTH. Mr. Speaker, I thank the gentleman from California [Mr. DOOLITTLE] for his contribution again. We know that is true, and the other side knows it is true, too.

Mr. Speaker, I yield to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Speaker, a moment ago the gentleman from Wisconsin made reference to the foreign aid appropriations bill or authorization bill; I am not sure which one he was referring to, as a bill fostered by the Democratic side of this Chamber. I think in fairness and accuracy it is legislation the administration, the Bush administration, supports.

Mr. ROTH. I am glad the gentleman brought that up. The Bush administration does not support the bill. The Bush administration does not ask for the bill. But they have got it on the calendar, and I will be happy to yield again, but this is a very important point to make:

President Bush did not come down and put this bill on the calendar. The Democratic leadership did.

□ 0900

I would be happy to yield again, but first I believe this is a very important point to make. President Bush did not come down and put this bill on the calendar, the Democratic leadership did.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman.

The administration does support foreign aid legislation, maybe not every jot and tittle of the bill, but the administration does strongly support foreign aid.

Mr. ROTH. Mr. Speaker, let me respond to my friend from Minnesota by saying that the Democratic leadership put this foreign aid bill—this is a Democratic leadership's foreign aid policy which they put on the calendar for the date. The President did not ask it to be put on. In fact, the President opposed the bill.

Mr. OBERSTAR. The administration does support foreign aid programs.

Mr. ROTH. It does not support this bill, but it is on the calendar for today, and the Democratic leadership put it up, and your leader had the chutzpah to come to the floor and to say that all the President cares about is foreign aid. You people put the $25 billion bill on the calendar for today. That is what strikes me. That is why I say he has real chutzpah.

I am going to yield to the gentleman from California.

Mr. OBERSTAR. What is your basis to support that? The gentleman has made a statement which is not supported.

Mr. ROTH. At this time I will yield to my friend from California.

Mr. OBERSTAR. The gentleman has not responded.

The SPEAKER pro tempore (Mr. DYMALLY). The gentleman from Wisconsin controls the time.

Mr. ROTH. Mr. Speaker, I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Speaker, I do not believe the important thing is foreign aid, because there are Members on both sides to support foreign aid. I do believe demagoguery exists when those same people claim we do not have enough domestic spending and then go ahead and support a $25 billion foreign aid bill.

The majority leader kind of skated out, and I also wanted to ask him several questions. As a matter of fact, he rejected or turned down an appeal to yield so that we could ask those questions.

I guess the majority leader grew up in a different State than I did. I grew upon the State of Missouri, his State, in a little town of 2,013 folks, some of the finest people in the world. They call it the "Show Me State."

But the majority leader used the term "deceit." The American people saw real Democratic deceit in the Clarence Thomas hearings, and it was criminal deceit. I hope that criminal process is completed.

In the "Show Me State" they say, "Show me." The majority leader and other Members have said that the bill has been paid for with an $8 billion trust fund. I have here a document from the Congressional Research Service, by the Library of Congress, that states irrefutably that that money does not exist.

The quota bill—the civil rights bill was not a quota bill, but it was a quota bill. The money exists, but the money does not exist, and it is proven right here in this research. How does that work? The general fund is supported with taxes, and then in a normal, nondeficit year, which we have not had for a long time, those benefits are transferred into the trust fund. In a deficit year the government borrows against that trust fund. Those are designated unemployment dollars, so you put a piece of paper in there that is an unemployment dollar.

Pretty soon you take up the $8 billion in notes. The money does not exist, and it is an important factor.

Mr. ROTH. I thank my good friend from California for making those points. As always, he is very scholarly and his research is always right on the mark.

I yield to my good friend from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I had not planned to participate in the special order, but I thank my colleague from Wisconsin [Mr. ROTH] for arguing it, because I believe that it is important to set the record straight after the night of hot air that the Democratic majority has emanated from this Chamber.

I am convinced after listening to many of the speakers on the Democratic side of the aisle that the way to obtain a majority of 38 years in the U.S. House of Representatives is to run away from your own record. Because practically every one of those speakers ran away from the record of the Democratic Congress over the last 38 years.

Unless the Constitution was changed last night while the American public was asleep, Congress still has the power of the purse. No President since George Washington has spend a dime that was not appropriated by the Congress of the United States. By the Constitution, all tax bills must originate in the House of Representatives. By tradition, all appropriations bills must originate in the House of Representatives. The House of Representatives has been controlled by the Democratic Party since January of 1955.

Speaker after speaker on the Democratic side of the asile has tried to blame President Bush and President Reagan for the huge Federal budget deficits that have been run up during

the last 11½ years, and yet Congress has the power of the purse. The 1974 Budget Act, which was passed before all of us who speaking on the Republican side were elected to Congress, requires the President of the United States to spend every dime that is appropriated by the Congress. A failure to do so is an impeachable offense in the eyes of the Democratic majority.

It was the Democratic majority that passed that 1974 Budget Act, because they objected to then-President Nixon impounding funds when he thought that Congress had overfinanced programs. So now the President's hands are tied. When he thinks Congress had appropriated too much money, all that he can do is to send a bill to the Appropriations Committee either rescinding or deferring previously enacted appropriations.

What happens in the Appropriations Committee, controlled by senior Democrats who have been here for a long, long time? That rescission bill ends up getting pigeonholed, or they shift money from things that were overfunded into other unnecessary spending programs.

After listening to many of the Democrats speak last night, you would think that it was a Republican President and his budget proposals that ended up running up the deficit and causing the economic problems that the American people are suffering with today. I would remind you, Mr. Speaker, that the only budget Ronald Reagan got passed was his first budget, and every other budget after that first budget that President Reagan sent to Congress was pronounced dead on arrival by the Democratic chairman of the Budget Committee, and none of George Bush's budgets has been enacted. They have been duly interred by the funeral parlor in the Democrat-controlled Budget Committee, and the Congress has passed its own high-deficit budgets and has tied the hands of the President of the United States through high appropriation bills and the requirement of the 1974 Budget Act that the President and the executive branch spend every dime that has been appropriated by Congress, and not one penny less.

Now, despite the overspending by the Congress that has not been controlled by the President's party, there have been significant increases in tax revenues. Despite the two large tax-rate cuts spearheaded by President Ronald Reagan, the amount of money collected by the Internal Revenue Service in the last decade doubled, and one would have thought that the doubling of tax revenues would have been enough to give the Federal employees a raise to take care of the pressing needs of the American people and to reduce the Federal budget deficit.

But what did the Congress do? It spent the money that was collected from those tax increases and then some, and as a result, the deficits went up, the national debt went up, and now the second largest line item in the Federal budget is the payment of interest on the debt, where the American public and others have decided to finance the deficits by buying Federal Government obligations that are issued in the billions of dollars, rather than the millions of dollars of just a few years ago.

□ 0910

It was not Republican Presidents that spent the tax revenue increases. It was the Democratic Congress that did that. I think the American public realizes that Congress has the power of the purse, and the fiscal problems are caused by the Congress. They also know which party has controlled this House for the last 38 years and which party has controlled the U.S. Senate for the last 6. It has not been the party of the Republican Presidents, it has been the opposition party that have frankly passed fiscal policies that have been designed to hamstring the Republican President and to use the Republican President as a convenient scapegoat for my friends on the Democratic side of the aisle who have managed to get theirselves a majority for the last 38 years by running against their own record.

One of the things that absolutely flabbergasted me just a few moments ago was the gentlewoman from Colorado [Mrs. SCHROEDER] coming and saying that George Bush was keeping away from employees the unemployment compensation taxes that they had paid in.

The gentlewoman from Colorado [Mrs. SCHROEDER] ought to know better. The unemployment compensation tax is not levied on employees, it is levied on employers. That fund is created by taxes that have been levied exclusively on those who provide jobs for the American people.

Maybe the gentlewoman from Colorado [Mrs. SCHROEDER] is letting the cat out of the bag and there will be another tax increase, this time imposing an unemployment compensation tax on those people who have been able to maintain their jobs. I hope that is not the case, because the last thing this country needs is another new tax.

I think one final point is necessary. Later on today the House of Representatives will vote on an Interior appropriations bill that is 8 percent above the amount of money that the President requested to finance the Department of the Interior and related agencies. This includes money for things like the National Endowment for the Arts, which has been very, very strongly criticized on how it wastes the taxpayers' money in financing artists that create pornography.

You will see most of the Republicans in the House of Representatives vote against the 8-percent increase in the NEA funding because those kinds of increases are what cause the big deficits that throw people out of work.

It is by our votes that we should be judged, not by our talk. I challenge Members on the Democratic side of the aisle, Mr. Speaker, to vote down this overspending Interior appropriations bill, because that is the best thing that we can do for the unemployed today, and that is, stop the spending and stop the deficits.

Mr. Speaker, I thank the gentleman from Wisconsin [Mr. ROTH] for yielding.

Mr. ROTH. Mr. Speaker, I thank my friend, the gentleman from Wisconsin [Mr. SENSENBRENNER] for his excellent contribution. As always, his remarks are very well on target. I will say this, he is very conservative with the taxpayers' money, and he is very liberal with his own. That is the type of person I like to be associated with, too.

Mr. Speaker, for 30 hours a Member has been waiting here on the floor. I cut him somewhat short a little while ago, and I want to apologize to him. Any man that waits here 30 hours to make his statement has a right to make a statement. So I am glad to call on him for a second time to finish his statement.

Mr. CUNNINGHAM. Mr. Speaker, I thank the gentleman. I will be brief.

Mr. Speaker, we established that the trust fund does not exist, so how do we pay for it? The interest rate that we spend on the deficit is more than all the social programs put together. Then why will the President veto this?

If it is true that the interest on the deficit is more than all the social programs, and we increase the deficit by $6 billion, we are going to turn into a pumpkin. Either that, or we increase it by $6.5 billion and increase the taxes.

The Democrats would love to have the President have to raise taxes, especially during a recession.

Twenty-five percent is what the liberals want to cut defense. Yes, defense should be cut in some areas, but not with a meat ax, because you have cut millions and millions of jobs directly and indirectly.

I remember the base closures and the Democrats from Philadelphia out crying because jobs were lost and people were laid off. I remember the luxury tax with 9,000 and tens of thousands on the spotted owl, the knatcatcher, the smelt, and salmon.

Mr. Speaker, I would ask all the Democrats that brought letters up, if you really care, if you really have compassion for those members, for those individuals and those citizens that are without jobs, help support the Michel-Dole-bill. In 48 hours checks will go out. For those that it does not cover, we will sit there and talk and discuss how we are going to pay for it. The rest of the people will receive their checks.

We can do it if you really care. I do not think you do. I think the inten-

tions of the majority leader and the Democratic Party are to discredit the President. I would hope that the former is the case.

Mr. ROTH. Mr. Speaker, again I thank the gentleman from California [Mr. CUNNINGHAM] for his excellent remarks. I know he has done a lot of research. We appreciate his scholarly approach.

I would now like to yield the remaining time to my friend from Texas [Mr. DELAY], who on our side of the aisle, of course, spearheaded this over 12-hour debate. We are very proud of him. He is a real dynamo, and it is good to have him in the Congress. He speaks for the American taxpayer, and we wish we had more TOM DELAYS.

Mr. DELAY. Mr. Chairman, I thank the gentleman for coming to the floor and taking the last hour of the 12-hour overnight debate. I have to admit to the gentleman that this dynamo has very little pop left in him.

It has been a long and I think a very fruitful debate, and I have to commend the Democrats for starting this all night special order. They intended to come to this floor, and they did, bashing President Bush because he does not, in their words, have compassion for those that are unemployed.

Yet every Member except three and some freshmen that came to the floor on the Democrat side during the night voted for the budget agreement that raised taxes, that increased spending, that put people out of jobs, because that budget agreement deepened and lengthened the recession.

Then they had the nerve to come to the floor and say that the President of the United States has no compassion for the unemployed. What the President of the United States has is compassion not only for the unemployed, but for the taxpayers of this Nation. All he asked the Democrats to do is pay for their bill.

The first two bills that they brought to this floor and passed very quickly, and, I might add, with rules that were closed, it did not allow us to make amendments, which has been the normal course of business in this House, those two bills that came to this floor did not pay for the extended benefits.

I asked the good and distinguished majority whip why they did not pay for the bills. His response was, well, we have the trust fund.

We have already established all night long that the trust fund has no money in it, that it has nothing but I.O.U's. It is like every other trust fund around this building. When the Government needs money, they put an I.O.U. in the trust fund and take the money out and use it for all these programs.

So they did not pay for the bill. The President said, "I am not going to declare an emergency when you cannot set priorities to pay for this bill."

Then he was criticized, all night long, for having declared emergencies for the Turks, for Turkey. I notice that nobody on this floor wanted to criticize the President for declaring emergency money to go to Israel, a very heavy constituency of the Democrats in this Nation. I notice they did not enumerate those emergencies.

I just want to point out again for the benefit of the House that there were three emergencies that the President declared so that we could bust the budget agreement. One was $236 million for disaster assistance to Kurds and others that were affected by Desert Storm. We know that story. We would have had Kurds, women and children, massacred in the hills of Iraq and in Turkey if we had not come to their aid because we caused the problem.

Now I think we will probably get a lot of that money back because the United Nations participation is paying for this.

The Democrats certainly did not point out to the American people that one of the emergencies that the President called for was $59 million to protect and evacuate Americans from the Persian Gulf region.

I do not blame the President for that. We made plenty of suggestions of how to prioritize the spending around here to pay for this unemployment benefit, and one of the ways we suggested was that this House give up all its foreign travel. That would be a good start. There were many other similar type of wasteful spending around this House that we suggested, including in the so-called highway bill yesterday. We doubled the money for mass transit. Part of that money, $13 billion, came right out of general revenue.

□ 0920

Cut that in half and you pay for the unemployment checks. There are plenty of ways do it. The Democrats do not want to prioritize spending. They just want to spend more. That is the whole point of this special order.

I just want to close by commending my side, the Members of my side of the aisle, especially the gentleman from California Mr. CUNNINGHAM, Mr. DOOLITTLE, and Mr. RIGGS for spending the entire 12 hours of this overnight special order here defending the President and their point of view, an economic philosophy that creates jobs, that rebuilds America, that we have suggested from the very beginning, before the polls came out, growth programs that create jobs, not more spending, more health programs and things of that sort.

I commend them and all the other Members that participated in this special order, and I hope that more of these will be held because I think it is very helpful for the American people to delineate between the two parties of the House, the one party that has 257 Members in the majority and the other party that has only 168 Members, a minority, and controls no committees of this House.

Mr. ROTH. Mr. Speaker, I was delighted to yield the time to my good friend, the gentleman from Texas [Mr. DELAY], who again is the mastermind in this all-night session, all the people who contributed and who were here.

I also want to thank the reporters and the staff that had to be here all night to work here and also who are going to have to be working here all day today. We appreciate their special attention and their special help.

SOME PERSONAL VIEWPOINTS ON UNEMPLOYMENT

The SPEAKER pro tempore (Mr. SKAGGS). Under a previous order of the House, the gentleman from Oklahoma [Mr. SYNAR] is recognized for 60 minutes.

Mr. SYNAR. Mr. Speaker, as we begin the 13th hour of this debate, I think it is only appropriate that we kind of try to summarize what we have heard over this last 12 hours. I think the American public has had probably as good a view of the different philosophies which are trying to run this country as they have ever had probably in any 12-hour period.

I think during the night they got to see some of the best debate, both Democrats and Republicans can offer with respect to what their philosophies are. I think they got to see a little bit of the sensitivities or insensitivities that both parties have with respect to the problems that face average working families in America.

As we begin this final stage of the debate, I want to call on some Members throughout this country which really has some personal observations about how this unemployment situation is affecting them and the people that they represent.

At this time I would like to yield to the gentleman from Maine [Mr. ANDREWS].

Mr. ANDREWS of Maine. Mr. Speaker, one of the puzzles, the great puzzles to me throughout this entire debate over the last few months has been not so much the philosophical differences on how we address the economics problems facing this country but, indeed, it is the actual question of whether this Nation is facing an economic crisis.

We heard from the administration that the recession ended in May. We heard from others in the administration that the recession, the unemployment facing this country is no big deal.

I have a problem with anyone who can suggest that this recession and this devastating unemployment is not big deal.

I will give the President of the United States credit. He has the good sense to leave Washington from time to time and come to the great State of Maine, my district, to relax and put everything in perspective. When he did that last summer, I wrote to the President.

I welcomed him to the State of Maine and I said:

While you are in the State of Maine, perhaps you will not be able to understand the great devastation that unemployment and economic recession is having in our State from your vantage point on Walker's Point in Kennebunkport. Perhaps you should travel to places like the West End of Portland, or perhaps you should go to Augusta, perhaps you should go to Sanford and Bitterford and look into the eyes of those people like I have who are facing the front lines of this economic devastation, 24,000 people in the State of Maine having lost their jobs since March.

Earlier, in fact about an hour ago we heard from the other side a question. Where is the money going to come from to pay for this extension of unemployment benefits for those thousands and thousands of people who are suffering as we speak? And the answer that they gave was, well, there is no place where it is going to come from.

I beg to differ. This is my final point, Mr. Speaker. That money is going to come from what we call a trust fund, a fund that was established with tax dollars and put away in the event that the economy should turn so bad, so devastating and create such hardship that we would need to extend unemployment benefits to those people who are on the front lines of that suffering all across this country.

It is called a trust fund. We asked the people of this country to have trust in this Government, to make those funds available to them if and when they need it.

Mr. Speaker, those people need it and, as a matter of trust, as a matter of integrity, as a matter of fairness, it is time for us to not use that trust fund continually to mask the deficit. It is time to use that trust fund for what it was for.

Every penny of the proposal that we have laid before this Congress can be paid for by that trust fund. I think it is critical that this Congress reestablish trust with the American people, that we live up to our word and that we provide relief to those people on the front lines of this devastation by tapping this trust fund for this extension of unemployment benefits.

Mr. SYNAR. Mr. Speaker, being affected by this unemployment really knows no barriers. Someone who has really been very active in the area of trying to make sure that her constituents are sensitive to the fact that we are trying to deal with it is the Congresswoman from the District of Columbia.

I yield to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I was here earlier in the wee hours of the morning and so pleased to find that there were so many people standing in line for this special order that I had to come back.

As I spent my youth sitting in, it is not too much to stand up and stand in for the unemployed this morning. We are talking about a recession that began in July 1990, and we are talking about the highest number of uneligibles for unemployment insurance in our history.

Forty percent of those who have exhausted their unemployment insurance live in 13 States and the District of Columbia. I am, therefore, particularly concerned.

We have two industries, real estate and banking, that we believe will not go up for a very long time, even if the rest of the country goes up.

Mr. Speaker, I am here to say a word about those who have no unemployment insurance, those who have had no employment. They are the voiceless, the forgotten during this period of great recession. It is completely unnecessary.

Mr. Speaker, we are in a period of baby bust. If our economy had been managed even mildly correctly, we would not have a nationwide recession that keeps kicking in instead of going out.

The decline in the standard of living since 1973 has occurred even through the 1980's. The frenzy during which we were assured that we were in an everlasting boom, the fact is we are paying for the frenzy of the 1980's. And we are needlessly paying because there is an excess of supply over demand for labor, if this were an economy that were doing mildly well.

Mr. Speaker, we have a President who has managed foreign policy. He has now shown he can manage the economy and he certainly has not shown that he can manage a recession.

Mr. SYNAR. Mr. Speaker, one of probably the hardest hit areas is the area of northern Minnesota. The person who represents that area has probably spent the better part of his career making sure that the people of Minnesota understand that government can and will respond when problems of unemployment and job shifting does occur.

I yield to the gentleman from Minnesota [Mr. OBERSTAR].

□ 0930

Mr. OBERSTAR. I thank the gentleman for yielding.

Earlier this morning, our colleagues across that aisle, one after another, referred to 38 years of Democratic leadership in the House of Representatives and pointed to that leadership as the source of and cause of the economic woes of the country. I would like to focus on just the last 10 years, 10 years in which the Republicans have controlled the White House, 6 years of which Republicans controlled the U.S. Senate, and 4 years of which they had working control of the House of Representatives, the combination of votes from this side of the aisle and their votes on the other side.

Statistics do not tell the story. They are people without blood and spirit. We have 10,000, and maybe as many as 14,000, people in northeastern Minnesota out of work.

I want to relate a human story. the front page of the Hibbing Daily Tribune in October 1980 bore this story: "Bobby Skorich Has a Job." It went on to tell that Bobby Skorich had been employed at the St. Louis County Courthouse in Hibbing as a janitor under the CETA Program, the Comprehensive Employment and Training Act. There was much rejoicing that Bobby Skorich had a job, because he had been longtime unemployed. In fact, this was his first real working, paying job.

A year later, an inside-the-front-page story ran, "Bobby Skorich Now Unemployed." What had changed in 1 year? It was that Ronald Reagan had become President.

His budget and Reconciliation Act of 1981 had been enacted, signed into law. Mr. Meese, his counselor, said, "We have got 98 percent of what we wanted," and part of what they got was wiping out the funding for the CETA Program. Bobby Skorich was unemployed again, and would never have a job. Bobby Skorich was mentally retarded, physically handicapped, and would never again be employed. One human story, one Government program that worked, one program that helped people find jobs.

The Economic Development Administration program to create jobs to help communities help themselves was slashed two-thirds, not the fat, two-thirds. The Appalachian Regional Development Commission was slashed more than 70 percent. Those are programs that worked, that put millions of people into productive jobs across this country.

We have not been able to recoup. The Bobby Skoriches of this world do not have jobs, because there are not ways to find employment for them.

EDA and ARC and other programs that the Democrats initiated that had bipartisan support, I might say, in this body and in the other body over the years cannot be revived because we have a White House that will not sign bills into law because we have a President who says no, who says let the economy work, and now it is not working, and now we are looking for some support from the President because we cannot govern by two-thirds.

For the Democrats to assert their programs and their ideas and to push them into law, we need two-thirds in both bodies. The Constitution never intended that we operate on two-thirds but on a majority rule, and on a majority basis, the people of this country are losing.

I thank the gentleman.

Mr. SYNAR. I yield to the gentleman from Ohio.

Mr. ECKART. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, today more than 8 million Americans, and almost 400,000 workers from my State of Ohio, are out of work. These people are not deadbeats—they have worked all their lives. But now they spend each day looking for jobs which aren't there.

I have received scores of letters from people who have been laid off, have run out of unemployment benefits and now fact dire circumstances. Listen to a letter from one of my constituents, Mrs. Pat Parker of Mentor, OH:

I am a 56-year-old woman who has worked all her life. I was laid off from my job after 20 years with the same company. I have long since run out of (unemployment) benefits. We are now hitting rock bottom and facing the reality of losing our house. We purchased our house on our combined salaries. Now we can't find any employment.

Mr. Speaker, when a member of my staff told Mrs. Parker yesterday that the President had vetoed the extension of unemployment benefits, she said, "I can't believe it."

But Mr. Speaker, not only did the President veto the bill, he earlier characterized it as garbage. I can not imagine our President characterizing a bill which would help hard working, intelligent and concerned Americans like Mrs. Parker in such a fashion. And yet he has done so.

It is a sad day when a President of the United States can voice such utter disregard, and in fact near contempt, for sincere and hard-working citizens. Our Nation deserves much better than that.

Mr. SYNAR. Mr. Speaker, I yield to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, I've heard rumors that the Chicago Cubs are thinking of signing up a new left-handed slugger for next year's season. His name is George Bush and he's batting 1,000 in the veto department against pitching from the Congress, and the overwhelming majority of hard-working, tax-paying Americans.

Twice this year the Congress has sent the President legislation which would have extended unemployment benefits to those Americans whose benefits have been exhausted, and twice the President has said no. He said, quite elegantly in fact, that he will not sign such garbage because it will violate the budget agreement. However, he neglected to mention that he did it for Bangledeshis, the Kurds and others. People are hurting in this country too, Mr. Speaker, and they don't have the resources to fly to northern Iraq to get relief.

Once again the Congress is working on and is likely to send the President a bill to extend unemployment benefits. They say the third time's the charm, but I don't think Mr. Bush believes in superstition. I don't think he really knows the suffering taking place right here in America. While much of the rest of the world grows and prospers, our citizens are going hungry and our factories are chaining their gates closed.

Just because the President believes that the recession is over, doesn't mean that all of a sudden the millions of unemployed, underemployed, and discouraged workers are suddenly back at work. The great economic recovery of 1991 has yet to reach inner city Chicago, Mr. Speaker. It hasn't reached the rest of America either. The lines of unemployed Chicagoans continue to stretch out the doors of the local benefit offices with no relief in sight.

The Bush administration was swept into office on the promise of 30 million new jobs over the 8 years the President expected to be in office, a pretty tall order indeed. Well just like the no-new-taxes pledge, this promise too fell by the wayside. In fact, since the time George Bush took office, there are now 300,000 fewer jobs in this country. That's not just a tragedy, but an indictment of the failed economic policies of the Reagan/Bush era and the lack of commitment our President, George Bush, has to assuring the welfare of our American work force.

Let's look at the President's past record with regard to the American worker, and look at what he's promised to veto in the future. It's not a pretty sight, Mr. Speaker. He twice vetoed unemployment extension benefits for those whose benefits have expired. He vetoed minimum wage legislation. He vetoed plant closing notification legislation. Furthermore, he has threatened to veto the Civil Rights Act and members of his administration have been actively engaged in sabotaging productive talks between the business and civil rights communities. And he has threatened to veto H.R. 5, the Workplace Fairness Act as well as H.R. 2, the Family and Medical Leave Act.

I wish the President would go out to the inner cities and small towns to see the faces of those Americans, and more importantly the faces of their children, who have lost their unemployment benefits. Unfortunately, we don't have many attractive photo opportunities in parts of my district like Lawndale, Garfield Park and Justin; Cabrini-Green and other housing developments communities comfortable confines of the beltway. What we do have, Mr. Speaker, are a lot of people who are down on their luck and having difficulty buying into the President's economic plan.

Let's forget about the budget agreement, and economic indicators, and housing starts, and statistics for a moment. What this issue boils down to is a matter of simple compassion for those working men and women who have put their faith, and their tax dollars, into the unemployment system in the hope that it would be there for them in their time of need. We cannot simply pass over these Americans in the name of preserving the budget agreement. While the need to keep last year's budget accord intact is important, is it more important than keeping food on the tables of America's downtrodden families.

Christmas is coming soon, Mr. Speaker, and there are going to be a lot of families with nothing under the tree this year. I hope the President will reconsider his previous stand on the unemployment extension and give all workers a gift they so desperately need, and deserve.

Mr. SYNAR. Well Mr. Speaker, we come to the end of this great debate, 12-plus hours have gone by, and the gentleman who started this whole thing rolling yesterday is going to conclude for our side. He is a gentleman that has nobly and also energetically represented the fine people of Michigan, and he is the one who, I think, really expresses the type of sincerity and sensitivity that the Democrats are so proud to march behind.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. BONIOR] for the final speech.

Mr. BONIOR. Mr. Speaker, I thank my colleague for his very kind and generous remarks. I want to thank all of my colleagues on my side of the aisle and my friends on the other side of the aisle who participated in this.

There were over 60 Democrats who talked about the issue of the unemployed in this economy throughout the night for 13 hours.

I also want to thank the staff. I know it is difficult. It is not an easy task to be here, especially those who are recording our words. They are limited in number, and they have to work very hard, and I want to express my appreciation to them.

Over the last few hours, the American people have been waking up, and they have been going to work, and many of us are just winding up, winding up a very important debate.

As I said, we have been here all night carrying out the vigil we planned on the issue of unemployment benefits.

We hope the President is waking up, too, not just to another day of reading foreign communiques or planning his next foreign tour. We hope that he hears the alarm bells that are going off all over America. We hope he realizes the anguish, the mental, physical anguish of people who, through no fault of their own, called in by the boss one day, were given a pink slip—told they are out of a job—people who have worked hard all of their lives, working people. These are get-up-early, punch-in, volunteer-for-overtime-work-at-a-second-job type of people.

The President has said that the unemployment bill was garbage. The Secretary of the Treasury thinks this recession is no big deal.

Well, look at the headlines, Mr. Speaker, because the headlines just

today say: "Economic Ills;" "Economy Weaker" in another major daily; "Economy Absolutely Stalled" in a national newspaper. How can this administration delay with phony alternatives? How can it delay with irrelevant arguments? How can it use a veto depriving the American public of a bill that, by a margin of 2 to 1, the American people want, and by a margin of 365 Members of this body, and the other body, we decided we wanted not too very long ago?

Mr. Speaker, through the night we sent a message to the White House. We say, "Come home, Mr. President. Forget about the gimmicks, forget the deceptive alternatives, too little, too late, and two-timing the unemployed."

Forget these tax cuts for the rich. Come home, Mr. President. You helped the Turks, you helped the people of Bangladesh, you helped the Kurds. Now, help some Americans. Help us take care of our own here at home. Help working people get back to work again. Mr. President, you should have acted in July, you should have acted in September, and now you have yet another chance to do the right thing for your people. Use it; use it, Mr. President, to give hard-working Americans another chance.

I thank my colleagues.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ANDREWS of Maine). The Chair wishes, first of all, to remind all Members that remarks in debate should be addressed to the Chair and not be directed to others such as the President of the United States.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. TAYLOR of North Carolina, for 5 minutes today.

(The following Members (at the request of Mr. SANTORUM) to revise and extend their remarks and include extraneous material:)

Mr. SOLOMON, for 5 minutes, today.

Mr. DREIER of California, for 60 minutes each day, on October 23, 24, 25, 28, 29, 30, 31, and November 1, 4, 5, 6, 7, 8, 12, 13, 14, and 15.

Mrs. BENTLEY, for 60 minutes each day, on November 19, 20, and 21.

Mr. SANTORUM, for 5 minutes, today.

Mr. MCEWEN, for 60 minutes, today.

(The following Members (at the request of Mr. HARRIS) to revise and extend their remarks and include extraneous material:)

Mr. SOLARZ, for 5 minutes, today.

Mr. FLAKE, for 5 minutes, today.

Mr. PEASE, for 5 minutes, today.

Mr. BROWN, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. KILDEE, for 60 minutes, today.

Mr. FROST, for 60 minutes, today.

Mr. TOWNS, for 60 minutes, today.

Mr. OBERSTAR, for 60 minutes, today.

Mr. OWENS of Utah, for 60 minutes, today.

Mr. GEREN of Texas, for 60 minutes, today.

Ms. NORTON, for 60 minutes, today.

Mr. ESPY, for 60 minutes, today.

Mrs. PATTERSON, for 60 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ROTH, for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. VOLKMER to revise and extend preceding en bloc amendments in the Committee of the Whole today on H.R. 2950.

(The following Members (at the request of Mr. SANTORUM) and to include extraneous material:)

Mr. BURTON of Indiana.

Ms. ROS-LEHTINEN.

Mr. CUNNINGHAM.

Mr. MCCOLLUM.

Mr. PURSELL.

Mr. LEACH in two instances.

Mr. COX.

Mr. HOBSON.

Mr. MACHTLEY in two instances.

Mr. BLAZ.

Mr. GALLO.

Mr. BARTON of Texas.

Mrs. BENTLEY in two instances.

Mr. PACKARD.

Mr. HYDE.

Mr. DORNAN of California.

Mr. PORTER.

Mr. GUNDERSON.

Mr. CRANE.

(The following Members (at the request of Mr. HARRIS) and to include extraneous matter:)

Mr. FASCELL in five instances.

Mr. MRAZEK.

Mr. DYMALLY.

Mr. MATSUI.

Mr. LEHMAN of Florida.

Mr. HOCHBRUECKNER.

Mr. CAMPBELL of Colorado.

Ms. PELOSI.

Mr. SLATTERY.

Mr. HAMILTON.

Mr. STARK.

Mr. ACKERMAN.

Mr. SANDERS.

Mr. TALLON.

Mr. PANETTA.

Mr. TOWNS.

Mr. SWETT.

Mr. TRAFICANT in three instances.

Mr. HERTEL.

Mr. SMITH of Florida.

Mr. OLVER.

Mr. HAMILTON.

Mr. DARDEN.

Mr. MCMILLEN of Maryland.

Mr. KOLTER.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2622. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1992, and for other purposes; and

H.R. 1720. An act to amend the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act to permit the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia with respect to capital improvements necessary for the delivery of mental health services in the District, and for other purposes.

ADJOURNMENT

Mr. SYNAR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes a.m., October 24, 1991), the House adjourned until Thursday, October 24, 1991, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2244. A letter from the Mayor, District of Columbia, transmitting a copy of the 1991 edition of INDICES: A Statistical Index to District of Columbia Services; to the Committee on the District of Columbia.

2245. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandum of justification regarding assistance to the Economic Community of West African States; to the committee on Foreign Affairs.

2246. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled, "Federal Employee Mileage Reimbursement Act of 1991"; to the Committee on Government Operations.

2247. A letter from the Comptroller of the Department of Defense, transmitting notification of transfers of authorizations within the Department of Defense, pursuant to Public Law 101-165, section 9011 (103 Stat. 1131); jointly, to the Committees on Armed Services and Appropriations.

2248. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report concerning the probable impacts of extension of the American Canal on rates of groundwater

declines and resultant surface subsidence in the El Paso-Juarez area, pursuant to Public Law 101-438, section 4 (104 Stat. 1003); jointly, to the Committees on Interior and Insular Affairs and Foreign Affairs.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITTEN: Committee on Appropriations. House Joint Resolution 360. Joint resolution making further continuing appropriations for the fiscal year 1992, and for other purposes (Rept. 102-266). Referred to the Committee of the While House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 3489. A bill to reauthorize the Export Administration Act of 1979, and for other purposes; with an amendment (Rept. 102-267). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER of New York: Committee on Rules. House Resolution 256. Resolution providing for the consideration of H.R. 3543, a bill making dire emergency supplemental appropriations and transfers for relief from the effects of natural disasters, for other urgent needs, and for incremental costs of "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1992, and for the purposes (Rept. 102-268). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN:

H.R. 3614. A bill amending the Land Remote-Sensing Commercialization Act of 1984 to secure U.S. leadership in land remote-sensing by providing data continuity for the Landsat Program and by establishing a new national land remote-sensing policy, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. COYNE:

H.R. 3615. A bill to provide that the 10-percent additional tax on early distributions from qualified retirement plans shall not apply to distributions from certain plans; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 3616. A bill to repeal the statutory authority for the Corporation for Public Broadcasting; to the Committee on Energy and Commerce.

By Mr. GALLO:

H.R. 3617. A bill to amend the Internal Revenue Code of 1986 to provide a permanent extension of the credit for increasing research activities and of the allocation rules for research and experimental expenditures; to the Committee on Ways and Means.

By Mr. GILCHREST:

H.R. 3618. A bill to provide a program of Federal supplemental compensation, and for other purposes; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. McCOLLUM:

H.R. 3619. A bill to amend title 11 of the United States Code to establish a priority for the payment of claims for retiree health benefits in liquidation cases under chapter 7 and 11; to the Committee on the Judiciary.

By Mr. OBERSTAR:

H.R. 3620. A bill to amend the Federal Aviation Act of 1958 to enhance competition at, and the provision of essential air service with respect to high-density airports, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. WYLIE:

H.R. 3621. A bill to require the Board of Governors of the Federal Reserve System to conduct annual on-site examinations of all primary dealers in government debt instruments, to prohibit federally insured depository institutions from engaging in certain transactions with registered government securities dealers which do not meet capital requirements established for registered brokers and dealers, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WHITTEN:

H.J. Res. 360. Joint resolution making further continuing appropriations for the fiscal year 1992, and for other purposes.

By Mr. HOYER:

H.J. Res. 361. Joint resolution designating November 22, 1991, as "National Ice Hockey Day"; to the Committee on Post Office and Civil Service.

By Mr. STEARNS:

H.J. Res. 362. Joint resolution designating October 30, 1991, as "National Stay in School Awareness Day"; to the Committee on Post Office and Civil Service.

By Mr. GOSS:

H. Con. Res. 225. Concurrent resolution expressing the sense of Congress that the laws that apply to the private sector and the other branches of the Federal Government should apply to Congress; to the Committee on House Administration.

By Mr. OWENS of Utah (for himself and Mr. GEPHARDT):

H. Con. Res. 226. Concurrent resolution to commend the participants in the Middle East Peace Conference to be held in Madrid on October 30, 1991; to the Committee on Foreign Affairs.

By Mr. STARK (for himself, Mrs. BOXER, Mr. McCLOSKEY, Mr. TRAFICANT, Mr. ACKERMAN, Mr. SCHUMER, Mr. NEAL of North Carolina, Mrs. SCHROEDER, Mr. BACCHUS, Mr. BROWN, Mr. ROE, Mr. ROYBAL, Mr. DELLUMS, Mr. TOWNS, Mr. KOLTER, Mr. RAVENEL, Mr. SANDERS, Mr. YATES, Mr. SWIFT, Mr. GORDON, Mr. JONTZ, Mr. ANNUNZIO, Mr. MAVROULES, Mr. STUDDS, Mr. FAWELL, Mr. DURBIN, Mr. CARPER, Mr. BILBRAY, Mr. WELDON, Mr. SMITH of Florida, Mr. STOKES, Ms. PELOSI, Mr. CONYERS, Mr. SKAGGS, Mrs. MORELLA, Mr. KOSTMAYER, and Mr. EVANS):

H. Con. Res. 227. Concurrent resolution expressing the sense of the Congress that the President should encourage the contracting parties to the General Agreement on Tariffs and Trade to support national and international efforts to protect the world environment, and that the President should oppose certain actions under such agreement which discourages protection of the environment and wildlife by the United States; to the Committee on Ways and Means.

By Mr. MICHEL:

H. Res. 254. Resolution electing Representative Cunningham of California to the Committee on Education and Labor; considered and agreed to.

By Mr. MICHEL (for himself, Mr. HYDE, Mr. LEACH, Ms. SNOWE, Mr. BEREUTER, Mr. GOSS, and Mr. BROOMFIELD):

H. Res. 255. Resolution creating a task force of Members of the Foreign Affairs Committee to investigate certain allegations concerning the holding of Americans as hostages in Iran in 1980; to the Committee on Rules.

By Ms. SLAUGHTER of New York:

H. Res. 256. Resolution providing for the consideration of the bill (H.R. 3543) making dire emergency supplemental appropriations and transfers for relief from the effects of natural disasters, for other urgent needs, and for incremental costs of "Operation Desert Shield/Desert Storm" for the fiscal year ending September 30, 1992, and for other purposes; House Calendar No. 65. House Report No. 102-268.

By Mr. BEREUTER (for himself, Mr. THOMAS of California, Mr. ANTHONY, Mr. BARRETT, Mr. DORGAN of North Dakota, Mr. GRANDY, Mr. GLICKMAN, Mr. COLEMAN of Missouri, Mr. JOHNSON of South Dakota, Mr. ROBERTS, Mr. VOLKMER, Mr. NUSSLE, Ms. LONG, Mr. EMERSON, Mr. LEACH, and Mr. MARLENEE):

H. Res. 257. Resolution to express the sense of the House of Representatives regarding enforcement of the oilseeds GATT panel ruling against the European Community; to the Committee on Ways and Mean.

By Mr. HAMILTON (for himself, Mr. GEPHARDT, Mr. FASCELL, and Mr. DERRICK):

H. Res. 258. Resolution creating a task force of Members of the Foreign Affairs Committee to investigate certain allegations concerning the holding of Americans as hostages by Iran in 1980; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Ms. DELAURO.

H.R. 251: Mr. LEWIS of Georgia.

H.R. 330: Mr. ATKINS.

H.R. 467: Mr. COMBEST, Mr. HOLLOWAY, and Mr. DE LUGO.

H.R. 501: Mr. ROE, Mr. ROYBAL, Mrs. BOXER, Mrs. JOHNSON of Connecticut, and Mr. BILBRAY.

H.R. 561: Mr. MINETA.

H.R. 580: Mr. STEARNS.

H.R. 688: Mr. OWENS of Utah.

H.R. 722: Ms. KAPTUR.

H.R. 723: Ms. KAPTUR.

H.R. 812: Mr. FAZIO, Mr. ESPY, Mr. MINETA, Mr. VENTO, Mr. FOGLIETTA, Ms. PELOSI, Mr. BROWN, Mr. STALLINGS, Mr. LEWIS of Florida, Mr. BERMAN, Mr. ROWLAND, Mr. BOUCHER, Mr. SWIFT, Mr. DWYER of New Jersey, Mr. GALLO, and Mr. ENGEL.

H.R. 917: Mr. OLVER, Mr. GILCHREST, Mr. CLEMENT, Mr. STALLINGS, Mr. HERGER, Mr. RUSSO, and Mr. PAYNE of New Jersey.

H.R. 1049: Mr. PACKARD, Mr. LOWERY of California, Mr. HUNTER, and Mr. BLILEY.

H.R. 1147: Mr. OWENS of Utah and Mr. SHAYS.

H.R. 1200: Mr. BREWSTER, Mr. BROWN, Mr. CLAY, Ms. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. DICKS, Mr. FRANKS of Connecticut, Mr. GOSS, Mr. HAYES of Illinois, Mr. HEFNER, Mr. HORTON, Mrs. LLOYD, Mr. McNULTY, Mr. MFUME, Mr. OWENS of New York, Mr. PAYNE of New Jersey, Mr. SKAGGS, Mr. STOKES, Mr. WASHINGTON, Ms. WATERS, Mr. WHEAT, Mr. WISE, and Mr. YATES.

H.R. 1288: Mr. WILLIAMS.

H.R. 1300: Mr. FOGLIETTA.

H.R. 1330: Mr. EWING and Mr. GOODLING.

H.R. 1414: Mr. CARDIN.

H.R. 1417: Mr. PACKARD.

H.R. 1418: Mr. FISH.

H.R. 1515: Mr. MFUME, Mrs. BOXER, Mr. FISH, Mr. WILLIAMS, Mr. CAMP, Ms. ROS-LEHTINEN, and Mr. WALSH.

H.R. 1516: Mr. SMITH of Iowa, Mr. GUNDERSON, Mr. SKELTON, and Mr. OXLEY.

H.R. 1522: Mr. MRAZEK.

H.R. 1527: Mr. SAXTON and Mr. BATEMAN.

H.R. 1601: Mr. BILBRAY.

H.R. 2012: Mr. EWING, Mr. SMITH of New Jersey, Mr. GLICKMAN, and Mr. FRANKS of Connecticut.

H.R. 2115: Mr. RICHARDSON.

H.R. 2142: Mr. TOWNS, Mrs. LLOYD, Mr. HORTON, Mr. HOCHBRUECKNER, Mr. DELLUMS, Ms. NORTON, Mr. MARTINEZ, Mr. BROWN, Mr. JONTZ, Mr. ROE, Mr. JEFFERSON, and Mr. FISH.

H.R. 2149: Mr. WOLF.

H.R. 2215: Mrs. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. FRANKS of Connecticut, Mr. MAZZOLI, Mr. RAHALL, Mr. ROSE, Mr. SOLARZ, Mr. STOKES, and Mr. TRAXLER.

H.R. 2258: Mr. DIXON, Mr. MORAN, Mr. SABO, and Mr. TRAXLER.

H.R. 2309: Mr. FISH.

H.R. 2374: Mr. EVANS and Mr. WAXMAN.

H.R. 2390: Ms. KAPTUR.

H.R. 2645: Mr. WASHINGTON.

H.R. 2695: Mr. TRAXLER, Mr. KOPETSKI, Mr. VOLKMER, Mr. RAVENEL, Mr. LUKEN, Mr. YATRON, Mr. DREIER of California, Mr. FEIGHAN, Mr. ROHRABACHER, Mr. JAMES, Mr. HEFLEY, Mr. ZELIFF, Mr. MONTGOMERY, Mr. TAYLOR of North Carolina, Mr. KLUG, Mr. TALLON, Mr. MACHTLEY, Mr. LAROCCO, Mrs. MORELLA, and Mr. SCHAEFER.

H.R. 2768: Mr. COX of California.

H.R. 2779: Mrs. SCHROEDER and Mr. ECKART.

H.R. 2781: Mrs. SCHROEDER.

H.R. 2806: Mr. MORRISON and Mr. ABERCROMBIE.

H.R. 2838: Mr. MFUME, Mr. EDWARDS of California, Mr. HUGHES, Mr. DOOLEY, Mr. JOHNSON of South Dakota, and Mr. FEIGHAN.

H.R. 2872: Mr. FISH and Mr. APPLEGATE.

H.R. 2906: Mr. DERRICK.

H.R. 2915: Mr. RAVENEL and Mr. BARRETT.

H.R. 3049: Mr. SCHAEFER.

H.R. 3070: Mr. RANGEL, Mr. NAGLE, Mr. ZIMMER, Mr. GIBBSONS, Mr. WISE, Mr. FISH, Mr. SAXTON, Mr. TOWNS, Mr. SOLARZ, Mr. JONES of Georgia, Mr. ENGEL, Ms. KAPTUR, Mr. PAYNE of Virginia, Mrs. BENTLEY, Mr. DUNCAN, Mr. DAVIS, Mr. MORRISON, Mr. EMERSON, Mr. GEREN of Texas, Mr. HUTTO, Mr. LIPINSKI, Mrs. LOWEY of New York, Mr. MAZZOLI, Mr. ROEMER, Mr. SCHAEFER, Mr. HUNTER, Mr. SHUSTER, Mr. MARLENEE, Mr. SISISKY, Mr. DOOLITTLE, Mr. OBEY, Mr. FIELDS, and Mr. COX of California.

H.R. 3147 Mrs. MORELLA.

H.R. 3164: Mr. BEREUTER, Mr. CALLAHAN, and Mr. SISISKY.

H.R. 3198: Mr. BEVILL, Mr. GEREN of Texas, Mr. TOWNS, Mr. SOLOMON, Mr. TAYLOR of North Carolina, Mrs. LLOYD, Mr. PERKINS, Mr. BATEMAN, Mr. BUNNING, Mr. COBLE, Mr. MANTON, Mr. HEFNER, Mr. SLAUGHTER of Virginia, Mr. DARDEN, Mr. GALLO, Mr. DORNAN of California, Mr. HANCOCK, Mr. KOLTER, Mr. ROGERS, Mr. RANGEL, Mr. DONNELLY, Mr. SUNDQUIST, Mr. LANCASTER, and Mr. SAXTON.

H.R. 3217: Mr. LUKEN, Mr. DANNEMEYER, Mr. KLUG, Mr. LENT, and Mr. BOEHNER.

H.R. 3226: Mr. LIVINGSTON, Mr. BILIRAKIS, and Mr. BOEHNER.

H.R. 3250: Mr. BONIOR, Mrs. BOXER, and Mr. FISH.

H.R. 3253: Mr. CAMPBELL of Colorado, Mr. HAYES of Illinois, Mr. MORAN, and Mr. VENTO.

H.R. 3334: Mr. PETERSON of Florida, Ms. NORTON, and Mr. FISH.

H.R. 3425: Mr. FROST, Mr. LIPINSKI, and Ms. KAPTUR.

H.R. 3439: Mr. TAUZIN.

H.R. 3441: Mr. TAUZIN.

H.R. 3442: Mr. TAUZIN.

H.R. 3462: Mr. HOCHBRUECKNER, Mr. BROOMFIELD, Mr. SOLARZ, Mr. EVANS, Ms. SLAUGHTER of New York, Mr. HAYES of Illinois, and Mr. FISH.

H.R. 3489: Mr. HAMILTON, Mr. YATRON, Mr. SOLARZ, Mr. WOLPE, Mr. LANTOS, Mr. BERMAN, Mr. WEISS, Mr. ACKERMAN, Mr. OWENS of Utah, Mr. FOGLIETTA, Mr. MCCLOSKEY, and Mr. LEACH.

H.R. 3502: Mr. SKEEN.

H.R. 3514: Mr. SHAYS.

H.R. 3516: Mr. HUTTO.

H.R. 3528: Mr. FROST, Mr. MARTINEZ, Ms. KAPTUR, Mr. WILLIAMS, and Mr. PERKINS.

H.R. 3550: Mr. BUSTAMANTE, Mr. RAHALL, and Mr. WASHINGTON.

H.R. 3555: Mr. LEACH, Ms. SNOWE, Mr. BACCHUS, Mr. SHARP, and Mr. CAMP.

H.R. 3569: Mr. KOLBE.

H.R. 3595: Mr. STOKES, Ms. HORN, Mr. MAZZOLI, Mr. HATCHER, Mr. FAWELL, Mrs. LLOYD, Mr. DWYER of New Jersey, Mr. GORDON, Mr. GUARINI, Mr. ROE, Mr. ENGLISH, Mr. BREWSTER, Mr. QUILLEN, Mr. MCEWEN, Mr. HOBSON, Mr. MCCURDY, Mr. ECKART, Mr. MCCLOSKEY, Mr. YATES, and Mr. KOLTER.

H.J. Res. 21: Mr. LUKEN.

H.J. Res. 175: Mr. FLAKE, Mr. SARPALIUS, Mr. JOHNSON of South Dakota, Mr. INHOFE, Mr. ACKERMAN, and Mr. PETERSON of Minnesota.

H.J. Res. 212: Mr. PAYNE of New Jersey, Mr. PANETTA, Mr. DE LA GARZA, Mr. BROWDER, Mr. LEVIN of Michigan, Ms. PELOSI, Mr. EARLY, Mr. SOLARZ, Mr. MARTIN, Mrs. BOXER, Mr. PRICE, Mr. VENTO, Mr. MORAN, Mr. FISH, Mr. MANTON, Mr. MCGRATH, Mr. MILLER of Ohio, Mrs. MINK, Mr. MURPHY, Mr. RAMSTAD, Mr. RITTER, Mr. ROTH, Mr. RAVENEL, and Mr. STOKES.

H.J. Res. 242: Mr. MARTINEZ, Mr. MANTON, Mr. DWYER of New Jersey, Mr. UPTON, Mr. ARCHER, and Mrs. BYRON.

H.J. Res. 261: Mr. STAGGERS.

H.J. Res. 321: Mrs. BOXER, Mr. BROWDER, Mr. DARDEN, Mr. HOCHBRUECKNER, Mr. KOPETSKI, Mr. LANCASTER, Mr. LEVINE of California, Mr. MOODY, Mr. TOWNS, Mr. TRAFICANT, Mr. TANNER, Mr. SANGMEISTER, Mr. SPENCE, Mr. STAGGERS, Mr. SCHUMER, Mr. VALENTINE, Mrs. UNSOELD, Ms. WATERS, Mr. WILSON, Mr. WYLIE, Mr. YATES, Mr. HAMMERSCHMIDT, and Mr. ROE.

H.J. Res. 326: Mr. MCEWEN, Mr. DREIER of California, Mr. CALLAHAN, Mr. HANSEN, Ms. NORTON, Mr. BERMAN, Mrs. BYRON, Mr. CONYERS, Mr. DEFAZIO, Ms. DELAURO, Mr. DELLUMS, Mr. DICKS, Mr. GORDON, Mr. HAMILTON, Mr. LOWERY of California, Mr. MAZZOLI, Mrs. MORELLA, Ms. MOLINARI, Mr. MURPHY, Mr. OWENS of Utah, Mr. POSHARD, Mr. PRICE, Mr. QUILLEN, and Ms. SLAUGHTER of New York.

H.J. Res. 356: Mr. ESPY, Mr. GORDON, Mr. ANNUNZIO, Mrs. MINK, Mr. MCMILLEN of Maryland, Mr. ROYBAL, Mr. DE LUGO, Mr. PASTOR, Mr. ABERCROMBIE, Ms. WATERS, Mr. DIXON, Mr. TOWNS, Mr. ROE, Mr. SANDERS, Mr. MFUME, Mr. OWENS of New York, Mr. APPLEGATE, Mr. COYNE, Mr. DARDEN, Mr. GUARINI, and Mrs. COLLINS of Illinois.

H. Con. Res. 56: Mr. KOPETSKI.

H. Con. Res. 81: Mr. FISH.

H. Con. Res. 202: Mr. APPLEGATE.

H. Res. 161: Mr. FROST, Mr. KOSTMAYER, and Mr. MANTON.

H. Res. 204: Mr. MARTIN, Mr. FISH, Mr. MCNULTY, Mr. SCHIFF, Mr. SPENCE, Mr. WALSH, and Mr. HOBSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 280: Mr. MCMILLAN of North Carolina.

EXTENSIONS OF REMARKS

DOBROSLAV PARAGA: PARAGON OF VIRTUE IN THE NEW CROATIA?

HON. HELEN DELICH BENTLEY
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mrs. BENTLEY. Mr. Speaker, on October 16, during my special order on "Dobroslav Paraga" the following articles were omitted. For the benefit of my colleagues, I wish to submit them now:

[From the Chicago Tribune, Oct. 7, 1991]

CROATIAN EXTREMIST SPOILING FOR WIDER WAR

(By Ray Moseley)

ZAGREB, YUGOSLAVIA.—There is more than one war being fought in Croatia. In addition to the official one, Dobroslav Paraga and his armed followers are waging their own private struggle.

Paraga, 30, who heads the extremist Croatian Party of Rights, says he has 2,000 fighters at the war front and another 10,000 armed and ready to go. They include party members, ethnic Croatians who have come from the United States and other countries to join the struggle, and some mercenaries.

Paraga's goal is no less than the creation of a "Greater Croatia," restoring the republic to borders it had until early in this century.

To achieve that, he would have to conquer sizable areas of Serbia up to the outskirts of Belgrade, and parts of Bosnia-Herzegovina and Montenegro. In short, he would have to plunge all of Yugoslavia into war.

Western diplomats and the Croatian government view his activities with distaste. Diplomats said his army, which he calls the Croatian Defense Forces, sabotaged a ceasefire more than a week ago by capturing an army barracks at Bjelovar. That prompted the army to renew its offensive against Croatia.

The Defense Forces sometimes fight alongside the Croatian National Guard, Paraga said. But diplomats said they also pursue objectives contrary to government policy.

Paraga says President Franjo Tudjman is guilty of "high treason" for having agreed to cease-fires. He says there can be no truce until all of Croatia is liberated.

Despite such statements, the government tolerates his activities. It would appear to have little choice, because any attempt to bring the Defense Forces under government control probably would touch off a war among Croatians.

Paraga is a former journalist and human-rights campaigner who was jailed under the former Communist regime. He operates from a downtown office building that bristles with military activity.

Men armed with ancient-looking machine guns guard the entrance. A woman rushes in and pleads for troops to be sent to her village to save it from the army. A young man hastily picks up two grenades, drops one on a stone floor, then retrieves it and dashes out the door with her.

Two weeks ago Ante Paradzik, the Party of Rights' vice president and commander of the Defense Forces, was fatally shot by Croatian police when, according to police, his car ignored a roadblock.

Paraga said it was a government assassination. "Our vice president had accused people in the government of embezzling state funds that were supposed to be used for buying weapons," he said. "We were informed by two unofficial sources that an assassination was planned, but we didn't know who it would be or when."

Paraga says his forces include a former U.S. Army colonel, a man of Croatian origin who retired a month ago from a U.S. base in Italy. He refused to give his name. Outside his office, reporters encountered a man in uniform who said he was from Houston, but did not identify himself.

The bespectacled, bookish-looking party leader said ethnic Croatians from the U.S. to Australia help finance his army and have equipped it with sophisticated weaponry. The arms, he said, include U.S. Stinger and Soviet Strela anti-aircraft missiles as well as East German-made Armbrust anti-tank rockets.

Paraga said his forces also have tanks captured from the army. "We are better armed than the Croatian regular forces," he said.

The Party of Rights claims is history of 130 years. But critics say the original party of that name, which favored Croatian independence from the Austro-Hungarian Empire, was a liberal party and Paraga has simply appropriated its name. The party was banned in 1929. Paraga founded his party in 1990.

He said there are party branches in several U.S. cities, including Chicago, and in Canada and Australia. In Croatia itself, he said, the party has more than 100,000 members.

Critics say the party is descended from the fascist Ustashi movement that governed Croatia as a Nazi puppet state in World War II. The party's last prewar secretary, Ante Pavelic, founded the Ustashi and served as Croatian president during the war.

Paraga denies that the Ustashi were fascists or ever under the control of Nazi Germany. He does admit that the Ustashi espoused racial policies and sent many Jews to their deaths, but says his party does not share such racial views, nor does it consider itself as a successor movement.

"We are a democratic party, and dictatorships are unacceptable for us," he said.

Paraga claimed that, in the present war, Croatian forces were on the verge of forcing the surrender of blockaded army bases when Tudjman recently accepted a ceasefire.

Paraga said "many of our people will have to die" before Croatia is liberated.

[From Reuters, Oct. 10, 1991]

CROATIAN NATIONALIST ONCE FOUGHT COMMUNISTS—NOW SERBS

(By Andrej Gustincic)

ZAGREB, YUGOSLAVIA.—Dobroslav Paraga was once a mild-mannered dissident who endured imprisonment in formerly communist-ruled Yugoslavia. Now he leads Croatian ultra-nationalists branded as neo-fascist by Serbs.

While communists were in power in the 1980s, he became an international cause celebre as one of the few Yugoslav dissidents unconcerned with nationalism and dedicated to human rights regardless of nation or faith.

Now he heads the ultra-nationalist Croatian Party of Rights (HSP) and its paramilitary wing, the Croatian Defense Force (HOS).

"I haven't changed," he told Reuters in an interview in his office in a huge baroque building in central Zagreb.

"I am still a pacifist. I care about the rights of individuals, the rights of my people."

He was speaking as HOS fighters, armed to the teeth and wearing camouflage gear, bustled through the building's cavernous halls and wide marble stairwells.

The soldiers, mostly unemployed youths or from families of blue-collar workers, carry submachineguns and search visitors before allowing them into Paraga's office.

Even fellow Croats and those who once championed Paraga's cause now consider him either a lunatic or a potential threat to Croatian President Franjo Tudjman.

Croatian police shot dead Paraga's number two, Ante Pradzic, last month.

Paraga says the HOS has 10,000 men, all volunteers, who joined the force because they felt Tudjman and his ruling Croatian Democratic Union (HDZ) were incapable of protecting Croats.

More than 1,000 people have been killed in Croatia since it declared independence in June and Paraga's men have been in the forefront of some of the bloodiest fighting.

"The authorities were afraid of me when I was a dissident and they are even more afraid of me now," said the tall, moon-faced Paraga, who was jailed for four years under communism.

He was imprisoned in 1980 for alleged links with hostile emigre groups and for petitioning for the release of political prisoners in Yugoslavia.

His accounts of the murder of political prisoners and systematic brutality towards them in Yugoslavia caused shock at home and abroad.

Serbs, who oppose Croatia's independence moves and make up a sizeable minority in the republic, have branded Paraga a neo-fascist.

He dismisses the charges of extremism and neo-fascism.

"In some ways we are the most powerful party in Croatia," he said. "Many fighters in the Croatian armed forces are our boys, the members of this party."

His party wants an independent state of Croatia whose borders would include the neighboring republic of Bosnia-Herzegovina.

Its borders coincide with those of a Nazi puppet state during World War II run by fanatical Croatian fascists called "ustashe," who killed hundreds of thousands of Serbs, Jews and gypsies.

"We recognize the validity of the wartime Croatian state but reject its regime," he said. "We are not ustashe. We do not have ustashe ideology and we don't sing ustashe songs."

But HOS uniforms bear the ustashe motto "Za Dom Spremni" ("Ready to Serve the Homeland") and some of the soldiers wear badges saying "ustashe renaissance."

Paraga is dedicated to stopping the expansionism of Croatia's arch-rival, Serbia, and says that Serbs have enslaved non-Serbs in Yugoslavia.

"The message is clear: the Serbian advance must be stopped forever," he said.

[From Toronto Globe and Mail, Sept. 25, 1991]

CANADIAN DEFENDS SUPPORT FOR PRIVATE CROATIAN ARMY—DONATIONS USED FOR CLOTHES AND FOOD, NOT WEAPONS

(By Paul Koring)

ZAGREB, YUGOSLAVIA.—More than $2-million raised in Canada has been funnelled to the Croatian Party of Rights, which runs its own, private, elite army and has been widely associated with extreme Croatian nationalism.

The party is at odds with the Croatian government and President Franjo Tudjman, whom it accuses of failing to adequately defend Croatia. It rejects the fragile ceasefire currently in place in Croatia and demands that the war continue until Serbia is reduced to its pre-First World War border.

The Party of Rights also accuses Mr. Tudjman's government of assassinating its vice-president, Ante Paradzik, three days ago. A prominent Croatian-Canadian businessman, Ivan Orsanic, was in the car, but was uninjured when a Croatian national militiaman fired more than a dozen bullets into Mr. Paradzik at a roadside checkpoint.

Mr. Orsanic had delivered $2-million to the party, according to its president, Dobroslav Paraga, along with a shipment of humanitarian assistance.

Mr. Orsanic claims the president was mistaken. "It was $2-million worth of clothes and food," he said.

However, he also said, "I wish I did, I wish I could [deliver money along with humanitarian aid]. You can't defend yourself with food and clothes."

He said the money was raised in the Canadian-Croatian community, which he said numbers 250,000. A spokesman for the Croatian Committee for Human Rights in Mississauga, Ont., put the community at 150,000.

Mr. Orsanic denies any knowledge of arms purchases. "I don't know how they do it," he said, but Mr. Paraga said funds from abroad are used "for buying instruments of defence for Croatia."

Although the Party of Rights rejects allegations that it is a reincarnation of the Nazi-backed Croatian nationalist movement known as Ustasha, at least some of its red-bereted members—festooned with grenades and wielding sub-machine guns outside the party's headquarters—freely, and with apparent pride, claim to be Ustasha.

They also wear, and the party has as its emblem, a version of the red-and-white checkerboard crest used by the Ustasha, which killed thousands of Jews and Serbs during the Second World War.

"The white field first [in the upper-left-hand corner of the crest] signifies independence and the red field first [as is used by the government of the breakaway republic] signifies loss of independence," Mr. Paraga said yesterday in an interview.

"We are against the persecution of Jews or any people," he said. However, he acknowledged that a former general secretary of his party had founded the fascist Ustasha in Italy.

"We are not the same movement, not the same party," he said. But he also added, "Who are Ustasha? If someone who defends Croatia is Ustasha, then we are Ustasha." The word, he said, simply means "to rise up against."

Mr. Paraga, 30, has an international reputation as an outspoken dissident and was jailed several times by the Communist regime. He is regarded as the first person to document human-rights abuses by the Communist government in Belgrade, and was cited in a 1989 U.S. congressional resolution condemning human-rights abuses in Yugoslavia. Twice he was named a prisoner of conscience by Amnesty International.

Mr. Paraga's party appears to be gaining support as Croatia struggles to avoid further loss of territory in a bitter civil war against Serbian irregulars backed by Yugoslav federal forces. Both parliamentarians and members of the Croatian government's militia were arriving yesterday at the party's heavily fortified headquarters to sign up.

Mr. Paraga also said his party's uncompromising stance and fierce Croatian nationalism were winning adherents both inside Croatia and without. He said it had received arms from Albania and Bulgaria and support from expatriate communities in Australia, Europe and the United States. "We have over 100 branches, [including ones in] Toronto, Thunder Bay, Windsor, Vancouver and Edmonton," he said.

One of Mr. Paraga's chief advisers is Milan Vokovic, another Canadian who lived in Toronto from the age of six, studied at the conservatory of music in Toronto and the University of Toronto.

He accused Mr. Tudjman of "an act of treason" for neglecting to sufficiently arm the republic. He also said the party's private army—a force he says exceeds 10,000—was "continuing to conduct offensive operations, against Serbian and Yugoslav federal army positions in defiance of the ceasefire agreed to by Mr. Tudjman and Yugoslavia's defence minister, Veljko Kadijevic, on Sunday.

Yesterday, the military commander of Croatia's embattled eastern region of Slavonia, Branko Glavas, called on Mr. Paraga—although why he was not reporting to the Croatian defence ministry was not clear.

The party regards Mr. Tudjman as a "traitor" for agreeing to the ceasefire. The party's policy, according to Mr. Paraga, is that Serbia must be reduced to the remnant state that it was before 1914.

"Croatia must occupy its ethnic and historical areas," Mr. Paraga said, an expanse of land that would include not just the current boundaries of the republic but also large swaths of Serbia and Bosnia-Herzegovina.

"Tudjman must go now, he is not a good leader of the Croatian people," Mr. Paraga said.

The real strength of the Party of Rights may become apparent today at the funeral of Mr. Paradzik. Mr. Paraga said he expected the government, which has tried to ban party demonstrations, to try to disrupt the funeral.

The party has clearly become a thorn in the government's side. Last weekend, defense minister Gojko Susak, another Croatian Canadian, said the private army run by the Party of Rights would be brought under control and that it had fewer than 1,000 fighters under its command.

A few hours later, the party's vice-president was gunned down at a Croatian checkpoint on his return to Zagreb from a political rally.

"I was talking to Mr. Paradzik [at the time]," Mr. Orsanic, the Canadian businessman, said. "This guy backed up five steps and started to shoot . . . Chicago-style. It couldn't be an accident. This party has more enemies than friends because it is the only party fighting for the independence of Croatia."

The party's president blames Mr. Tudjman for the killing. He claims that Mr. Tudjman's government includes high officials and cabinet members who were former members of the Communist secret police who persecuted him when he was a dissident. "President Tudjman is responsible [for the killing] because he invited them into the cabinet," Mr. Paraga said. "I know I am on the list for killing, too."

The government appears unable to force the Party of Rights to follow its official line, both regarding military operations and the agreement to a ceasefire. But Mr. Paraga makes no excuses for maintaining a private army whose loyalty oath is not to the government but to the party's aims.

"Only my party [has an army] because the others do not have enough courage," he said. He says an increasing number of Croatians are fed up with the government and are turning to his party.

Of the red berets with their whitefirst shoulder crests, Mr. Paraga said they were "not illegal," but added: "Primarily, they are loyal to my party."

[From the Washington Post, Oct. 10, 1991]

CROATS FIELD MILITANT MILITIA—NATIONALIST PARTY FIGHTERS INVOKE IMAGES OF FASCIST PAST

(By Blaine Harden)

ZAGREB, YUGOSLAVIA.—Besides bayonets, gleaming black hand grenades and late-model submachine guns, militiamen of the ultra-nationalist Croation Party of Rights outfit themselves with Roman Catholic rosary beads.

On the wooden stocks of their automatic weapons, some fighters in the militia have carved the U symbol of Croatia's notorious Ustashi government that, on 1941–45, collaborated with Adolf Hitler and forcibly converted Eastern Orthodox Serbs to Catholicism. Hundreds of thousands of Serbs not converted were expelled from the fascist state or murdered in death camps.

Television here has been preparing Croats for an all-out war against an enemy that it depicts as evil incarnate. In addition to message about how to treat war wounds at home, Croatian television broadcasts video montages of resolute-looking Croatian militiamen, sinister-looking Serbian generals and bomb-damaged Croation churches. These slickly produced videos are scored to classical music, including Beethoven's Ninth Symphony.

As the war intensified, the initials of the wartime Ustashi regime were scrawled on more and more buildings across Zagreb.

At a posh hotel wedding reception here on Saturday night, at about the time Croatia's president was ordering a mobilization of all Croats to fight "the Serbo-Communist hordes," two young men stood at a large table and raised their stiff right arms in the "Sieg Heil" salute of Nazi Germany.

A member of the wedding party later explained the salutes, which were popular here during World War II, as a byproduct of the pressures placed on Croats by the advancing Serbs.

"You have to realize how people feel. For some, the Ustashi were fighting for a free Croatia," said the woman, who did not want to be identified by name. The Catholic Church in Croatia has neither endorsed nor dissociated itself from the militia.

Against echoes of the fascist past, the independently armed and independently

commanded militia of the Party of Rights has been able to set up a Beirut-style military headquarters in the heart of old-town Zagreb.

The new office in a baroque 18th-century townhouse is equipped with sandbags and hundreds of boxes of ammunition. A six-foot-high soviet-made antiaircraft missile was shown off to visiting reporters. Militiamen with grenades and rosaries guard the front door.

With no authorization from the elected government, the militia has gone into action here in Zagreb, where it helps other Croatian forces blockade barracks of the Serb-dominated Yugoslav federal army. The militia has participated in fighting across the republic, particularly in the besieged eastern cities of Vukovar and Vinkovci.

"We are the front line of defense. Together with the Croatian National Guard and the police, we make this war," said a Party of Rights militiaman, who would give his name only as Zelko.

The elected Croatian government has been at pains to dissociate itself from the genocidal excesses of the Ustashi era and has shown itself to be uncomfortable with the Party of Rights. The government is concerned that the party's highly visible militia will give the republic of Serbia, as well as states outside Yugoslavia, an excuse to brand the leadership here as "fascist."

Croatia's defense minister has said any militia that is not part of his normal chain of command must be disbanded. Last month, as leaders of the Party of Rights addressed several thousand supporters at an evening rally in central Zagreb, the governments switched off all the lights in the main square.

The level of government discomfort with the Party of Rights, however, took an exponential leap last month with the shooting death of the party's chief military commander.

Ante Paradzik, 48, a lawyer, was vice president of the party and had frequently accused Croatia's elected leaders of corruption, incompetence and cowardice.

On the night of Sept. 21, a Croatian policeman shot Paradzik 13 times in the chest, stomach and back at a police roadblock on the outskirts of Zagreb.

The death was branded an assassination by the party's president, Dobroslav Paraga. He was scheduled to have been in the car in which his vice president was killed, and he charged that Paradzik was killed on order of the security apparatus of Croatian President Franjo Tudjman.

The Party of Rights, which claims to have 10,000 men in arms, had convened a press conference just 12 hours before the shooting. During the meeting, party leaders—including Paradzik—described Tudjman as a "traitor" for his reluctance to start an all-out war against the federal army.

Croatian authorities have denied any political motivation, saying Paradzik was killed by police after the car in which he was a passenger failed to stop at two consecutive roadblocks.

A surviving passenger in the car, however, said that a Croatian policeman started shooting after their car had come to a full stop at a roadblock.

"The particular guy who stopped us, instead of asking for our identity papers, he backed up five steps and started shooting. He shot 40 or 50 times. It was a mafia-like shooting, like in Chicago," said Ivica Orsanic, 52, a Croatian-born Canadian citizen from Toronto, who is a fund-raiser for the Party of Rights.

No shots were fired from our car," said Orsanic, although he did say the driver's submachine gun was in the vehicle. The driver of the car also was shot and severely injured. "As the shooting started, our driver said, 'Don't shoot, don't shoot, we are one of yours.'"

Paradzik, a passionate anti-Communist, was frequently imprisoned during the Communist era in Croatia. That era ended last year with the election of Tudjman. But Paradzik viewed Tudjman, a former general in the staunchly Communist Yugoslav army, as a Communist disguising himself as a Croatian patriot.

Tudjman's government, Paradzik said in a September interview with the Zagreb weekly Globus, is "formed entirely of former and current Bolsheviks."

Besides Tudjman, the head of Croatia's military crisis command center, Josip Manolic, was a colonel in counterintelligence for the Communist federal government.

In the convoluted politics of Yugoslavia, assassinations have played a pivotal role. That of Archduke Franz Ferdinand in Sarajevo in 1914 sparked World War I. Fourteen years later, in Belgrade, a popular Croat nationalist named Stjepan Radic was murdered on the floor of the legislature when he called members of the Serb-dominated cabinet "swine."

President Tudjman, who has a doctorate in Yugoslav history, has referred to that assassination in explaining his need for a large corps of bodyguards.

An eerily similar killing to that of Paradzik on Sept. 21 took place in Belgrade on Aug. 4.

There, the number-two man in a paramilitary group that is independent of the Serbian leadership was gunned down near his home. The top leader of that group immediately accused the hard-line Socialist (formerly Communist) government of President Slobodan Milosevic of complicity. The government denied it.

Charges that Croatia is a fascist state are common across Serbia. Many members of the 600,000-strong Serbian minority in this republic say they believe that an independent Croatia will repeat the anti-Serbian crimes of the Ustashi.

The federal minister of defense, Gen. Veljko Kadijeciv, who is a Serb, has publicly characterized the Tudjman government as "fascistic." The symbols, rhetoric and territorial ambitions of the Party of Rights provide ample reason for Serbian concern.

CENTRO MATER, CARING FOR MANY LITTLE HAVANA CHILDREN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, the Centro Mater Child Care Center provides much needed day care for children growing up in the Little Havana community in Miami. The center serves 460 children from ages 6 weeks to 14 years. The Miami Herald recently brought attention to the center's service to the community in an article by staff writer, Ms. Marilyn Garateix. That article follows:

The children of Centro Mater Child Care Center call Bertha Gonzalez, *abuela*, grandmother.

"I love being here with them," said Gonzalez, 67. For two years, she has volunteered four hours every weekday at Centro Mater, taking care of kids in the infant program.

Little Havana's largest nonprofit day-care center at 418 SW Fourth Ave. has operated as a family for 23 years, said Miriam Roman, Centro Mater director. "We establish very personal relationships," Roman said. "We try to maintain the family."

WAITING LIST AT 1,000

That's why you will find four or more children from the same family attending Centro Mater, which tries to keep brothers and sisters together. Centro Mater serves 460 children, ages 6 weeks to 14 years, and has a waiting list of almost 1,000.

Two weeks ago, President Bush praised Centro Mater for its work and named the center as one of his "daily points of light."

Six days a week, the president names a point of light—people working to solve social problems. Other Dade honorees have included Camillus House, Charles Drew Elementary School and Dade's Youth Crime Watch program.

Roman flew to Washington, D.C., to pick up the award. "It was a complete surprise," she said.

HIALEAH CENTER CONSIDERED

Centro Mater's board of directors has talked about opening another day-care center in Hialeah, but nothing has been decided, Roman said, except that the center will never abandon East Little Havana.

"We have always wanted to stay here," Roman said. "We are in the heart of the most needy area of Little Havana."

Centro Mater is the first stop for many of Little Havana's immigrant families. There are more than 20 nationalities represented at the school. The majority are Cubans and Nicaraguans, but there also are Haitians and Jamaicans, Roman said.

PAY WHAT YOU CAN

Fees are based on income and need. The average fee is $15 a week per child, but 35 percent of the parents have income so low that they don't pay anything to leave their child at the Center, Roman said. A staff of 50, including volunteers, runs the infant, preschool and after-school program. The center is open from 7:30 a.m. to 7:30 p.m.

"It's their home away from home," said Digna Estrada, whose two sons are in Centro Mater's after-school program.

HOW CENTRO MATER CAME TO BE

The day-care center was established in 1968 by Sister Margarita Miranda, a Cuban exile nun teaching at a Catholic university in St. Louis. She visited Little Havana and saw the need for child care among the Cuban exiles.

"She was a dynamic woman," said Carmelina Viadero, a board member.

With no funding, Miranda convinced the county to lend her three classrooms for an after-school program at the Ada Merritt Elementary School at Southwest Eighth Avenue and Fourth Street.

Miranda also recruited some of her former students who lived in Miami and had attended *Sagrado Corazon*, (Sacred Heart), a private school in Havana where Miranda taught.

"She started picking up kids from the streets and went knocking door to door looking for kids," Roman said.

A few months later, Centro Mater moved to a one-bedroom home on land that is now part of Jose Marti Park, 351 SW Fourth St. Two portable classrooms were added. The lunch room has picnic tables on a roofed

patio behind the house. There were 150 kids enrolled.

NOW RUN BY CHURCH

Miranda was reassigned by the church in 1974 and now does charity work in Peru. A year later, Catholic Community Services and the Archdiocese of Miami adopted Centro Mater. Roman became director in 1976.

In 1980, Centro Mater bought a two-story apartment building across the street at 418 SW Fourth Ave. and renovated it. Apartment five is now a computer room, apartment three, the office.

The lunch room is still picnic tables on a patio. "It's been like a puzzle," Viadero said, with one piece added at a time.

Centro is run by an 11-member board of directors. It gets money from several sources including the city of Miami, United Way, Head Start, the state and federal government, parent fees and private donations.

WORRIES ABOUT FUNDING

"Centro Mater has been blessed," Roman said. "It has gotten help from a lot of places." It hasn't always been easy, she admits. "There have been many nights that I've said 'There's no funding, we're going to have to close the programs' and it hurts because there are so many kids who need it."

Centro Mater has learned to make do repeatedly.

The Centro's playground: Jose Marti Park. Several classrooms are used for preschool in the morning and after-school in the afternoon. Books are handled gingerly to make them last 5 or 10 years and longer.

"Always we have managed to grow," Roman said. But the Centro could use more of everything. More books, more room, more toys, more food for the babies, she said.

But when one door closes, another always opens, Roman said.

HELP FROM UNEXPECTED SOURCES

"One winter a couple of years ago a woman showed up with $1,000 and said she wanted to buy toys," Roman said. "We asked her instead if we could buy sweaters for the children. She said yes. And that year everybody had a sweater."

Irma Beltran, a single parent, is grateful for Centro Mater. It has allowed her to study to become a nursing assistant, she said. Beltran's four children, ages 3 to 14, go to the day-care center. "They've been raised there primarily," she said. "And they're not on the streets all the time."

Beltran's eldest son, now 14, started going to Centro Mater when he was 7. "I couldn't have done it without them," she said. "It's opened up paths for me."

'SPECIAL ATTACHMENTS'

Achille "Butch" Staiano has coached athletics for the after-school program at Centro Mater for 18 years.

"A lot of the things are very rewarding," said Staiano, who also coaches at Columbus High School. "At Columbus, I'm just another teacher. Here, I have something to offer the kids. Here, I feel special attachments."

Ofelia Medina, 23, was one of Staiano's students. She attended Centro Mater for 9 years. Now her son Giovanni, 4, goes to Centro Mater.

"I like the way they treat people here. The attention they give him is the attention they gave me," Medina said. "I wouldn't have my son anywhere else."

Mr. Speaker, I commend the efforts of the Centro Mater to meet the child care needs of many in the south Florida community. It is encouraging to see the leadership of Centro Mater director, Ms. Miriam Roman, as she extends the benefit of these services to all nationalities including: Cubans, Nicaraguans, Haitians, Jamaicans, and others. Also to be recognized are the board of directors, staff, and volunteers for their contribution to the good work of the Centro Mater Child Care Center.

ACCEPTING A SEAT ON THE HOUSE EDUCATION AND LABOR COMMITTEE

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. CUNNINGHAM. Mr. Speaker, I'm honored to accept a seat on the House Education and Labor Committee.

For me, this new duty is a heavy responsibility.

America's young people are our future. And the extent to which we invest our time, our ideas, and our resources in the education of our children will determine the course of our great Republic.

I welcome the opportunity and privilege to work with Chairman FORD, and especially with Ranking Member GOODLING, with whom I have cooperated on the Republican Research Committee Task Force on Education.

And I also look forward to working with President Bush, his Secretary of Education Lamar Alexander, and Secretary of Labor Lynn Martin.

To my colleagues who made this possible, particularly our distinguished minority leader ROBERT MICHEL and the members of the Committee on Committees, I thank you.

I hear the committee has a bill to mark up, so let us get to work.

TRIBUTE TO RUTH OWADES

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Ms. PELOSI. Mr. Speaker, I rise today to bring to the attention of my colleagues, Ms. Ruth M. Owades. On Thursday, October 24, Ms. Owades will receive the "Women Who Make A Difference Award" from the International Women's Forum. This prestigious award is being given for her San Francisco-based, creative mail order business, Calyx and Corolla, as well as for her ongoing commitment to linking community service to business.

In her effort to combine a successful business with community service, she has consistently hired individuals who face difficulty finding employment. For example, she presently hires women from a home for unwed mothers in their trimester of pregnancy to handwrite the gift cards which accompany the Calyx and Corolla deliveries.

Ruth Owades has created two tremendously successful and pioneering mail order operations. In January of 1979, Ms. Owades started her first business, Gardener's Eden, a catalog of upscale gardening accessories which she sold to Williams-Sonoma. The process of starting up Gardener's Eden is now a case study at her alma mater, Harvard Business School. More recently, she developed Calyx and Corolla, a distinctive, one-of-a-kind catalog offering fresh-cut flowers and plants all year round. Harvard Business School is giving thought to turning this second highly successful business startup into another case study.

But more than Ms. Owades' creative ideas and success in business is her everpresent caring for others. In addition to providing jobs for unwed mothers, Calyx and Corolla contracts out most of its packaging of nonfloral wares to the Jewish Family Services Program which provides important services for non-English speaking immigrants.

Ms. Owades has received numerous awards for her entrepreneurship and community service. Cleveland Mayor Michael White has designated October 9, 1991, "Ruth Owades Day." She was also honored as the "91st Woman of Achievement" by the Women's City Club of Cleveland for her leadership in the mail order business and for being a role model for other women. In addition, Ms. Owades has been named "Cataloger of the Year" by the Target Marketing magazine which will be presented to her at the United Nations in January of 1992.

I salute Ruth Owades for her tremendous creativity in the business world, and for her special dedication to helping people in difficult situations help themselves. Calyx and Corolla is a model of the partnership that can exist between a business and the community it helps support. San Francisco is fortunate to have the benefit of such a business.

TRIBUTE TO ST. MARK'S CHURCH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. TRAFICANT. Mr. Speaker, I rise on this momentous occasion to pay tribute to St. Mark's Church in my 17th District in Ohio as it celebrates its mortgage burning on October 26 and 27.

This church pledged to educate its young people and to promote understanding of the Catholic faith in 1971. The progress St. Mark's has made in this endeavor is commendable.

This month marks the celebration of St. Mark's mortgage burning. Indeed, St. Mark's has traveled a long, but loving journey since the early days when Rev. Mark Campbell addressed the congregation. Today, St. Mark's, under the leadership of the learned Pastor Daniel Rohan, continues on its mission to serve its congregation with love and guidance.

Mr. Speaker, it is with great pleasure that I rise on this occasion to congratulate St. Mark's on its mortgage burning.

HONORING LEWIS H. GOLDSTEIN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. ENGEL. Mr. Speaker, it gives me great pleasure to pay tribute to Lewis H. Goldstein, my good friend and a dedicated community leader. This week in the Bronx, the United Jewish Appeal will be honoring Lewis in celebrating of his many years of service. It is an honor that has been well earned.

Over the years, Lewis has been very active in Jewish causes, community projects and educational improvement. His list of accomplishments is long and impressive.

An educator since 1967, Lewis currently works with special education children and their families in the Bronx. His affiliations include membership on the board of trustees of the Community Center of Israel and a founding member of the Association of Jewish Professionals. He also serves as a member of the New York Democratic State Committee.

All of Lewis' activities have a common thread running through them; he is continually involved in projects that promote education and fight discrimination. He is a tireless champion for the people who often get lost in the process.

It is in this spirit of community that the United Jewish Appeal is honoring Lewis Goldstein. I join them in personally thanking Lew for his many years of friendship and dedication.

A SALUTE TO ANDREA BUSHER, THE MIAMI TEACHER OF THE YEAR

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. FASCELL. Mr. Speaker, earlier today, I attended the Burger King Honors Excellence in Education luncheon and joined in honoring the 1991 teachers and principles of the year. I am proud to salute my constituent, Ms. Andrea Busher, the Miami area's 1991 "Teacher of the Year." On a daily basis, Ms. Busher and her colleagues in the education profession are building a better and more secure future for our Nation. So their recognition is timely and well deserved, but they also need help—that is, smaller classroom size, and community understanding and participation.

This morning, the Senate Labor and Human Resources Committee conducted a hearing on the challenges facing U.S. schools. The solution to improving our education system must involve teachers, administrators, parents, and teachers into the decisionmaking process. I would like to share with our colleagues the testimony of one of America's outstanding teachers, Ms. Busher:

STATEMENT OF MS. ANDREA BUSHER

As a teacher it is my deepest hope that by the year 2000 we will be able to eradicate the social injustice that so clearly besieges our communities and their schools. The conditions that many of our youngsters are forced to endure is something that I am unable to accept; nor can I tolerate it from a nation that is as powerful as ours. It is clear to me, as I hope it is to others in the education profession, that academic excellence will continue to be realized by only a small percentage of this nation's population unless we are able to find solutions to the emotional, physical, and social unrests that affect large numbers of children in society today.

We live in a generation where divorce has become the norm, as opposed to the exception. Children are often left to take care of themselves after returning from school, as single parents work or are involved in outside activities. Many children are often found homeless, abused, or coming from dysfunctional surroundings. In very many instances there is little communication amongst family; guidance and involvement from parents is often a rarity.

How, then, is it possible to educate a generation of children who will be ready by the year 2000 to compete in this global economy of ours? It is clear that our schools and its leaders can no longer take the position that our only responsibility lies with the pursuit of encouraging academic success amongst its students.

As we approach the year 2000, schools must begin working collaboratively with outside agencies and businesses to find ways in which to better serve the emotional, physical, and psychological needs of our nation's youngsters. We must begin to provide early and rigorous home/school intervention programs where parent training practices are implemented as a means of providing care for all "at-risk" youngsters.

When a child's self concept is intact, it is possible for him or her to engage in higher order thinking skills necessary to the attainment of academic success. Healthy children are those who come from healthy environments. These are youngsters who most often grow up prospering while finding academic, economic, and personal achievement in their lifetime. Our children are not villains as many in today's society are portrayed. They are simply children who are looking for a way to belong. They should not feel compelled to experiment with drugs as a way of finding solace and acceptance. They should not have to turn to gangs for fulfilling family rituals and feelings of connectedness that are not present within their own home. They should not be forced to turn to violence as a means of finding their identity. It must become the schools' responsibility and part of this nation's commitment to help our children find themselves. In doing so, we might be able to break the cycle of mediocrity, apathy and disparity that is evident in many of our communities throughout this country today. The economic support that must be given to our state legislatures, in order to properly fund these community intervention and mentorship programs, will, no doubt, be costly. Even more costly will be the continuation of the antisocial behavior that exists among our youth and a nation doomed to accepting an education system that has failed them.

SALVADOR DIAZ-VERSON, JR.: TURNING HIS "CASTLES IN THE AIR" INTO REALITY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize, who recently was featured in the Columbus (Ga.) Ledger-Enquirer after his resignation as president of one of America's fastest growing insurance companies, the American Family Corp., to begin his own global financial and investment firm. The article, "Diaz-Verson Is Following His Dreams" by Delane Chappell tells his story:

Salvador Diaz-Verson Jr. is following his dreams, turning his "castles in the air" into reality, much the way the late John Amos, his mentor and brother-in-law, did when he founded American Family Corp. in 1955.

"I've had those dreams up there—as John used to say, 'those castles in the air.' Now, I've got to put something together and go with it," he said.

That's one of the reasons Cuban-born Diaz-Verson gives for resigning his posts Aug. 16 as American Family Corp. president and first executive vice president of American Family Life Assurance Co.

Now his "castle" is to develop a global financial and investment firm of his own.

The resignation ended a 17-year career with Columbus-based American Family, a career that spanned a period of the company's most rapid growth, when invested assets rose from $45 million to $6.5 billion and the company became the first American insurance company granted a license to operate in the Japanese market since World War II.

Not a bad track record for a man who fled from the Fidel Castro regime in Cuba with his family in 1959, an eight-year-old with only the clothes on his back.

Despite his success at American Family, Diaz-Verson said it was time to move on, a decision he thinks John Amos would have approved. "John always told me, 'When you stop having fun, then it's time to leave,'" Diaz-Verson said. "I think he'd say, 'When you stop having fun, Sal, then go do something else.'"

The fun had ended for Diaz-Verson.

"My true loves are investments and politics. I was getting further and further away from investments and more and more involved in the administrative and political sides of the business," he said. "I don't think it was my decision. I think it just evolved. A problem comes in and you just handle it.

"Somebody said 'life is not a matter of chance, but choice.' I had a choice. I couldn't just sit here and wait forever. There are two things I really love and I couldn't do them while I still had the office (because of conflicts of interests.)"

Diaz-Verson said rumors that a rift between him and American Family Chief Executive Officer Dan Amos contributed to his leaving are not true. "Dan and I have a very close relationship. We've had what I think was a good relationship all along—and we still do."

Dan Amos, nephew of John Amos and son of American Family Chairman Paul Amos, is godfather to Diaz-Verson's 4-year-old daughter, Elizabeth.

"I told Danny, 'There are very few people I really trust in this world. I'd like for you to be her godfather.'"

Dan Amos, who said the company will miss Diaz-Verson, describes the relationship as good. "If we weren't getting along, I don't think he'd still be across the hall. If it's a hostile environment, you don't stick around."

Diaz-Verson will remain on the board of directors of American Family Corp. and AFLAC, and has signed an agreement to be a consultant for American Family for three years.

American Family also offered him an office at the company as long as he needed it, Diaz-Verson said.

Both Diaz-Verson and Dan Amos say they are aware of a community perception that there has been rivalry and friction between them. Both deny it.

"Danny and I have always gotten along," Diaz-Verson said. "We both have our own fortes. We've got different styles of management. That's what's made it interesting through the years."

John Amos never wanted a wedge placed between the two men, Diaz-Verson said. "John always said 'Sal, you and Danny stay together and make sure nobody gets in between you. You can't allow anybody to do that.' That's a promise we made to each other and we've never let anybody come between us," Diaz-Verson said.

Another reason he wants to leave is that the company is not the same without John Amos, Diaz-Verson said. "It's really been a change without John. He kept the fun in it. You never knew what he was going to do or what kind of trick he was going to play on you. And you could sit down and talk to him about anything.

"I've grown up with him. I traveled with him. John took me on every business trip. Most of the politicians I know, I met through John. He'd tell them, 'If you can't find me, call Sal.' I really miss that," Diaz-Verson said.

While Amos may have considered Diaz-Verson his right-hand man, it was Dan Amos who was handpicked by John Amos before his death to run the company after he was gone. Diaz-Verson said he was not upset when he was not chosen. "We had discussed it. We had talked about the fact that you can't run the company as a committee. Even though Dan and I were both together at the same level, sooner or later somebody had to be the one that made the final decisions.

"John said I would be the financial person and I would be the chief financial officer of all non-insurance operations. I felt very comfortable with that in that I liked the financial side and I enjoyed the non-insurance side," he said.

Family responsibilities also helped him make the decision to leave American Family. "I've been here almost 18 years. I've gotten up every morning at 5:30 to be here before the London market opened. I've never gotten my kids off to school or taken them to school. I haven't been home on Father's Day for the last three years because I've been in Japan on business," he said.

The hardest part of his decision to leave American Family was deciding when to do it, he said.

"I think it's better to leave when you're on top—and we are. We've got one of the best portfolios in the industry and I've built it. It's the cleanest portfolio of any insurance company in the United States. The company is doing well. It was a good time."

As Diaz-Verson's reputation as a financial whiz has grown, other companies have tried to steal him away from American Family, but he wouldn't leave. "If I had to work for anyone, I'd stay with American Family," he said, without hesitation.

But, the dream of his own investment firm prevailed, he said.

Already his attorneys are incorporating his new business, Diaz-Verson Capital Investments (DVC), and he's closing a deal for 3,000-square-feet of office space in Brookstone Centre in Columbus that is expected to open in two to three weeks.

The business will make international investments for individuals and institutions and will probably launch one or two investment funds of its own, he said.

After he gets DVC in gear, Diaz-Verson hopes to form an investment network with some associates in New York and Washington, D.C. He'll also continue as financial adviser to the John Amos estate.

Diaz-Verson admits that he's a little nervous about starting up a new company. But he said he's experienced in international investing. He's done it for the company.

"I think I'm good. I think I can do well in the investment field. It's something you've really got to have a feel for and I think I've been able to do it well. I'm very sure of myself and what I can do," he said.

"I think there will be tremendous growth in the next 10 years in the emerging markets, especially in . . . Spain, Portugal and Italy, and in the Americas. With my Hispanic roots I think I could do very well in the Americas," he said.

Diaz-Verson said he is looking for a reemergence of the Americas as the world refocuses in 1992, and he's planning to be there to welcome them back, maybe with the development of an Americas Fund, he said.

So, fired by enthusiasm and the realization that he's recognized professionally as something of a financial genius, Diaz-Verson sets off at age 39 to put substance in his "castle in the air."

I am happy to pay tribute to Mr. Diaz-Verson by reprinting this article. Mr. Diaz-Verson's story is typical of the many successful immigrants who have helped make America what it is today.

TRIBUTE TO THE 75TH ANNIVERSARY OF HOLY NAME CHURCH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. TRAFICANT. Mr. Speaker, I rise on this auspicious occasion to pay tribute to Holy Name Church of my 17th District in Ohio as it celebrates its 75th anniversary serving the spiritual and educational needs of its congregation.

In 1916, ground was broken for the construction of this great church and school. After 2 years of prayer and service in the basement of the church, the first mass was dedicated by Bishop John Farrelly. Since then, the Holy Name establishment has become a monument of dedication to its over 800 families.

The upcoming celebration features Bishop Benedict C. Franzetta who will offer Mass, as well as rememberances to its founders and current staff. These men include Msgr. Stephen Begalla, Father Michael Ronik, and Father Sebastian Fialko.

Recently, Holy Name has returned to traditional practices including Forty Hours Devotion in October and sermons in Slovak. Such changes have increased its membership, says Father Ronik. Yet, the truth about Holy Name pervades the whole parish. It has made, in these 75 years, a momentous contribution to the Youngstown area as both religious guide and educational institution.

HONORING LAURA VALDES

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. ENGEL. Mr. Speaker, this week in my district, the Co-op City Branch of the NAACP is honoring Laura Valdes, a committed leader within the association and in the community. I wish to add my voice to this tribute.

As a lawyer, Laura has used her extensive talents to help improve the community in which she lives and works. Her activities include serving as past president of both the Co-op City and Williamsbridge Branch of the NAACP, sitting on the local community planning and school boards, and participating in the work of the Bronx Bar Association and several other organizations.

It is people like Laura Valdes, who never lose sight of the needs and aspirations of their neighbors, who make our communities strong and resilient. In this spirit, I join the NAACP Co-op City Branch in thanking Laura for her tireless efforts.

VFW JOSE MARTI POST CELEBRATES 20TH ANNIVERSARY

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. FASCELL. Mr. Speaker, several weeks ago the VFW Jose Marti Post of Miami, FL, observed and celebrated its 20th anniversary. The post is composed primarily of Cuban refugees who volunteered to serve in the United States armed services.

More than 500 people attended the anniversary dinner and Capt. W.C. McCamy, Commander of the Guantanamo Naval Base in Cuba, was a special guest.

The main speaker of the evening was the Post's original founder, Dr. Manolo Reyes—formerly a leading Cuban broadcaster, both in Cuba and, subsequently, in south Florida, and now an administrator at Mercy Hospital in Miami. I commend to our colleagues Dr. Reyes' moving remarks.

REMARKS BY DR. MANOLO REYES

It is indeed a great privilege for me to address this gathering honoring the members of V.F.W. Jose Marti Post. This post is very close to my heart since I started to work on it's Foundation in mid 1970, 21 years ago. With a dream in my lips, I approached Joseph and Ann Grenesse who were already working in a VFW Post. With their support and help we began to make approaches and on May 16, 1971—20 years ago—this post was officially chartered.

I never dreamt that the Jose Marti V.F.W. Post was going to grow the way it has. You

have to realize that even though we have been in this country for three decades, we represent an early immigration starting in the sixties. At the time when we came, we believed we were going to be here only for 6 months, a year at the most, because a communist regime not going to be able to survive 90 miles away from the United States.

When we came at the beginning of the sixties, the U.S. had to face for the first time in U.S. history that it would be a nation of first asylum. In previous years, the U.S. had the Hungarian exodus, but the Hungarians went to a second country where they were screened by U.S. authorities and then came to America.

In the case of the Cubans, more than 200,000 of them came in waves up until mid 1962, and they were considered parolees. One way or the other, Cubans of all ages came at that time, and when the Vietnam war began they were recruited by the U.S. On record, we have more than 10,000 Cuban youngsters that went to the jungles of Vietnam to defend freedom and democracy against communism.

Some of those Cuban youngsters are here today. Would you please stand up and be recognized?

They follow the Cuban tradition of joining forces with the United States when our friend of the north had an international crisis.

There were Cuban volunteers in the U.S. Armed Forces in World War I, World War II, Korean War, Vietnam War and in the Middle East War. All of these started when American rough riders and Cuban freedom fighters under the direction of General Calixto Garcia, joined ranks to fight for the Cuban freedom in San Juan Hill, Oriente Province.

But in those initial wars and struggles we never had a VFW Post integrated by Cubans who went abroad to fight under the flag of the stars and stripes.

And now, we hope and pray that the next event of the VFW Post Jose Marti will be in a free Cuba. And you, Captain W.C. McCamy, as Commander of U.S. Guantanamo Naval Base, have a very special invitation for that occasion.

I've said many times that the best speeches are the shortest ones. To that effect, I am going to finish my speech making reference to the person who's name is carried by this post.

The V.F.W. Post carries the name of one of the most illustrious Cubans ever born: Jose Marti. Marti was not only recognized as a leader by the Cubans, but by all the nations he visited in his pilgrimage. And, I say pilgrimage because Jose Marti lived in exile more years than in his native country, Cuba. Just as we have done, Marti lived many years in the United States and his places of operation were New York, Tampa and Key West, Florida.

He was born in 1853 while his country was in slavery. He lived during slavery and died, in 1895 while Cuba was still in slavery. But, when his blood was spilled in the battle of Dos Rios in Oriente Province, he planted the seed of freedom in Cuba forever.

It has been said by scholars and intellectuals that history repeats itself.

In the last century, Cuba had two wars of Independence to be free from Spain, The first one lasted 10 years from 1868 to 1878, and the second from 1895 to 1898. In both wars Cuba had Cuban exiles representing the freedom fighter patriots who were in the island struggling for freedom.

On February 24, 1895, the second Cuban war of Independence was started in Oriente Province with the cry of Baire. Several weeks later, the great Cuban leaders, General A. Maceo, General Maximo Gomez and Jose Marti met in a farm called "La Mejorana" near Playitas where they landed. All of this was happening in Oriente Province. In La Mejorana they formed the Cuban Government of the Republic of Cuba in arms.

If history repeats itself, I hope and pray that very soon the Cuban leaders in exile will land in Cuba, in Oriente Province, to join our Cuban brothers and sisters and establish a Cuban Government of the Republic of Cuba in arms at the Guantanamo Naval Base.

GUAM: EQUAL IN WAR BUT NOT IN PEACE

HON. BEN GARRIDO BLAZ

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. BLAZ. Mr. Speaker, on October 6, 1991, the New York Times ran an editorial entitled, "Free the Government's Plantation," in which it called for the granting of statehood to the District of Columbia. Its reasoning struck a sympathetic chord, for many of the grievances of the people of the District are shared by my constituents in the territory of Guam. These similarities led me to respond to the Times editorial, and the Times published it on October 19 under the headline: "Guam, Equal in War but Not in Peace." I am submitting this response, as it appeared in the Times, for inclusion in the CONGRESSIONAL RECORD for the information of my colleagues.

TO THE EDITOR: I applaud "Free the Government's Plantation" (editorial, Oct. 6), which called for statehood for the District of Columbia. In essence, your paper seems to argue that simple justice requires that the legitimate desires of the people of the District for self-determination be met. I agree wholeheartedly.

I had just finished writing a message for the veterans' organizations in my Congressional District (Guam) in which I referred to two young Guamanians who had lost their lives fighting for America during Operation Desert Storm. I mentioned further that Guam's tradition of service to the United States has seen it—in both the Korean Conflict and the Vietnam War—suffer more casualties on a per capita basis than any other American community.

Our casualties of war go far beyond those who have died in uniform. As the only American civilian population held by the enemy during World War II, the atrocities and daily humiliations of that time are burned forever into our psyches. Yet the loyalty and love my people feel for the United States remains unabated.

I can attest to this because first as a 13-year-old forced laborer during World War II and later serving in both the Korean Conflict and the Vietnam War during the course of a thirty year Marine career, I have seen the testimony of their faith in the United States written with their blood.

Yet the people of Guam—Americans all—remain second-class citizens. Like the people of the District of Columbia, they are denied the fundamental rights afforded their counterparts elsewhere. At least, the 23rd Amendment gave the people of the District the right to vote for President. We on Guam were not given that right.

Ironically, American expatriates enjoy more rights than their fellow citizens living in the District and in the Territories. Through the absentee ballot, they remain fully enfranchised while, with the exception of the Presidential vote, the people of the District share with their counterparts in the Territories the dubious status of being absentees in their native land.

The inequities of Guam's current status are perhaps best highlighted by this simple fact. An American citizen living on Guam is disenfranchised from voting in Federal elections. In that regard, he has no more rights than a Green Card holder. Should he, however, fly to California or Hawaii and establish residency, he miraculously gains all the rights of citizenship. He can be enfranchised by an airline ticket. And he can be disenfranchised by a ticket as well, should he return to his birthplace.

Currently, Guam is seeking to forge a closer union with the United States through the adoption of commonwealth status. When it does so, it will mark the first time in the almost one hundred years that Guam has been an American territory that the people will have determined for themselves what their relationship with the federal government should be.

Even when Guam achieves commonwealth status, the Federal Government will not give us the same constitutional rights enjoyed by our brothers and sisters in the States. We will still not have the Presidential vote; our delegate will still lack a vote on the House floor. Sadly, an old saying on Guam remains as true now as ever: We are equal in war, but not in peace.

BEN BLAZ,
Member of Congress, Guam.

RECOGNITION OF JOSEPH ABBONDONDELLO

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to pay tribute to an outstanding citizen who has been a member of the American Legion for 16 years and is a Vietnam veteran. Junior Post Commander Joseph (Jay) Abbondondello has not only served his country when needed, he continues year after year to serve his community, State, and Nation.

Mr. Abbondondello served as the Suffolk County commander for the legion year 1990/91. He is also a member of the Veterans Advisory Group that was very instrumental in helping to plan and erect the Long Island State Veterans Nursing Home, a 350-bed facility located in Stony Brook, Long Island.

A strong supporter of Suffolk County programs, Mr. Abbondondello has chaired the oratorical program for 6 years. As chairman, he has dedicated numerous hours to improve and educate American Legion members and school officials to participate in this program.

Mr. Speaker, it is my great pleasure to rise today to recognize, along with American Legion Post No. 694, Joseph Abbondondello for his many years of dedication and service to the American Legion.

SALUTE TO HALLIE CRAWFORD STILLWELL

HON. ALBERT G. BUSTAMANTE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. BUSTAMANTE. Mr. Speaker, I rise today to salute Hallie Crawford Stillwell, a remarkable and distinguished woman whose contributions have given us Texans great pride. On October 20, 1991 Hallie will celebrate her 94th birthday and the opening of Hallies Hall of Fame store, which will exhibit many of the great successes of Hallies wonderful life. This pioneering Texas ranchwoman is the incarnation of all the properties that make Texas and this country great. What endears a woman like Hallie to us is her amazing ability to overcome adversity and turn it into something positive. Hallie Crawford married Roy Stillwell on July 29, 1918, when she was 20 years old. Together they ran a cattle ranch and when Roy died in 1948, Hallies true character shined when she refused to give up on herself or her family. She took any job she could, from journalism jobs to serving as justice of the peace. Hallie was determined to succeed. And success has certainly found her. Hallie has built a wonderful life for her and her family and has carved out a niche for herself in the ranching industry that has been traditionally dominated by men. Mr. Speaker, today I take great pride in commemorating the 94th birthday of Hallie Stillwell, a woman whose life enriches the State of Texas and the United States.

TRIBUTE TO PAUL ASENTE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Mr. Paul Asente of my 17th District in Ohio as he retires after 20 years service in the cable industry.

Mr. Asente served with Warner Cable for over 17 years in various positions. From 1971–76, he managed the New Hampshire Office System. On November 1, Mr. Asente leaves the top spot in Warner Cable's Youngstown office, which serves over 22,000 cable viewers.

Mr. Asente's dedication and expertise in the industry has not gone unnoticed. He received the "1990 Prize for Excellence in the Community" awarded by Warner. Not long after, Mr. Asente was awarded the Customer Service Award from the National Cable Television Association in 1991.

Aside from such grand achievements, this man has served Youngstown faithfully for a number of years. He volunteered his services to the city's school district as a tutor in the Literacy Program. In addition, Mr. Asente offered his services to the Muscular Dystrophy Association, the Youngstown Catholic Diocese, the Adopt-a-School Program and the Better Business Bureau.

Such dedication does not end, however. Currently, Mr. Asente serves on the board of directors of the Youngstown Kiwanis Club.

Mr. Speaker, I rise to congratulate and thank Mr. Paul Asente for his commitment and service to Youngstown. Furthermore, I wish him well as he retires on November 1, 1991.

HONORING THE WESTCHESTER-PUTNAM AFFIRMATIVE ACTION PROGRAM

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. ENGEL. Mr. Speaker, I rise today to pay tribute to the Westchester-Putnam Affirmative Action Program on the occasion of its 19th anniversary.

More than ever before, it is important to take note of the accomplishments of organizations that promote equal opportunity and fairness in the workplace. These principles are under attack from people who fail to understand the value of a diverse society. They choose to deny the successes of affirmative action in a last-ditch effort to maintain the status quo.

But the status quo in America is changing, as the members of the Westchester-Putnam Affirmative Action Program are well aware. We must continue to work toward the day when there is equal access to opportunity and a true realization of the talents our Nation possesses. I congratulate all the officers and members of the Westchester-Putnam program for 19 years of dedication, and I pledge my commitment to furthering the principles of fairness and equal opportunity.

A TRIBUTE TO MAURICE ROSEN

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. FASCELL. Mr. Speaker, I rise to pay tribute to a leader in my community, Maurice Rosen. As chair of the Miami chapter of the American Civil Liberties Union, he was dedicated to the protection of individual rights and liberties guaranteed by the Constitution. His work in behalf of others, usually less fortunate then he, improved both his community and the Nation.

He had many triumphs, but perhaps Mr. Rosen's most notable victory came with the release of Freddie Pitts and Wilbert Lee. Pitts and Lee served 12 years and 48 days on death row in Florida for a murder they did not commit. Rosen worked tirelessly for their release, which came some 6 years after another man admitted to the crime. In this historic and symbolic case, Rosen clearly illustrated that one person can reverse an unjust conviction that could have led to the execution of two innocent men.

In addition, he fought the city of Miami over its treatment of the homeless, the Dade County School Board so that three girls infected with the AIDS virus could go to school, and for the rights of Cuban artists to show their work in Miami. The causes he championed were not always popular with the majority of the community, but the rights he was defending were intended for all, including those outside the majority.

His work enriched Dade County and his untimely passing leaves an enormous void in our community. I wish to commend to our colleague's attention Maurice Rosen's obituary which appeared in the Miami Herald.

Jeanne-Marie and I extend our sympathy to his wife and his two sons.

[From the Miami Herald, Oct. 9, 1991]

MAURICE ROSEN, CHAIR OF MIAMI ACLU CHAPTER

(By Lydia Martin)

Maurice Rosen, a Miami lawyer who dedicated his life to ensuring others got a fair shake, died Tuesday after suffering a heart attack aboard a jetliner taxiing at Miami International Airport for a flight to Tallahassee. He was 56.

Freddie Pitts, a man he helped free from Florida's death row in 1975, said he will always be grateful to Rosen.

"He was a very good attorney. Once he became involved, he didn't let his case go until the conclusion. But not only was he a good lawyer, he was a very good person," said Pitts, a truck driver.

Pitts and Wilbert Lee, now a counselor for inmates at Dade County Jail, spent 12 years and 48 days in prison for the murders of two gas station attendants in Port St. Joe—six of those years after another man, a white man, confessed to being the killer.

"He probably is the lawyer most responsible for the impetus that lead to the freeing of Pitts and Lee," said Irwin J. Block, who served as co-counsel with Mr. Rosen and Phillip Hubbart, now a judge for the Third District Court of Appeals.

Mr. Rosen, chair of the Miami chapter of the American Civil Liberties Union, represented dozens of other defendants through the ACLU where fairness and justice were at issue.

Three years ago he sued the city of Miami for mistreating the homeless. It led to a relief effort for people living under the I-395 overpass.

There are talks of a settlement, said co-counsel Benjamin Waxman.

"The city was arresting and harassing the homeless," Waxman said. "Now it has changed its entire attitude and posture regarding the homeless. Maurice was the first to be optimistic that the city was coming around."

Mr. Rosen, a Miami native who attended undergraduate school and law school at the University of Florida, joined the Miami ACLU when it was founded 35 years ago.

He served as co-counsel in the Cuban Museum of Arts and Culture case to protect the rights of Cuban artists to show their work in Miami.

He defended the rights of three girls infected with the AIDS virus to attend Dade schools.

Colleagues say Mr. Rosen was a tireless fighter, giving up riches for fairness. The work he did for the ACLU was all pro bona.

Said Gene Miller, who reported on the Pitts-Lee case for The Miami Herald:

"It is a bit odd that Maurice Rosen, the personification of the 'nice guy,' died the day after Leo Durocher. For Rosen finished first, not last, in one race we too often ignore. The human one, the plight of the unfortunate. Rosen made a difference, an important difference."

Mr. Rosen's wife, Virginia, is a Dade public schools executive and former state legislator.

In addition to his wife of 32 years, Mr. Rosen is survived by sons, Alex and Lee; mother, Miriam; sister, Jacqueline Rosen; and aunt, Martha Russcol.

Services are scheduled for 3:30 p.m. Thursday at Riverside-Gordon Memorial Chapel, 1717 SW 37th Ave.

ENVIRONMENTAL PROTECTIONS THREATENED BY GATT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. STARK. Mr. Speaker, I rise today to introduce a resolution to express the sense of Congress that the President should encourage the GATT members to protect the world environment and should resist actions under GATT which discourage the protection of the environment and wildlife by the United States.

In August, a GATT panel determined that the Marine Mammal Protection Act of 1990 which was passed to protect the unnecessary killing of dolphins is an illegal restriction on free trade. The Marine Mammal Protection Act requires that U.S. fishermen buy new equipment and take certain precautions to avoid the incidental taking of dolphin. Recognizing that the United States fishing industry would be at a disadvantage relative to foreign competitors if tuna caught by foreign competitors using cheaper methods could be imported, Congress imposed an import ban on tuna from countries such as Mexico that did not enact similar protections for dolphins.

Mexico objected to the import ban and the GATT panel ruled that our law to protect dolphins—which we apply at home and on imports—creates an impermissible trade barrier. The recommendation has not yet been approved by the 108 nation GATT. If approved, the United States would be required to rescind the mammal protection act or become an international trade outlaw. There has to be another option.

We are part of an international economy sharing international resources. As our Nation and others work to protect our natural resources, we must be allowed to enact provisions which can be fairly applied to all parties.

The issue is much broader than the case at hand. We now have many environmental treaties. We now have many environmental treaties and conventions which protect tropical forests, migratory and endangered species, ocean ecosystems, the ozone layer as well as control of toxic wastes and chemicals. We must be allowed to challenge our trading partners to deal with these issues as we impose environmental discipline here at home.

The text of my resolution is as follows:

H. CON. RES. —

Whereas the global environment and world wildlife is threatened by massive changes caused by world industrialization and energy use;

Whereas it is essential for future generations and for economic growth that all the nations do more to protect the environment; and

Whereas the United States and other nations will continue to try to restrict the importation of goods and services that they believe are produced in a manner harmful to the global environment and world wildlife: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should—

(1) encourage the Contracting Parties to the General Agreement on Tariffs and Trade to support the global environment and world wildlife by discouraging trade in goods and services produced in a manner harmful to the global environment and world wildlife; and

(2) oppose any action under the General Agreement on Tariffs and Trade which impinges on the ability of the United States to protect the global environment and world wildlife through the nondiscriminatory applications of trade laws.

INTRODUCTION OF LEGISLATION THAT PROVIDES PROTECTION FOR RETIREE HEALTH BENEFITS IN BANKRUPTCY LIQUIDATION CASES

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. McCOLLUM. Mr. Speaker, today I am pleased to introduce legislation that provides protection for retiree health benefits in bankruptcy liquidation cases. Although the imperative to help Eastern Airlines retirees is the original impetus for this legislative effort, I recognize that retirees of a number of companies will face severe hardships in the years ahead if our law fails to take proper account of the special equities of many individuals and families confronting health benefit terminations.

Three years ago Congress, in the aftermath of the LTV bankruptcy filing, established a mechanism for safeguarding retiree health and life insurance benefits in reorganization cases. The Retiree Benefits Bankruptcy Protection Act of 1988 accorded recognition to retiree needs in a context where discussion focused on viable companies on the road to successful reorganization. Public Law 100–334, however, did not contemplate the importance of Bankruptcy Code changes specifically designed for liquidating bankruptcies.

The consequences of losing health benefits can be disastrous for retirees, spouses, and dependents regardless of whether a company ultimately reorganizes successfully or faces liquidation. Medical care expenses can prove devastating for people lacking adequate insurance coverage. A single illness, as we all know, can wipe out a lifetime of saving. Those who lose their health insurance often cannot obtain replacement coverage because of preexisting medical conditions. The expectations of retirees—who have earned health benefit coverage—must be effectuated if at all possible even in situations where businesses are forced to liquidate in bankruptcy.

My bill will amend chapter 7—the liquidation chapter—of the Bankruptcy Code to establish a new priority for retiree health benefits—limited to an aggregate amount of $10,000 multiplied by the relevant number of former employees. The flexible formulation in this bill is designed to give a bankruptcy judge wide latitude to approve insurance plans that allocate health benefits among recipients—including spouses and children—perhaps taking into account the special needs of retirees who are not yet eligible for Medicare. Equal payments to former employees for health benefits probably is inappropriate; medical needs vary greatly, and retirees may or may not have family members entitled to protection.

This legislation establishes a new priority for the payment of retiree benefits in chapter 11—the reorganization chapter—cases involving plans that provide for liquidation. The objective of adequately protecting retirees in liquidation cases requires addressing liquidating chapter 11 cases as well as chapter 7 cases.

The protection this bill extends to retirees in liquidating chapter 1 cases does not disrupt the balance Bankruptcy Code section 1114 strikes between retiree needs and the exigencies of successful reorganization. The legislation establishes a new priority for retiree health benefit claims where reorganization does not succeed—without limiting any priority treatment of such claims in successful or unsuccessful reorganizations under other provisions of law, including section 1114. Any retiree benefits in the Eastern Airlines bankruptcy case, for example, that may be entitled to administrative expense treatment under current law will continue to be entitled to administrative expense treatment if this bill is enacted.

The experience of Eastern Airlines—and broader concerns for the health care of retirees and their families—justify an initiative that goes beyond Public Law 100–334. I urge my colleagues in both bodies to join me in seeking passage of this legislation during the current session.

RECOGNITION OF THE POLISH SUBCOMMITTEE OF RHODE ISLAND HERITAGE COMMISSION

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize the Polish Subcommittee of the Rhode Island Heritage Commission.

President Bush has proclaimed October as Polish Heritage Month. The Polish Subcommittee of the Rhode Island Heritage Commission was established to commemorate the history and culture and to preserve the traditions of Poland and Polish-Americans. In addition they study the economic, social, political, and religious aspects of Polonia and foster brotherhood and understanding among their citizens. The Polish Subcommittee of the Rhode Island Heritage Commission is celebrating Polish Heritage Month by sponsoring the first annual Polish-American heritage awards reception on October 25, 1991.

The Committee has chosen 10 citizens from the State of Rhode Island who have promoted Polish heritage in some way. One recipient in particular is Theodore Chmura, of Cumberland, RI, who passed away this summer. He will be receiving a posthumous award for his long-running Polish radio program that helped to promote the culture of Polonia.

Other recipients of the Polish-American Heritage Award will be given Genevieve Augun, of Pawtucket, Cheryl Babiec, of Pawtucket, Jean-Janina Babiec, of Pawtucket, Raymond Babiec, of West Warwick, Anne-Anya Blaszkow, of North Smithfield, Constance Lamansky, of Woonsocket, Wanda Moskwa, of Pawtucket, Dr. Dorothy Pieniadz, of Providence, and Frances C. Sobczyk, of Central Falls. In addition awards will also be given to two fifth graders who submitted essays on the topic, "Why I am Proud to be Polish." The winners will be Agata Kozminski, of Woonsocket, and Diane Azepecki, of Pawtucket.

It is with great pleasure that I extend my sincere congratulations to all the award winners, chairpersons of the event Walter and Edwina Piekarski, and to all the people involved in the first annual Polish-American heritage awards reception. I am pleased to join with the Polish Subcommittee of the Rhode Island Heritage Commission, and the whole Polish community in celebrating Polish Heritage Month.

PALL—BLEEDING ITS OPPONENTS DRY

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. MRAZEK. Mr. Speaker, this week, U.S. News & World Report published an article on five U.S. businesses that are outworking and outsmarting their foreign competition. I am proud to point out that one of these firms, the Pall Corp., is located within my own congressional district.

It has always been my sense that the future of our economy lies in not closing our doors to competition but rather beating our trade adversaries in the world arena. The Pall Corp. is a shining example of just how that can be done.

I would ask that this article be inserted in the RECORD.

PALL—BLEEDING ITS OPPONENTS DRY

Pall Corp. has vanquished two Japanese rivals in a fierce battle over next-generation filters that drain blood of potentially harmful white cells known as leukocytes. The $657 million Long Island-based firm has traditionally commanded about 50 percent of the marketplace in overall blood filters, but when it recently confronted Asahi, a $5 billion chemical conglomerate, and Terumo, an $850 million medical products company, it was faced with one of the stiffest competitive challenges in its history.

Pall turned back the Japanese attack on its market position with superior technology. In the early 1980s, the company had created a filter that removed roughly 90 percent of all leukocytes. Not satisfied, the firm's researchers improved this product and released a filter that was even more effective than its predecessor. Terumo and Asahi, who were selling older-generation filters that represented only a tiny fraction of their product lines, hungered for a slice of the new market. But Pall's focus on filters allowed it to build a better product and beat its ambitious competitors to market. Says Asahi Senior Vice President Takeyuki Miyamura, "Pall is very tough."

Pall's engineering expertise has enabled revenues to easily filter down to its bottom line. By applying its technological know-how to products ranging from airplane-fuel engines to bottled beer, the company has been able to record 20 consecutive years of sales growth at an annual average rate of 18 percent. Earnings have been even more impressive, expanding by an annual average of 32.5 percent over the past two decades. Although it is headquartered in the United States, Pall is well on its way to becoming a truly global company. In fiscal 1991, for example, sales growth in Europe and Asia rocketed along at 18 percent and 31 percent respectively; in the United States, the figure was just 8 percent.

Pall's ability to expand and dominate in both the United States and Europe has been aided by duplicate manufacturing facilities on both sides of the Atlantic. This has allowed the company to save roughly 10 percent on shipping and duty costs on European orders and has helped safeguard the firm against protectionist fever on the Continent. Pall recently completed an accelerated, five-year capital expenditure program, with most of the outlay being poured into six British plants.

Because Pall has successfully spread its corporate tentacles around the world, analysts believe that the filter company is extremely well positioned for the future. By 1994, they say, Pall could easily be a $1 billion enterprise with healthy profits, the lifeblood of any corporate body, surging through its veins.

OPEN LETTER TO THE CONGRESS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. BURTON of Indiana. Mr. Speaker, I recently received an interesting letter from one of my dear friends who has expressed concern about what's going on here in the Congress of the United States.

Frank Cox is a very successful businessman as well as a sound thinker, and I believe his thoughts express the views of many who do not take the time to contact their Congressmen to express their views.

Because Mr. Cox' letter was so thoughtful and well written, I thought my colleagues might find it beneficial to read it as well. Therefore, I am submitting it to the CONGRESSIONAL RECORD for all Members perusal.

FRANK M. COX,

Roseville, CA, October 14, 1991.

OPEN LETTER TO THE CONGRESS OF THE UNITED STATES OF AMERICA: Recent events have highlighted how bankrupt, unethical, immoral, and ineffective the institution, of which you are a member, really is. I refer to the economy, the banking and restaurant scandals, and the Clarence Thomas confirmation hearings (lynching). I am sick to death of hearing your performance excused by the phrase, "that's politics". Politics is about power, special interests, and votes. Politics gets you elected to a position where you are sworn to protect and defend the best interests of all of the people, not just those that elected you.

Congress is incapable of solving the problems this country faces for two reasons. First, its members cannot even agree on what the problems really are. Consequently, rather than appear incompetent our money is thrown at the symptoms to demonstrate how sensitive, compassionate and responsive congressmen and senators are. More often than not, this makes the problem worse. It is like a doctor telling someone that is in pain because they have a broken leg to take a pain killer and go for a walk.

Secondly, Congress operates on the principle of "the squeaky wheel getting the grease". There can be no question that was in the hearts and minds of our founding fathers when they established the framework for our form of government. They were fleeing tyranny. The words in our Constitution we so hotly debate were meant to protect the majority (those governed) from the minority (those governing). Those who have been denied their rights under the Constitution have suffered because of politics not as the result of a structural weakness in our Constitution. The granting or withholding of privilege, rights, or powers based on age, sex, race, politics, economic status, sexual preference, etc, etc., is tyranny. The prostitution of members of this body to special interests and minority groups whose interests are contrary to the Constitution or the majority of the electorate, is tyranny.

You are presiding over and legislating our economic, moral, and spiritual decline. Blaming a lack of leadership from the executive branch does not relieve you of the responsibility your authority entails. The solutions to our problems do not lie in fostering class envy or social polarization. Increasingly repressive, punitive, and economically crippling taxation is fiscally irresponsible. Redistributing wealth from those who earn it to those who do not is indefensible. Freedom is not advanced by institutionalizing economic dependency. These common characteristics of legislation may build a constituency, but they will not build and sustain a great nation.

Hopefully the politically motivated attempts to destroy Judge Thomas will so outrage, polarize and mobilize the silent majority in this country that you will no longer be able to rely on voter apathy to perpetuate your tenure.

Sincerely,

FRANK M. COX.

TRIBUTE TO ERNIE HARWELL

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. PURSELL. Mr. Speaker, a good friend of mine broadcasted his final game October 6, 1991. For 30 years, this very special person has been welcomed into millions of Michigan homes and he filled those homes with the excitement of American baseball at its best.

When Ernie Harwell walked through the doors of Tiger Stadium in 1960, it was evident that he was to become not only a Michigan baseball legend, but an American baseball legend. His unique style of baseball broadcasting has earned him the designation of one of the greatest in baseball's 70 year history. I will submit for the record an article from the New York Times which summarizes well this icon.

As an avid Detroit Tigers fan, I always looked forward to listening to Ernie's energetic play-by-play. I have had the good fortune to

meet and get to know Ernie. On many occassions we would discuss the pros and cons of new players, and the prospects of this year's Tigers. I am very lucky to have such a friend.

Through the many managers and players, the roads traveled and the changes in the game itself, there has been one constant in baseball, and that is Ernie Harwell. As we recognize his special role in the great American sport, we know we will miss him, but we know even more that he will always be with us.

SOUND OF THE TIGERS WILL LOSE PERFECT PITCH

(By Bruce Shlain)

After 32 years as the voice of the Detroit Tigers, Ernie Harwell will broadcast his final regular-season game for the team today in Baltimore. The historian Curt Smith, who wrote "Voices of the Game," rates him as "one of the three or four greatest announcers in the 70-year history of baseball broadcasting."

Most fans who identify Harwell with the Tigers don't realize he did play-by-play for the Brooklyn Dodgers in 1948, sharing the "catbird seat" with Red Barber, nor that he presided over one of baseball's—and New York's—most historic moments 40 years ago this week. As the New York Giants' announcer, Harwell broadcast Bobby Thomson's epic playoff-winning homer on Oct. 3, 1951 on the first coast-to-coast live television production. "Today nobody knows I was on the air that day," he said. "They made no tape of the game."

But Harwell's mastery in the booth is not as much about historic moments as it is about continuity.

Somehow he brings the proper pitch and phrasing to a whole season, with a rhythm and pacing that only a select few have ever commanded. In many ways a Harwell broadcast is profoundly musical, as befits a man who has published 55 songs with composers such as Johnny Mercer. The poet and baseball author Donald Hall confesses to warming himself in the winter by playing Harwell tapes: "It's not to re-enter a game but to hear the wonderful cadence in his voice, lulling and even hypnotic, but always compelling."

Many an announcer has aspired to sounding as if talking to a friend in his living room, but Harwell effortlessly establishes the same rapport on the air as he does in person. As the crime writer laureate Elmore Leonard put it: "He goes out of his way to make contact with people, to touch people. He's not the least bit aloof or taken with himself or his position."

Two generations of Tiger fans have grown up listening to Harwell while mowing the lawn, on picnics, at the beach, in their cars, or from their night stands. Any longtime announcer begins to fit like an old shoe, but Harwell has been accepted like a member of the family, everybody's Uncle Ernie.

Indeed, Harwell has become such a habit in Michigan and the Midwest that many associate him with the changing of the seasons, the signal that soon the weather will be warmer and the days longer. Each year, on the first broadcast from spring training, the devoutly religious Harwell has recited from the biblical Song of Solomon:

For the winter is past,
The rain is over and gone;
The flowers appear on the earth;
The time of the song of the birds has come,
And the voice of the turtle is heard in our land.

Some of his signature lines bear repeating. When a batter takes strike three, "He stood there like the house on the side of the road." When a neat double play is executed, it's "two for the price of one." His soft Georgia accent has inspired imitation from many a loyal listener who trumpets an impending rally with, "Here come the Tig-ahs * * *"

If you ever heard Harwell during a rain delay, you would know that nobody can spin better tales about the quirks and oddities of the game's personalities. Maybe it's a gift that evolved from the Southern upbringing he shares with Mel Allen and Red Barber, a culture where families and neighbors would sit on porches at twilight and regale each other with stories.

He has collected favorite anecdotes in his autobiography, "Tuned to Baseball," and in the recent "Diamond Gems," detailing some of his memorable meetings with baseball's remarkable men, from Ty Cobb up to today's stars. But during a broadcast he won't interweave stories through an at-bat, which Vin Scully has made into his specialty.

"I only give myself 10 or 15 seconds for a story because I don't want to slop over into the next pitch," Harwell said. "People tune in to hear a ball game, not the announcer. For the same reason, I don't like the emphasis today on statistics, because it doesn't allow the listener to breathe. I prefer not to clutter up the air with anything but the basic state."

For Harwell, the game's truly the thing, and this credo, more than mere lip service, is what allows him to describe a ball game with such remarkable clarity. He knows that his audience checks in and out during a game, so he always sets and resets the scene.

"I think what Ernie does literally better than anyone," said Jon Miller, the Orioles and ESPN announcer, "is to repeatedly give you the score, the inning, the base runners, the count, how many outs. To me, that's his genius."

Harwell heard his first baseball broadcast on a crystal set when he was 8 years old—the 1926 World Series when Grover Cleveland Alexander struck out Tony Lazzeri. "You had to hold a piece of wire—they called it a 'cat whisker'—in a small pool of mercury and you had to hold it just right for the station to come in," he recalled. "I sat there for two hours, not moving a muscle, listening to every pitch."

TREASURES COMIC MOMENTS

After a stint with the Orioles, he settled into the Tiger job in 1960. Further evidence to an undertone of energetic good humor that has always distinguished his style, Harwell treasures the comic moments just as fondly as the dramatic game-winning hits. There was the time, for instance, that Norm Cash brought a table leg to the plate in a failed attempt to distract Nolan Ryan from throwing a no-hitter in 1973.

Harwell was never a "homer." There's no artificial hype of a game or play, no show-biz theatricality. But how much more of a hometown announcer can you be than to say it's a beautiful day, there are seats available, and you should come on out to the park?

Now 73, Harwell doesn't think that he has lost a step. "If you tuned me in during the 50's," he said, "It would sound pretty much the same."

He admits that his Tiger finale will be a somewhat melancholy occasion. Harwell still doesn't know how the decision to dismiss him germinated in the Tiger organization. "My main reaction has been one of puzzlement," he said. "I've had so much support from people, and that's been very gratifying. I can't allow myself to be bitter. We all have to move along."

In moving around the American League cities this season, Harwell has discouraged making his travels into any kind of farewell tour, since he won't decide until the season ends if he'll retire or continue working somewhere else. "I don't want to be one of those guys who says goodbye and then comes back next month." he said with perfect clarity and, perhaps, a trace of humor. "That's kind of embarrassing."

BLUE RIBBON SCHOOL AWARD FOR BISHOP O'DOWD HIGH SCHOOL IN OAKLAND

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. STARK. Mr. Speaker, I wish to congratulate Bishop O'Dowd High School in Oakland, CA, for receiving the Blue Ribbon School Award. This award is given out annually by the Department of Education to elementary and secondary schools across the country which have achieved a level of excellence in education.

These exemplary schools are judged by a panel of experts on a number of criteria, including strong leadership, shared purpose, a climate conducive to effective teaching and teacher growth and recognition, a shared conviction that all students can learn, evidence of impressive academic performance and responsible behavior on the part of students, a high degree of involvement by parents and the broader community in school affairs, and a can-do approach to problem solving.

Since its inception, 40 years ago, Bishop O'Dowd has long been recognized for its outstanding achievement as an educational institution. A Catholic, coeducational high school administered by the Basilian Fathers for the Diocese of Oakland, Bishop O'Dowd has achieved impressive results in the area of college-preparatory education. Ninety-five percent of O'Dowd graduates go on to College and three times the number of O'Dowd graduates complete bachelor's degree programs as do so nationally. The school also has an impressive Advanced Placement Program which allows students to earn college credit while still in high school. O'Dowd also offers students the opportunity to participate in a wide range of sports and activities.

Besides striving for academic excellence, O'Dowd also focuses in its mission to develop the moral character of its students and to help them make a difference in their communities. The school has a variety of academic and extracurricular programs to help accomplish this goal. Each student at O'Dowd is treated as a unique individual with particular needs and interests.

By achieving impressive academic standards and creating a strong sense of community within its student body, Bishop O'Dowd is as deserving as any school in the country of a Blue Ribbon School Award.

AMERICANS SHOULD THANK GOD FOR THE DISINTEGRATION OF COMMUNISM IN WHAT WAS THE SOVIET UNION

HON. C. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. COX of California. Mr. Speaker, every American should thank God for the disintegration of communism in what was the Soviet Union and the great expansion of democracy in recent years.

Ms. Paula Dobriansky, Associate Director for Programs for the U.S. Information Agency, recently offered some provocative insights into the times in which we live. Excerpts were reprinted in the Washington Post on October 16. I submit those excerpts for the consideration of my colleagues and the readers of the CONGRESSIONAL RECORD.

[From the Washington Post, Oct. 16, 1991]

FOR THE RECORD

(From an address last week in Washington by Paula Dobriansky, associate director for programs for the United States Information Agency:)

In addition to the most recent stunning geopolitical transformations, such as the promising prospects for nuclear and conventional arms reduction . . . the prospect of an end to the regional conflicts of the 1980s—in El Salvador, Angola, Afghanistan and even Cambodia—and the diminution of the threat of war in central Europe, we are confronted by . . . unparalleled prospects for the expansion of democracy on every continent.

Indeed, the universality of democracy . . . is demonstrated by the fact that democratic appeal transcends geographic, racial and cultural boundaries. In that respect, our Founding Fathers were right: All men are created with certain inalienable rights. To be sure, democracy has ebbed and flowed in the past. Respected political scientists, such as Samuel Huntington, have observed that following the collapse of the Napoleonic Empire in 1815 and in the aftermath of World War I, a number of countries seemed to embark on a path of democracy—yet, most of these democratic gains proved fragile. Recently, in some countries, like China, democratic revolutions have been stymied, and in other states, like Haiti, we seem to be witnessing a pendulum swinging between a positive move toward democracy and a return to the brutal past. I believe firmly, however, that the current round of democratic revolutions is unique—the advent of modern means of communications combined with an innate human aspiration for democracy means that all tyrants are living on borrowed time. These trends are reinforced by the fact that we and our allies have made the pursuit of democracy a key part of our foreign policy.

SHILOH PRESBYTERIAN CELEBRATES ITS 126TH ANNIVERSARY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. DUNCAN. Mr. Speaker, last week the Shiloh Presbyterian Church of Knoxville, TN celebrated its 126th anniversary. Let me tell you just a bit of this church's history so you can understand what a remarkable occasion this is.

The members of Shiloh have long been active participants in the Knoxville community. A charter member of Shiloh, James Mason, was the city's first black taxpayer in 1866.

Shiloh's second pastor, the Rev. Job Child Lawrence, was a leader in the movement calling for appointments for blacks. On January 26, 1888, he was elected by the Knoxville Board of Education to fill a vacancy on that body.

The reason I want to pay tribute to this fine church is that I do not think our churches get the recognition they deserve. A church teaches its members some of the most important lessons we can ever learn such as compassion, honesty, integrity, morality, generosity, and tolerance.

Shiloh has been reinforcing these high standards for 126 years. That is a remarkable contribution to our society, and I am grateful that the members of the Shiloh Presbyterian Church are a part of the Knoxville community.

The following is from an article about Shiloh that appeared in the Knoxville Journal:

WHITE CHURCH BALCONIES TO SHILOH PRESBYTERIAN

(By Robert Booker)

Shiloh Presbyterian Church, at 904 Biddle St., is celebrating its 126th anniversary this year. Founded in 1865, its congregation was composed of some of the most influential black people in Tennessee. Some of its pastors were quintessential leaders in fostering race relations, participating in government, and building racial pride.

In its existence, the church has survived a fire, relocation because of street widening, and uprooting by urban renewal. In its infancy, it met on a lawn and a back porch. It met in homes, a school, and even the old Gem Theatre, until it erected a building.

During the period of slavery, both free blacks and slaves were allowed to sit in the balcony of white churches on Sunday. Many were never comfortable and wanted their own churches. In May 1865, the General Assembly of the Presbyterian Church USA held a meeting to consider the desires of those who wanted to organize a church in Knoxville.

At the time, there were 12 blacks who regularly attended services at Second Presbyterian Church, and one who attended First Presbyterian Church. On Sept. 4, 1865, a meeting was held at Second Presbyterian, and Shiloh was organized.

The Rev. George Washington LeVere became its first pastor on Feb. 9, 1866. Born in Brooklyn, and educated in schools there, he had served as a chaplain in the 20th Regiment of the U.S. Colored Infantry. He had read theology under a Dr. Starrs, and served as a pastor and teacher in a day school under the auspices of the General Assembly for Freedmen.

It was during LeVere's ministry that a lot was purchased by Shiloh and a frame building was erected on it at the corner of Henley Street and Clinch Avenue at a cost of $3,300. By 1875 the congregation had outgrown that building, and a new one was erected, with the corner laid on Aug. 28, 1875.

LeVere was one of the most active men in the state. In 1870, he was a charter member of the Meridian Lodge No. 4 of the Free and Acepted Masons where he served as grand master. He served as the supervisor of the Shieldstown School on Linden Avenue. He helped form the Colored Mechanics of Knoxville, and served as an officer. He was pastor of the church from 1856 to 1884, and died in 1886.

An outstanding charter member of the church was James Mason. Born a slave in Knox County, he bought his freedom by doing odd jobs, and was saving money to buy his wife's freedom. In the meantime, slavery was abolished, so he bought a house with his savings and became the city's first black taxpayer in 1866.

In 1879, Mason established the first school for black deaf students in his home. He and his family trained them until the state acquired property for them on Dandridge Avenue in 1883. He became a city policeman in 1884 and served on the force for 18 years.

Shiloh's second pastor was the Rev. Job Child Lawrence, who came in 1884. He was a native of Tennessee who attended Maryville College and graduated from Howard University in 1879. He spent much of his early career establishing churches along the foothills of the Great Smoky Mountains and the Appalachian range.

In Knoxville, Lawrence became a political activist and was in the forefront of demanding political appointments for blacks. On Jan. 26, 1888, he was elected by the Knoxville Board of Education to fill a vacancy on that body. The vote was 5–3.

Because of the cries that Lawrence's election would eventually lead to the integration of schools, he was never allowed to take his seat. The state Supreme Court, on Oct. 19, 1889, ruled his election invalid because of a technicality.

With the widening of Henley Street, Shiloh built a new church at the corner of Church and Lithgoe in 1930. This edifice cost $40,000. Because of an urban renewal project, the church moved to its present location on Biddle Street.

Through the years its dynamic pastors and solid members have played a great role in the development of Knoxville.

Robert Booker is executive director of Knoxville's Beck Cultural Center and a regular Knoxville Journal columnist.

RESULTS OF THE 1990 CENSUS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, October 23, 1991 into the CONGRESSIONAL RECORD:

RESULTS OF THE 1990 CENSUS

The Census Bureau has started releasing information from the 1990 census, and, while still preliminary, this information offers important insights into the changes that are taking place in this country. The census provides data on housing, employment, income, education and other matters used widely by the public and private sectors, and helps determine how Federal resources will be allocated. It will also help guide policy decisions in the years ahead.

Population Trends: The census shows that the national population has grown by 9.8 percent over the last 10 years to 250 million. The South and the West account for most of that growth. Southern States grew by 13.4 percent

and Western States by 22.3 percent. In contrast the Midwest grew by only 1.4 percent. Political power and Federal resources will follow these population trends from the Midwest and Northeast to the South and West.

Indiana has grown at a much slower rate than the rest of the country. The state's population has grown by 1 percent to 5,544,159. The 9th Congressional District gained 24,734 new inhabitants since 1980, a 3.6 percent increase. Because Indiana's population did not keep pace with the rest of the country, it stands to receive relatively less Federal funding than faster growing States. Indiana will still have ten Members in the U.S. House of Representatives.

Suburbanization: The census also shows that Americans continue to move from rural and urban areas to suburbs. After a renaissance in the 1970's, rural America was hard hit by the recession of the early 1980's. Rural areas are growing only half as fast as the country as a whole. Agriculture has continued to decline as a source of jobs, and many manufacturing plants that had moved to rural areas to find cheap labor in the 1960's and 1970's, moved offshore in the 1980's. Rural population has now slipped from 26 percent in 1980, to 23 percent in 1990.

Perhaps most striking, though, is the exodus from U.S. cities to suburbs. Over 48 percent of Americans now live in suburbs, while the urban population has declined to 30 percent. Urban areas bordering on the 9th District reflect this trend. Over the last ten years Cincinnati suffered a 5.5 percent population loss and Louisville shrank by 9.9 percent. The counties in Indiana outside these urban areas have grown, however. Hoosier counties near Cincinnati grew by 11.4 percent, while those close to Louisville grew by 2.7 percent. Brown and Monroe counties, which lie outside of Indianapolis, have grown by 13.8 percent and 10.3 percent, respectively.

As the population of rural and urban areas across the country continues to shrink, so will their political clout and their access to Federal funding. These trends will place strains on rural areas as they struggle to provide improved roads, schools and health care. Cities may have less resources in fighting drug abuse, crime, poverty, homelessness, and failing infrastructure. Suburbs are the new power base of American politics, but face challenges of their own, including inadequate public services and roads.

Diversity: The census indicates that the country is becoming more diverse. Roughly 1 in 4 Americans is now Hispanic or non-white. Blacks are 12 percent of the population, Hispanics 9 percent, Asian-Americans 3 percent, and Native Americans 1 percent. Immigration, mostly of Asians and Hispanics, accounted for more than a third of the overall population growth in the 1980's. Most immigrants settled in coastal cities, while States in the interior of the country, including Indiana, remain largely dominated by whites of European origin.

Ethnic and racial diversity is having a profound impact on our country. Immigrants and minorities will play a critical role in meeting future labor needs, but, in an economy that places a premium on skills and education, these Americans may be at a disadvantage in seeking higher-paying jobs. School systems, especially in New York and California, are educating more students whose first language is not English. States and communities are working to absorb immigrant groups into their economies and address their social and cultural needs. Immigrants are also seeking more representation in political institutions, and legislatures are struggling to build consensus for a more diverse population.

Families: The census shows that the American family is under stress. The size of the family contracted from 3.33 persons in 1960 to 2.63 persons in 1990. Divorce is partially responsible for this trend, and the number of children living in single-parent homes continues to grow. Some households, however, have grown in recent years as more unmarried young adults are staying home and more aging baby boomers are now having children.

Families face increasing financial burdens, such as higher health care and housing costs. These costs are driving both spouses into the workplace. These problems are particularly acute for single-parent families, as divorce tends to lower living standards for mothers and children. The census also shows that, over the last ten years, the rich got richer, the poor got poorer, and the middle class shrank in size at twice the rate as in the 1970's.

Families are increasingly looking to government to help make ends meet. The federal government has responded by providing tax benefits to defray child care costs and expanding benefits for low-income Americans with children. Congress is considering tax relief and other proposals targeted to American families.

Aging Population: The census shows that America is aging. 12.6 percent of the population is now 65 years or older. In Indiana's 9th District the median age has risen over the last decade from 29.4 years in 1980 to 33.4 years, and will rise higher if young people continue to move away in search of jobs. The median age for the state is now 32.8 years.

The aging of America will create new financial burdens, especially when the baby boomers reach retirement age. Future workers will have to pay more for entitlement programs for the elderly. There are now 3.4 workers for every Social Security recipient. By 2030 there will be fewer than two. A smaller workforce may resent paying more payroll taxes for relatively better-off retirees.

Conclusion: The census tells us who we are as a people, and how we are changing as a country. It also affords us an opportunity to look into the future and prepare for it.

BOONE PICKENS ON JAPANESE KEIRETSU CARTEL SYSTEM

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. SMITH of Florida. Mr. Speaker, in an excellent opinion piece on October 21, noted American businessman T. Boone Pickens again warned the United States about the Japanese keiretsu system.

I recommend Mr. Pickens' article to anybody who is concerned about our trade policy.

[From the Washington Times, Oct. 21, 1991]

POPULAR MYTHS OF CORPORATE JAPAN

(By T. Boone Pickens)

OK, Toyota. OK, Koito, I give. After more than two years as the largest shareholder in Koito Manufacturing, it became clear to me that you will never grant my request for representation on Koito's board.

Yes, I was fed up with Toyota's stonewalling and moved on to other things. But I have moved on with a sense of accomplishment for exposing once and for all the link between Japan's closed corporate system and the "success" of Japan's economy.

As an oil man, I've drilled my share of dry holes, but I've always prided myself in knowing when to plug them. I decided to sell Boone Co.'s 26 percent stake in Koito back to its former owner. I did not realize a profit, but there is an eminently valuable moral to my story. One that if not heeded by all Americans, promises to profoundly alter the very foundation of our economic system.

I will continue to fight the battle on other fronts. But the fight for a two-way economic street with Japan will ultimately have to be waged and won by our policy-makers. That will only happen when we accept the fact that Japan's economic success is the result of a rigged system. Then we must negotiate with the Japanese accordingly.

What I have learned as the largest shareholder of Koito is that most of the popular wisdom about the source of Japan Inc.'s incredible success over the past few decades is pure myth. Japan Inc. is not smarter, more agile and more efficient than America—it is simply based on business principles that America spurned almost a century ago when we outlawed trusts, monopolies and cartels. We never said those principles did not work—the question was, work for whom and at a cost to whom?

Sure, I know why the Japanese prize their system of corporate cartels. Cartels are more efficient and give executives more control over everything from suppliers to the market. On the downside, though, cartels ultimately limit consumer choices and increase prices. Simply put, they are a beautiful way to get rich while squeezing out competitors and exploiting consumers. Unfortunately, since the competitors have to be squeezed out first, the consumers are the last to know, and by then it is too late. Anyone who reads the business section even once a week should know that is exactly what the Japanese are doing in America.

In Japan, these cartels even have a special name. They call them "keiretsus." Keiretsus are intricately interlocking webs of shareownership and corporate board memberships that give a handful of Japanese corporations at the top of the pyramids virtual feudal control over vast networks of suppliers and workers.

It's clear Japan Inc. is not just transplanting factories in America but also its keiretsu system. It's just a matter of time before American consumers feel the keiretsu wrath just as the Japanese have.

In a report due to be released in May, the Mid-America Project identifies 61 companies in Toyota's American keiretsu and 60 companies in Nissan's American keiretsu. Data on more than 1,200 other Japanese companies operating in Mid-America continues to be collected and analyzed by researchers and evidence of other keiretsu activity is apparent.

The success of keiretsu is its ability to lock Americans out of Japanese markets while eliminating competitors in the United States. According to Commerce Undersecretary for International Trade Michael Farren, Japan has exported more than $11 billion in auto parts to the United States during the past two years, while allowing only $640 million worth of American parts into Japan. This figure alone accounts for 11 percent of our total trade deficit with Japan.

I'll remain an outspoken critic of Japan's keiretsu system. I've submitted testimony in the U.S. Federal Trade Commission investigation of whether Japan is violating our

antitrust laws by exporting its keiretsu system to the United States.

I've urged Congress to continue pursuing Internal Revenue Service reports that Japan is dodging up to $34 billion in U.S. taxes each year by underreporting the earnings of keiretsu-member companies. Congress is also considering trade reciprocity legislation to close U.S. markets until Japan allows us access to its markets.

Boone Co. encouraged U.S. Structural Impediment Initiative negotiators to focus on keiretsu, resulting in Japan's pledge to make keiretsu "more transparent" by requiring disclosure of keiretsu ties. Now U.S. negotiators must make them honor their pledge.

We helped start the Mid-America Project that, with the support of unions representing 35,000 workers in a six-state region, is helping communities better understand the economic impact of keiretsu on Main Street.

We also led the call for Japan's government to pressure corporate Japan to increase the dividends paid to small shareholders and encouraged other shareholder rights.

Based on my experiences in Japan, American policy-makers first will have to acknowledge that the Japanese government may be powerless in the face of keiretsu. All government officials we approached said Toyota is a power unto itself.

The United States should resolve that our antitrust laws are not only essential to our free enterprise system, but that they will be enforced wherever American commerce is at work. That means stopping cartels from selling products in our markets and halting the keiretsu invasion of our economy.

From a trade negotiating standpoint, we should sit down with the Japanese, show them a copy of the free trade agreement with Canada, and tell them we have six months to negotiate something similar or we start erecting trade barriers to match theirs. Investment reciprocity restrictions would be the first place to start. They can't invest here until we can do the same there. That should get their attention. Renaming Japan as an unfair trader under Super 301 is another place we can start.

But most importantly, the moral to my story is that we should stop blaming ourselves, see Japan's keiretsu for the unfair cartels that they are, and then threaten their very existence before it's too late.

HARLAN E. MOYER RETIRES AS PRESIDENT AND CHIEF EXECUTIVE OFFICER OF CH2M HILL, LTD.

HON. MIKE KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. KOPETSKI. Mr. Speaker, I call to your attention and that of my colleagues the retirement of a giant in the Consulting Engineering Profession, Harlan E. Moyer of CH2M HILL, Ltd., who is being honored at a company dinner on October 30, 1991. In July of 1991 Moyer retired as president and chief executive officer of CH2M HILL, Ltd., the parent and holding company for the CH2M HILL family of companies. The largest of those subsidiaries is CH2M HILL, Inc., which has its roots in Corvallis, OR, in my district. Begun in 1946 by four Oregon partners with a vision, Holly Cornell, Jim Howland, Burke Hayes and the late Fred Merryfield, it is now the country's leading environmental engineering firm.

During his tenure, Moyer helped to establish CH2M HILL, Ltd., and the subsidiary companies that extend a range of environmental and other services to Federal, State, municipal and private sector clients. CH2M HILL, Inc., the original environmental consulting engineering company, remains the largest and primary business in the family of corporations. Industrial Design Corp., Inc. [IDC] was established to provide development services such as clean room design to private industry. Operations Management International, Inc. [OMI] was formed to provide water and wastewater facility management services to public and private clients. Now contracted to manage treatment facilities in more than 40 communities in the United States and abroad, OMI has established an exemplary record for improving treatment plant performance and adherence to local and U.S. EPA pollutant discharge limits.

Under Moyer's direction in the past year, CH2M HILL, Ltd. has expanded its operations by forming a subsidiary company to conduct environmental engineering and consulting work overseas. The new subsidiary, CH2M HILL International [CHIL], has opened offices in Denver, London, Taipei, Alexandria, and Cairo, and is teaming with Gutteridge, Haskins and Davey, Pty., Ltd., of Sydney to jointly perform environmental projects in Australia.

In addition to serving as president and CEO of CH2M HILL, Ltd., Moyer held similar positions in CH2M HILL, Inc. He retired from those responsibilities for the engineering subsidiary in 1990 and was succeeded by Lyle G. Hassebroek. As President of CH2M HILL, Inc., Mr. Moyer guided the consulting engineering firm over 13 years into an enviable position of professional leadership in the environmental engineering community. During his tenure CH2M HILL, Inc., grew from a regional engineering firm of 1,300 employees to a nationwide one of more than 4,500 individuals that provide planning, design, operations and program management services concentrated in environmental protection and resource conservation. From a base of 21 offices, mostly located in the western United States, CH2M HILL has expanded to 60 offices across the continent and overseas during Moyer's presidency. CH2M HILL is involved in more than 4,000 active projects across North America. One of those is the $1.7 billion Milwaukee Metropolitan Sewage District project.

Under Moyer's leadership CH2M HILL has broken new technical ground in the areas of water and wastewater treatment, hazardous and toxic waste management, water resource management and environmental planning. Over the past decade, CH2M HILL's work in these areas has earned more than 70 awards for engineering and environmental excellence. These honors have included national recognition from the American Consulting Engineers Council, the U.S. Environmental Protection Agency, and Canada's top engineering honor—the Schreyer Award. In addition to these honors Moyer earned a Presidential citation for contributions to solving the Nation's pollution problems.

During the 1980's, Moyer guided CH2M HILL's entry into the field of hazardous and toxic waste management. In 1980 CH2M HILL was selected to assist the U.S. EPA in identifying hazardous waste sites, and in 1982 the firm's role was expanded to manage the REM/FIT portion of the Superfund Program in 29 Western States and U.S. territories. In 1984 CH2M HILL was selected to manage Superfund's REM–IV Program, and in 1988 the EPA chose CH2M HILL to manage Alternative Remedial Contracting projects throughout the Nation. More recently, CH2M HILL has also been assisting the hazardous waste cleanup efforts of DOD, DOE, other Federal Departments and Agencies, State and local governments, and the private sector.

Moyer's personal contributions to the field of environmental engineering have included two landmark achievements in design for advanced wastewater treatment and clean water protection—the South Tahoe Public Utility District Water Reclamation Project in Lake Tahoe, CA; and the Regional Water Reclamation Plan for the Upper Occoquan Sewage Authority in northern Virginia. In each case, Moyer managed the engineering and design of tertiary wastewater treatment facilities that represented technical breakthroughs for their era.

Harlan Moyer will continue on special assignment to CH2M HILL.

IN HONOR OF GLENN AND PAT OLEA'S 50TH WEDDING ANNIVERSARY

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to Glenn and Pat Olea on their 50th wedding anniversary, which they will celebrate on November 2, 1991. Glenn and Pat have been an inspiration and source of encouragement to those who know them because of their understanding and dedication to each other and the community.

Glenn Olea joined the Philippine Scouts in 1936 at Fort William McKinley, Philippines. Glenn and Pat were married in 1941. One month later they were faced with war as the Japanese invaded the Philippines. Glenn Olea fought at Bataan to prevent a Japanese takeover of Manila, while Pat Olea was evacuated with other families to the north side of the island. In June, 1945, upon liberation of the Philippines, Glenn was assigned to Japan with the 24th Infantry Division, and was joined in 1948 by Pat and their 3-year-old daughter, Judy. Soon after, Glenn received orders that would send him and his family to the United States, where they would be stationed at Fort Carson, CO. Glenn was wounded in the Korean war and upon returning from Korea to the United States, Glenn and his family were stationed at Fort Ord, CA. After 30 years of dedicated service, Glenn retired from active military duty.

Throughout this military career, Glenn Olea received a number of commendations for his service and bravery. His decorations include the Silver Star, the Bronze Star, the Purple Heart, the Combat Infantry Badge, the Good Conduct Medal, the Philippine Presidential Unit Citation, and the Korean Presidential Unit Citation.

Since 1957, Glenn and Pat have been extensively involved with the City of Seaside, and their commitment to that community has been an inspiration. They were instrumental in the formation of the Fil-American Community Club in 1957 and, while serving as president, Glenn chaired the Seaside "Project Mercy", a community project that raised enough funds to purchase an ambulance for the city of Seaside Fire Department. Pat chaired a committee that organized the entry of a beautifully decorated car for the Fourth of July celebration in Seaside which won first place in the competition. She has been active in providing for the needy in the community, especially during the holidays. At Thanksgiving time, Pat demonstrates the true meaning of giving thanks by sharing her time and energy with the people of the community, and she has been effective in organizing the wives of the members of the Fil-American Club to become involved in this worthy cause.

Glenn Olea was appointed to Parks and Recreation Commission and later served 4 years on the Planning Commission. He realized his ability to help the city of Seaside, and made the decision to run for the Seaside City Council. Glenn was elected to the city council for 3 consecutive terms, and served as the mayor of Seaside. Running for election and serving on the city council would have been more difficult without the unwavering support of his wife. Pat worked on his campaigns, often going door to door in the community, and remained a pillar of strength throughout. Pat Olea is still active as a member of the board of both the Philippine Scouts and the Fil-American Club and spends her time as a volunteer worker for the church.

The Olea' union has always been one of mutual respect for the abilities each brought to the marriage. Their life together is characterized by determination, hard work, and achievement. Mr. Speaker, I ask my colleagues to join me now in congratulating Glenn and Pat Olea on their 50th anniversary. Glenn and Pat are not only outstanding citizens, but also good friends. It is a great honor that I am given the chance to recognize the Olea's for their commitment to each other, as well as the community.

ALL SAINTS' EPISCOPAL CHURCH CELEBRATES 100TH ANNIVERSARY

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mrs. BENTLEY. Mr. Speaker, I rise today to congratulate All Saints' Episcopal Church, Reisterstown Parish, upon the celebration of the 100th anniversary of the dedication of its church building.

The Reisterstown parish was organized formally in 1891 and worshipped in borrowed facilities until 1884 when its first chapel was constructed on the All Saints' cemetery grounds. However, the chapel had become overcrowded when the congregation quickly grew and by the fall of 1889, the vestry began soliciting donations toward its enlargement.

When Mr. William Keyser offered to build a church in memory of his mother, the vestry welcomed his offer. Subsequently, the church was built and consecrated on October 29, 1981. Present for the evening was Bishop Paret and a host of clergy and laypeople. Later in 1893, a bell tower was completed. In the years to follow, thanks to the generosity of Mr. Keyser, two additional lots were bought and a beautiful stone entrance gate was constructed.

At the turn of the century, the congregation took on the job of building the rectory and parish house. Many years later, when the old parish house proved too small, an effort began to build a new parish hall. Due to the great generosity of Mr. William D. Groff and others, the funds became available to build a new, much larger hall known as Groff Hall.

However, the parish buildings have not existed for the sole benefit of the congregation but for the community as well. In addition, the focus of All Saints' Episcopal Church has not been upon its buildings but upon its diligent faith and worship. All Saints' Episcopal Church has sought to serve the community and its parishioners through serving God.

I have had the personal pleasure of being acquainted with the church as I have held town meetings at the church hall which give me the opportunity to meet with my constituents and discuss their needs and concerns. Such town meetings, or as they are also known, community outreaches, are very important to me as they always are productive and beneficial. Whenever I ask to hold such a meeting, the church always has been accommodating and eager to assist. For this, I am very grateful and appreciative.

As the proud author of House Joint Resolution 325, "Religious Freedom Week," I take a special pride in the religious freedoms we enjoy in this country. Likewise, I consider the role of the church in our community to be of utmost importance. We would indeed be a lesser Nation without the church.

Mr. Speaker, my fellow colleagues, I ask that you join me in congratulating All Saints' Episcopal Church in Reisterstown, MD upon its 100th anniversary of the church's dedication. It is with great respect and admiration that I commend the parishioners on this momentous occasion. Through their faith, charity, and reverence for God, they have not only made this a better community in which to live, but a better Nation as well.

INTRODUCTION OF AIRLINE COMPETITION ENHANCEMENT ACT OF 1991

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. OBERSTAR. Mr. Speaker, today I am introducing a revised Airline Competition Enhancement Act of 1991. This legislation addresses the decline in competition in the airline industry which threatens the low fares and consumer benefits of airline deregulation. I introduced legislation on this subject earlier this year, and the bill was extensively discussed in hearings held by the Aviation Subcommittee of the Committee on Public Works and Transportation. On the basis of these hearings, I have developed a new bill which will be marked up by the Subcommittee on Aviation in the near future.

The decline in airline competition began in the 1980's when the Reagan administration's Department of Transportation approved all the major air carrier mergers which were presented to it. In addition, the Department refused, and has continued to refuse, to deal with structural barriers to new entry and competition. These policies caused a great disparity in market power between stronger and weaker carriers, and left the weaker carriers unable to withstand the poor economic conditions of 1990–91, which included an economic recession, increases in fuel prices during the gulf war, and a decline in international travel caused by the war and terrorism. In the past year, one major carrier, Eastern, has ceased operations, and four others, Pan American, Continental, Midway, and America West are in Chapter 11 bankruptcy. With industry losses totalling $4 billion in 1990, and estimated at $1.5 billion for 1991, the survival of all but three or four major airlines is in question. If the industry is reduced to only a few airlines it is doubtful that these airlines would compete sufficiently to continue the low fares and other benefits of deregulation.

The hearings of the Aviation Subcommittee on competition legislation indicated that it would be premature and probably ineffective to give up on deregulation and try to re-regulate service and fares. However, there is a role for legislation at this time. Legislation can facilitate new entry and competition by ensuring that the limited facilities and rights which are essential for airline operations are allocated in a manner which will maximize competition.

My original bill proposed changes in Government policies on the allocation of international routes and major blocs of slots and gates, and changes in the regulations governing the operation of computer reservations systems. The administration and the largest airlines strongly opposed this legislation. In the interests of going forward promptly, I have developed a revised bill, which focuses on the most pressing problems facing the industry. However, I do not intend to abandon the other issues dealt with in my original bill and I will continue to pursue separate legislation on these issues.

COMPUTER RESERVATIONS SYSTEMS

The main provision in the new bill deals with problems created by the domination of the computer reservations systems [CRS's] used by travel agents by two of the largest airlines, American and United.

CRS's are an essential facility for airlines. The Department of Transportation has found that in a recent year, 95 percent of all U.S. travel agencies used CRS's and these systems were used to book 92 percent of the agents' domestic sales and 77 percent of their international sales. (Unless otherwise indicated, the source of statements attributed to DOT is the notice of proposed rule making on computer reservations systems issued on March 26, 1991). On the basis of this and other data, the Department concluded:

> The [travel] agencies' importance, and their reliance on CRSs, mean that for almost

all airlines their ability to sell their services through CRSs has become essential for the successful marketing of their air transportation.

Moreover, the high profit margins received on marginal passengers means that an airline's ability to operate profitably often depends on its ability to add a few more passengers on each of its flights. As a result, each domestic airline must have its services displayed and saleable through each system in order to reach the agencies using that system (the only exception is Southwest, but its ability to survive without full CRS participation seems to stem from several special factors not characteristic of other airlines).

Investigations by the Departments of Justice and Transportation have concluded that American and United have monopoly powers in the CRS industry, and that they are using these powers to inhibit competition in the airline industry. American and United control more than 60 percent of the national CRS market and these airlines control even higher percentages of a number of regional markets. The Department of Justice has evaluated monopoly power in the CRS industry and its effects on airline competition and concluded that:

[Each CRS] has market power over airlines, which are dependent on the CRSs for the distribution of their tickets. The CRS vendors are able to use their market power to charge airlines supracompetitive booking fees. These booking fees, in turn, are passed on to consumers in higher air fares. The CRS vendors also use their market power to bias their systems in favor of their own airlines' flights. Both practices may impede entry and expansion by competing airlines in air transportation markets. In addition, the CRS vendors may be engaging in contracting practices that impede entry and expansion by competing CRS vendors into CRS markets where the contracting vendor is dominant. Since effective entry into airline markets dominated by a CRS vendor may be dependent upon simultaneous entry or expansion in CRS markets, these contracting practices also may impede entry and expansion in airline markets.

Many airline markets have a small number of actual competitors; the threat of entry and expansion by competing carriers can be critical in ensuring the competitive functioning of those markets. Thus, the ability of CRS vendors to deter entry and expansion by competing airlines may result in higher fares or poorer quality service in those markets.

I will not discuss anticompetitive CRS practices in greater detail:

High booking fees. As has been indicated, airlines have little choice but to participate in American's and United's CRS's and to pay the fees charged for bookings made on the CRS. American and United have used this market power to charge their competitors booking fees well in excess of the cost of providing service. DOT's 1988 CRS study concluded that the booking fee for American's CRS was 2.3 times the average cost of providing the service and on United's CRS the booking fee was 1.9 times the estimated average cost. DOT found that these fees produced returns on invested CRS capital of 50 percent for United and 75 to 90 percent for American—without even considering so-called incremental revenues, discussed below. These high booking fees drain the financial resources of American and United's competitors, and produce substantial additional revenues for American and United to use in airline competition.

Incremental revenues. The 1988 DOT study showed that ownership of CRS's were giving American and United additional airline revenues of $100 to $200 million a year. The Department concluded that a primary source of the added revenues was "architectural bias." As stated in the NPRM:

The Vendors' incremental revenues result in large part from their design of their systems, that is, from architectural bias. Architectural bias refers to system features that make it easier and more reliable for an agent to obtain information and make a booking on the vendor than on any participating carrier. Because vendors have chosen not to make bookings on their competitors as easy and reliable as bookings on themselves, they obtain large amounts of additional airline bookings from their subscribers.

A major reason that it is easier for a travel agent to make bookings on the carrier owning the CRS system is that the owner or "host" of a CRS uses the same CRS computer for its internal reservations systems as is used for the CRS system. For other carriers, the CRS system and the internal system of the carrier are separate. This means that bookings on the host can be made more quickly and reliably because to book on the host airline there is not need for communication between computers. As DOT explained:

Because of [the] need for communications between computers, a CRS's information on a participating carrier's service may be outdated when a subscriber sees it on the display, while the information the vendor's display will never be outdated. Similarly, bookings made on participating carriers will be less reliable than those made on the vendor because of communications delays.

American and United have claimed that their CRS's now include "direct access" functions which permit agents to interact directly with other airlines' internal system. DOT has considered the availability of these systems and concluded that "direct access" does not produce functional equality between booking on the host and booking on other carriers.

While direct access has improved the timeliness and reliability of CRS information, it has not entirely solved the problems of unreliable bookings . . . Many routine functions performed by subscribers are easier or quicker to carry out when bookings are made on its flights. For example, obtaining quick confirmation on the original booking, changing complex itineraries, changing the name of the passenger associated with the passenger name record, and issuing boarding passes are all slightly easier, quicker, or more reliable when the agent is working with bookings on the host's flights.

In short, the greater ease of obtaining information and making bookings on the host airline encourages agents to book on that airline. The added bookings on the host airline divert hundreds of millions of dollars to the host airline and make it very difficult for non-host airlines to compete effectively. As DOT explained:

The incremental revenues obtained by the vendors make it difficult for a carrier to compete with a vendor on an airline route when the vendor has a large share of the CRS market at one or both endpoints, since the vendor will gain significantly more traffic at the agencies using its system and thus will be able to operate more efficiently on the route than any non-vendor carrier. Similarly the non-vendor must pay supracompetitive booking fees that will increase its costs and thus its fares. Since airlines normally operate on a low profit margin, these fees (and the revenue diversions) can spell the difference between profit and loss on many airline routes.

Anticompetitive provisions in CRS contracts. An additional problem inhibiting competition has been clauses in the contracts between CRS owners and travel agents which make it difficult for the agent to change CRS systems. American and United have imposed restrictive provisions in their contracts with travel agents, including 5-year terms high liquidated damages if an agent terminates a contract, and provisions requiring minimum use of the CRS. These contractual provisions make it extremely difficult for competing CRS systems to displace American and United, no matter how high the quality of the competitor's CRS system.

After years of delay in dealing with CRS problems, the Department of Transportation recently issued a notice of proposed rulemaking on CRS. Although the notice of proposed rulemaking contains some strong findings on the competitive difficulties created by concentration in the CRS industry, DOT's proposals to deal with the problem fall short of what is needed. In addition, it is not clear how long it will take the Department to issue a final rule, and whether ths rule will include all of the proposals in the NPRM. For this reason, the Competition Enhancement Act includes provisions to deal with three major CRS issues: architectural bias, contracts with travel agents, and high booking fees.

On architectural bias, the bill establishes two important requirements. First, effective 365 days after enactment, a CRS may not include capabilities which are more functional, timely, complete, accurate or efficient with respect to one airline participant than with respect to any other participant. This requirement of functional parity or equality will reduce architectural bias. However, we do not believe that these requirements will be enough. As concluded by the Department of Justice in its comments on the DOT NPRM:

It is unlikely, however, that functional parity rules will eliminate all architectural bias. CRSs will continue to interact with participating carriers via communications links that are unnecessary for the host carrier. Moreover, as CRS technology evolves, vendors are likely to develop new functions that become sufficiently important to travel agents to result in passengers being diverted to the host carrier, thereby increasing architectural bias. DOT would therefore be required to monitor CRS services in order to keep its functional parity rules up to date. The inherent differences in the way CRSs function with respect to host and participating airlines and the rapid changes in CRS technology may make evasion of functional parity rules difficult to detect and prevent. To the extent functional parity rules do not succeed in eliminating architectural bias, substantial potential benefits to competition will be foregone.

For this reason, the introduced bill adopts the recommendations of the Department of Justice and requires, 3 years after enactment,

that CRS systems be converted to "no-host" systems, that is that no airline may use a CRS system as its internal reservations system. This requirement, combined with equal functionality, should eliminate architectural bias.

The "no-host" requirement will impose one-time costs upon American and United estimated at $50–$230 million. Howver, the costs of converting to no-host are a fraction of the incremental revenues which American and United have earned from architectural bias. Moreover, as pointed out by the Justice Department, the nc-host approach will save carriers the costs associated with the continuing regulatory disputes which would be likely to arise if we relied solely on a functional equality rule. In addition, the costs and disruption of "no-host" are much less than those which would be associated with requirements that airlines divest themselves of CRS divisions, an approach which has been suggested in other legislative proposals.

The purpose of the no-host and functional equality requirements provisions is to ensure that travel agents and their customers will be able to select and book the flight and fare which best meets the customer's need; not the one which is receiving the most advantageous display or is easiest for the travel agent to book. The original CRS rules adopted by the Civil Aeronautics Board in 1984 prohibited CRSs from discriminating among airlines in the way schedules were displayed on CRS screens. This rule has basically been effective in regard to CRS displays. But CRS vendors quickly discovered they could replace the effects of the outlawed display bias in other ways, such as making their flights easier to book or re-book, as has been described above. The purpose of the provisions in my bill is to prevent these newer forms of bias in the same way the CAB dealt with display bias 7 years ago: we would be prohibiting discrimination in functionality, just as the CAB earlier prohibited discrimination in display. If the consumer's interest is to be properly served, competition among airlines must be on the basis of airline fares and service, not on the basis of bias and hidden advantages build into a computer reservations systems of which few customers are aware.

We want to achieve, as fully as we can, a level CRS playing field on which airlines will compete fairly and vigorously as airlines. No airline which believes in its ability to provide competitive airline service and fares should object to these provisions.

On the issue of the high booking fees charged to airlines participating in a CRS, the revised bill permits any airline which objects to an increase in a participant fee to demand that such fee be reviewed by an arbitrator. Procedures for arbitration are established. Other participants affected by the disputed fee are entitled to participate in the arbitration. Under the bill, the arbitrator shall render a decision as to whether the disputed participant fee exceeds that which would be fair and reasonable in light of the revenues and costs attributable to the computer reservation system. In reaching this determination the arbitrator shall consider all revenues of the vendor including air transportation revenues attributable to computer reservation system.

To deal with contractual provisions which restrict the ability of competing CRS vendors to gain access to a travel agent, the reported bill limits contracts between CRS owners and agents to 2 years, limits liquidated damages for terminating a CRS contract to amounts actually owed to the CRS owner, the damages incurred from removing the CRS equipment and the unamortized costs of initially installing the equipment. The bill also makes specific a requirement already in DOT's CRS regulations, that a contract may not directly or indirectly require minimum use of a CRS. These prohibitions should facilitate the ability of other CRS's to compete with American and United.

SLOTS

A second major issue dealt with my revised bill is slots at high density airports. There are four airports—LaGuardia, Kennedy, National, and O'Hare—at which the Federal Government imposes hourly limitations on the rights of airlines to take off and land. Slots at the four high density airports were given free of charge to the airlines using the slots in 1986 and since that time, the airlines have been free to sell their slots. There have been frequent complaints from new entrants and smaller airlines that the large incumbent carriers have been unwilling to sell them slots at reasonable prices.

I have always been disturbed by the original decision of the Reagan administration to adopt a so-called market solution giving incumbent airlines a windfall of operating rights worth millions of dollars when incumbents had received these rights free from the public. However, the "buy-sell" system has now been in effect for several years and some airlines have paid substantial sums to obtain slots. An outright termination of the right of airlines to sell slots would be unfair to these carriers.

Accordingly, instead of a complete ban, my revised bill includes a relatively modest provision allowing new entrant and small incumbent airlines—which includes airlines operating fewer than 12 slots at an airport—to provide large aircraft service with slots which are now reserved for commuter airline service.

This provision will furnish some added opportunities for new entrant airlines to obtain slots from commuter airlines. I am not convinced that in the long run this will free up sufficient slots to facilitate the level of competition we need, but I think it is worth trying this modest approach before going to more sweeping measures.

Several features of this approach should be clearly understood. First, it will not result in any increase in total slots at an airport. It will only permit a small number of commuter slots to be used for large aircraft service. Second, under this approach no slots will be taken away from any airlines. A new entrant will be able to obtain a commuter slot only by buying it from a commuter airline or obtaining it under other procedures for allocating slots developed by the Department of Transportation, such as the awarding of unused slots. Finally, any commuter slot eligible for large aircraft use under the bill will not be permanently converted into a large aircraft slot. A commuter slot can be used for large aircraft service only by an airline operating fewer than 12 large aircraft slots at the airport. If the slot is sold to an airline operating more than 12 large aircraft slots, the slot can be used only as a commuter slot.

ESSENTIAL AIR SERVICE

Finally, my revised bill includes the basic provisions of H.R. 2268, legislation designed to ensure adequate air service between small communities and high density, slot limited airports. The bill is explained in detail in my remarks in the CONGRESSIONAL RECORD of May 9, 1991 [E1711]. It will ensure that adequate slots are available for service to small communities which are entitled to service under Section 419 of the Federal Aviation Act. As I explained in my earlier statement, the legislation is necessary to overcome policies of the Department of Transportation which has refused to exercise its authority under existing law to provide slots needed for essential air service, particularly in the case of certain communities that lost their service during fiscal year 1990. Only a limited number of additional slots should be required for this provision, and the provision should be administered so that there will not be a significant impact on any community now receiving service to a slot-controlled airport.

Mr. Speaker, the legislation I am introducing today can play a significant role in the development of airline competition. I look forward to having this legislation considered by the Committee on Public Works and Transportation and then by the whole House.

TRIBUTE TO AURORA GONZALEZ

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Ms. KAPTUR. Mr. Speaker, Toledoans lost a very respected and dedicated member of our community with the tragic death of Aurora L. Gonzalez earlier this month. Aurora gave so much to all the citizens of our area; her efforts on behalf of northwest Ohio's Mexican-American community will be especially missed.

Aurora Gonzalez was a long-time resident of Toledo. In 1928, Aurora and her family, which grew to include 16 brothers and sisters, arrived in Toledo as one of the first Mexican-American families to move to the area. Aurora graduated from Toledo's Central Catholic High School, attended the University of Toledo and worked for 31 years as an executive secretary at Libbey-Owens-Ford until her retirement in 1979.

Perhaps Aurora's most enduring accomplishments were her contributions to Toledo's Hispanic Community. In the mid-1970's, Aurora formed La Voz del Barrio, a community organization designed to encourage cultural understanding and promote voter registration and economic development. In 1979, Aurora was instrumental in establishing Centro Unico, a recreation center in south Toledo that is still enjoyed by Toledoans of all ages. As a result of all her efforts, Aurora Gonzalez was the first Hispanic inducted into the Ohio Women's Hall of Fame in 1985.

I know I speak for all of those who knew Aurora Gonzalez in expressing my most heartfelt sympathy to her brothers, Anthony and Frank and Peter Gonzalez; sisters Maria Sue

Compos, Ursuline Sister Maria Jose, Mrs. Ruth Garcia, Mrs. Salud Cortez, and Mrs. Remedios Patlan; and many nieces and nephews.

Mr. Speaker, Aurora Gonzalez was a valued friend, a source of inspiration and guidance for all who knew her. We all, and I for one, will deeply miss her.

TRIBUTE TO DR. HENRY S. WILLIAMS OF THE CHARLES R. DREW UNIVERSITY OF MEDICINE AND SCIENCE COLLEGE OF ALLIED HEALTH

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. DYMALLY. Mr. Speaker, I rise to pay tribute to Dr. Henry S. Williams for his outstanding contribution to the Charles R. Drew University of Medicine and Science.

From December 1989 through September of 1991, Dr. Williams served as interim president of the university. Prior to assuming that position, Dr. Williams held several other posts including the distinction of being the first chairman of the board from 1966 to 1973.

Mr. Speaker, Dr. Williams has not only been an outstanding physician for 35 years, he has also been a positive influence in our community.

We are truly fortunate to have Dr. Harry S. Williams as a member of the Los Angeles community, students and staff of the Charles R. Drew University of Medicine and Science are equally blessed to have Dr. Williams as a teacher and guide.

STATEMENT IN SUPPORT OF THE SKELTON AMENDMENT THE OMNIBUS CRIME CONTROL ACT OF 1991

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. BARTON of Texas. Mr. Speaker, I want to bring to my colleagues attention the Skelton amendment which was included in the Omnibus Crime Control Act of 1991 which was passed by this body yesterday. I strongly support the measure in this amendment which authorizes the establishment of rural drug enforcement task forces. I was unavoidably detained while this amendment was being considered and was unable to rise in support.

My congressional district offices work very closely with rural drug task forces through my staff antidrug program coordinator and the successes in the rural areas in Texas have been phenomenal. There are six such task forces in my district. The original intent of the rural antidrug task force strategy to combat illegal drugs was to supplement the small, untrained, and ill equipped sheriff's forces with proficient, well equipped, mainly undercover forces to combat the distribution, sale and manufacture of illegal drugs. Clandestine drug labs were locating in the rural areas because no one bothered them and they could supply the metropolitan areas without detection.

Through the work of the task forces in Texas, almost 1 billion dollars' worth of illegal drugs have been seized since January of 1988 with drug-related assets seized of over $15 million. The arrests of drug traffickers number over 10,000 and clandestine drug labs seized number over 300.

I am pleased to be able to support the gentleman from Missouri's amendment that will both enhance the rural drug task forces in my district and will encourage and support similar programs in other rural areas of the United States. I am confident that they will experience the same successes that the people in my district have enjoyed.

The continued efforts of metropolitan leaders to gain control of the task force funding puts the rural antidrug programs in jeopardy. We must do all we can to prevent this. Mr. Speaker, this measure goes a long way toward the accomplishment of this task.

THE SOCIETY OF AMERICAN MAGICIANS

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. OLVER. Mr. Speaker, the Society of American Magicians Assembly No. 17 have asked me to recognize October 25–31 as National Magic Week. The following explanation of the founding of National Magic Week is provided by the National Chapter of the Society of American Magicians:

Before there was a National Magic Week there was a National Magic Day. It all started with a "Houdini Day" in the summer of 1927, less than 1 year from his death. A trophy in honor of Houdini was presented by Mrs. Harry Houdini, to the winner of the underwater contest at the Miramar Pool in New York City.

There were many other "Houdini Days" following, but it was not until 1938 that Les Shotly, a member of the Society of American Magicians, in Chicago sought official sanction for "Houdini Day."

A friend of Houdini's requested and obtained permission from Mrs. Houdini to proclaim October 31 as National Magic Day in honor of Harry Houdini. The plan was formulated at that time to have free performances for shut-ins and handicapped people.

Harry Houdini served as the president of the Society of American Magicians for 9 years until his death on October 31, 1926.

Many newspapers carried the story about National Magic Day and various magical societies kept the idea alive. The first radio broadcast about National Magic Day occurred over radio station KQW on July 20, 1938. Mrs. Harry Houdini participated in that broadcast.

It was not long when National Magic Day became National Magic Week. The Society of American Magicians adopted the idea as a way of promoting the art of magic and at the same time performing shows at orphanages, hospitals and nursing homes for those who would have difficulty getting to a theatre to see a live performance. The members of the Society of American Magicians that participate in those shows find it a rewarding and worthwhile activity.

Each year Governors, mayors and other governing bodies throughout the country are requested to issue proclamations declaring the last week in October National Magic Week and encouraging magicians throughout the country to participate in the activities. Many people enjoy magic shows during this week that otherwise would not be able to do so.

For many years the Society of American Magicians has been encouraging the U.S. Postal Service to issue a stamp honoring the memory of Houdini. He is a person with an international reputation and his name is almost synonymous with magic. Magic displays can be found at libraries, stores and malls throughout the country during National Magic Week. When Magic Week is over each local assembly of the Society of Magicians is encouraged to compile their Magic Week activities in a book and submit them to the National Convention of the Society of American Magicians where they are judged and awards are given at the national convention held each year, usually the following July.

National Magic Week is the magical fraternity's way of sharing with others a great art form that is deeply loved by those that participate in it.

Mr. Speaker, at this time I would like you and my distinguished colleagues to join me in recognizing October 25 through 31 as National Magic Week. I would also like to recognize the efforts of the Society of American Magicians Assembly No. 17 in their efforts to have October 25–31 declared National Magic Week.

TRIBUTE TO REPRESENTATIVE CHARLES THOMAS

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. DARDEN. Mr. Speaker, I rise today to commend a Georgia legislator, Representative Charles Thomas of Temple, for his efforts on behalf of his hometown high school.

One of the controversies going on in education, both locally and nationally, is whether or not bigger schools are better schools. While the jury is still out on this issue, Representative Thomas is leading his own district as well as the Georgia General Assembly to a better understanding of the pros and cons of consolidation.

As featured in the Atlanta Journal/Constitution, the following article describes the Carroll County situation and Representative Thomas' role.

[From the Atlanta Journal/Atlanta Constitution, Oct. 14, 1991]

STATE MAY STOP THINKING BIG ON SCHOOLS—CONSOLIDATION RULE SEEN AS COSTLY GOOF

(By Betsy White)

In the past five years, Georgia has spent hundreds of millions of dollars consolidating schools, believing that bigger was better.

Now some state officials are concluding that bigger is simply bigger.

And, pressed by a Carroll County legislator whose son attends the same small high school he did, policymakers are cautiously weighing whether to embrace small schools again.

"It seems like nationally, the trend seems to be going in that direction," said Rep. Charles Thomas (D-Temple). "It just doesn't seem like we should be spending state money to build big schools in communities that don't want them."

To the theorists who argue that small schools cheat students out of a well-rounded education, he offers a simple rebuttal: His son Chris is taking Spanish, advanced math and two science courses this year at Temple High School—which is so small the graduating class typically numbers about 60.

In addition to a substantial range of college-prep and vocational courses, the school has some human characteristics that are missing at many bigger schools:

An award-winning marching band in which one-third of the student body participates.

A principal who knows every student by name.

A teacher who can credibly claim to have helped ensure that every black Temple High graduate in the past six years has gone to college.

When the blue-ribbon Education Review Commission drafted Georgia's Quality Basic Education school reform law, they included generous incentives to propel districts to close small schools like Temple High and build big new ones.

But Mr. Thomas isn't the only one criticizing that decision. The commission's lead researcher, Larry Gess, now says: "The main reasons we did it are no longer valid."

A GOOD INCENTIVE: MONEY

Mr. Gess' position marks a major turnaround from the commission's pro-consolidation stance.

Convinced that bigger schools were the only way to provide Georgia pupils with a well-rounded education at an affordable price, the group made it clear to local school boards that creating large schools was more important than high test scores, low dropout rates or innovative instruction.

The panel didn't explicitly say so, but it didn't have to. It offered school districts that agreed to build bigger schools something that good test scores or great teaching couldn't bring them: money.

And it worked. Scores of school systems, closed small schools, expanded existing ones and constructed even larger ones. School boards across the state signed on, from Fulton County to Burke County to Coffee County.

Between 1986 and 1991, the state paid more than $280 million for the effort, which featured guidelines that all but screamed, "Think big."

Elementary schools were to have at least 450 pupils, so teachers could teach high-, medium-or low-ability children, not all three, and to generate enough demand for full-time music, art and physical education teachers.

Middle schools were to have 640 pupils so teachers in each grade could work in interdisciplinary teams.

High schools were to have 970 students so there would be enough demand for full-fledged vocational, general and college-prep course offerings.

THE DOWNSIDE TO UPSIZING

But the pro-consolidation rules were barely in place before the tide began to turn against big, factorylike schools. Researchers began to report that the broad offerings and efficiencies of scale that were supposed to distinguish large schools didn't offer the clear payoffs that planners had anticipated.

Instead, research began to point to some clear costs: anonymity, apathy, withering parental involvement and a predilection for consigning students to rigid tracks.

Small schools, experts began to say, are the ones where greater innovation and excellence are possible. Educators in many parts of the country began to opt for small schools or to create more intimate "schools within a school" to achieve the same effect.

But Georgia proceeded with its bigger-is-better plan.

Now that the funding-incentive program is largely completed, however, a legislative study committee is poised to rewrite the plan. Not only is the panel weighing whether to discontinue the hard-to-refuse incentives to build bigger schools, it may turn the law on its head entirely and set maximum enrollment levels.

CARROLL PUTS ON THE BRAKES

The frank re-examination of state incentives for school consolidation was prompted mainly by the battle rending Carroll County and Mr. Thomas's efforts to keep the community schools intact.

With five high schools—all but one of them smaller than the state's recommended minimum—Carroll is, from a planner's point of view, perhaps the most obvious remaining candidate for school consolidation.

The local school board voted 4-2 in November 1989 to do just that. Temple and Villa Rica high schools would be merged into a new East Carroll High School. Bowden and Mount Zion high schools would become West Carroll Middle-High School. Elementary schools also would be consolidated, and altogether the state would pitch in more than $20 million.

The plan was rolling full steam ahead, and that struck Mr. Thomas as ironic because Carroll Countians seemed staunchly against it.

Less than two years ago, Carroll voters rejected a school bond referendum to consolidate schools. The measure did not pass in a single Carroll precinct.

Yet the state was prepared to pay millions to proceed with the plan in Carroll County.

But Mr. Thomas quietly inserted a provision into the funding law that blocked Carroll from getting the money. The law is being challenged as having an illegal retroactive effect, but for now it has kept Carroll from getting the consolidation funds.

Meanwhile, Mr. Thomas also got a study committee established and has begun collecting—and preaching about—the latest research debunking the glories of large, comprehensive high schools.

His fellow legislators seem to be taking him seriously.

Says Carroll Superintendent Tony Cook, "I think people are beginning to feel that there is a genuine educational value to a community school that may not be accounted for in the formulas of QBE."

HONORING DORTHEA LOMBARDO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. ENGEL. Mr. Speaker, it is my privilege to pay tribute to Dorthea Lombardo upon her retirement from the teaching profession after 48 years of dedicated service.

For nearly five decades, the halls of Evander Childs High School have been graced by the presence of Dorthea Lombardo. As a former student, I can personally attest to her love of knowledge and commitment to her pupils, and there are thousands of other former students who could join me in those sentiments.

To her colleagues, Dorthea has also been a supportive friend and trusted adviser. As the head of the science department at Evander Childs, she helped formulate programs that equally challenge the educators and the students. As a coordinator of the alumni association, she has maintained the sense of community that is unique to Evander Childs.

As both a former student and a representative of the people of the Bronx, I extend thanks and best wishes to Dorthea Lombardo on this special occasion.

TRIBUTE TO FLUSHING HOSPITAL MEDICAL CENTER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. ACKERMAN. Mr. Speaker, I rise today to recognize Flushing Hospital Medical Center in Queens County, NY, on the occasion of its second century ball, to be held on Saturday, October 26, 1991.

Great changes are taking place today in medicine and in the health care delivery system. Flushing Hospital Medical Center continues to meet the challenge of adapting to these changes by implementing new programs, strengthening its commitment to the community and responding to the dynamic demands of innovation and technology.

What began with 1 bed and a single staff nurse back in 1884 is currently a 461-bed integrated health care complex. The medical center is a voluntary not-for-profit institution governed by a 23-member board of trustees, each of whom functions without compensation as a public service.

Annually, the center serves 150,000 patients through its various services, which include a Maternal Fetal Medicine Program as well as high-risk obstetrics and neonatal care facilities, an extensive health maintenance service for the elderly, endoscopy suite, community medicine, infant apnea program, peripheral vascular lab, cardiac lab, dental clinic, and complete range of out-patient services. The medical center continues to reach out to the community, expanding and upgrading its services.

October 26 truly is an important occasion for Flushing Hospital Medical Center.se I have had the pleasure of being acquainted with the medical center for a number of years and sincerely appreciate the work of all those involved. An important and established part of the community, Flushing Hospital Medical Center is a place of solace for a great many people in the community.

Mr. Speaker, my fellow colleagues, I wish to commend the physicians and staff of the medical center for their years of hard work and generosity. I ask all my colleagues to join me now in wishing the medical center, its presi-

dent and chief executive officer, Michael Kaminsky, and all those involved the best of luck on the occasion of their second century ball.

THE UNEMPLOYMENT SITUATION IN AMERICA IS WORSE THAN STATISTICS INDICATE

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. HERTEL. Mr. Speaker, the unemployment situation in America is worse than statistics indicate. Charles Osgood of CBS News Radio summed up the status of the American worker this morning on the "Osgood File." The following is copyrighted by CBS, Inc., all rights reserved:

There are certain things you don't want to see made: cheese, sausage, and Government indexes to name a few. But if you don't know what goes into an index, you can't possibly understand what it means. A lot of people think that the official jobless rate—the unemployment statistics—measure how many people in this country are out of work. No, that's not it at all. Things are not as bad as the figures suggest. They're worse.

The official Government statistics are not political in the sense that they're controlled by politicians. They are true and objective as far as they go, but they don't go anywhere near as far as most people think they do. If you just look at the monthly unemployment figures put out by the labor department, you'd see that they haven't changed much in a while. So you might think that while the employment picture isn't getting a whole lot better, it hasn't gotten a whole lot worse either, but that is not necessarily true. Associated Press analyst John Cuniff says the reality is that things are much worse than the official jobless rate, which stands at 6.7 percent; 8,400,000 people are officially out of work. But that doesn't take into account the 1,100,000 people out of work who have given up, stopped looking for jobs. They don't count in the statistics. Neither do the people who've taken part time jobs because they can't find full time work. There are 6,400,000 of them. Last month alone, 500,000 workers entered the part time worker category. That number won't show up in the unemployment figures.

Also not included are the special structural problems of blue collar workers being permanently laid off, of white collar jobs being eliminated, of teenage unemployment, which is now 18 percent, and especially Black teenage unemployment which is now 38 percent. All these are hidden from view, Cuniff says, by an overconcentration on the jobless rate, which doesn't mean what people think it means. But out there in the real world, people who are out of work look at thin want ad sections and wonder where the jobs went. Retailers look at their sales figures and wonder where the customers went. Customers are holding on to their money—if they have any money—because they're worried about their jobs—if they have jobs.

The point is that the official unemployment rate doesn't count everybody. But even the people who aren't counted, count.

HOFFMAN-LAROCHE TO PROVIDE VITAMIN A TO UNICEF CHILDREN

HON. ROBIN TALLON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. TALLON. Mr. Speaker, Third World childhood malnourishment is a tragedy for us all. No one knows this better than the large pharmaceutical company Hoffman-LaRoche which has just announced a venture in providing vitamin A to children served worldwide by UNICEF.

Heeding the call of the World Health Organization and the United Nations Children's Fund, Roche is supplying enough dosage sufficient to provide vitamin A through immunization to 115 million children in 37 countries for a period of 3 years.

It is estimated that this donation could prevent at least 5,000 deaths per day worldwide.

I applaud Roche for their concern for the global community. This effort is not just an example of corporate charity, it is an example of how effective the business community can be in addressing childhood hunger and malnourishment.

I encourage other businesses to follow their lead.

TRIBUTE TO YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER SACRAMENTO

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. MATSUI. Mr. Speaker, I rise today to pay tribute to the Young Men's Christian Association of Greater Sacramento on the occasion of their 125th anniversary. On October 25, 1991, elected officials, community leaders, and friends will gather to recognize and celebrate 125 years of dedicated service to the Sacramento community.

In 1866, a small group of Civil War veterans and Protestant pastors formed the Young Men's Christian Association. From a modest structure with a small gymnasium at fifth and J Street that was built in 1899, the YMCA of Greater Sacramento has grown into a modern facility at 21st and W Streets. The YMCA seeks to serve all persons enabling them to achieve their highest potential through the development of spirit, mind, and body.

A listing of some of the many fine services provided by the YMCA will make clear the valuable contribution this outstanding organization makes to the community. They include aquatic and physical fitness programs for all ages including aerobics and weight training, fitness testing for improved health, youth sports leagues, day camps, resident camps and caravan camps, child care for infants up through sixth graders, youth in government, teen conferences on topics of current interest to further develop leadership skills, and father-child programs to enhance the relationship between fathers and their children. Financial assistance is offered for all of its programs to ensure their diversity.

I ask my colleagues to join me in paying tribute to the YMCA of Greater Sacramento, board president, Jack Walker, and his board and staff, on the occasion of their 125th anniversary of service to the Sacramento community.

H.R. 3566: JUST WHAT OHIO NEEDS

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. HOBSON. Mr. Speaker, for the information of my fellow colleagues, I would like to enter into the RECORD a letter which I received from Ohio Gov. George V. Voinovich regarding H.R. 3566:

Passage of the Intermodal Surface Transportation Infrastructure Act of 1991 is critically important to Ohio. This legislation achieves the No. 1 Federal legislative priority of the Voinovich-DeWine administration, and a goal which I know each of you have long worked toward as well: an equitable, long-term reauthorization of Federal-aid surface transportation programs.

In addition to providing more than $4 billion to Ohio over 6 years, the Ohio Department of Transportation cites these positive provisions of the bill:

Program restructuring for increased flexibility;

Workable Federal-State matching requirements;

Emphasis on multimodal transportation for cleaner air and fuel conservation; and

Better coordination of state and local planning efforts.

I am certain there is no governor who has enjoyed better delegation cooperation in the effort to win a more equitable distribution of highway funding than I. Our Delegation's unity on this critical matter has helped make today's opportunity possible. Also, the bill would not be in its present form without Ohio's three Public Works Members—Doug Applegate, Dave Hobson, and Jim Traficant—who worked directly with Chairman Roe to end the unfair burden on Ohio taxpayers and state transportation planners.

H.R. 3566, the product of sustained, effective Ohio Delegation involvement, makes sense for Ohio. It is a blueprint for economic development which I hope you will support.

RAPHAEL SANCHEZ

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. LEHMAN of Florida. Mr. Speaker, affordable housing and innovative tenant programs have been a priority of the Hialeah Housing Authority since 1983, when Raphael Sanchez was appointed the executive director of the agency.

Since then, Raphael Sanchez has made the Hialeah Housing Authority a vital part of our community and local government. In addition to starting community development programs such as affordable children's day care for public housing tenants, Executive Director Sanchez's extensive experience in administra-

tive management has helped him to revitalize the agency. He has increased the public housing stock by 30 percent and the number of certificates and vouchers by 42 percent. The Hialeah Housing Authority, under Sanchez's steadfast direction, has received the Recognized Performer Award 3 years in a row.

In addition to these accomplishments, Mr. Sanchez has been responsible for creating avenues of expansion for present projects. These projects include an affordable housing program which plans to make available 500 additional housing units to low-income families. Sanchez also expanded the children's day care center to include care for the elderly as well as provide care for more children. These projects are currently underway.

Mr. Speaker, not only has Raphael Sanchez devoted his professional career to public service, but he has spent his personal life serving our community as well. Mr. Sanchez is a past president of the Flamingo Kiwanis of Hialeah, vice president of the American Heart Association, vice president of the community development sector of the FAHRO, as well as a member in the National Association of Housing and Redevelopment Officials and Public Housing Authorities Director's Association. Mr. Sanchez is also a past president of the Hialeah Community Baseball Association.

Raphael Sanchez was also the first Cuban-American to be elected as an at-large board member of the Florida Association of Housing and Redevelopment Officials [FAHRO].

Strong, committed leaders are the pride of our community. Hialeah is fortunate to have Raphael Sanchez as one of them.

JOE TALBOT—A TRUE MASTER

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. CLEMENT. Mr. Speaker, I rise today to pay tribute to an icon in the country music industry, someone who commands respect in the business, political and civic community throughout middle Tennessee, a friend and a good man—Mr. Joe Talbot.

Tonight the Nashville Entertainment Association [NEA] will honor this music industry veteran, whose contributions go well beyond the field of country music, as the recipient of their 1991 Master Award. This coveted honor is given to the individual or group who has made a significant contribution to the "Nashville Sound."

A true jack-of-all trades, Joe Talbot was born and raised in Nashville, TN. Joe graduated from Vanderbilt University School of Law in 1952 and successfully practiced law for many years. For most, this accomplishment alone would be the highlight of a successful career. For Joe Talbot it is a lone chapter in a lifetime full of achievement.

During and after the time Joe attended Vanderbilt, he played steel guitar. And Mr. Speaker, I mean he played the steel guitar. Joe recorded with the legendary Hank Snow on RCA Records from 1950 through 1954, appearing on the Grand Old Opry with Snow from 1951–52.

Audiophiles and country music historians note that Joe Talbot was one of the best steel guitar players of his era. Not only did he play country music, he lived country music. His years on the road traveling the country music circuit, and his understanding of the sacrifices required of a working musician and every aspiring country star, contributed to his ability to become a leader in this country music industry years later.

Throughout his 40 years in the country music business, Joe Talbot has been involved in every aspect of the industry. He managed a music store in downtown Nashville—the Hank Snow Music Center, worked as a traveling guitar salesman and sold time for a country radio station before becoming a successful music publisher.

Joe Talbot's initial involvement in the publishing business was from 1965–67, when he was a partner in the publishing company Harbot Music, a business which he owns today.

From 1967–71 Joe was manager of the SESAC performing rights organization's Nashville office.

Today Joe owns several successful music-related businesses including United Record Pressing, Inc., Peer-Talbot Music Group and Nashville Record Productions. He is also the owner of a commercial office building on Nashville's music row and other commercial real estate. He has also recently, for the first time, become involved in artist management.

Joe Talbot is a past chairman of the board, past president and one of a few people to be accorded the honor of being named a lifetime member of the Country Music Association.

Joe is a trustee and past chairman of the board of the Country Music Foundation. He is a member of the board of directors of Third National Bank in Nashville. He has served on the boards of the National Academy of Recording Arts and Sciences, the Gospel Music Association and the Nashville Better Business Bureau.

These memberships and positions indicate a lifetime of achievement. But the greatest testimonial to Joe Talbot is the respect and esteem he commands among his peers, friends and throughout our community. If asked to describe this individual in one sentence, anyone who knows him would simply say, "Joe is a great man—one of the best people I know."

Joe Talbot's word is truly his bond—it is as good as gold. Through the years some of the most respected people in the music industry have sought his advice and counsel. They value what he has to say. He is a quiet, easy-going man who relies on a lifetime of experience and observation. Joe Talbot is one of those rare individuals whose advice rings with wisdom, wit, insight and common sense.

William Shakespeare once said, "Some men are born great, some achieve greatness and some have greatness thrust upon them." Joe Talbot personifies all three.

Mr. Speaker, today I ask my colleagues to join me in paying tribute to Mr. Joe Talbot. I regret that I will be unable to participate in the ceremonies honoring Joe tonight in Nashville, but I am honored to share these words of tribute with my colleagues today. Most of all, I am honored to call this great man my friend.

INTRODUCTION OF LEGISLATION TO AID THE SUCCESS OF RESEARCH AND DEVELOPMENT IN OUR COUNTRY

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. GALLO. Mr. Speaker, today I am introducing a bill to make permanent both the research and experimentation tax credit and the research and experimentation allocation rules.

Our colleagues, Representative JENKINS and Representative ANTHONY, have previously introduced bills that would, individually, accomplish what my bill seeks to accomplish.

However, because I believe that these two provisions of the Tax Code are so important to the success of research and development in our country, I have combined both provisions into one bill. It is important that the research and development community in the United States understand that the House supports the permanent extension of both of these important incentives.

The need for this legislation is clear. For our country to compete in the international marketplace we must encourage investment in research and development. This investment adds to American competitiveness and productivity, enabling us to reach our full economic potential.

In a global marketplace, companies in the United States must have an equal opportunity to compete with companies overseas. Reinvesting money in their businesses will result in improvements to established technology. That will lead to economic growth and jobs creation.

Since the research and experimentation tax credit was first enacted in 1984, Congress has been renewing it on a short-term basis. Piecemeal renewals are shortsighted. By making this credit permanent, my bill encourages long-term thinking. That is the only way companies can effectively plan for the future.

The extension of the allocation rules is important to keeping future domestic R&D expenditures here in the United States. If we do not extend the allocation rules, the unintended effect will be that companies will be encouraged to perform research and development overseas, where they receive more favorable tax treatment. Our Tax Code should not encourage the flight of research and development dollars.

Mr. Speaker, we need to enact these permanent extensions before the year is out, so that those doing research and development can be certain of the environment in which they will be planning and working.

I urge my colleagues to cosponsor this legislation and send a clear message that Congress supports the expansion of American competitiveness through research and development. The passage of my bill will allow American business to move forward with confidence into the future, keeping us on the cutting edge of new technologies and global competitiveness.

CROSSROADS OF CIVILIZATION

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. HYDE. Mr. Speaker, I would like to call to my colleagues, attention a significant event that took place this Sunday on the other side of the world—the democratic election of a government in the Republic of Turkey.

Now, it would appear there should be nothing special about such an election, but with governments all over Europe and Asia struggling with fashioning representative systems, it should be noticed that Turkey already has one—and has had it for decades.

And, astounding as it seems, the voter turnout was 90 percent. More than 26 million of the 29 million eligible voters went to the polls. We ought to study how they did that.

It was my pleasure and privilege to visit Turkey this summer. I met with Government leaders and business leaders and learned much about the culture and history of Turkey, which is truly a crossroads of civilization.

I can tell you that democracy and free enterprise are in evidence in that nation.

Here are some important facts about Sunday's election:

First, the election chose 450 members to the Grand National Assembly.

Second, there are 18 political parties in the country and its constitution places no restrictions on them other than that their platforms may not conflict with the state's national sovereignty and territorial integrity, human rights, or the principles of democracy and secularism.

Third, women have had the right to vote since 1927. Democracy is not an easy system to constrict. Turkey is making it work. Other countries who are trying to devise such a system would do well to observe Turkey.

CELEBRATING THE ANNIVERSARY OF NOTRE DAME SCHOOLS

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. SARPALIUS. Mr. Speaker, on October 26, a quality group of schools in Wichita Falls, TX, will celebrate an important anniversary. Notre Dame schools will honor the 25th anniversary of the dedication of their middle and high school building.

Catholic schools in the Wichita Falls area have a long and distinguished history. The first one was the Academy of Mary Immaculate, founded by the Sisters of Saint Mary. In 1964, the Brothers of the Holy Cross began a secondary education program for young men. In 1966, the Sisters of Saint Mary and the Brothers of the Holy Cross jointly opened Notre Dame High School, with Sister Genevieve Kirkpatrick, S.S.M.N., and Brother Harold Young, C.S.C., as principals. Brother Richard Daly, C.S.C., the second principal of the boys' division, is now director of the Texas Catholic Conference in Austin, TX.

Today, Notre Dame is a diocesan school of the Diocese of Fort Worth with Ronald M. Staley as principal. It is composed of an elementary school, middle school, and a high school. Notre Dame has maintained the strong traditions of Catholics in the North Texas area, and it has a reputation for high academic standards and achievement for the youth of its region. I am proud to salute Notre Dame schools on the 25th anniversary of the dedication of their middle and high school buildings.

TRIBUTE TO ROLLIN KAPP

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to congratulate and recognize an outstanding citation in my district, Mr. Rollin Kapp, who has been named Citizen of the Year by the Greater Odenton Improvement Association.

Mr. Kapp has been a resident of Odenton for 30 years, having moved here in 1961 after retiring from the Army with the rank of major. After moving to Odenton, Mr. Kapp immediately involved himself with volunteer work by joining the newly revived Odenton Improvement Association.

As an active member of the Association, Mr. Kapp has been instrumental in helping the community adapt to its changing needs. One of his first projects was the formation of Odenton's clean-up campaign in the early 1960's. Area residents formed cleanup crews to keep the community clean. Recently, Mr. Kapp has been involved in Anne Arundel County's rezoning effort, serving on the association's Comprehensive Rezoning Task Force.

For the past 20 years, Mr. Kapp has been actively involved with programs at Arundel High School. Since 1975, Mr. Kapp has been involved with the high school wrestling team, acting as a coach and as an adviser to the students. Mr. Kapp also has been a member of the Arundel High School Citizens Advisory Committee for 20 years, which advises the board of education.

Thank you, Rollin, from myself and the citizens of Odenton for all you have done on behalf of our community. We are all grateful to you for your exemplary service and your involvement with the community, which is a glowing example of all of the wonderful things that can be accomplished through active citizen involvement.

TRIBUTE TO THE JUNIOR WOMEN'S CLUB OF SALEM, NH

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. SWETT. Mr. Speaker, the National Greater Federation of Women's Clubs [GFWC] has designated October as Junior Women's Club month. A few weeks ago, the GFWC New Hampshire Junior Women's Clubs were the recipients of the 1991 Governor's Award for Outstanding Volunteer Organization.

In light of this award, it is most fitting that special recognition be given to the oldest active Junior Women's Club in my home State. Chartered on January 1, 1935, and admitted to the GFWC on January 1, 1936, the Salam Junior Women's Club has had a proud history of community service for over 55 years.

This dedicated service includes sponsorship of the Special Olympics, Big Brothers/Sisters, Dollars for Scholars, and many other programs. Their care, concern, and efforts on behalf of children, the elderly, and people in need exemplify the true meaning of voluntarism.

Mr. Speaker, I ask my colleagues to join with me in congratulating this worthy organization. The GFWC Salem Junior Women's Club's contributions to the quality of life in Salem, NH, is truly dedicated community spirit in action.

CITY RESCUE MISSION 80TH ANNIVERSARY, NOVEMBER 2, 1991

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. KOLTER. Mr. Speaker, I rise today to pay special tribute to the New Castle City Rescue Mission which has served the hungry, homeless, and needy people in the New Castle, PA, area for the past 80 years. Started in November 1911, under the direction of Rev. E.J. Berquist, followed by Rev. Benny Watkins, A.W. Gibson, D.R. Wert, Cyril Smith, and the present Executive Director F. Dickson Marshall, this institution has performed services to this community which deserve special recognition here today.

For the past 42 years, Rev. F. Dickson Marshall has successfully directed this mission which reaches out and assists others less fortunate than ourselves in nine areas of ministry. Services are provided through their men's department, family welfare services, a crisis pregnancy center, family shelter, youth program, camping facilities, radio broadcasts, industrial center, and an elderly folks Bible study. Each segment of this mission serves a very necessary and vital role in the lives of the people who seek help through this very worthy service.

Men and women in all walks of life participate through contributions of time, energy, and finances to assure that this invaluable contribution to the humanitarian efforts throughout the Lawrence County area are provided for those who seek help through this organization.

I ask my colleagues to join me today in applauding this organization and its very dedicated leader who spends countless hours assuring the success and continued growth of a community service which literally saves lives of those for whom their services are rendered. May this most beneficial service be continued and may Reverend Marshall, his staff, the volunteers, and all supporters of this ministry be blessed on this their 80th anniversary and each and every day hereafter.

H.R. 2950—REAUTHORIZATION OF SURFACE TRANSPORTATION

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. GUNDERSON. Mr. Speaker, Gen. Dwight D. Eisenhower after World War II recognized the necessity for developing a National Highway System for defense purposes. The wartime road system was inadequate for transporting military equipment and personnel to the Nation's east and west coasts for departure to the European and Pacific war fronts.

To remedy this deficiency, President Eisenhower initiated the National System of Interstate and Defense Highways in 1956. The Nation was to benefit from a unified network of roadways and Wisconsin became one of the first States to complete construction of its portion of the Interstate System.

September 30, 1991, marked the official completion of the Interstate System. During the construction of the Interstate System, drivers of Wisconsin and 19 other States have contributed excess funds to the unified highway trust fund for purposes of completing this National System. In fact, Wisconsin has contributed more than $1 billion to assist other States in bringing this National Highway System to fruition.

In this landmark legislation, the challenge shifts from building a transportation system to maintaining and modernizing the facilities in order to support economic growth and meet the competitive demands of the international marketplace.

An equitable distribution of highway trust fund dollars enables Wisconsin for the first time in 35 years to receive a fair rate of return in dollars it sends to the Federal Government. This is a dramatic increase over the average $0.74 return for every dollar contributed to the fund that the State has traditionally received. Every aspect of our State's economy will benefit from the more equitable return of Federal funds, creating hundreds of real jobs, and meeting new requirements of the Clean Air Act and the Americans With Disabilities Act.

Another important change in the legislation is it will spend down the highway trust fund. The money in the fund belongs to the States. It was established with gas tax revenue for the purpose of building an Interstate System for which the States are responsible. The States build and maintain the roads. Returning these dollars to the States over the next 6 years will restore integrity to the highway trust fund.

In the largely rural Third Congressional District of Wisconsin, the recent recession has had it economic impact. Dropping the 5-cents tax increase at this time was appropriate. Those people hit hardest by it would have been rural residents, who account for greater lane miles traveled and whose per capita expenditure on motor fuel is higher than in urban areas.

There are many other constructive provisions in H.R. 3566 for which I want to commend the House Public Works and Transportation Committee. Especially important is that this bill provides greater flexibility in programming dollars at the State level. The State can determine its priorities and use Federal dollars to meet its unique needs.

The establishment of a National Highway System, a Scenic Byways Program, provisions which will increase productivity for the trucking industry, and emphasis given to research and technology which will enhance all modes of transportation will strengthen this Nation's future mobility needs as it enters the 21st century.

GOVERNMENT HAS NO BUSINESS IN BROADCASTING

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 23, 1991

Mr. CRANE. Mr. Speaker, today I am introducing a bill to abolish Federal funding for the Corporation for Public Broadcasting [CPB]. CPB, no doubt, is an organization that many Americans have never heard of, yet the Corporation does exist at a cost to the American taxpayers of over $229 million last year alone.

Created in 1934, and receiving 90 percent of its operating income from the U.S. Government, CPB's official purpose is to foster the growth and development of public broadcasting. CPB does this through noncommercial television and radio programming as well as providing monetary assistance to the Public Broadcasting Service [PBS] and National Public Radio [NPR].

While I believe the goals of CPB to be exemplary, I feel strongly that with our country's debt approaching $4 trillion, the Federal Government needs to abandon its policy of funding extraneous programs without consideration of the country's financial capabilities. In addition, many of these programs, like the CPB, can flourish alone in the private sector without the hand or wallet of Uncle Sam.

No one can dispute that PNS and NPR offer many educational and cultural enriching programs. Indeed, my bill would do nothing to change this nor does it herald the death of public broadcasting. On the contrary, the vast majority of public radio and television stations are already operated by private sources such as universities and nonprofit community associations. Federal funding of public broadcasting amounts to only slightly more than one-seventh of the total industry income. Private support for public broadcasting is robust and growing. Abolishing Federal funding of the CPB would do little to threaten its future.

Although I offer this legislation as a small step toward controlling our runaway deficit, current controversy surrounding CPB and its affiliate, PBS, could alone warrant action. A recent documentary titled "Tongues Untied," funded by PBS, CPB, and the National Endowment for the Arts, spurred hundreds of indecency complaints to the Federal Communications Commission as a result of the show's graphic sexual depictions and language. "Tongues Untied" was so offensive that 206 of the 341 PBS stations refused to broadcast it.

In addition to this obscene abuse of taxpayer money, CPB and PBS have received much criticism on the grounds that their programming is politically motivated. Last year, for instance, PBS and CPB refused to show "The Greenhouse Conspiracy," a documentary that discounts the global warming theory, even though many stations wanted to air the program. It is an outrage that American taxpayers should be forced to fund a public organization that misrepresents important issues or feels inclined to promote their own ideas and values over those of whom they were created to serve.

Public broadcasting is already thriving with minimal assistance from the Federal Government. With our country teetering on economic collapse, it is essential to abolish those costly and nonessential programs that are better suited for the private sector. I urge my colleagues to take a step in reducing the deficit by supporting the abolishment of Government in public broadcasting.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 24, 1991, may be found in the Daily Digest of today's RECORD.

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by A. Endicott, Jr., of Texas, to be General Counsel, Syl Chavez Long, of New Mexico, to be Assistant Secretary for Congressional Affairs, and Jo Ann K. Webb, of Virginia, to be Assistant Secretary for Policy and Planning, all of the Department of Veterans Affairs.

SR-418

9:45 a.m.

Banking, Housing, and Urban Affairs

To hold hearings on the nominations of David F. Bradford, of New Jersey, and Paul Wonnacott, of Maryland, each to be a Member of the Council of Economic Advisers, and Susan Meredith Phillips, of Iowa, to be a Member of the

Board of Governors of the Federal Reserve System.

SD–538

10:00 a.m.

Finance

International Trade Subcommittee

To hold hearings to examine how trade policy may affect the environment, focusing on S. 984, to impose countervailing duties under U.S. trade law on products from countries who fail to impose and enforce effective pollution controls and environmental safeguards.

SD–215

Foreign Relations

Terrorism, Narcotics and International Operations Subcommittee

To continue hearings to examine allegations of drug trafficking and money laundering activities in the United States by the Bank of Credit and Commerce International (BCCI), focusing on narcotics and foreign policy implications.

SH–216

OCTOBER 29

9:30 a.m.

Labor and Human Resources

To hold hearings on S. 1622, to revise the Occupational Safety and Health Act of 1970 to improve the provisions of such Act with respect to the health and safety of employees.

SD–430

9:45 a.m.

Select on Indian Affairs

Business meeting, to mark up S. 754, to provide that a portion of the income derived from trust or restricted land held by an individual Indian shall not be considered as a resource or income in determining eligibility for assistance under any Federal or federally assisted program; to be followed by a joint hearing with the House Committee on the Interior on H.R. 1476, to provide for the divestiture of certain properties of the San Carlos Indian Irrigation Project in the State of Arizona.

SR–485

10:00 a.m.

Commerce, Science, and Transportation

Merchant Marine Subcommittee

To hold oversight hearings on Federal shipbuilding chartering practices.

SR–253

Judiciary

Patents, Copyrights and Trademarks Subcommittee

To hold hearings on S. 1623, to revise title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, and to prohibit certain copyright infringement actions.

SD–226

2:00 p.m.

Conferees on H.R. 2707, making appropriations for fiscal year 1992 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

H–140, Capitol

2:30 p.m.

Agriculture, Nutrition, and Forestry

Agricultural Research and General Legislation Subcommittee

To hold hearings on reducing foreign material limits in official soybean standards.

SR–332

Commerce, Science, and Transportation

To hold hearings on the nomination of Mary L. Azcuenaga, of the District of Columbia, to be a Federal Trade Commissioner.

SR–253

3:00 p.m.

Commerce, Science, and Transportation

Consumer Subcommittee

To hold hearings to examine developments in automotive fuel economy technology.

SR–253

3:30 p.m.

Foreign Relations

To hold hearings on the nominations of Curtis W. Kamman, of the District of Columbia, to be Ambassador to the Republic of Chile, Michael G. Kozak, of Virginia, to be Ambassador to the Republic of El Salvador, Robert S. Pastorino, of California, to be Ambassador to the Dominican Republic, and George F. Jones, of Texas, to be Ambassador to the Republic of the Co-operative Republic of Guyana.

SD–419

OCTOBER 30

10:00 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on agricultural and food assistance for the Soviet Union.

SR–332

Environment and Public Works

To hold hearings on the nominations of E. Gail de Planque, of New Jersey, to be a Member of the Nuclear Regulatory Commission, and Herbert Holmes Tate, of New Jersey, to be an Assistant Administrator of the Environmental Protection Agency for Enforcement and Compliance Monitoring.

SD–406

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine U.S. security policy in east Asia.

SD–419

2:00 p.m.

Foreign Relations

European Affairs Subcommittee

To resume hearings on consolidating free-market democracy in the former Soviet Union.

SD–419

OCTOBER 31

10:00 a.m.

Judiciary

Business meeting, to consider pending calendar business.

SD–226

2:30 p.m.

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To continue hearings to examine U.S. security policy in east Asia.

SD–419

POSTPONEMENTS

OCTOBER 24

3:00 p.m.

Foreign Relations

To hold a closed briefing on the Administration's plan for military assistance to Jordan.

SD–415