

HOUSE OF REPRESENTATIVES—Thursday, June 16, 1994

The House met at 10 a.m.

The Reverend Dr. Donald H. Roberts, pastor, United Methodist Church, Arlington, VA, offered the following prayer:

Let justice roll down like waters, and righteousness like an everflowing stream.—Amos 5:24.

O God, in whom we trust, remind our hearts of that which You require of us: "To do justly, and to love mercy, and to walk humbly," with our God.

With Your divine presence alive within us, grant us, we pray, the wisdom and the courage to serve You and Your people honorably and faithfully and well, toward the end that Thy will be done. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from North Carolina [Mr. PRICE] please come forward and lead the House in the Pledge of Allegiance?

Mr. PRICE of North Carolina 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 agrees to the amendment of the House to the bill (S. 1904) "An Act to amend title 38, United States Code, to improve the organization and procedures of the Board of Veterans' Appeals."

The message also announced that the Senate has passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 175. Joint resolution to designate the week beginning June 13, 1994, as "National Parkinson's Disease Awareness Week."

The message also announced that pursuant to Public Law 102-375, as amended by Public Law 103-171, the Chair, on behalf of the majority leader after consultation with the Republican leader, appoints Mr. PRYOR from the Special Committee on Aging, Ms. MI-

KULSKI from the Committee on Labor and Human Resources, Mr. MOYNIHAN from the Committee on Finance, and Mr. COHEN from the Special Committee on Aging, as members of the Policy Committee to the White House Conference on Aging.

WELCOMING DR. DONALD H. ROBERTS, PASTOR

(Mr. BEVILL asked and was given permission to address the House for 1 minute.)

Mr. BEVILL. Mr. Speaker, I rise today to welcome the Reverend Don Roberts of Walker Chapel, United Methodist Church in Arlington. Walker Chapel is one of the many churches which my wife, Lou, and I visit on Sundays when we are in the Washington area. I find Reverend Roberts to be most inspiring, and I have always enjoyed attending his church services. He is a strong leader in our community in Arlington, and his influence has meant a great deal to the many lives he has touched through his ministry. It is my humble honor to welcome him today. His prayerful message will give us strength throughout the day and in the days to come.

BTU-ED

(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, according to the Washington Post, support for the employer mandate in health care reform legislation is shaky. Apparently, many Democrats fear they will be BTU-ed.

For those who are not accustomed to Hill parlance, to be BTU-ed is when a House Democrat supports a wildly unpopular concept, only to have it stripped out in the U.S. Senate.

To be BTU-ed is to make a sacrifice for Bill Clinton for no apparent reason.

And, Mr. Speaker, supporting the employer mandate is a sacrifice no Member should have to make.

The employer mandate will kill jobs, freeze hiring, and close small businesses. It is the worst way to achieve health care reform.

I urge my colleagues to turn away from the employer mandate and work with Republicans to achieve bipartisan health care reform. Do not be fooled again when it comes to health care. Do not be BTU-ed.

FEDERAL AGENTS ARREST KANGAROO RAT KILLER

(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, a California farmer had a visit. Federal agents swooped down on him and his family. They told his family he is nothing more than a common criminal. They arrested him. He faces a year and a half in jail, \$300,000 in fines. They confiscated his \$50,000 tractor. They told him he could not do any more farming on his own land because he was guilty, guilty of killing a kangaroo rat covered under the Endangered Species Act.

Unbelievable, my colleagues. The Endangered Species Act is designed to protect those in danger. But was it designed to ruin the lives of innocent persons who accidentally kill a kangaroo rat?

I have heard of things going to the dogs. My colleagues, this is taking it a dimension further. I think it is time for Congress to balance some of this legislation, including environmental concerns, with some common sense because it is going beyond the dogs now.

WELFARE REFORM?

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, what is President Clinton's idea of welfare reform? Nine point three billion dollars in more welfare. The President promised to end welfare as we know it. Unfortunately it seems the President actually likes welfare as we know it. After all, not only does the President want to pour an extra \$9.3 billion into the failing welfare bureaucracy, but he wants to leave the door wide open for additional spending.

Under the President's plan, Mr. Speaker, Americans will be shelling out over \$500 billion by the year 2000. That is over \$4,000 per year to be paid by the average hard-working American family.

This is outrageous. Americans are sick of wasting their hard earned money on handouts which create a permanent underclass, and the President's response is to increase welfare spending by over \$9 billion.

If the President wants to end welfare as we know it, he should start by eliminating useless bureaucratic spending

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

programs, and slash funding for a domestic program that has done enough damage. Clearly, an additional \$9.3 billion is not the answer.

MARXISTS IN THE HOUSE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, there are Marxists in the House. But before anyone gets too alarmed, you should realize that I am talking about Groucho Marxists, those following Groucho's adage, "Whatever it is, I'm against it."

Many of us recognize the Groucho Marxists. They are the ones who knew that last year's budget plan would cost jobs and ruin the economy. And every single one of them in this House were against it. To their chagrin, the Nation has prospered. We have seen strong growth, with over 3 million new jobs created since President Clinton took office. And we have cut the deficit 40 percent below the projections left by the Bush administration. The Marxists do not talk much about this. Maybe they're dumbfounded that we have created jobs and increased investment while reducing deficit spending. But facts are facts: 1995 will mark the third straight year of deficit reduction—the first time we have done that since Harry Truman was President.

Now, the Marxists grouch on. Wrong in economics, they have moved on to being against health care reform. Never mind the skyrocketing health care costs driving the deficit that they profess to abhor. Never mind the millions of uninsured and underinsured people in our great Nation. Never mind the huge premium increases so many small businesses have seen. Or the people scared to change jobs because they are afraid of losing health insurance. Never mind all that. Just remember the maxim of the Marxists: "Whatever it is, I'm against it."

Mr. Speaker, America has had enough of the Groucho Marxists. It is time to work for progress in health care reform, as we did with the economy. The American people have heard enough about what the Republicans are against. Now they are demanding that we all work cooperatively to face the challenges before us.

□ 1010

THE MAGIC WORD

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Michigan. Mr. Speaker, just to follow up on the comments of the gentleman who just spoke in the well regarding Groucho Marx. On his old television program, Groucho used

to say: "Say the magic word and win a hundred dollars." At that point the duck would drop down. Some of us will remember that.

Well, the magic words today for the American people are: less Government, less taxes, and cut the deficit. The ideological battle over what is the best way to organize resources and what type of society provides the most individual freedom has been won—everywhere but in this body. A market economy where individuals are free to produce what they think others will buy, to consume what they choose, and to keep the fruits of their labor and entrepreneurial skill is the most equitable, efficient, and free society. While the rest of the world is moving toward this ideal, our Government is moving away from it.

Raising taxes, increasing regulation, nationalizing one of the Nation's largest industries—these actions will ruin the country through their effects on the economy and on the spirit of the American people. In the next year and a half we will add more to the Nation's debt than what our predecessors did over nearly the first 200 years of the Republic. It is time to put a stop to what we have been doing. In this 50th year of the publication of Friedrich Hayek's Nobel Prize winning work, "The Road to Serfdom," let us examine the path we are on and take the road to a free and moral society.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3698

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 3698.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

"JUST SAY NO" CLUB

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, the accomplishments of the 103d Congress are taking America in the right direction again. Congress has moved forward despite the best efforts of the "just say no" club. The psychological term is called being oppositional. Whatever the majority of the American people want they oppose it. They said no to the jobs bill. They said no to education bills, twice. They said no to the Family Medical Leave Act. And they said no to the crime bill. They said no to a smart and tough budget that has cut the deficit, created 2.9 million new jobs, and turned our economy around. I think it is time the American people start asking why? Why do some say there is not a crisis and then pretend to have a solution? Why do some say there is some-

thing wrong with America and yet only stand in the way of positive change? The answer is quite clear. The Democratic agenda for change is working and America is back on track.

INTRODUCTION OF AN AMENDMENT TO THE CLEAN AIR ACT OF 1990

(Mr. MANZULLO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANZULLO. Mr. Speaker, if you think our constituents are upset about free congressional parking lots, wait until they hear they may not be allowed to drive their own cars to work.

The Clean Air Act of 1990 requires businesses with over 100 employees in certain areas to force their employees to carpool to work. This is known as the employee commute option [ECO]. Today I am introducing legislation to truly make it an option.

My bill will allow States to decide if they want carpooling to be part of their clean air plan. This does not change the goals of the Clean Air Act but would allow States to develop clean air controls that are best suited to their circumstances.

My legislation sends a message to EPA that there needs to be more flexibility in the law. In Illinois it is estimated that the carpooling mandate will only reduce air pollution levels by an average of 1 percent, but will cost Illinois businesses \$200 million to enforce. There are cheaper and better ways to achieve the same goals.

Please join me in giving the States back the authority to improve their own air quality. Cosponsor my bill to make carpooling truly optional.

DEMOCRATIC INITIATIVE

(Mr. DERRICK asked and was given permission to address the House for 1 minute.)

Mr. DERRICK. Mr. Speaker, when Democrat Bill Clinton assumed the Presidency in January 1993, Congress knew its priorities—jumpstarting the economy, reducing the deficit, and returning America to a prosperous and hopeful track.

Congressional Democrats and the executive branch immediately began working together. After dismissing feel-good political answers and enduring blowhard opposition, Democrats put together a tough fiscal plan for realistic spending and policy changes.

Critics—including all congressional Republicans—claimed the plan was a job killer. They said it would ruin the economy and destroy the middle class.

One year after the plan was approved the economy has generated 3.1 million private-sector jobs—about 6,000 jobs each day for the last 16 months.

That is the result of Democratic initiative—in the face of contentious partisan opposition Democrats passed a

tough and sound plan that has proved its critics dead wrong.

DEFICIT, INTEREST RATES THREATEN TO RISE FURTHER WITH STALLED ECONOMY

(Mr. LINDER asked and was given permission to address the House for 1 minute.)

Mr. LINDER. Mr. Speaker, the last several speakers who have taken credit for the economy have failed to note one thing: That in 1992, the last year of George Bush's Presidency, the economy grew at a rate of 3.9 percent. We all remember 1992. That was when candidate Clinton said it was the worst economy in 50 years.

One year later, after the retroactive tax increase and the first year of the Clinton administration, the economy grew at a rate of 2.9 percent. That is a 25-percent decline in the rate of growth. It probably will not exceed 2.5 percent this year, and the drag is going to continue to increase deficits and increase interest rates, and with increased interest rates, we know what happens to the economy.

Mr. Speaker, it is time to get real about this economy. It is not in great shape. It is slowing down, and the Clinton budget is going to get all the credit.

FIGHTING FOR CHANGE

(Mr. FILNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, I join my freshman colleagues today to talk about what we have fought for and accomplished this year.

We have seen a vast amount of change in the past year, with this Congress and the President devoted to changing the course of this Nation.

BUDGET

As a new Member of Congress, I have fought for a budget with real deficit reduction—and together we passed legislation that starts us on that path.

And while our economy is improving every day, we understand that more needs to be done. The unemployment rate in my home city, San Diego, is unacceptable—and I will continue the fight to get our economy back on the right track.

CRIME

As a member of the San Diego City Council and now here in Congress I have fought for innovative ways to fight crime—and I am proud that we passed a bill that will put more cops on the beat, ban assault weapons, and get more criminals off the streets.

Together, we have fought for legislation to reform education—and I was proud that President Clinton recognized the progress San Diego is making

and chose to sign the Goals 2000 legislation in my home district.

Together, we have begun the fight to get real economic conversion into the communities hit the hardest by the changes in our defense priorities.

Together, we have begun to make a difference.

Fighting to change a decade of neglect will not come easily or quickly, but we are on our way. I intend to continue the struggle to change our Nation.

SUPPORT URGED FOR THE EMPLOYEE COMMUTING OPTION

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute.)

Mr. BARTLETT of Maryland. Mr. Speaker, I want to take this opportunity to thank the gentleman from Illinois [Mr. MANZULLO] for introducing his legislation to assist States by allowing for greater autonomy in implementing the employee commuting option which was mandated by the Clean Air Act. I am an original cosponsor of this legislation for several reasons.

This bill, which would give State governments the option of implementing carpool mandates, puts a little sanity back in a provision which randomly penalizes counties by using a single statistic and lumping them together without any relation to their air quality.

I represent a rural district and unfortunately part of my district—Howard and Carroll Counties—is lumped in with Baltimore as a severe nonattainment area. Those of you who have been to this area know that this is downright silly and outrageous, yet the businesses and residents must adhere to strict guidelines which are going to harm any kind of economic growth in this area and place hardships on employers and employees.

As a farmer, I believe in a clean environment and clean air as much as anybody else, but regulations which strangle an economy randomly must be examined. I believe State representatives understand the intricate details and special needs of each community far better than the Federal Government.

This is good legislation, I urge its adoption.

THE ECONOMY

(Mr. OLVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLVER. Mr. Speaker, I am still new to Washington, and I am still amazed at how people here get caught up in things that do not matter to ordinary Americans.

Now, the American economy does matter. Let's stop playing politics for 60 seconds and look at some facts.

Jobs are being created at the blistering pace of 6,000 new jobs a day. Inflation is under control. This week the Labor Department reported that the inflation index moved up only two-tenths of 1 percent in May. We will have 3 years in a row of declining budget deficits for the first time since Harry and Bess Truman lived in the White House almost 50 years ago.

We have begun to get the Federal Government's fiscal house in order. Growth in discretionary spending is down. More than 100 Government programs have been terminated. More than 500 have been cut below last year's spending and 15 million working families received a tax cut.

Mr. Speaker, I hope that in the few weeks left before summer recess, the Congress can lay aside its partisan gamesmanship and focus on something else that really matters to Americans—health care security—so that the next time unemployment is on the rise, every American has health care that can never be taken away; that will mean more than any partisan advantage.

REAL THINGS FOR REAL AMERICANS

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, I was speaking to a constituent at a small town parade that we go to on occasion the other day, and I asked him what we should be doing in Washington, DC. And the one thing he said was, whatever you do, do something real for real people. This is a fellow who worked in the apple industry.

I wanted to report that this administration is about on the verge of accomplishing something real for real people, and that is yesterday we received news that this administration, due to their efforts, after a 20-year struggle, 20 years of trying to get apples into Japan, has finally reached the point where Japan is going to hold hearings on adopting a regulation to allow apples into Japan.

What does that mean for real people? What it means is real jobs. It means that this trade ambassador, Mickey Kantor, and the folks who work with him, are about to accomplish something we have been working on for two decades. I am going to go home and report to my constituents that this administration is doing something real for real people.

DO NOT INVADE HAITI

(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 am glad we are going to have American apples

alongside the American oranges that President Bush got into Japan.

Mr. Speaker, yesterday's paper confirms that the administration wants to invade Haiti. Never mind that there is no defined mission; no end-game strategy; no contingency plans to ensure the safety of U.S. troops and not a clue as to what this adventure will cost the American taxpayers. None of that seems to matter, as Strobe Talbott and other senior administration officials apparently are still talking up invasion as the best option. In fact, that conversation was apparently occurring just 1 day before this House voted "no" on military intervention. With invasion on their minds, it is no wonder the President's men were so adamant about reversing the Goss amendment against military action in Haiti. Fact is, that strong House statement was just not fitting in with the administration's misguided plans for Haiti. Americans are asking this President to reconsider what now appears to be a fait accompli decision—do not invade Haiti.

GRIDLOCK ENDED IN JANUARY 1993

(Mrs. MEEK of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, there is a myth being propagated throughout this Nation by the nay-saying Republicans that Congress is mired in gridlock. They propound this myth because they have no positive accomplishments of their own. They fear that without this smokescreen the American people will see the truth—that they are intellectually bankrupt and their vision stretches only backward to Harding and Hoover.

The Democratic Party with our strong young President has been acting to move our Nation into the next century.

Last year the Democratic Party signed into law the first actual reductions in discretionary spending. This year you are seeing the direct results each day as the 13 appropriation bills are passed by the House. Bill after bill is less than the current fiscal year in discretionary spending. When we finish these bills in the coming weeks, discretionary spending will be actually reduced for the first time in decades.

The Democratic Party is the real party of fiscal responsibility.

The Democratic Party is meeting the needs of the work place of the next century by providing leadership to meet the education and training needs of the next century in the global economy.

We have passed Goals 2000 education reform and we are funding it even while we reduce the deficit.

We have passed the School-to-Work Act to assist transitioning our young people from high school to the work-

place, and we will fund it while reducing the deficit.

We have passed the National Service Act and we are funding it.

We have passed Head Start renewal and we are increasing the funding while we reduce the deficit.

This House has passed the elementary and secondary education reauthorization which contains the most far-reaching changes in these programs since the 1960's to move our children into the next century and we are increasing the funding. We will pass this into law into the coming months.

We passed the Family and Medical Leave Act to bring common decency into the workplace and recognize the changing nature of work and the family.

We passed the motor-voter bill to expand the ability of Americans to participate in government.

We have acted to address the environmental problems of our Nation.

Mr. Speaker, the Democratic Party is improving America and getting us ready for the next century. The Republicans are mired in the past and can only oppose.

Mr. Speaker, when we finish the 103d Congress in the next few months, we will have established the most far-reaching and forward looking record in many years and it will be capped by the passage of health care for all Americans.

WETLANDS—MARYLAND TAKINGS

(Mr. GILCHREST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILCHREST. Mr. Speaker, I think we should move into the next century with a bipartisan attitude to solve the Nation's problems. One of those problems, Mr. Speaker, is the problem of depleting wetlands.

Mr. Speaker, wetlands help maintain the environmental and economic health of many areas of our country. In fact, 75 percent of the U.S. commercial fish and shellfish catch consists of species dependent on wetlands and estuaries for spawning, nursery grounds, and food production. Wetlands are the cradle of our Nation's multibillion-dollar seafood industry.

Despite the high value of wetlands, over half of the Nation's wetlands have been destroyed, and fish populations nationwide are on the decline. In the Chesapeake Bay, migratory fish populations have fallen on average of 82 percent since the 1960's. The primary reason for the tragic decline appears to be the loss and degradation of wetlands. And yet we hear proposals for takings bills which would totally decimate wetlands protections.

I am deeply concerned about people who feel their property rights are violated by wetlands protections. The

fifth amendment guarantees that property shall not be taken for public use without just compensation. No one here will disagree, especially me.

I believe that property rights and the environment should not be at odds. We can ensure that property rights are maintained and wetlands are protected without compromising our Nation's environmental laws. I am convinced that Congress can find creative solutions without resorting to the short-sighted, quick-fix legislation that threatens both the economic and environmental health of my State and the country as a whole.

AMERICAN ECONOMY IMPROVING

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I am pleased to join my colleague this morning to talk about the economy. Back last August was a very tough vote on the Omnibus Budget Reconciliation Act. We stood tall and said we would invest in American people, and we did, through the WIC program, through increased money for Head Start, for Childhood Hunger, and through the National Service Program.

We said we would reduce the deficit, and we did, from \$320 to \$180 billion, on September 30, 1994. We said we would keep the economy growing, and we did, through a small business tax deduction and a 50 percent reduction in the capital gains tax.

It was a tough vote, sure, because they had tax increases for those households who made more than \$180,000 a year. What did H&R Block tell us? When we filed our income taxes in 1993, who paid more income tax? 1.2 percent of the richest Americans. Some 16.6 percent of the Americans actually saw a tax decrease because of the expansion of the earned income tax credit. And 82.8 percent of us saw no change in our income tax rate at all.

We are working to put our fiscal house in order; not through rhetoric, but through real fiscal discipline and through real leadership.

□ 1030

RWANDA

(Mr. HASTINGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTINGS. Mr. Speaker, they are slaying nuns now in Rwanda.

The anarchy is in its 10th week. Eighty-eight priests have been killed. People are starving, dislocated, homeless, and terrified.

They are migrating to neighboring countries to escape the slaughter, only to find that these countries can't even feed and house their own.

We are doing nothing. Speaking, perhaps, a little, of our outrage. But we seem powerless.

Cosponsor H.R. 453. Condemn the genocide, and maybe we can motivate the world and the United Nations.

THE ACCOMPLISHMENTS OF BILL CLINTON AND THE 103D CONGRESS

(Mr. HAMBURG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAMBURG. Mr. Speaker, to hear all the criticisms, you would think the Clinton administration and the 103d Congress were in free-fall.

In truth, our accomplishments have been significant and are slowly but surely changing America for the better.

The economy has improved, workers are better protected, our streets are becoming safer, our environment is getting more careful attention, the right of women to reproductive choice is supported, our children are being immunized, and better fed, housed, and educated.

It is tough to turn around a ship of state that has drifted rudderless for more than a decade. Bill Clinton and the 103d Congress, led by the majority Democratic Party, has begun this arduous and sometimes painful task.

There is yet much to achieve before adjournment in the fall—health care reform, welfare reform, critical environmental legislation and other challenges lie ahead.

But we will continue to ignore the naysayers and move forward. I ask the good-hearted, clear-thinking people of the country to join us.

PARTISAN POSTURING

(Mr. HINCHEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HINCHEY. Mr. Speaker, I do not think there has ever been a time when the difference between the two major political parties in this House has been more clear than it is at the moment.

While the Democrats are working on deficit reduction and economic growth and development as well as reforming our health care system and the welfare system, the folks on the other side of the House are content to engage in partisan political posturing. Some of them cannot even get the calendar straight, Mr. Speaker.

The fact of the matter is that there will not be an election in 18 months. The fortunate fact is that this President will remain in office for another 30 months and then for another 4 years after that.

The reasons for that, Mr. Speaker, are clear. Economic growth is up to 3.2 percent. That is greater than it was

during the Nixon, Ford, Carter, or Reagan administrations.

The deficit is at the lowest point since 1979. It is one-third lower than it was projected to be by the outgoing Bush administration. And discretionary spending is the lowest it has been in 45 years.

This administration and this 103d Congress have got the economy straightened out. The country is back on course and, of course, we can also read the calendar.

THE CRIME BILL

(Mr. BARCA of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARCA. Mr. Speaker, the crime conferees are probably meeting as we speak. I want to encourage them to expedite their proceedings so that we can pass a crime bill before we go home for the July break.

It is true that there are some significant differences between the House and the Senate. And it will take some hard work. But there is far more that we agree upon that unites us than there is that separates us.

Yesterday our law enforcement caucus met with the new head of the DEA, Tom Constantine. I was very impressed with his experience and background. He emphasized that the three priorities we need to move forward on are more cops on the street, new tools for prosecutors, more jail space, and that is all in our plan. That is in both plans.

We combine that with tough new penalties for violence against women, three strikes and you are out, truth-in-sentencing and meaningful prevention, and we have the makings of a very important bill. Let us move that bill forward, Mr. Speaker. Let us pass it.

The American people are waiting for it, and it is going to make a difference.

AUTO PARTS NO. 3

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I would like to say to America's Trade Ambassador, Mickey Kantor, "Don't trade our manufacturing jobs to Japan for apples and oranges."

Fourteen years ago, our country tried to pry open Japan's market to our automotive goods. During the Reagan administration, then-Commerce Under Secretary Lionel Olmer, stated that the United States "Encourage purchase of U.S.-made automotive goods by Japanese automotive companies." Nothing happened.

During the Bush administration, Secretary Robert Mosbacher was quoted as saying, "The price differences borne out by a departmental study paints a

picture of a noncompetitive Japanese auto parts market, one which imposes a severe burden on foreign manufacturers where they cannot gain access."

Nothing happened, after tedious negotiations. And now the Trade Ambassador, Mickey Kantor, says, last week, "It would be immature to become so impatient about Japan."

Well, I would say to the Trade Ambassador, three administrations have not been able to open up that market. It is time to get tough with Japan. Let us set some definite goals. Let us get some results and not trade off our manufacturing jobs for agriculture again.

LEGISLATIVE PRODUCTIVITY

(Mr. KLEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN. Mr. Speaker, the 103d session of Congress has been an extraordinary period of legislative productivity for this body. Among other major accomplishments, we passed the first significant firearms restrictions in 30 years. After years of senseless gridlock, this House listened to the American people and finally passed the Brady bill and an assault weapons ban.

Both the House and the Senate have passed similar bills specifically banning 19 deadly firearms that have no practical purpose for law-abiding citizens. My colleagues, these highly lethal weapons are designed specifically to kill people—not for sportsman's use—and they have no place on America's streets. We want to fight violent crime—well, let us remember that these are the weapons of choice for drug dealers and organized crime. The American people want this bill and they deserve it.

I would say to my friends that we have made great progress in this body but there is so much more to be done. I have introduced legislation modeled on New Jersey's own assault weapons ban, the strongest in the Nation. Our constituents are tired of seeing the streets controlled by heavily armed criminals. We are not talking about gun control, but gun sanity. Let us take the next step for the next generation. Support H.R. 1571.

ACCOMPLISHMENT OF THE 103D CONGRESS

(Mr. COPPERSMITH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COPPERSMITH. Mr. Speaker, in politics a lot of times people say, "What have you done for me lately?"

Let us talk about a solid record of accomplishments that benefit American families. This year and last we have made major strides on education, crime control, and the economy. The

Family and Medical Leave Act confirms that we can put politics aside and put the needs of American families first. By guaranteeing unpaid leave to workers who need time off to care for a child or sick relative, this act empowers American families by giving them flexibility to tend to family needs.

We also have taken steps to improve education. The House passed Goals 2000, a bill that encourages schools to focus on the basics: reading, writing, math, and science. And the School-to-Work Act that will encourage schools and local businesses to form partnerships to give students new career opportunities.

We are moving to pass a crime bill, put thousands of more cops on the beat, fund comprehensive prevention programs, and build more prisons. We also passed the Brady law, and both Houses have passed assault weapons bans to keep lethal weapons off our streets and stop handgun sales to criminals.

Congress has still many important jobs to do in the coming months: health care reform and welfare reform. But American families must be and will be the focus of our efforts.

TEMPORARY FEES IN CONNECTION WITH COMPLAINTS OF VIOLATIONS OF PERISHABLE AGRICULTURAL COMMODITIES ACT [PACA]

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (H.R. 4581) to provide for the imposition of temporary fees in connection with the handling of complaints of violations of the Perishable Agricultural Commodities Act, 1930, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WISE). Is there objection to the request of the gentleman from Texas?

Mr. LEWIS of Florida. Mr. Speaker, reserving the right to object, I will not object. I would like to ask the chairman a couple of questions about the bill.

□ 1040

Mr. Speaker, it is my understanding that this bill is being presented as an emergency stopgap measure. However, I would like to know if we have a consensus among the industries that they have no problem with this bill at this time.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Florida. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Speaker, we do.

Mr. LEWIS of Florida. Mr. Speaker, it is also my understanding that we have a commitment that we will pur-

sue this legislation throughout the year to come up with a permanent fix?

Mr. DE LA GARZA. Mr. Speaker, if the gentleman will continue to yield, the gentleman is correct.

Mr. Speaker, this bill will provide much needed temporary funding to the U.S. Department of Agriculture to maintain the services provided under the Perishable Agricultural Commodities Act [PACA].

Unexpected increases have occurred over the last 2 years in the costs of the Agricultural Marketing Service [AMS] in providing services to the fruit and vegetable industry under the PACA. AMS is facing severe cutbacks that will adversely impact its ability to provide services to the buyers and sellers of fruits and vegetables.

The various segments of the industry, including produce growers, brokers, wholesalers, and retailers have agreed to the imposition of a temporary fee on those who file complaints with AMS under PACA. This bill establishes the authority for that fee.

The bill requires a fee of \$60 to be paid when an informal complaint is filed. If the informal complaint procedures are not successful in resolving the problem, a \$300 fee will be assessed when the complainant files a formal complaint. This \$300 fee will be made a part of any damage award under a reparation order. The bill is to be effective for fiscal years 1995 and 1996.

The Committee on Agriculture intends to review the operation of PACA. It is expected that the collection of the fees authorized by this bill will allow AMS to continue to provide a level of services adequate to meet the needs of the industry until PACA reforms can be implemented.

Mr. LEWIS of Florida. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FILING AND HANDLING FEES FOR COMPLAINTS OF VIOLATIONS OF PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930.

(a) TEMPORARY FILING FEE REQUIRED.—During fiscal years 1995 and 1996, the Secretary of Agriculture shall require persons who submit petitions to the Secretary under section 6(a) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499f(a)), alleging a violation of section 2 of such Act (7 U.S.C. 499b), to include a filing fee of \$60 per petition.

(b) TEMPORARY HANDLING FEE REQUIRED.—During fiscal years 1995 and 1996, if the Secretary determines under section 6(a) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499f(a)), that the facts contained in a petition described in such section warrant further action, the person or persons

submitting the petition shall submit to the Secretary a handling fee of \$300. The Secretary may not forward a copy of the complaint to the commission merchant, dealer, or broker involved until after the Secretary receives the required handling fee. In determining the amount of damages incurred by an injured person or persons preparatory to issuing a reparation order under section 7 of such Act (7 U.S.C. 499g), the Secretary shall include the amount of any handling fee paid by the injured person or persons under this subsection.

(c) DEPOSIT OF FEES.—The Secretary shall deposit fees submitted under this section into the Perishable Agricultural Commodities Act Fund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4581, the legislation just considered and passed.

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

There was no objection.

WAIVING CERTAIN POINTS OF ORDER AGAINST H.R. 4556, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 454 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 454

Resolved, That points of order against consideration of the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes, for failure to comply with clause 2(1)(6) of rule XI or clause 7 of rule XXI are waived. During consideration of the bill, all points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning on page 53, line 9, through page 54, line 22.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, I yield the customary 30 minutes for the purpose of debate only to the gentleman from Florida [Mr. GOSS] pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 454 is an open rule which provides for the consideration of H.R. 4556, the Department of Transportation and related

agencies appropriation bill for fiscal year 1995.

The rule waives clause 2(1)(6) of rule XI and clause 7 of rule XXI against consideration of the bill. Clause 2(1)(6) of rule XI requires a 3-day layover of legislation reported from committee, and clause 7 of rule XXI requires relevant printed hearings and the committee report be available for 3 days prior to consideration of a general appropriation bill.

Clause 2 of rule XXI, which prohibits unauthorized appropriations or legislative provisions in a general appropriation bill, is waived against the entire bill except for section 337.

Finally, clause 6 of rule XXI, which prohibits reappropriations in general appropriation bills, is waived against all provisions of the bill.

Mr. Speaker, I would like to commend Chairman BOB CARR, ranking Republican FRANK WOLF, and the subcommittee members for bringing this comprehensive bill to the floor.

H.R. 4556 is the product of hard work and dedication. This spring, Chairman CARR lead the subcommittee through hours of testimony from hundreds of witnesses, which is recorded in eight published volumes totaling over 9,000 pages.

Each year the subcommittee members find themselves around the table with their sleeves rolled up making the tough decisions on how best to maintain our current transportation infrastructure and at the same time fund new, innovative technologies. This year, as in past years, all of this was achieved with a much tighter budget.

I want to commend BOB CARR for his leadership in developing investment criteria which the subcommittee uses when evaluating individual funding requests. Many hours were spent developing and drafting the criteria.

Every Member who submits a funding request to the subcommittee must answer a series of detailed questions about the costs and benefits of the project. The investment criteria provide the subcommittee members with an objective basis by which they can compare and contrast the numerous funding requests which are submitted each year. I hope the criteria continue to be utilized in years to come.

I want to thank the chairman, the gentleman from Michigan [Mr. CARR], for his friendship and advice. He is a good friend and he provides sound advice. My thanks also to the gentleman from Virginia [Mr. WOLF], the members of the subcommittee, and the staff for all of your hard work.

I urge my colleagues to adopt this open rule.

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

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

Mr. Speaker, last year when the transportation spending bill came

through the Rules Committee, many of us on that committee felt like the rope in a particularly nasty tug-of-war: frayed around the edges as we were pulled in two different directions. Thankfully, this year, the authorizers and appropriators came to an understanding before they came to the Rules Committee and today we have a much more civilized rules process. Having managed last year's series of maybe-we-will/maybe-we-won't rules on this subject—I am most grateful to the two chairmen for rising above their differences. The rule today allows an open amendment process—good news for this House, because it gives all Members a chance to offer cutting amendments aimed at specific line items in this bill. Throughout this appropriations season, we keep hearing laments by chairmen and ranking members of the subcommittees about just how tight the money has become. As someone who has long urged this House to restrain its spending—I cannot say I am sorry to hear Members are finally understanding the pinch. And I understand that some projects—mostly legitimate ones—did not make the cut in this bill. In fact, a worthwhile bridge and road project in my district, which was authorized by the Public Works Committee, was not included in this bill. But that is all part of the process—so we will come back next year and make our case again. Mr. Speaker, with respect to this rule—despite the open amendment process, there are some serious problems that, it seems to me, unnecessarily antagonize those of us in the minority. In fact, when you read through this rule—you will see that it consists only of waivers—including waivers of the 3-day layover requirements and nearly universal waivers of the rules against unauthorized appropriations and legislating on an appropriations bill. But it is not just the waivers that give us pause. Chiefly, we strenuously object to the unfair manner in which waivers for points or order have been applied. In fact, the entire bill—including a questionable provision inserted for a senior member from Maryland—has been protected from points or order against legislating on an appropriations bill except for one matter pertaining to I-66 in northern Virginia requested by the ranking member of the transportation subcommittee, the gentleman from Virginia [Mr. WOLF]. Mr. Speaker, I would like to suggest to those people who might be watching today who routinely suffer in the horrible traffic jams that plague northern Virginia—call the Rules Committee majority members. It was, after all, their decision to disallow Mr. WOLF's effort to relieve some of the congestion. Mr. Speaker, with respect to the underlying bill, I fully support the process of establishing priorities and determining what we can and cannot afford. I must say there is one area

in this bill where I think we have been penny wise and pound foolish—and that is funding for the Coast Guard. Under the President's request for this vital, although smallest, of our Armed Forces—the Coast Guard took a big hit. But this bill goes even further, slashing an additional \$50 million from the Coast Guard operations account and \$54 million in the acquisition Capital and Investment Account beyond the cuts the President wanted.

□ 1050

I am terribly concerned about this trend—especially at a time when the administration is adding to the multifaceted mission of the Coast Guard, with its ever-expanding Haiti mission. We still have had no response from the administration to question about the cost of the Haitian operation to date, about the estimated cost for the remainder of this seemingly open-ended mission, or about how much money in this fiscal year 1995 budget will ultimately go toward that mission instead of to normal Coast Guard operations—like search and rescue, environmental response or ice operations. In fact, we have been told that some of the money currently being used for the Haiti operation was shifted over from the drug interdiction efforts the Coast Guard was directed to draw down. This is the second area of particular concern. As in fiscal year 1994, the President's fiscal year 1995 budget cut deeply into the Coast Guard's funding for drug interdiction. The committee appears to have accepted these cuts and the President's new demandside, treatment approach to drug control policy. Why don't we just waive the all-clear sign in neon lights? This policy shift sends the signal to Caribbean drug traffickers and it leaves States like Florida on the front lines of the battle without any cover. It is simply not smart policy, in my view. Mr. Speaker, there are serious problems in this bill—and we are glad to have an open amendment process that will allow us to focus on some of those prioritization issues. But the fact remains that this rule has serious problems on its own—chief among them a big-time fairness gap. I urge a "no" vote on the rule.

Mr. Speaker, I include for the RECORD information relating to roll call votes in the Rules Committee, as follows:

ROLLCALL VOTES IN THE RULES COMMITTEE ON MOTIONS TO H.R. 4556, TRANSPORTATION APPROPRIATIONS, FY 1995

1. Motion to protect against points of order the WOLF provision on Virginia HOV rule for I-66 (Sec. 337). Vote (Defeated). Yeas: SOLOMON, QUILLLEN, GOSS. Nays: MOAKLEY, DERRICK, BELENSON, FROST, SLAUGHTER. Not Voting: BONIOR, HALL, WHEAT, GORDON, DREIER.

2. Adoption of Rule—Vote (Adopted 5-3): Yeas: MOAKLEY, DERRICK, BELENSON, FROST, SLAUGHTER. Nays: SOLOMON, QUILLLEN, GOSS. Not Voting: BONIOR, HALL, WHEAT, GORDON, DREIER.

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

Mr. GORDON. Mr. Speaker, I want to concur with the statement of the gentleman from Florida [Mr. GOSS], as this is an open rule.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. CARR], chairman of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. CARR of Michigan. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I am going to be brief because we will use in our general debate time the opportunity to discuss the bill. I merely want to thank the Committee on Rules for their consideration.

I want to also indicate my thanks to the gentleman from California, Chairman NORM MINETA, for his cooperation this year. Unlike last year where we had a divergence between the authorization and the appropriations process, this year we were working in tandem and working together throughout the year. The Committee on Public Works and Transportation authorized a number of projects, about \$900 million worth of projects, I might say, and put a cap on the annual appropriation at \$300 million. Therefore, we were not able to accommodate all of the requests like the one of the gentleman from Florida for projects that were included in the National Highway System bill. But the authorization is available for 3 years. We tried to provide for as many of the projects that were under way as possible in this year's bill. The newer projects which we were unable to fund this year will be qualified to seek appropriations in future years. We hope for all those Members who worked very hard to get their projects authorized that there will be money for them in the next 2 fiscal years.

Mr. Speaker, I want to thank the Committee on Rules for giving us this rule. I merely want to make one small comment, that if it had been up to me, I would have preferred a rule that would have protected the matter of the gentleman from Virginia [Mr. WOLF]. I think the gentleman from Virginia [Mr. WOLF] is correct on the merits, I agree with what the gentleman is trying to do, I think it is a reasonable effort on his part, and I know that the Committee on Rules in its wisdom granted some waivers in some other areas and not in the area of the gentleman from Virginia [Mr. WOLF]. Those other areas were equally meritorious. I will leave it to others to explain why that could not happen, but I just wanted to associate myself with the effort of the gentleman from Virginia [Mr. WOLF]. The gentleman is a fine Member. He has worked very diligently and very hard. We have worked together throughout this year. Mr.

Speaker, notwithstanding my reservation on the matter of the gentleman from Virginia [Mr. WOLF], I urge adoption of the rule.

Mr. GOSS. Mr. Speaker, I thank the gentleman from Michigan [Mr. CARR], the chairman of the subcommittee, for his comments.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished ranking member of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, even though this rule does not alter the normal open amendment process for appropriations bills, I must oppose it in the strongest possible terms because it singles out one Member of this House, the distinguished gentleman from Virginia [Mr. WOLF], a Republican, for special mistreatment. Let me repeat that. This rule singles out one Member of this House for mistreatment and treats him like no other Member.

His provision regarding the HOV lanes on I-66 inside Washington's Beltway is the only item left exposed to a point of order in this entire bill. Everything else in the bill, whether unauthorized or legislative in nature, is protected against a point of order.

Why has the ranking Republican on the Appropriations Subcommittee which reported this bill been singled out for this special mistreatment? We are told it is because the chairman of the Committee on Public Works and Transportation objects to his provision, even though that same chairman did not express opposition to a similar parochial provision by a Democrat from suburban Maryland. That is what makes me sick of politics sometimes.

I guess if we are looking for consistency around this place, we soon come to realize that we are on the wrong planet. What is it that the gentleman from Ohio [Mr. TRAFICANT] says, "Beam me up?" I guess there must be some reason why he says that. That kind of frustration certainly goes in spades when it comes to the Committee on Rules that I have to serve on. One would perhaps naively think that the Committee on Rules, of all committees, would apply some rule of consistency and uniformity to its decisions, Mr. Speaker.

But that idealized notion of the Committee on Rules ignores two essential facts:

First, the Committee on Rules is a self-confessed political arm of the Democrat leadership, having, as it does, a very lopsided partisan majority of two to one plus one. That is right, nine Democrats and only four Republicans serve on that committee.

So the committee exists in part to do the partisan bidding of the Democrat leadership. And no one expects the

Democrat leadership to be either bipartisan or fair in most instances.

Second, the Committee on Rules exists primarily to authorize departures or deviations from the standing rules of this House. It might be better called the unruly, or the exception to the Rules Committee, because that is what it is.

Mr. Speaker, virtually every special rule the committee reports contains either waivers or violations of the standing rules of the House that were adopted in the beginning of each Congress. That pattern becomes readily apparent on appropriations bills, such as this, which do not even require special rules to come to the floor. These are privileged bills that take priority over all other business.

Mr. Speaker, the only reason the Committee on Appropriations comes to the Committee on Rules is to ask for protection against points of order, because it has violated the rules. It has violated the rules that we adopt in the beginning of every Congress. The former chairman of the Committee on Appropriations, the most respected Member of this body ever to serve here in my opinion, the late Bill Natcher, did not want to bring any of his bills to the Committee on Rules. It was his feeling that the Committee on Appropriations should take its chances on the floor with points of order and let the chips fall where they may. On the other hand, if all of the unauthorized and legislative provisions were to be routinely protected by special rules, that would only encourage more violations to be perpetrated, and the distinction between the authorizing and the appropriations process would be blurred even more than it is now. Believe you me, it is blurred.

But unfortunately, Mr. Speaker, Chairman Natcher was usually overruled by his own subcommittee chairmen and his own Democrat leadership on whether to seek a rule, except, of course, when it came to his own subcommittee, the Labor-HHS bill. That was always brought to this floor without a rule. Members all know that.

Mr. Speaker, this is the sixth regular appropriations bill for fiscal year 1995 to be considered by the House this year. In all six instances, we have had special rules waiving points of order for violations of clause 2, rule XXI, which prohibits unauthorized and legislative provisions from appearing in appropriations bills.

□ 1100

Moreover, we are told that all but one of the remaining seven regular appropriation bills will require such special rules. That one exception will be the Labor-HHS bill that Chairman Natcher would always bring to this floor without a rule. Chairman NEIL SMITH is now following in his footsteps. It is good to see at least one tradition has survived Mr. Natcher's passing.

Mr. Speaker, notwithstanding my opposition to this rule, I do want to commend the gentleman from Michigan [Mr. CARR], the chairman of the Transportation Appropriations Subcommittee, his Republican counterpart, the gentleman from Virginia [Mr. WOLF], and the chairman and ranking minority member of the Committee on Public Works and Transportation, the gentleman from California [Mr. MINETA], and the gentleman from Pennsylvania [Mr. SHUSTER]. They have worked out their differences this year before the rule and the bill were brought to the floor.

All of the projects in the bill are either already authorized or, as I understand it, about to be authorized by the highway bill we passed just a few weeks ago. For that we are grateful, and we commend those gentlemen.

But that does not overcome our objections to the inconsistency in this rule. I think it is outrageous that this rule has singled out the ranking Republican on the Transportation Appropriations Subcommittee for special mistreatment and, therefore, I have to strongly oppose it.

Look at what we are doing for the gentleman from Maryland [Mr. HOYER], who happens to be the Democrat chairman of the Democrat caucus. This rule is waiving all the points of order, which allows him to exempt Maryland from new truck axle-weight limits. That is a parochial issue. They waive it for him. What does the gentleman from Virginia [Mr. WOLF] want to do? He wants to let cars with two passengers use the high-occupancy-vehicle lane on Interstate 66 that is now reserved for cars with three or more passengers.

You know, for the people in Northern Virginia, that is a parochial issue. It is the only HOV lane in America which requires more than two people, and yet this rule arbitrarily just sticks it to a Republican. We are going to deny him his right on this floor. That is outrageous. That is why we Republicans are going to oppose this rule.

I am going to tell Democrats that this is going to come back to haunt them on their side of the aisle, because we Republicans just are not going to take it. We are not going to take it, and there is going to be some retribution. That is too bad, because we ought to have comity and friendship in dealing with the people's business before this House.

What is the gentleman from Maryland doing on our side of the aisle? I am usually the one who goes to his side of the aisle.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Maryland.

Mr. HOYER. I figured if you are going to use our side, I am going to get equal time.

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

Mr. Speaker, I have to say that I am a little surprised with the definition by my good friend from New York. I am a little surprised and shocked at the gentleman's definition of consistency and fairness.

He frequently, not always, but frequently asks for open rules. He got an open rule this time. Sometimes he asks for waivers, sometimes he does not ask for waivers. This time there were some waivers given.

And so it seems that his definition of fairness is, "When I get exactly what I want, it is fair and consistent, but when I do not get exactly what I want, then it is not fair and consistent. Sometimes I want an open rule, sometimes I do not. Sometimes I want waivers, sometimes I do not. It is just when I want exactly what I want, and that is consistent, and that is fair." that seems a little old to me.

Mr. Speaker, I yield such time as he may consume to my friend, the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I just want to make it clear, because there is in the course of this debate and yesterday's in continuing the attempt to, frankly, convey the message that there is this awful discrepancy between how Democrats are treated and Republicans are treated. Very frankly, in the appropriation bills in particular, there is great comity, and within the committee itself a great comity. As a matter of fact, this problem did not occur until after it got out of the Committee on Appropriations.

But let me make it very clear, because I happen to have the other amendment. Other than that they are totally unrelated. But my name has been mentioned.

Mr. SOLOMON. If the gentleman will yield, it is coincidental.

Mr. HOYER. I understand. But there is a significant difference. Every Republican in our delegation, every Democrat in our delegation, State and local governments are all in concurrence. There is no dispute in our State. This happens to be a technical thing. The legislature has moved on it, but because of the Federal statute, they cannot implement this change in the law which everybody agrees is a safer utilization of the four axles as opposed to the three axles. So there is a difference.

The Committee on Rules was confronted, as I understand it, and I was not at the Committee on Rules, did not testify in it. This is not a big issue. I would say that we went last year, as I think the gentleman from Virginia [Mr. WOLF] apparently did, to the Committee on Public Works and Transportation. We did not get it resolved then. We have been working at it, trying to get it resolved since then.

But the difference is the Committee on Rules, as I understand it, was confronted. There is no dispute in our

State between Republicans and Democrats.

Now, the problem the gentleman from Virginia [Mr. WOLF] has is one that very frankly I am trying to help him work out. But the problem that he has is there is a dispute within his State on this issue. So it is not analogous. I would suggest to the gentleman, and I want to understand that the problem, as I understand it, has come because there is a dispute. There is a dispute in terms of the parties.

The gentleman from Virginia [Mr. MORAN], I understand, who also represents the suburban area, unlike the gentlewoman from Maryland [Mrs. MORELLA] and I and the gentlewoman from Maryland [Mrs. BENTLEY], who all agree on this issue, this is a dispute, so they are confronted with a different situation here where there is not unanimity of agreement.

Now, having said that, I would like to see if we can work this out. But I do not want it projected that somehow the only difference here is that HOYER happens to be a Democrat, and I have been brought into this, in my opinion, gratuitously, very frankly, totally unrelated. But HOYER has got this little parochial, which everybody in our State agrees with, Republicans and Democrats, and it makes sense from a safety standpoint, and another provision, the HOV provision that the gentleman from Virginia [Mr. WOLF] has, which clearly, by the admission of the gentleman from Virginia [Mr. WOLF], as a matter of fact, he told me, apparently some do not agree. That is the difference. It is a substantive difference, not a political difference. It may be a difference in that people of different parties differ, but it is not a difference where there is simply an arbitrary and capricious handling of one provision differently because the gentleman from Virginia [Mr. WOLF] happens to be a Republican and I happen to be a Democrat.

In point of fact, as the gentleman from Michigan [Mr. CARR], the chairman of the subcommittee, has pointed out, the provision offered by the gentleman from Virginia [Mr. WOLF] was included, and the gentleman from Michigan [Mr. CARR] supported the inclusion of that. It is the local difference of opinion that is the difference.

Mr. GOSS. Mr. Speaker, I yield 30 seconds to the distinguished ranking member, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I would say to my good friend, the gentleman from Maryland [Mr. HOYER], that he has just confirmed what I was talking about. This is all political. The two Democrat Congressmen opposed the gentleman from Virginia [Mr. WOLF], and it is a partisan political issue.

The gentleman from Virginia [Mr. WOLF] will talk about that later on. I

will not belabor it at this point. But it is a shame that we could not bring his provision to the floor, debate it, and let the chips fall where they may.

Under former Speaker O'Neill, who was a partisan Speaker, but a fair Speaker, we always let the chips fall where they may. We never had restrictive rules like this all the time.

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

Mr. Speaker, I am going to briefly say that, before I yield to the gentleman from Virginia [Mr. WOLF], the balance of my time, I want to briefly put on the RECORD that the gentleman from Maryland [Mr. HOYER] has made a very good point here.

The point I would make in response is that to be absolutely fair, the Committee on Rules should not have granted protection from points of order for either the gentleman from Virginia [Mr. WOLF] or the gentleman from Maryland [Mr. HOYER]. There was no reason to do it.

If the program of the gentleman from Maryland [Mr. HOYER] was as non-controversial as he says, it would not have been struck on a point of order in all likelihood, and the matter would have been resolved. Whether or not it is controversial is not the issue. Whether or not it is eligible to debate under the same rules is the question, and there is no reason to make a distinction that is apparent to us, and that is why we feel this is an issue of fairness.

Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. WOLF].

□ 1110

Mr. WOLF. Mr. Speaker, let me begin by thanking my side, the gentleman from New York [Mr. SOLOMON] and the gentleman from Florida [Mr. GOSS], and my leadership, for standing firm and fighting for what is very, very important. I think it is important for all of us on this side to know that our leadership would not bail out on this issue.

I am going to lay this out, and I appreciate the time. I hope to do it so that, when we are finished, and I am going to put more in the RECORD, people will understand the importance. This is a tale of two provisions.

First, Mr. Speaker, it deals with the provision with regard to the gentleman from Maryland [Mr. HOYER], that the gentleman from California [Mr. MINETA] did not object to and allowed to go through, and that the Committee on Rules protected. Then I came forward with a provision at the request of the Governor of my State, who was just elected and promised this, to change for a 1-year trial period the HOV requirement on I-66. Let me just say, had former Governor Wilder asked for this, I would have done it for Governor Wilder, or former Governor Baliles, or former Governor Robb.

So, Mr. Speaker, this has been handled in a way that I do not think anybody could object. I will deal with what the provision is later.

The gentleman from Maryland [Mr. HOYER] is a powerful and very well respected member of the Democratic leadership that controls this body. The gentleman from Maryland is also a member of what they call the college of cardinals. The ranking members, we are, I guess, lowly, just laymen, but they are the college of cardinals, and, therefore, as my colleagues know, they get whatever they want.

Let me just stipulate for the record that I genuinely like the gentleman from Maryland [Mr. HOYER] and he knows it, and I let the record show that. Somebody came up to me yesterday, two people, and said, "Why don't you get somebody to offer a motion to strike the Hoyer provision?"

I say to my colleagues, "I didn't come to Congress to hurt STENY. I didn't come here to hurt people, to work secret amendments that I wouldn't have my hands on and Mr. HOYER would have to debate. I didn't come here for that, so I'm not going to object to Mr. HOYER's amendment. That would be wrong."

Now let me talk about I-66 on the merits. The Governor asked, and the Governor should control, the roads. The chairman of this committee, the gentleman from Michigan [Mr. CARR], agrees. Let us look at the other areas of the country.

Houston: HOV-2.
Pittsburgh: HOV-2.
Honolulu: HOV-2.
Denver: HOV-2.
San Diego: HOV-2.
Hartford, CT: HOV-2.
Los Angeles: HOV-2.
Seattle: HOV-2.
Orange and Riverside Counties: HOV-2.

During our subcommittee hearings, Mr. Speaker, the people from Marin County, CA, came in and said that they started out a HOV-3 and did not get utilization of the road, and they dropped it to 2. It was a big, big success.

Now I have taken a leadership role in this Congress second to no one with regard to family-friendly policies. This HOV-2 provision would allow a mom and a dad, if they were taking their child to a child care facility, which through the good work of the gentleman from Maryland [Mr. HOYER] and myself we now have a hundred in the Federal Government, to commute with their child. It would also allow a husband and wife to get into work a little bit early. But environmentally it would help this region meet its requirements under the Clean Air Act.

Now, I understand that the gentleman from Virginia [Mr. MORAN], and I will speak to that, may very well object to this amendment. Now let me

just tell my colleagues for the citizens that live in Mr. MORAN's area, "If you take this out of the bill, you will take and put more traffic back on the residential streets because, by doing what we are trying to do for a 1-year trial period, we take cars off of Columbia Pike, off of Route 50, off of Wilson Boulevard, off of Fairfax Drive, off of 123 of Spout Run, off of the G.W. Parkway, off of Old Dominion, off of Military Road, off of Lorcum Lane. We take cars off of the residential streets, and, by goodness, we put it on the interstate highway that was built to move traffic for a 1-year trial plan, whereby the Governor of Virginia, who was duly elected by the people asked for the opportunity to do it."

Now we talk about bipartisanship in this body. Sometimes bipartisanship means that the Democratic powerful chairmen want something, and the Republican ranking member does not have any problem; then that is bipartisanship. It is good; it is not gridlock. But if the Republican Member wants something, and keep in mind there are no dollars involved here, and for some reason a powerful chairman does not, then it is legislation on an appropriation bill, it is not appropriate, this is not the vehicle, we have not held hearings, et cetera, et cetera, et cetera.

Now let us go back to the bill itself. When we were marking up the bill, Mr. Speaker, the committee was looking at different projects. I was the one that threw out the name of the gentleman from Virginia [Mr. MORAN] for Mr. MORAN's project. Not one Democratic member, not one Democratic member on the subcommittee, offered Mr. MORAN's project. I did. If there was any difference, I would ask people to speak. I did it because of bipartisanship. He had this project. It was authorized. It would be a benefit for this area. Should I have said no, and be quiet, and then maybe his opponent could have put out a press release and said, "Aha, he's not effective because he's on the committee and he couldn't get it?"

No, I did not come here to do that. That is not what my goal is. I think I want bipartisanship as much as any Member of this House. So, through my efforts, and if there is any difference from the committee, they can get up and disagree, the gentleman from Virginia [Mr. MORAN] got his project.

I think we Republicans, and I speak to Republican Members on this side, and those in their offices that are listening have to remember something. If we take over, or when we become the majority, I do not think we should operate like the Committee on Rules, like the gentleman from Massachusetts [Mr. MOAKLEY], what he has done to us. I do not think we ought to do what the gentleman from California [Mr. MINETA] did. I do not think we ought to do it. I think, if we are the chairmen, we are to follow the Golden Rule which

is in the Bible. It says: "You do unto others as you would have them do unto you."

Mr. Speaker, I say to my colleagues, "I'm not one that wants to join the lynch group whereby we say, 'Hey, we have our vengeance. We are angry. Do you remember the time back in 1986 when they did that?'"

No, that is not the approach we should take because the arrogance of power brings parties down and brings people down.

Also, for our side, it is like the bullies in the schoolyard. These guys can be bullies at times. I say to my colleagues, "If they are not picking on you sometime, you think, well, they are not picking on me so I'll be quiet. They'll pick on somebody else. Believe me, if they don't pick on you today, they will pick on you some other time."

The gentleman from California [Mr. MINETA] constantly speaks out about the roads in this area and what he thinks should be done. Frankly, I am not afraid of the Committee on Public Works and Transportation. I do not know that they can do anything, and, if they do it, we will talk about it publicly because, as these things happen over the future, I will come to this well day after day, week after week, year after year, to talk about these issues because frankly I think the more their is exposure in this body, the better it is for the body.

I want to make this other point which came to me as we were debating the treasury appropriations bill last night, and I was thinking about this. When I was growing up, we lived in an area in south Philadelphia. My mom told the story, and I can remember it so well. My mom wore glasses. She had astigmatism in the eye, and in those days young kids just did not wear glasses. One of the kids in the neighborhood in south Philadelphia called my mom four eyes. In fact, they used to call her four eyes a lot.

My mom told the story, and I heard it over and over, that, when that kid grew up and had kids, his kids had to wear glasses.

My colleagues know the expression that everything that goes around come around, where some people want to be more political and say, "You live by the sword, you die by the sword." I think there is judgment in this earth, and everything that does go around comes back around.

Two things popped into my mind last night when I saw the gentleman from Maryland [Mr. HOYER] on the treasury bill. Last year here on the bill I begged that we should do something with regard to the seven employees who were fired at the White House travel office.

□ 1120

Mr. Speaker, do the Members remember Travelgate? Seven career people

were ruined. Do the Members know who did that to them? It was David Watkins. That is David Watkins, the man that is gone. He is the man about whom Mr. HOYER said last night, "He is gone. We don't need that amendment. He has been fired because of the helicopter deal."

Everything that goes around comes back around. The other thing that hit me, too, because we are taking up the transportation bill under the leadership of the gentleman from Michigan [Mr. CARR] was this: He was good enough last year to put money in the transportation bill to help those career employees who had legal fees, who had high legal fees and did not have PAC's, political action committees, and powerful friends to help them out. I contacted Mr. McLarty at the White House over and over and over, asking him to help with legal fees for these people, and they said, "No, no, no."

Yesterday I come in and I hear that the President of the United States is now going to be faced with millions of dollars of legal fees. Everything that goes around comes back around.

This is a bad rule. It is a bad precedent. I think it disgraces the Committee on Rules. Because of the efforts of Mr. MINETA, with Mr. MOAKLEY, holding on to the power of the Committee on Rules and the power of the Committee on Public Works and Transportation, this Member's amendment, which would have permitted a 1-year trial period to allow moms and dads and husbands and wives and other people to car-pool to see if it would work, was knocked out.

Mr. Speaker, I now yield to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I just want to point this out because the point is being made on the other side of the aisle that they are being evenhanded and the reason they are flexing their majority muscle is because the gentleman from Virginia did not appear before the authorizing committee.

In fact, the chairman of the Committee on Public Works and Transportation, the gentleman from California [Mr. MINETA], sent a letter to the Committee on Rules on that fact. But also the Members need to know that the gentleman from Maryland [Mr. HOYER] went to the authorizing subcommittee, the Safety Subcommittee, with his issue and was denied. The committee was against Mr. HOYER's position.

Yet Mr. MINETA and the Committee on Rules have chosen not to protect the will of his own committee by allowing a point of order to be brought against Mr. HOYER's position. Yet the gentleman from Virginia did not go before the authorizing committee, but most members, except for one member of the Appropriations Committee, are against the gentleman's position. They have chosen selectively to not protect the gentleman. So it is not evenhanded

treatment. The majority is abusing its power and flexing its muscle.

Mr. WOLF. Mr. Speaker, I now yield to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I was going to make the same point. I have just been handed a piece of paper here, and I did not know this. If I had known it up in the Committee on Rules, the Hoyer amendment would not have been protected. The Committee on Public Works and Transportation said that this represents a major waiver of truck size and weight and is unwarranted. It was turned down.

Mr. MINETA never bothered to tell us that. He simply said, "It's O.K. We don't object to it. Even though we turned it down, but we do object to Mr. WOLF's position."

I think that is outrageous. It is partisanship, and I am going to say this: It is going to cease or else.

Mr. WOLF. Mr. Speaker, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my friend for yielding, and I want to compliment him on his statement and simply say this: What I have heard earlier today is absolutely right. This is a political issue and it is a controversial issue.

But that is exactly what we are charged with dealing with here, and we should do it in an evenhanded way, but unfortunately, as has been said by virtually everyone, the way this rule has been handled, that did not happen. We treated the gentleman from Maryland [Mr. HOYER], a Democrat, in one way, and we treated my friend in the well differently. He happens to be a Republican as opposed to a Democrat.

So it seems to me that as we look at what clearly is a tough issue, because there is controversy surrounding it, we should allow the House to work its will in a fair and balanced manner. This rule demonstrates very clearly that Lord Acton was correct when he said, "Power corrupts, and absolute power corrupts absolutely."

Unfortunately, we as a minority are being mistreated, and tragically, my friend and classmate, the gentleman from Virginia [Mr. WOLF], who has fought long and hard on this issue, is at the short end of the stick. That is why we need to defeat this rule, go back upstairs, and bring back something that is a little more balanced.

Mr. WOLF. Mr. Speaker, I thank the gentleman, and in closing, I would like to ask the Members on both sides to defeat the rule. Again, I want to thank the gentleman from New York [Mr. SOLOMON], the gentleman from Florida [Mr. GOSS], and the gentleman from California [Mr. DREIER], the gentleman from Tennessee [Mr. QUILLEN], and the leadership on my side, because I think the fact that they have taken this position is encouraging, because we want

to make sure that if it happens here, it never happens again.

Mr. Speaker, I urge the defeat of the rule.

I rise in opposition to this rule for two reasons. First, it represents the height of partisan hypocrisy. And, second, it deals a body blow to families who live in northern Virginia.

Let's call this story "The Tale of Two Provisions," because there are two measures in H.R. 4556, the fiscal year 1995 transportation bill, which have been the topic of conversations with the authorizing committee this past week because both were deemed subject to procedural challenge on the floor.

One of these provisions would allow overweight trucks to operate on the interstate highway system in Maryland. The other one would allow husbands and wives to form carpools eligible to use I-66 in northern Virginia.

Under this rule, guess which provision is protected and which one is hung out to dry?

That's right. Trucks win out over family carpools.

Now I don't think American voters are going to see the logic in that so maybe I should explain further that the provision concerning overweight trucks was offered by a member of the majority party and of the leadership in this Congress, Mr. HOYER.

On the other hand, I, a member of the minority party, offered the provision allowing the Governor of Virginia the option of a 1-year trial of HOV-2 on I-66 inside the Capital Beltway. And under this provision, the Governor would retain the flexibility to return the carpool restrictions to three-occupant vehicles at any time during the 1-year trial period if HOV-2 proved unsuccessful.

I should further explain that my language concerning HOV-2 is opposed by two other members of the majority party, Mr. MORAN and Mr. MINETA. Working with Mr. MORAN, Mr. MINETA, chairman of the Public Works Committee, persuaded another member of the majority, Mr. MOAKLEY, who chairs the Rules Committee, to make the HOV-2 provision subject to a point of order when we later take up the transportation bill.

What this means is that, without debate, and without a vote, the HOV-2 provision for families can be—and will be—deleted from the bill. On the other hand, the killer truck provision stays in.

If you're scratching your head by now, let me say:

This is not about fairness.

This is not about good government.

This is not about effective transportation policy.

This is not even about logic.

This is about raw partisan muscle. The kind of routine power play around here that sacrifices what's good for families on the altar of sheer partisan politics.

Allowing two-person carpools on I-66 inside the beltway would help moms and dads trying to get to work in the morning, while perhaps dropping off their children along the way at school or child care centers. Currently these husbands and wives are in single-occupant automobiles cutting through residential areas on such arteries as Route 50, Spout Run, the George Washington Memorial Parkway, Wilson Boulevard, Columbia Pike, Old Dominion

Drive, Military Road, Lee Highway, and even neighborhood streets.

Allowing two-person carpools would reduce this traffic congestion in residential communities. It would take cars off residential streets and put them on I-66, a currently underutilized facility which was built to handle through commuter traffic.

Allowing HOV-2 would potentially reduce the number of automobiles by half, thus helping this region meet clean air goals.

Allowing HOV-2 would encourage carpooling and greater use of I-66, a facility that is currently underused.

Allowing HOV-2 would improve safety on I-66 and provide consistency in the carpool requirements inside and outside the beltway.

But most important, HOV-2 would help families in northern Virginia.

On a broader scale, it is interesting to note that, nationwide, HOV-2 is currently employed in most urban areas including: Houston; Pittsburgh; Honolulu; Denver; San Diego; Hartford, CT; Los Angeles; Seattle; Orange and Riverside Counties, CA.

During recent hearings held by the transportation appropriations subcommittee, witnesses from Marin County, CA, testified that their carpooling requirements on the Highway 101 facility had been dropped from HOV-3 to HOV-2 and that usage had greatly increased. This was primarily due, they testified, to spouses being able to commute together.

The reason HOV-2 is the most prevalent carpooling requirement around the country is because HOV-3 doesn't work as well. It takes at least five commuters to sustain an HOV-3 carpool, due to emergencies, doctor appointments, illnesses, and other schedule disruptions. With HOV-2, it is easier to form a carpool because in many households, there will be at least two people willing to accommodate each other's schedules. Or perhaps, two neighbors in a community.

Who can be against this? No one can oppose this provision on its merits, because it is the right thing to do.

This provision is subject to a knockout blow only because of pure partisan politics. That hurts American families. That creates traffic jams. That further lowers the credibility of this body. And that is wrong.

And let me say to the other side of aisle that I am keenly disappointed in these tactics because I have always tried to consider each proposal in a bipartisan manner, based on fairness and the merits of the issue. As an example, and my colleague from northern Virginia is aware of this, during our subcommittee's markup of this bill, I went to bat for funding for the Fairfax County Parkway, a project that was requested by Mr. MORAN. In fact, I was the only one who stuck up for Mr. MORAN. Funding for Mr. MORAN's project was subsequently added during the full committee markup. It would not have been added had I not brought it to the subcommittee's attention and asked for its inclusion.

We should not forget that this bill contains two provisions that should be treated the same under the parliamentary rules of this body. But only the one offered by a member of the majority party is being protected, and the other one is not. We should not forget that the majority's truck proposal has won out over the minority's family carpool measure.

This rule is unfair. It is partisan. And it will hurt families. I urge my colleagues to vote no.

UNIFORM HOV-2 ON I-66 IN VIRGINIA

Nationwide, HOV-2 requirements are currently employed in most urban areas including: Houston; Pittsburgh; Honolulu; Denver; San Diego; Hartford, CT; Los Angeles; Seattle; Orange and Riverside Counties, CA.

During recent hearings held by the transportation appropriations subcommittee, witnesses from Marin County, CA, testified that their carpooling requirements on the Highway 101 facility had been dropped from HOV-3 to HOV-2 and that usage had greatly increased primarily due to the ability of spouses to commute together.

Trying uniform HOV-2 inside and outside the Capital Beltway on I-66 would be family-friendly because spouses could commute together in the Washington area as well.

Also, this would reduce the number of single-occupant vehicles currently cutting through residential neighborhoods because these commuters are unable to arrange for enough fellow carpoolers to allow them to use the highly under-utilized I-66 HOV facility.

Finally, there are general provisions in the bill that are legislatively similar, section 332 and section 337, and both were the subject of conversations with the Public Works Committee. In the interest of bipartisanship and fairness, both provisions should be treated alike.

The SPEAKER pro tempore (Mr. WISE). The gentleman from Florida [Mr. GOSS] has 30 seconds remaining.

Mr. GOSS. Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, let me stipulate that the gentleman from Virginia [Mr. WOLF] is a valued, constructive, and important Member of this body. He said that he felt he was on good terms with, I think, all the members of the Committee on Rules and both sides, and that certainly is the case. I hope in no way is this matter felt to be a matter of personalities.

Mr. Speaker, in order to try to bring this back to the issues, I yield such time as he may consume to the chairman of the authorizing committee, the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I rise in strong support of this resolution.

Mr. Speaker, there has been a great deal of discussion about the partisan nature of the discussion surrounding this rule. I am sorry it has to be brought to those terms, but I would like to try to explain where we are on this rule.

Mr. Speaker, a complaint has been made against this rule that it protects the provision of the bill regarding truck weights in Maryland but does not protect the provision regarding HOV lanes on I-66 in Virginia. The implication is that the rule favors the author of one provision, Mr. HOYER, over the author of the other provision, Mr. WOLF.

Let me state categorically that there has been no favoritism here. The decision on each provision was made on the

merits of that provision, as it should be.

In the case of the Maryland truck provision, the situation is that in the State of Maryland today there is a grandfather provision which allows short 3-axle dump trucks to operate at up to 65,000 pounds. This is a result of Federal law which sets truck weight limits for the Interstate Highway System, but which also grandfathers prior State limits on truck weights.

I make no bones about the fact that the Maryland 3-axle 65,000 grandfather is one of the worst in the country. But it is allowed by existing Federal law and will go on being allowed by Federal law if we do not act.

What is important here is that the State of Maryland has tried to limit the damage done by these trucks, and the way they have been able to do that is they have passed a State law saying that they will end the 65,000 pound 3-axle grandfather which they now have and replace it with a 70,000 pound 4-axle requirement. The requirement to switch to a 4-axle truck would significantly reduce the loading per axle, would significantly reduce wear and tear on the Interstate System and would reduce braking distances and therefore improve safety.

The 4-axle requirement basically takes the same payload and spreads it over more axles, wheels, and bearing area. The result is less damage to the Interstate and better safety performance. That is what this provision would have us agree to. It take a bad situation and makes it better, exactly what we ought to be trying to do around here.

If we do not enact this provision, the new State law in Maryland automatically self-destructs and the 3-axle trucks get to go on doing more damage and having longer braking distances, and in fact new trucks can be added to the Maryland fleet which operate at 3-axle and 65,000 pounds.

There is no question in my mind that we are acting in the public interest by enacting this provision.

With regard to the I-66 HOV lanes, the section of I-66 inside the beltway was built under an agreement with then-Secretary Bill Coleman. Part of that agreement required specific HOV policies on that stretch of the highway. It is now HOV-3 and some, particularly in the areas further out to the west, would like to see that reduced to HOV-2. The Coleman agreement makes it difficult, if not impossible, to make that change. Mr. WOLF proposed overturning the Coleman agreement by Federal statute, and that is the provision now in this bill.

However, this provision not only overturns the Coleman agreement, it also overrides all local say in whether the HOV policy ought to be changed. In any other metropolitan area we would not impose a Federal transportation

mandate of this importance without the full participation of the affected local and regional governments. We sought a reasonable compromise on this issue. We offered to accept Mr. WOLF's language in effect modifying the Coleman agreement if it were modified to make it subject to approval by the National Capital Region Transportation Planning Board. The Board is the legally designated Metropolitan Planning Organization, just as every metropolitan area in this country has an MPO, and the representatives of the various affected local governments all sit on it.

In any other metropolitan area this kind of transportation policy change would be subject to the approval of this kind of a board.

But in this case the compromise we suggested was not accepted. As a result the provision now in the bill stands for the proposition that the Federal Government should make local transportation decisions and then impose those decisions on local and regional representatives of the people, without regard to what anybody other than the Federal Government thinks about those decisions.

This is contrary to what we have tried to do in recent years, which is to move more transportation decision-making down to the local and regional levels.

It simply is not fair, it is not good policy, and it is not in the public interest to trample the wishes of local and regional governments in transportation planning issues. That is why we have opposed this provision and that is why it is not protected. I would hope that those around here who most frequently complain about big-brother Government in Washington would be sensitive to those concerns.

Finally, Mr. Speaker, I think it should be clear that our views on these issues were not based on which Member asked for which provision. All the Members involved are respected colleagues and friends. But our job is to do the best we can to protect the public interest, and that means we look at the provision and what it would do, not at who offers it. The idea that if a provision from one Member, no matter how beneficial it may be to the public interest, is accepted, that another provision, no matter how injurious to the public interest, must be accepted, is ridiculous and would be a complete abdication of our responsibilities to the public.

We have worked hard this year, as has the Appropriations Committee, to work out problems and disputes where we possibly can. Some provisions have been dropped, some have been accepted, and some have been modified. As a result, all rules issues were worked out in advance and were protected by the rule, except the I-66 issue where Mr. WOLF felt he could not accept the same

role for local government as would apply in any other metropolitan area of the country.

This is not a partisan issue, it is an issue of policy, of fairness to local governments, and of setting proper and consistent limits on intrusions by the Federal Government into local issues.

There are many provisions in this bill which are protected under the rule and which happen to have been advocated by Republicans—provisions by Mr. PETRI and Mr. PACKARD came to mind. Those provisions were agreed to because they made sense, not because of who offered them.

I urge my colleagues to support the resolution.

□ 1130

Mr. GORDON. Mr. Speaker, I know my friend from Texas [Mr. DELAY] has something he would like to say, and I want him to have that opportunity. If he needs additional time beyond what the gentleman from Florida [Mr. GOSS] has, I will give him some time. I need to honor some requests for time over here.

Mr. DELAY. The Chairman has made some statements, and I would like to ask him questions.

Mr. GORDON. If he will stick around, let me first honor requests for time from Members over here, and then I will give the gentleman additional time.

The SPEAKER pro tempore (Mr. WISE). The gentleman from Tennessee [Mr. GORDON] has 7 minutes remaining, and the gentleman from Florida [Mr. GOSS] has 30 seconds remaining.

Mr. GORDON. Mr. Speaker, I yield 30 seconds to the gentleman from Texas [Mr. DELAY].

Mr. GOSS. Mr. Speaker, I yield 30 seconds to the gentleman from Texas [Mr. DELAY].

The SPEAKER pro tempore. The gentleman from Texas [Mr. DELAY] is recognized for 1 minute.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Tennessee [Mr. GORDON] and the gentleman from Florida [Mr. GOSS] for being so kind.

Mr. Chairman, you made an eloquent statement about no favoritism at all, and you based your decision on the merits. You defended the decision of supporting the Hoyer amendment on the merits. Yet you just contradicted in your own speech the decision made by your own subcommittee that did not support the Hoyer amendment when it was brought before you.

I cannot understand how you call that no favoritism or being even-handed, if you are contradicting your own committee.

□ 1140

Maybe the gentleman could explain it to me.

Mr. MINETA. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from California.

Mr. MINETA. Mr. Speaker, the gentleman from Texas is absolutely correct. When we received this information at the subcommittee level originally, they said that they opposed what was being considered. We then looked at it in terms of what is, from an engineering perspective, and we met with the Department of Transportation for the State of Maryland as late as Monday afternoon to go over as to what is the difference between a three-axle truck, short-axle truck and its weight limitation and a four-axle truck at a higher weight.

We then found that in terms of the impact on road surface that we would be better off—

Mr. DELAY. Mr. Speaker, the gentleman is holding hearings today on this issue and he could address the Hoyer amendment today in his own committee today. Why would he protect the Hoyer amendment today when he is holding hearings on this issue and he could address it today?

Mr. GORDON. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, the reason being that the Maryland statute self-destructs and so that would then put us in the position of having a truck that does more damage to the road if we do not deal with this now because of the Maryland statute self-destructing.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. MINETA. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I stand corrected. The hearing was yesterday. Yesterday he did not address it. It seems to me that what is happening here is killer trucks are winning over family carpools.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield 4 minutes and 30 seconds to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I rise to clarify some points that have been in this debate. I do so reluctantly, because I have a great deal of respect for my colleague, the gentleman from Virginia [Mr. WOLF]. I know, as his other colleagues in the House know, him to be a capable and conscientious legislator. But there has been an accusation, really, that this provision by the Committee on Rules has been decided on a partisan basis. I need to shed some further information on this issue that I think both my colleagues and the people that might be listening in the audience need to be aware of, because those who have not protected this provision through the rule on this bill have done so consistent with substantive authorizing legislation and intent.

Now, the gentleman from Virginia [Mr. WOLF], I know, feels strongly that he is doing the right thing with this

provision. Clearly, he is doing the right thing for his constituents. The gentleman from Virginia [Mr. WOLF] has many constituents who live outside the Beltway, who drive into Arlington or Washington, DC, and who use Interstate 66. They are able to use an HOV two-lane up to the Beltway. But when it gets into my district, which is just inside the Beltway, it changes to HOV-3. And thus we get a substantial amount of congestion at that intersection.

The gentleman from Virginia [Mr. WOLF] believes that not only is it in the best interest of his constituents, but also of my constituents, because it will relieve congestion on residential streets that are taken to avoid I-66 and, in fact, that it is a 1-year experiment.

However, I think the gentleman from Virginia [Mr. WOLF] would have to agree that it is not so clear that this provision is in the interest of my constituents inside the Beltway as it is clearly in the interest of his constituents outside of the Beltway.

For one thing, if we change people's driving habits, even if only for 1 year, it is extremely difficult to reverse it, to get people then to go back to HOV-3. I do not know that there has ever been a case where we reduced HOV requirements and then reinstated them. So this is an important change.

Now, when we make changes that affect local governments, particularly that are controversial in nature, the Interstate Surface Transportation Efficiency Act, ISTEA we call it, the acronym, specifically said we should rely upon the judgment of local governments to make these decisions. That was an important part of the ISTEA legislation. In fact, we have a number of organizations that have been set up to make these kinds of decisions.

First of all, we should look to the local government that is responsible for the jurisdiction that is exclusively affected by this change, which is Arlington County. It only affects Arlington County. The entire Arlington County Board is opposed to this change. In fact, I-66 was an extremely controversial highway. For years they fought it. And they finally agreed to let I-66 go through Arlington County.

The point is, we have a written agreement that was contingent upon I-66 going through Arlington County that says that we have to consult the Transportation Planning Board before we can make any change in HOV requirements. This does not consult the Transportation Planning Board. The TPB, in fact, voted to oppose this, as did the Northern Virginia Transportation Commission. This is a very controversial issue. To put this kind of legislation in an appropriations bill without consulting with local governments who are unanimously opposed to it, I think, would be a mistake.

Mr. Speaker, I thank the gentleman from the Committee on Rules for granting me this time.

Mr. GORDON. Mr. Speaker, I yield 10 seconds to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, this was done in 1983 from HOV-4 to HOV-3, and there was no controversy. It was successful. Second, the Governor has asked, this will help more of our constituents, the people at Tyson's Corner, and it will take cars off the residential streets and put them on the road where they belong. I think they support it as well as anybody in the region.

Mr. GORDON. Mr. Speaker, I yield myself the balance of my time.

Let me conclude by reminding the membership that this is an open rule on a very important transportation bill that affects the infrastructure, the competitiveness of this country. This is a 57-page bill of which we have spent a long and, I think, constructive debate on approximately one page. But the fact of the matter is this is an important bill.

It is 57 pages. It is an open rule. Everyone has the opportunity to come in and have their amendments.

Mr. RAHALL. Mr. Speaker, I rise in support of the rule.

This rule reflects the fact that there is peace between the Appropriations and authorizing committees, at least in terms of those matters under the jurisdiction of the Committee on Public Works and Transportation relating to highway and transit programs.

This rule rightly protects from points of order those highway and transit provisions which have been reviewed by the authorizing committee, largely as part of the National Highway System designation legislation which recently passed this body by a vote of 412 to 12.

I would submit that this rule should enjoy the same level of support as did the NHS bill.

Under this rule, we will be able to consider an appropriations measure that complements the NHS legislation and which further advances those programs provided for under the Intermodal Surface Transportation Efficiency Act of 1991.

I commend the Rules Committee for fashioning this rule, and I commend it to the House.

Mr. GORDON. Mr. Speaker, I move the previous question on the resolution.

PARLIAMENTARY INQUIRY

Mr. GOSS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. WISE). The gentleman will state it.

Mr. GOSS. Mr. Speaker, if the previous question is rejected, would it be in order for me to offer an amendment to the rule to strike the exception that leaves the Wolf provision subject to a point of order?

The SPEAKER pro tempore. While the Chair cannot give a specific anticipatory ruling, in the opinion of the Chair, should the previous question be

rejected, any germane amendment to the rule may be offered.

Mr. GOSS. Mr. Speaker, the Chair's answer is "yes" and that would be my intention.

The SPEAKER pro tempore. The Chair stands by his statement. Any germane amendment can be offered.

Mr. GOSS. I was not asking a parliamentary inquiry about germaneness. I wish to know whether or not that would be in order.

The SPEAKER pro tempore. The Chair has responded.

The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. GORDON. 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.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the resolution.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 241, nays 177, not voting 16, as follows:

[Roll No. 248]

YEAS—241

Abercrombie	Coyne	Hall (TX)
Ackerman	Cramer	Hamburg
Andrews (ME)	Danner	Hamilton
Andrews (TX)	Darden	Harman
Applegate	de la Garza	Hastings
Bacchus (FL)	Deal	Hayes
Baesler	DeFazio	Hefner
Barca	DeLauro	Hilliard
Barcia	Derrick	Hinchee
Barlow	Deutsch	Hoagland
Barrett (WI)	Dicks	Hochbrueckner
Becerra	Dingell	Holden
Bellenson	Dixon	Hoyer
Berman	Dooley	Hughes
Bevill	Durbin	Hutto
Bilbray	Edwards (CA)	Inslie
Bishop	Edwards (TX)	Jefferson
Blackwell	Engel	Johnson (GA)
Bonior	English	Johnson (SD)
Borski	Eshoo	Johnson, E.B.
Boucher	Evans	Johnston
Brewster	Farr	Kanjorski
Brooks	Fazio	Kaptur
Browder	Fields (LA)	Kennedy
Brown (CA)	Filner	Kennelly
Brown (FL)	Fingerhut	Kildee
Brown (OH)	Flake	Klezka
Bryant	Foglietta	Klein
Cantwell	Ford (MI)	Klink
Cardin	Ford (TN)	Kopetski
Carr	Frank (MA)	Kreidler
Clay	Frost	LaFalce
Clayton	Furse	Lambert
Clement	Gejdenson	Lancaster
Clyburn	Gephardt	Lantos
Coleman	Geren	LaRocco
Collins (IL)	Gibbons	Laughlin
Collins (MI)	Glickman	Lehman
Condit	Gonzalez	Levin
Conyers	Gordon	Lewis (GA)
Cooper	Green	Lipinski
Coppersmith	Gutierrez	Lloyd
Costello	Hall (OH)	Long

Lowey	Pallone	Skelton
Maloney	Parker	Smith (IA)
Mann	Pastor	Spratt
Manton	Payne (NJ)	Stark
Margolies-	Payne (VA)	Stenholm
Mezvinsky	Pelosi	Stokes
Markey	Penny	Strickland
Martinez	Peterson (FL)	Studds
Matsui	Peterson (MN)	Stupak
Mazzoli	Pickett	Sweet
McCloskey	Pickle	Swift
McDermott	Pomeroy	Synar
McHale	Poshard	Tanner
McKinney	Price (NC)	Taylor (MS)
McNulty	Rahall	Tejeda
Meehan	Rangel	Thompson
Meek	Reed	Thornton
Menendez	Richardson	Thurman
Mfume	Roemer	Torres
Miller (CA)	Rose	Torricelli
Mineta	Rostenkowski	Towns
Minge	Rowland	Unsoeld
Mink	Roybal-Allard	Valentine
Moakley	Rush	Velazquez
Mollohan	Sabo	Vento
Montgomery	Sanders	Visclosky
Moran	Sangmeister	Volkmer
Murphy	Sarpalius	Waters
Murtha	Sawyer	Watt
Nadler	Schenk	Waxman
Neal (MA)	Schroeder	Williams
Neal (NC)	Schumer	Wilson
Oberstar	Scott	Wise
Obey	Serrano	Woolsey
Oliver	Sharp	Wyden
Ortiz	Shepherd	Wynn
Orton	Sisisky	Yates
Owens	Skaggs	

NAYS—177

Allard	Gilchrest	McInnis
Archer	Gillmor	McKeon
Army	Gilman	McMillan
Bachus (AL)	Gingrich	Meyers
Baker (CA)	Goodlatte	Mica
Baker (LA)	Goodling	Michel
Ballenger	Goss	Miller (FL)
Barrett (NE)	Grams	Molinari
Bartlett	Grandy	Moorhead
Barton	Greenwood	Morella
Bateman	Gunderson	Myers
Bereuter	Hancock	Nussle
Bilirakis	Hansen	Oxley
Billie	Hastert	Packard
Blute	Hefley	Paxon
Boehler	Herger	Petri
Boehner	Hobson	Pombo
Bonilla	Hoke	Porter
Bunning	Hoke	Portman
Burton	Horn	Pryce (OH)
Buyer	Houghton	Quillen
Byrne	Huffington	Quinn
Callahan	Hunter	Ramstad
Calvert	Hutchinson	Ravenel
Camp	Hyde	Regula
Canady	Inglis	Ridge
Castle	Inhofe	Roberts
Clinger	Jacobs	Rogers
Coble	Johnson (CT)	Rohrabacher
Collins (GA)	Johnson, Sam	Ros-Lehtinen
Combest	Kasich	Roth
Cox	Kim	Roukema
Crane	King	Royce
Cunningham	Kingston	Santorum
DeLay	Klug	Saxton
Diaz-Balart	Knollenberg	Schaefer
Dickey	Kolbe	Schiff
Doolittle	Kyl	Sensenbrenner
Dornan	Lazio	Shaw
Dreier	Leach	Shays
Duncan	Levy	Shuster
Dunn	Lewis (CA)	Skeen
Ehlers	Lewis (FL)	Smith (MI)
Emerson	Lewis (KY)	Smith (NJ)
Everett	Lightfoot	Smith (OR)
Ewing	Linder	Smith (TX)
Fawell	Livingston	Solomon
Fields (TX)	Lucas	Spence
Fish	Mahtley	Stearns
Fowler	Manzullo	Stump
Franks (CT)	McCandless	Sundquist
Franks (NJ)	McCollum	Talent
Gallely	McCrery	Taylor (NC)
Gallo	McDade	Thomas (CA)
Gekas	McHugh	Thomas (WY)

Torkildsen	Walker	Young (AK)
Trafiacant	Walsh	Young (FL)
Upton	Weidon	Zeliff
Vucanovich	Wolf	Zimmer

NOT VOTING—16

Andrews (NJ)	McCurdy	Tucker
Bentley	Reynolds	Washington
Chapman	Slattery	Wheat
Crapo	Slaughter	Whitten
Dellums	Snowe	
Istook	Tauzin	

□ 1209

Mr. RIDGE and Mr. COLLINS of Georgia changed their vote from "yea" to "nay."

Mr. SISISKY changed his vote from "nay" to "yea."

Mr. DEUTSCH changed his vote from "present" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WISE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. GORDON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 180, not voting 15, as follows:

[Roll No. 249]

AYES—239

Abercrombie	Danner	Hefner
Ackerman	Darden	Hilliard
Andrews (ME)	de la Garza	Hinchee
Andrews (TX)	Deal	Hoagland
Applegate	DeFazio	Hochbrueckner
Bacchus (FL)	DeLauro	Holden
Baesler	Dellums	Hoyer
Barca	Deutsch	Hughes
Barcia	Dicks	Hutto
Barlow	Dingell	Inslie
Barrett (WI)	Dixon	Jefferson
Becerra	Dooley	Johnson (GA)
Bellenson	Durbin	Johnson (SD)
Berman	Edwards (CA)	Johnson, E. B.
Bevill	Edwards (TX)	Johnston
Bilbray	Engel	Kanjorski
Bishop	English	Kaptur
Blackwell	Eshoo	Kennedy
Bonior	Evans	Kennelly
Borski	Farr	Kildee
Boucher	Fazio	Klezka
Brewster	Fields (LA)	Klein
Brooks	Filner	Klink
Browder	Fingerhut	Kopetski
Brooks (CA)	Flake	Kreidler
Brown (FL)	Foglietta	LaFalce
Brown (MI)	Ford (MI)	Lambert
Brown (OH)	Ford (TN)	Lancaster
Bryant	Frank (MA)	Lantos
Cardin	Frost	LaRocco
Carr	Furse	Laughlin
Clay	Gejdenson	Lehman
Clayton	Gephardt	Levin
Clement	Geren	Lewis (GA)
Clyburn	Gibbons	Lipinski
Coleman	Glickman	Lloyd
Collins (IL)	Gonzalez	Long
Collins (MI)	Gordon	Lowey
Condit	Green	Maloney
Conyers	Gutierrez	Mann
Cooper	Hamburg	Manton
Coppersmith	Hamilton	Margolies-
Costello	Harman	Mezvinsky
	Hastings	Markey
	Hayes	Martinez

Matsui	Pelosi	Stenholm
Mazzoli	Penny	Stokes
McCloskey	Peterson (FL)	Strickland
McDermott	Peterson (MN)	Studds
McHale	Pickle	Stupak
McKinney	Pomeroy	Swett
McNulty	Poshard	Swift
Meehan	Price (NC)	Synar
Meek	Rahall	Tanner
Menendez	Rangel	Tauzin
Mfume	Reed	Taylor (MS)
Miller (CA)	Richardson	Tejeda
Mineta	Roemer	Thompson
Minge	Rose	Thornton
Mink	Rostenkowski	Thurman
Moakley	Rowland	Torres
Mollohan	Roybal-Allard	Torricelli
Montgomery	Rush	Towns
Moran	Sabo	Trafficant
Murphy	Sanders	Unsoeld
Murtha	Sangmeister	Valentine
Nadler	Sarpalius	Velazquez
Neal (MA)	Sawyer	Vento
Neal (NC)	Schenk	Visclosky
Oberstar	Schroeder	Volkmer
Obey	Schumer	Waters
Olver	Scott	Watt
Ortiz	Serrano	Waxman
Orton	Sharp	Williams
Owens	Shepherd	Wilson
Pallone	Skaggs	Wise
Parker	Skelton	Woolsey
Pastor	Smith (IA)	Wyden
Payne (NJ)	Spratt	Wynn
Payne (VA)	Stark	Yates

Weldon	Young (AK)	Zeliff
Wolf	Young (FL)	Zimmer

NOT VOTING—15

Andrews (NJ)	Hall (TX)	Slaughter
Bentley	McCurdy	Tucker
Chapman	Mica	Washington
Derrick	Reynolds	Wheat
Hall (OH)	Slattery	Whitten

□ 1218

The Clerk announced the following pairs:

On this vote:
 Mr. Andrews of New Jersey for, with Mrs. Bentley against.
 Mr. Tucker for, with Mr. Mica against.
 So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CARR of Michigan. 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. 4556, making appropriations for the Department of Transportation and Related agencies for the fiscal year ending September 30, 1995, and that I may be permitted to include tables, charts, and other extraneous matter.

The SPEAKER pro tempore (Mr. WISE). Is there objection to the request of the gentleman from Michigan?
 There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. CARR of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes; and pending that motion, I ask unanimous consent that the general debate be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Virginia [Mr. WOLF] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?
 There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. CARR].
 The motion was agreed to.

□ 1220

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. 4556, with Mr. BOUCHER in the chair.

The CHAIRMAN. Without objection, the bill is considered as having been read the first time.

There was no objection.

The CHAIRMAN. Pursuant to the unanimous-consent agreement, the gentleman from Michigan [Mr. CARR] will be recognized for 30 minutes, and the gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. CARR].

Mr. CARR of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, your transportation appropriations subcommittee brings to the floor today the 1995 transportation appropriations bill. This bill has been crafted after a great deal of hard work and hearings and meetings with Members of the House, with the assistance and cooperation of all members of the subcommittee, and with the administration.

I want to congratulate our Members, Mr. DURBIN, Mr. SABO, Mr. PRICE, Mr. COLEMAN, Mr. FOGLETTA, and Mr. DELAY and Mr. REGULA for a job well done. Their advice and counsel have been of tremendous assistance in putting this bill together. Each Member worked diligently and hard and the product is truly theirs as well as mine.

I want to pay special tribute to my friend and the ranking minority member, the gentleman from Virginia [Mr. WOLF]. Without Frank's help every step of the way in the administration of this committee and the production of this bill, this simply would not have been possible. And in a very personal way I want to say what a tremendous pleasure it has been to work with such a tremendous individual.

I want to also thank our staff, Linda Muir, Jan Powell, John Blazey, Cheryl Smith, Rich Efford, and Del Davis, our chief of staff, for a tremendous job in helping put this bill together. I cannot explain the countless hours, the numerous phone calls, the times late at night or the work on weekends that these people have put in to make sure that wise decisions were made and that people were treated fairly. And to the staff on both sides, to all the Members, and especially to the gentleman from Virginia [Mr. WOLF], I want to say a very sincere thank you.

Let me take just a minute to summarize the bill we bring before you today. The bill is within our 602(b) allocation in domestic discretionary budget authority and outlays. This required many painful choices. Funding for operations of several important agencies and grants for transit operating assistance have been reduced in order to stretch our dollars as far as possible and provide funds for continued investment in this Nation's highways, bridges, transit systems, and airports.

Mr. Chairman, this involved some very difficult decisions on the committee's part. Real spending reductions are a part of this bill. For example, the

NOES—180

Allard	Gilman	Michel
Archer	Gingrich	Miller (FL)
Army	Goodlatte	Molinari
Bachus (AL)	Goodling	Moorhead
Baker (CA)	Goss	Morella
Baker (LA)	Grams	Myers
Ballenger	Grandy	Nussle
Barrett (NE)	Greenwood	Oxley
Bartlett	Gunderson	Packard
Barton	Hancock	Paxon
Bateman	Hansen	Petri
Bereuter	Hastert	Pickett
Bilirakis	Hefley	Pombo
Billiey	Herger	Porter
Blute	Hobson	Portman
Boehlert	Hoekstra	Pryce (OH)
Boehner	Hoke	Quillen
Bonilla	Horn	Quinn
Bunning	Houghton	Ramstad
Burton	Huffington	Ravenel
Buyer	Hunter	Regula
Byrne	Hutchinson	Ridge
Callahan	Hyde	Roberts
Calvert	Inglis	Rogers
Camp	Inhofe	Rohrabacher
Canady	Istook	Ros-Lehtinen
Castle	Jacobs	Roth
Clinger	Johnson (CT)	Roukema
Coble	Johnson, Sam	Royce
Collins (GA)	Kasich	Santorum
Combest	Kim	Saxton
Cox	King	Schaefer
Crane	Kingston	Schiff
Crapo	Klug	Sensenbrenner
Cunningham	Knollenberg	Shaw
DeLay	Kolbe	Shays
Diaz-Balart	Kyl	Shuster
Dickey	Lazio	Sisisky
Doolittle	Leach	Skeen
Dornan	Levy	Smith (MI)
Dreier	Lewis (CA)	Smith (NJ)
Duncan	Lewis (FL)	Smith (OR)
Dunn	Lewis (KY)	Smith (TX)
Ehlers	Lightfoot	Snowe
Emerson	Linder	Solomon
Everett	Livingston	Spence
Ewing	Lucas	Stearns
Fawell	Machtley	Stump
Fields (TX)	Manzullo	Sundquist
Fish	McCandless	Talent
Fowler	McCollum	Taylor (NC)
Franks (CT)	McCrery	Thomas (CA)
Franks (NJ)	McDade	Thomas (WY)
Galleghy	McHugh	Torkildsen
Gallo	McInnis	Upton
Gekas	McKeon	Vucanovich
Gilchrist	McMillan	Walker
Gillmor	Meyers	Walsh

Coast Guard's operating account is funded essentially at last year's level, with a reduction of over \$50 million from the budget request. Operating expenses for the Federal Aviation Administration and the Office of the Secretary are basically at last year's levels with no allowance for inflation. Transit operating assistance has been raised \$100 million above the budget request, but that is still \$100 million below the 1994 level. Amtrak's operating assistance subsidy in this bill is \$62 million below Amtrak's request and \$10 million below the President's request. Funding for operations and research at the National Highway Traffic Safety Administration is below the 1994 level.

While some of the sting from these cuts will be lessened by the governmentwide decision to reduce the Federal workforce, funding for operation and maintenance activities and operating grants of the Department of Transportation are indeed very tight for the next fiscal year.

The bill assumes a pay raise of 1.6 percent for both civilian and Coast Guard military personnel, which is consistent with the budget request but less than that approved in the Treasury/Postal Service bill and by the Armed Services Committee. The recommended bill also assumes no Coast Guard funding from the DOD appropriations bill this year.

Funding for investment in new infrastructure is also very tight in this bill. We have allocated those resources in accord with the subcommittee's investment criteria and based on a verifiable need for funding in the next fiscal year. Some agencies, such as Coast Guard, FAA, and Amtrak, receive increases in capital funding in this bill as compared to last year. In each of these cases, though, the increase was less than the administration's request.

Total funding in the bill for Federal highways is \$19.8 billion. Now that is slightly below last year's level. We would have liked to have provided more, but this was just not possible, given the constraints on the committee this year. We just could not do it. However, this funding level will still allow most criteria highway projects across this country to proceed without undue delay.

Mr. Chairman, the bill we bring to the House today has been developed taking into consideration the concerns of the various authorizing committees of the House. We have had frequent and close communication with the legislative committees this year, particularly the Committee on Public Works and Transportation. We have shared our thinking and our recommendations with them throughout the process, and I am very grateful that the Committee on Public Works and Transportation moved a bill this year and moved it using criteria essentially the same as the criteria which we developed in our subcommittee last year.

That has made our job so much easier. I know they had to undertake a great deal of work to do that, but we really appreciate it. I am not aware of any significant problems on jurisdictional matters. One example of the new process involves the treatment of special highway projects. Under the agreement this year between the Transportation Subcommittee and the Committee on Public Works and Transportation, no funding has been recommended for specific highway or transit projects not either currently authorized or included in the national highway system bill which we passed a few weeks ago.

In summary, Mr. Chairman, this is a balanced bill, crafted in a difficult budget year. It provides for the essential transportation needs of this country, it places a priority to the extent possible on investment programs and criteria. We have worked in a truly bipartisan fashion with the minority members of the subcommittee and throughout the Congress. I believe the bill deserves the committee's support, and I recommend it for approval.

As usual, Mr. Chairman, the committee report accompanying the bill spells out in detail the funding recommendations. For additional information or specific funding levels, I would refer my colleagues to that document.

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

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 4556, the fiscal year 1995 transportation appropriation bill. Just to repeat what I said before the Committee on Rules and what I said when we marked up the bill in full committee, I said this is not a perfect bill, it is probably not even a good bill, but it is the best bill I believe we could achieve under the circumstances. Our subcommittee, under the leadership of the gentleman from Michigan [Mr. CARR], was operating under very serious budget constraints this year, which left us unable to address many highly meritorious initiatives which I hope we can deal with next year.

I do believe, given the finite resources available, we have tried in this legislation to provide the necessary funding for the Nation's transportation network.

There were many competing requests for resources among all the modes—highways, transit, rail, aviation. This bill attempts to balance these very valuable and, I think, very, very valid demands.

□ 1230

As the ranking minority member of the subcommittee, I do have a problem with funding which was added for certain projects after the subcommittee completed its markup, and I have made my concerns known to the majority,

and I make my concerns known to the body, and I say, "Never again, never again."

I would be remiss, Mr. Chairman, if I did not also follow up on what the gentleman said with regard to the staff. I would like to express my appreciation for the diligent work of the subcommittee staff: Del Davis, Rich Efford, Cheryl Smith, and Linda Muir, and our minority staff, Jan Powell, John Blazey, Glenn LeMunyon, and Connie Veillette.

They have all done an outstanding job. I also want to pay tribute to the chairman of the committee on two points.

One, as the Members know, last year the gentleman from Michigan [Mr. CARR] insisted, which is very difficult to do particularly in this environment, but insisted, that investment criteria be developed against which we could measure the many requests for transportation projects. He thought it was important to determine what the taxpayers' return on the dollar would be, rather than selecting projects on the basis of seniority, power, who is in the leadership, who serves on the Committee on Public Works and Transportation, and all that other process that we go through around here, and I think he did a good job.

I also want to make a personal comment about the chairman. There has not been a fairer person that I have dealt with in the body, not a fairer person. I say to the gentleman, I will miss you, BOB. I think you have done a good job. I think you have been fair. We have had no differences. I wish other committees could do this. I hear all these rhetorical statements about bipartisanship. Frankly I think we have actually had it. So, I personally am going to miss you, and I say Godspeed. I think you have done an excellent, excellent job.

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

Mr. PRICE of North Carolina. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise today in support of H.R. 4556, a bill making appropriations for the Department of Transportation and related agencies for fiscal year 1995.

I, too, want to begin by commending our leaders, our chairman, the gentleman from Michigan [Mr. CARR], our ranking minority member, the gentleman from Virginia [Mr. WOLF], for their work this year, and all the members of the subcommittee led by these two. We have maintained a solid bipartisan approach, and the bill reflects this spirit of comity and cooperation. We are going to miss the gentleman from Michigan [Mr. CARR] as he retires from this body. We all wish him well, and my hope is that our loss will prove the other body's gain. I also want to thank our fine professional staff of this subcommittee, Del Davis, Rich Efford,

Linda Muir, and Cheryl Smith, for their absolutely critical contributions to our efforts.

Mr. Chairman, this bill increases the efficiency and effectiveness of our Federal investment in transportation. These investments are critical to economic growth, and I am pleased to have had a role in developing this program. Without these investments our roads would be more congested, our airways more dangerous, our public transportation less efficient.

Of course I am particularly grateful for the recognition of North Carolina's transportation needs and priorities in this bill. Critical highway priorities, public transportation planning and investment, railroad improvements, improved passenger service, transportation safety; all of these needs of our State are addressed in this bill. North Carolina is trying to meet the challenges posed by its diverse economy and geography, and I am grateful for the committee's support of our transportation goals.

The bill also responds to our Nation's pressing need to reduce the deficit. The bill is \$236 million below the administration's request for transportation spending. This has made it necessary to make some tough choices and to set some real priorities. We are spending less. We are also spending what we do spend in a more intelligent and targeted fashion, in a way that pays off for our economy, for all of our people.

In allocating these scarce transportation dollars, Mr. Chairman, the committee considered testimony given in oversight hearings and recommendations from the authorizing committees and from State boards of transportation. The projects have been subjected to exacting criteria. These are projects that will promote economic growth. They will create jobs. They will save lives. They will protect the environment. It is a bill we can be proud of, a bipartisan product that I urge my colleagues to support.

Mr. Chairman, this is a good bill. It will make key transportation investments in a cost-effective manner, and Members can vote "aye" with confidence.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, I rise today for two purposes. First to compliment the distinguished gentleman from Michigan, chairman of the subcommittee, Mr. CARR, and the distinguished Member from Virginia, ranking minority member, Mr. WOLF, for a strong fiscal year 1995 transportation appropriations bill.

I also rise to alert Members to a transportation-related problem which I hope will be addressed over the next 4 months, and I realize there is report language in the bill on this, but I am very concerned about the American

Automobile Labeling Act, which is scheduled to go into effect on October 1, 1994.

This provision requires automobile companies to put a label on all new vehicles stating the country of origin of the parts, the engine, and the transmission, as well as the location of assembly.

Two years ago, I stood here and opposed this Labeling Act because it was misleading to American consumers and it would hurt manufacturers and suppliers in my congressional district. Most disturbing to me is that the label would not show the significant contribution of American labor to the vehicle's overall value.

The American Automobile Labeling Act is not fair because:

First, it excludes the value of final assembly labor, thereby failing to show the value of American labor;

Second, it will average the content from different countries for the same model, thereby masking the content of specific cars and sending a very misleading message for consumers.

Third, Canadian parts and labor are considered "American" under the provisions of this law, again creating more confusion for the American public.

Not only is this a bad law, but with less than 4 months to go from this law taking effect, no final rule has been issued by the Department of Transportation.

The lead time necessary for putting the labeling law into place is significant. Without final regulations, suppliers in my district should not be expected to take on this additional burden and administrative nightmare to comply by October 1.

We in Congress have a responsibility to fix this law so it is fair to both consumers and manufacturers. And with no final rule issued, at the very least, we should delay the implementation date for at least 1 year to give our suppliers and manufacturers the time they need to comply.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. I yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I rise to express my continued concerns over the American Automobile Labeling Act [AALA] which was enacted into law in the fiscal year 1993 DOT appropriations bill. Although automobile manufacturers must have the required window labels on new vehicles offered in dealer showrooms effective October 1, 1994, the Department of Transportation has still not issued the final regulations telling suppliers and manufacturers how to comply with the law. This lack of leadtime placed an unreasonable burden on suppliers in my district.

The purpose of the AALA was to "provide consumers with the best and most easily understandable information possible regarding the national or-

igin of automotive equipment. * * * So what is the problem? The problem is that the labels consumers will see on their cars beginning October 1 of this year will contain flawed and misleading information.

The principal problem is the way that parts are counted under the AALA. For example, if a manufacturer buys a part which is 69 percent United States/Canadian content from a wholly owned supplier, the manufacturer gets to count the 69 percent as domestic. But if the exact same part with the same domestic content levels is purchased from an unrelated supplier, none of the value could be counted as domestic.

The AALA sends a signal to suppliers that they may as well import the entire content of a part because their domestic content will be rolled down to zero until it exceeds 70 percent. This roll-up/roll-down formula was specifically rejected by our negotiators in the NAFTA. It seems to this Member that if a formula like this is not accurate enough for trade purposes, then it is not accurate enough for consumers.

Mr. CARR of Michigan. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I congratulate the gentleman for his remark and point out that I am the author of the bill that was passed several years ago calling for content labeling. The committee is very familiar with this situation, and we spoke with NHTSA and the Office of the Secretary of the Department of Transportation [DOT] about gradual enforcement of the requirements because the manufacturers have not had the appropriate time to craft their own procedures to comply with the law.

□ 1240

So, Mr. Chairman, we are going to be monitoring that very carefully, and we highlighted that at the bottom of page 101 of our committee report.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA], a valuable member of the committee.

Mr. FOGLIETTA. Mr. Chairman, I rise in strong support of the fiscal year 1995 Transportation appropriations bill.

The Transportation appropriations bill is special because dollar for dollar, investments in transportation not only move people and goods, they create jobs. When we build a new transit line, manufacture new buses or improve a highway, people go to work. That makes this appropriations bill almost unique.

However, because of the deficit reduction bill we passed last year, we faced incredibly tight budget constraints. And we had to make tough choices in the investments we made. I would have liked to have seen more funding for Amtrak's Northeast corridor.

I would have liked to have seen more funding go toward modernizing older transit systems.

I would have liked to have seen more funding for the development of high-speed rail. But we did the best we could with limited resources.

In our bill, we set standards to measure the bang for the buck we get out of our transportation investments. We established investment criteria. Like any investor, we asked tough questions. We looked at costs and benefits. This is the way fiscal decisions should be made. I applaud the leadership of the majority and minority, and especially the fairness of my chairman, BOB CARR, and I wish him well, as well as the other members of the committee on both sides, and our staff in making these tough choices.

To me, our bill is a powerful example of why the A-to-Z proposal is such a bad idea—why we must continue cutting the deficit in a genuine way—not on an ad hoc basis or by using gimmicks.

The job creating investment decisions in this bill have been deliberated on their merits, after a full set of hearings, thoughtfully, deliberately. Not in a politically charged, budget cutting frenzy on the House floor. It is A to Z that should be cut.

This is a good bill and I urge my colleagues to support it.

Mr. WOLF. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. REGULA], a member of the committee.

Mr. REGULA. Mr. Chairman, I thank the ranking member for yielding time to me.

Mr. Chairman, I rise in support of H.R. 4556, the Transportation appropriations bill for fiscal year 1995. I want to thank the chairman of the subcommittee, the gentleman from Michigan, [Mr. CARR], for his leadership and fairness. He will be missed next year.

I also want to thank our ranking minority member, the gentleman from Virginia, [Mr. WOLF], for his dedication to writing a good bill and for his support of the interests of other members of the subcommittee.

I also want to thank the staff on both sides of the aisle for their hard work and cooperation.

As has been stated earlier, this is not a perfect bill. It does not provide enough money in some accounts and that will be a disappointment to many. Some programs are funded above what some Members will find acceptable. However, considering this year's budget constraints and the number of requests, it is as good of a bill as we could write.

Again this year, economic criteria was used to evaluate projects. I believe this is an important legacy Chairman CARR is leaving us and one which other committees are adopting.

My fellow subcommittee members have already spoken on many components of the bill. Let me comment on one issue about which many members

are becoming concerned and how we addressed it in the report.

You may have been contacted by your State's transportation officials regarding a problem with the EPA's final rule on Clean Air Act conformity standards.

This is a huge problem for any State which has a nonattainment area, and currently there are 32 States with such areas. In a nutshell the issue is thus: States were caught unaware when EPA included in its final rule a provision on nitrogen oxides emissions which had not been previously included in the proposed rule. Neither had NO_x been raised in discussions with the States during the comment period.

The resulting problem is this: Until EPA approves a State's implementation plan, also referred to as an emissions budget, transportation projects are under a build/no-build requirement. If a project causes any increase in NO_x emissions, regardless how minuscule—and in Ohio's case it would be less than one-tenth of 1 percent—then the project may not be built. And because States were unaware that they had to meet NO_x requirements, they do not believe they have time to complete their amended State implementation plans with NO_x included.

The subcommittee had considered including language delaying the penalty for States who were unable to comply with the nitrogen oxides build/no-build requirement. States still would have needed to comply.

I believe this would have been a reasonable solution to a problem which may result in transportation projects worth billions of dollars being postponed.

EPA and DOT have expressed their desire to address the problem administratively. To date, none have been forthcoming. For now, the committee has included report language which outlines the problem, expresses our concern, and calls for DOT to report to the committee on the administrative remedies being provided to States to overcome the problem.

It is my understanding that similar language is being included in the VA/ HUD appropriations bill as well. This does not solve the problem, but it does raise the visibility of the issue and hopefully will lead to a fair solution.

Residents of the Great Lakes Area will be happy to know that the Coast Guard cutter *Mackinaw* will continue in service for 1 more year. We also instruct the Coast Guard to study other possible replacements for icebreaking on the Great Lakes.

The committee provided funding for the Coast Guard's Boat Safety Program. According to an April 1993 study by the National Transportation Safety Board, recreational boating accidents result in the highest number of transportation fatalities annually after highway accidents. Eliminating this program would not be prudent.

Funds provided in this bill are investments in our country's infrastructure and that has a direct impact on our economic prosperity. Whether it is our highways, railways, airways, we can not neglect investing in them. The Department of Transportation estimates that highway delays in urban areas now total more than 2 billion hours annually costing billions of dollars in lost work hours.

I urge my colleagues to support the Committee bill.

Mr. CARR of Michigan. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from California [Mr. MINETA], chairman of the Committee on Public Works and Transportation.

Mr. MINETA. Mr. Chairman, I appreciate the time that has been extended to me by the chairman of the Transportation Appropriations Subcommittee.

Mr. Chairman, I rise in strong support of H.R. 4556, the Transportation and related agencies appropriations bill for fiscal year 1995.

At the outset, Mr. Chairman, I would like to commend the gentleman from Michigan [Mr. CARR] for his excellent work on this bill. As you may recall, last year the Committee on Public Works and Transportation and the Subcommittee on Transportation Appropriations did not agree on certain issues in the bill. This year, we are pleased not only with the process but the product.

Unlike last year, this year has been marked with both communication and cooperation. The gentleman from Michigan and I worked together in the formulation of both the National Highway System and the Department of Transportation appropriations bills. Both bills are not only compatible, but are a testament to the fact that the authorization and the appropriations process do not have to be mutually exclusive.

And, in terms of substance, under Mr. CARR's leadership, the Subcommittee on Transportation Appropriations managed in this bill to fund essential transportation programs at credible levels given the limited financial resources available during these tough budget times.

Mr. Chairman, H.R. 4556 provides \$17.2 billion in new obligations from the highway trust fund for the Federal-aid highway program to meet our Nation's infrastructure needs consistent with the goals of ISTEA. This amount, which is only 2 percent less than comparable fiscal year 1995 funding, provides formula and other grants for the construction and repair of the Interstate Highway System and other primary and secondary roads and bridges. Included in the \$17.2 billion fiscal year 1995 obligation ceiling is \$4.6 billion for the Surface Transportation Program—\$127 million more than fiscal year 1994 funding; \$2.5 billion for bridge replacement and rehabilitation—\$31 million

more than fiscal year 1994; and \$3.3 billion for the National Highway Program—\$42 million more than current funding.

The bill also appropriates a total of \$300 million for 109 highway and other transportation projects specified in other existing law or the House-passed National Highway System [NHS] bill. That bill, in addition to approving designation of the NHS, also includes general fund authorizations for various highway projects which passed muster, through a series of 18 questions, with the States, local governments and Federal Highway Administration of the Department of Transportation. I am proud that in this regard, both the authorizers and the appropriators did their part to make the legislative process run more smoothly and efficiently.

Additionally, the bill also appropriates \$121 million—of which \$47 million would be provided from the highway trust fund—for much-needed operations and research activities of the National Traffic Safety Administration. It also authorizes the release of \$151 million from the highway trust fund for highway traffic safety grants—providing a total \$273 million for important highway safety programs in fiscal year 1995.

Moreover, the bill provides \$1.7 billion for the discretionary mass transit grant program of the Federal Transit Administration, and it authorizes the release of \$2.9 billion from the mass transit account of highway trust fund primarily for formula transit grants, transit planning and research and interstate transfer grants—providing a total of \$4.6 billion for mass transit programs in fiscal year 1995. This total is \$41 million more than provided in fiscal year 1994.

Furthermore, the bill provides a total of \$25 million for the administration's modified high-speed rail proposal. This includes a general fund appropriations of \$20 million, and the appropriation of up to \$5 million from the highway trust fund, as authorized by ISTEA for research, development, and demonstration of high-speed ground transportation technologies, including high-speed rail.

Unfortunately, as in past years, the bill provides no funding for development of a magnetic levitation [maglev] transportation system. While ISTEA authorized funds through fiscal year 1997 for development of a prototype maglev system, to date, no funding has been provided for this worthwhile activity.

Finally, the bill appropriates \$7 billion for the Federal Aviation Administration [FAA] in fiscal year 1995, including up to \$1.5 billion from the airport and airway trust fund for airport planning and development grants—providing a total of \$8.5 billion for the FAA in fiscal year 1995. Additionally, the bill authorizes the release of up to

\$26 million from the airport and airway trust fund in fiscal year 1995 for essential air service [EAS] payments to subsidize airline service to smaller communities.

Overall, Mr. Chairman, this is a good bill. In trying to meet the various transportation needs of the entire country, it is responsive and responsible. There are, however, three provisions in the bill for which I would like to get more clarification. So, at this point, I would like to enter a colloquy with the gentleman from Michigan.

Mr. Chairman, section 322 of the bill would provide that any transit funds appropriated before October 1, 1993, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading.

It is my understanding that this is simply a bookkeeping change requested by the administration to allow the transfer of certain unexpended funds—around \$37 million—from their existing appropriation accounts to replacement accounts which more accurately reflect current program structures. For example, under this provision \$1.8 million in the existing research, transit and human resources account would be transferred to the new transit, planning and research program account created as a result of ISTEA. This would be done, I am told, solely for purposes of accounting efficiency.

Section 322 is not intended to allow the transfer of funds provided for one purpose to be used for another. It is also not intended to result in any transit program or policy change.

Is my understanding of this section correct?

Mr. CARR of Michigan. If the gentleman will yield, Mr. Chairman, the gentleman's understanding is correct. Section 322 would simply allow DOT to effectuate technical accounting changes in certain budget accounts. It would not go beyond that.

Mr. MINETA. I thank the gentleman.

Mr. Chairman, section 323 would authorize DOT to permanently cancel around \$65.1 million in budgetary resources.

Again, it is my understanding that the resources which may be canceled are those involving contractual and/or procurement services only. They would not involve cuts or cancellations in the core highway, transit, or aviation grant programs; would not involve reductions in any of the obligational ceilings for those programs; would not involve reductions in any grant program; and would not result in any program or policy changes.

Is that also the understanding of the gentleman?

Mr. CARR of Michigan. Again, the gentleman from California is correct.

Section 323 is included at the request of the administration as a result of its

reinventing Government exercise. The \$65.1 million is intended to represent DOT's share of total reductions that would be taken Governmentwide in the areas of contractual, procurement and ADP services. It is not intended, as the gentleman stated, to effect in any way the core highway, transit, or aviation programs.

Mr. MINETA. I thank the gentleman for his explanation of these two provisions.

Last, the bill also includes a provision that would allow the use of 70,000-pound, 4-axle dump service vehicles in the State of Maryland, notwithstanding the Federal bridge formula weight and axle design limitation and notwithstanding the State's current grandfather provision of 65,000-pound, 3-axle vehicles.

One of the concerns I have about this provision—which, I understand, would substantially reduce pavement and bridge damage and which would enhance safety through better weight distribution—is its enforcement. We should not allow this exemption if the State is not going to vigorously enforce its application. I think the State of Maryland will do so and they have had a strong enforcement record in the past on issues like this. On this point, I will include at the end of this colloquy letters from both the Maryland Department of Transportation State Highway Administration and the Maryland State Police expressing commitment to enforce the new limitations.

To ensure that, however, I wonder if the gentleman from Michigan would be amenable to either legislative language or statement of managers language when this bill gets to conference, that this section, if included in the final conference agreement, shall take effect only upon adoption by the State of Maryland of regulations to enforce the new limitations; and, second, inclusion of a specific requirement that the State of Maryland report to Congress 1 year after enactment of the provision of how the State has enforced the new limitations and what the enforcement record has been to date.

It seems to me that both requirements will help ensure proper enforcement of the new limitation. It is also my understanding that the author of the provision—Congressman HOYER—is amenable to both of these.

Mr. CARR of Michigan. I commend the gentleman from California for his concern about proper enforcement of this provision. I know of no opposition from the State of Maryland or others to the gentleman's request and we will work with him in conference to that end.

Mr. MINETA. Again, I thank the gentleman, and once again, I would like to commend him and the Appropriations Committee for their good work on this bill.

MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION,

June 13, 1994.

Hon. NORMAN Y. MINETA,
Chairman, House Public Works and Transportation Committee, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN MINETA: On Friday June 10 inquiries were made as to the status of enforcement regulations and procedures pertaining to the Maryland law which will allow a 4-axle dump truck to be operated on Maryland highways. We are currently working on the regulations and enforcement procedures related to this legislation. Please be assured that substantive and effective regulations, including significant fines, will be in place and will be vigorously enforced as of the anticipated December 31, 1994 effective date of this legislation.

I thank you and your staff for your consideration of this issue.

Sincerely,

HAL KASSOFF,
Administrator.

STATE OF MARYLAND, DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, MARYLAND STATE POLICE,

Pikesville, MD, June 10, 1994.

Hon. NORMAN Y. MINETA,
Chairman, House Public Works and Transportation Committee, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN MINETA: On Friday, June 10, 1994, inquiries were made about the status of enforcement regulations pertaining to the Maryland law which will allow a four axle dump truck to be operated on Maryland highways.

Please be assured that the Maryland State Police, as a principal component of the Motor Carrier Safety Program, will enforce the regulations and procedures, effective December 31, 1994.

Thank you for your interest in this most important issue, and I look forward to working with you in the future on matters of mutual concern.

Sincerely,

L.W. TOLLIVER,
Superintendent.

□ 1250

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. PACKARD], a member of the committee.

Mr. PACKARD. Mr. Chairman, as we take up the Transportation appropriations bill, I would like to express my gratitude to subcommittee Chairman CARR and ranking member WOLF for their leadership on this important legislation. Their efforts to institute a strict level of criteria to fund transportation projects signals their commitment to fiscal responsibility.

I will certainly miss working with BOB CARR in the House. He has always been most cooperative and helpful, and the residents of southern California are indebted to him for his attention to their transportation requirements.

This year budgetary constraints prompted a strict scrutiny of each of these projects through both the authorizing and appropriations processes. I am extremely pleased that my col-

leagues shared my view that these projects deserved funding during this tight fiscal year.

I especially appreciate the consideration of southern California's transportation needs with the inclusion of funding for the eastern transportation corridor project. Chairman CARR was instrumental in adding this important funding. In effect, the money set aside for this project amounts to a line of credit which is not expected to be spent. Instead, it will help to leverage more than \$1.6 billion of much needed highway construction in Orange County. BOB CARR and FRANK WOLF were extremely supportive of my efforts to include this funding.

Similarly, the addition of financing for the Orange County transitway project will allow for preliminary engineering, right-of-way acquisition, project management, oversight, and construction for new systems and extensions.

The committee must also be commended for incorporating funding for the Bristol Street improvement project in Santa Ana, the California Interstate 905 congestion mitigation project, the Interstate 5 capacity enhancement, and the State Route 71 planning and design project in Riverside, CA.

The inclusion of these and other important programs in San Diego, Orange, and Riverside Counties will help the region meet its challenging transportation needs. I believe that this legislation takes a new approach to highway and transit projects and reorients the direction of this Nation's transportation policy.

Congestion on southern California roadways has been a bane to the continued growth of this area. This legislation will be a first step toward alleviating the traffic congestion that southern California motorists face everyday.

I would also like to take this opportunity to thank members and staff of the Appropriations Committee and Subcommittee on Transportation for their hard work on this bill. Your hard work paves the way for meeting our Nations transportation needs.

I support this very important transportation funding bill and urge my colleagues to support it also.

The CHAIRMAN. The Chair would advise that the gentleman from Michigan has 9½ minutes remaining, and the gentleman from Virginia [Mr. WOLF] has 15 minutes remaining.

Mr. CARR of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. OBERSTAR], the distinguished chairman of the Committee on Public Works and Transportation.

Mr. OBERSTAR. Mr. Chairman, hearings conducted by the Subcommittee on Aviation indicated that major changes are needed in the management

of the FAA's advanced automation system program if it is going to be successful. In fact, Administrator Henson has already taken steps to bring about necessary changes, and I give him credit for doing so.

Our hearings generated considerable discussion about self of off-the-shelf technology to a greater extent than has been done to date to complete aspects of this program, especially in the tower and terminal environments. Those hearings also indicated that U.S. companies are not producing advanced automation air traffic control technology and selling it to other countries overseas. These hearings showed that if FAA took the right steps in the procurement process, this type of equipment can be brought on line at home quicker and at less cost than they have done up to now.

FAA has a good deal of authority to cut through the bureaucratic red tape in the procurement process, and have shown they can do this in the recent wide area augmentation system procurement under the global positioning satellite system.

□ 1300

FAA in that process, will be taking a number of actions to reduce the procurement cycle by more than half the time up until now. For instance, to get the necessary approval to move requests for proposals stages have been cut from 15 or 18 months to 5 months. Time for moving from RFP approval to contract award will be cut from 2 years to 9 months. Time for contract award to implementation will be cut from the average normal 5 years to 2½ years.

I think the FAA ought to be taking similar steps in the advanced automation system procurement, especially in the terminal and tower aspects of the program. Those who aspects, especially, lend themselves to an expedited process, because we have learned that the technology is already available for these systems. It is developed and available, and the FAA can eliminate the time-consuming and complicated steps in the procurement process to bring those systems on line sooner.

I know the gentleman from Michigan has taken a great deal of subcommittee time to look into this aspect of the procurement process. I appreciate the initiatives of the gentleman. I hope that he will concur in that viewpoint.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. Mr. Chairman, we concur.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. CALLAHAN], a member of the committee.

Mr. CALLAHAN. Mr. Chairman, I rise today to express concern over the effect the House Transportation appropriation bill will have on the Coast

Guard. I have, on many occasions expressed to this body my support and appreciation of the U.S. Coast Guard. Quite possibly, the Coast Guard is one of the least recognized and most misunderstood branches of our national defense. In fact, because the Coast Guard is normally under the direction of the Secretary of Transportation instead of the Secretary of Defense, it is not always thought of as being an integral part of our national defense.

Mr. Chairman, let me assure you as a Congressman whose district borders the Gulf of Mexico, I view the Coast Guard a little like having a life insurance policy on a loved one. You hope you never need it but you are mighty glad you do when the time comes. In addition to search and rescue missions and the deployment of buoys, America's Coast Guard is also at the forefront of providing expertise on the containment of oil, chemical and hazardous waste spills in a 36-State area. Additionally, America's Coast Guard is on the front lines of our war against drugs and I am especially proud that the men and women who make up our Coast Guard in south Alabama have the distinction of recording the largest single confiscation of cocaine on the high seas.

In this day and age of belt tightening and cutting back, some might question if the American people are getting their money's worth from groups like the Coast Guard. Let me assure you the answer to that question is a resounding "yes."

The reduction of more than \$50 million from the President's request for Coast Guard operations will have an immense impact considering the significant reductions made in fiscal year 1994. These reductions are coming at a time when we are asking this small service to take on more and more responsibility. We may be endangering the ability of the Coast Guard to deliver the wide variety of services we have grown to expect.

Soldiers, patriots, rescuers, navigators—the Coast Guard is made up of the finest America has to offer and I, for one, am proud of all of these men and women who serve their country.

Mr. CARR of Michigan. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Subcommittee on Surface Transportation, the gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I do rise in support of this DOT appropriations bill and wish to commend the subcommittee chairman, the gentleman from Michigan [Mr. CARR], and the ranking minority member, the gentleman from Virginia [Mr. WOLF], for the marvelous job they have done in fashioning this legislation.

As chairman of the Subcommittee on Surface Transportation, the authorizing

panel for the highway and transit issues, I wish to say and tell my colleagues that this is an excellent example of how the House should operate.

We have reached an agreement. We are in a cooperative spirit here, as we seek to handle these highway and transit projects. We entered into an agreement, and we have kept full faith with that agreement between the gentleman from Michigan [Mr. CARR] and the distinguished ranking member, the gentleman from Virginia, as well as the distinguished full committee chairman of our authorizing committee, the gentleman from California [Mr. MINETA] and our ranking minority member, the gentleman from Pennsylvania [Mr. SHUSTER].

Every single highway project in this bill has been reviewed by the Committee on Public Works and Transportation. They have been subjected to our intensive review and to the criteria that have been set forth by the gentleman from Michigan [Mr. CARR] as well.

All of that bodes well for this body, because we all have assurances that these are very high-priority projects, high quality, fully deserving of the extra funding that is being proposed and do have the support of State Highway Departments of Transportation as well.

But Mr. Chairman, that is a relatively small part of the importance of this bill. This is a critical measure in terms of the overall contribution to the surface transportation infrastructure of this Nation. As we look into the next century and how we will direct transportation policy as policymakers, it is important that we look at the overall picture.

The spirit in which we have entered into support for this appropriation bill today is the spirit of cooperation and agreement. I hope that we can continue that type of spirit as we look at other transportation decisions that are so vital for our country.

Again, I commend the gentleman from Michigan [Mr. CARR] and the excellent work that he has put into this legislation and urge its support.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, this Member rises in strong support of H.R. 4556. I would like to direct commendations to the distinguished gentleman from Michigan [Mr. CARR], the chairman of the Subcommittee on Appropriations and my good neighbor in the Rayburn House Office Building, and the distinguished gentleman from Virginia [Mr. WOLF], the ranking member, for their exceptional work in bringing this bill to the floor.

I would say, about the gentleman from Michigan, his tenure has been short. But I think that the innovations

he has brought in planning and project justification have been good for the Congress and good for the taxpayer, and I would hope that those efforts would be continued.

This Member is very grateful for the support that these two gentlemen and all members of the committee have shown to Nebraska over the years and also for their overall effort to improve the country's infrastructure and, finally, for their special assistance directly and through their staff to this Member.

Mr. Chairman, this appropriations bill strikes an appropriate balance between Federal deficit concerns and the transportation infrastructure needs of the United States. The bill also reflects an emphasis on the overall needs of the Nation as well as addressing local and regional transportation issues and projects.

Specifically, this Member would like to express his appreciation for the committee's and subcommittee's continued support for the proposed bridge between the Newcastle, NE, area and Vermillion, SD. For six decades, the prospect of constructing a bridge in the Newcastle-Vermillion area has enjoyed wide-spread support. An impressive coalition of community organizations, local governments, businesses, and individuals from both Nebraska and South Dakota has joined together in support of this bridge.

Such a bistate consensus is possible because the benefits resulting from the bridge's construction are so clear to all. These benefits include increased economic development, enhanced recreational opportunities, improved access to health care, and a reduction in transportation costs. Also, the construction of this bridge will improve the general quality of life for the area's residents by creating additional opportunities for higher education and cultural and social activities.

Due to the current lack of a bridge in this region, communities in northeast Nebraska and southeast South Dakota—including Vermillion, the location of the University of South Dakota—have remained isolated from each other despite their proximity. As a result, economic activity in the region has been hampered and labor and commerce options have been limited. Clearly, the completion of this bridge across the Missouri River will be a significant aid in attracting new businesses to the area.

Mr. Chairman, this Member is convinced that this bridge, when completed, will serve as a connector for one of two major north-south routes across Nebraska. In addition, to act as a connector it will first require a new highway connection between Wayne, NE, and the bridge; and second, it will require an upgrading of the highway between Wayne and Norfolk, NE, to connect to U.S. 81 which is currently being

upgraded. This will mean that from the Kansas border, near Chester, NE, there will be a direct link across Nebraska to Vermillion, SD, and I-29 to points north, northeast, and northwest.

This Member would also like to thank the committee and subcommittee for continuing to recognize the need for a bridge between Niobrara, NE, and Springfield, SD. Initial authorization for such a bridge is contained in a provision of Public Law 100-17, the Surface Transportation and Uniform Relocation Assistance Act of 1987. An authorization of \$4.7 million was also included in the Intermodal Surface Transportation Efficiency Act of 1991. However, this amount was less than originally requested and less than necessary to complete the project.

Because of redistricting, the Nebraska portion of this project is now in the district of the distinguished gentleman from Nebraska [Mr. BARRETT]. However, due to this Member's previous efforts and the tremendous need for this bridge, this Member remains very supportive of this project.

The proposed Niobrara-Springfield bridge has enjoyed widespread support from residents on both sides of the river as well as local and State officials. Since 1927, efforts have been made to construct this much-needed bridge. The issue became even more critical in the mid-1980's with the abandonment of ferry service. As a result of a previous legislative initiative, the Department of Transportation directed the Nebraska Department of Roads and the South Dakota Department of Transportation to conduct a study to determine the feasibility of reinstating ferry service. The report, which was completed in December 1987, estimated that the car ferry would cost approximately \$5 million to \$6 million. Because of the Department of Roads' analysis that a bridge could be built for far less than was previously discussed, the bridge option became more attractive.

Motorists, farmers, and businesspeople would benefit greatly from the reduced travel distance if this bridge is built. Also, because of the beneficial impact this bridge would have on the Indian tribes in the area, the Bureau of Indian Affairs has expressed its support for the project. For example, by reducing the driving time from the Santee Sioux reservation to the Indian Health Service facility that has operated in Wagner, SD, the bridge would play an important role in improving medical care for the tribes served by the facility.

This Member would also like to thank his distinguished colleague from South Dakota [Mr. JOHNSON] for his outstanding efforts and cooperation with this Member on behalf of the two interstate bridge projects which will connect our States. The completion of these bridges will play an important

role in facilitating a mutually positive interdependence between communities in Nebraska and South Dakota. Mr. JOHNSON deserves recognition for the important role he has played in bringing this goal closer to reality. It has been a pleasure to continue the close and good cooperation on these and other bi-State projects and issues.

Mr. Chairman, H.R. 4556 addresses the current and future highway needs of the United States and this Member urges his colleagues to support the bill.

□ 1310

Mr. CARR of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. SWIFT], a distinguished member of the Committee on Energy and Commerce, and chairman of the authorization subcommittee that deals with Amtrak. The gentleman has been a valuable partner in the deliberations and in the consideration of this bill.

Mr. SWIFT. Mr. Chairman, I want to thank the chairman very much for the time and also for the cooperation that he has extended to my subcommittee as we work on these difficult issues.

Mr. Chairman, later on today we are going to get a chance to debate fully some of the issues with regard to Amtrak, ICC, and some of those issues.

I would like to take this time to just make kind of a general observation that applies to this appropriation bill and to all the appropriations bills that come before the House, Mr. Chairman. It seems that there is no way, we have not found a way, to get credit for supporting spending cuts unless we vote for an amendment on the floor.

The fact is that most of the cutting that has taken place in this institution has taken place within the Committee on Appropriations, very, very tough decisions. I have to tell the Members, there is not enough money in this bill in a number of areas of concern to me, if I measure it against what I would like there to be in order to do the job. They have bitten bullets until their teeth are dull.

However, Mr. Chairman, when it gets out here, somehow we have not been able to figure out how we can vote to support the committee and get credit for supporting very tight, penurious budgets and get credit for voting for spending cuts. I wish we could find a way to do that, because this in an institution, Mr. Chairman, that is really a creature of its committees.

It has been set up that way since the beginning. It was Woodrow Wilson, long before he became a politician, when he was a political scientist, who said the House in session is the House on display; the House in committee is the House at work.

Mr. Chairman, the committees have the ability to be much more surgical in the way they make the cuts, to take into consideration a lot of subtleties

that are really impossible to deal with on the floor, and to coordinate the cuts between the other activities over which that appropriation bill has sway. In short, we may be spending less than some of us would like, but generally speaking, what comes out of the committee is the most rational and capable way of doing that.

Therefore, Mr. Chairman, I think it is unfortunate that we have so many amendments which are really kind of a meataxe approach to cutting, because I think a lot of Members feel they have to have the opportunity in order to demonstrate that they are being thrifty.

Mr. Chairman, I would suggest that one can be very, very thrifty indeed by supporting the Committee on Appropriations on this appropriation, and frankly, on all of the appropriations.

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. DELAY], a capable member of the subcommittee.

Mr. DELAY. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the bill. I want to say I thank the gentleman from Washington [Mr. SWIFT] for his remarks, because he is absolutely right. There are a lot of organizations around here that rate our votes, and some of us that do not vote for increased spending have voted for appropriation bills, for instance, the foreign ops bill, the milcon bill, and there was one more I am trying to remember, energy and water, that was below last year's spending. We will be rated as big spenders for voting for bills that are below last year's spending, actual, real, no-foolishness cuts. Mr. Chairman, I think the gentleman from Washington is right on point.

Mr. Chairman, this is a bill that I support that literally keeps America moving. I am very proud to be part of this subcommittee.

Mr. Chairman, I, too, want to commend the chairman, the gentleman from Michigan [Mr. CARR], in his last year as chairman, for his diligent efforts on behalf of this Nation's transportation needs. It has been a real pleasure serving on the committee with Mr. CARR, even before he was chairman. The gentleman from Michigan is a dear friend of mine, and I value his evaluation and his friendship over these years, and I have to say if he does move to the lower body on the other side of the rotunda, it is their gain, and it is our loss.

I respect the chairman greatly because of what he has tried to do in a very powerful position to bring some sanity to what had gotten way out of hand with projects and earmarks, and projects that had no justification for being implemented or being passed. In his short tenure as chairman of this subcommittee, Mr. Chairman, the gentleman has instituted many crucial

and necessary changes to the committee, and I again applaud his efforts.

Mr. Chairman, I also want to pay particular tribute to the gentleman from Virginia [Mr. WOLF], the ranking member, who is also a very diligent member of this committee and has taken every issue and every project in this bill very seriously, and has made some tough decisions along with the gentleman from Michigan [Mr. CARR].

Mr. Chairman, I must say that this committee has gone to great lengths to address transportation programs in a fair and responsible manner, great lengths, requiring each project to have criteria to justify its existence. However, I would say that this is just a good bill, not a great bill.

There are some provisions in this bill that are timely, many provisions that are timely and necessary in support of our Nation's transportation infrastructure; but there are certain few others that have limited justification and have been inserted into this bill for no other reason than political reasons, inserted in this bill after the subcommittee marked up the bill, after the subcommittee listened to long, extensive hours of testimony during hearings for months, and in between the time we marked up the bill and the bill found its way to the full committee's markup, a lot of extra projects were added to the bill, through no fault of the chairman of this subcommittee.

Mr. Chairman, I have to say it is a shame that this chairman was treated the way that he was treated.

Mr. Chairman, with regard to the effort, the good parts of this bill, I would like to just take a brief moment and talk about Houston Metro. The committee has shown continued support for Houston's regional bus plan. This plan without question serves as a model for transit programs throughout the Nation.

Houston has the most technologically advanced risk factor management programs, IVHS programs, enhanced street maintenance programs, neighborhood infrastructure systems, and street and sidewalk improvements than any other city in America. They also have the lowest cost per new rider index out of all the projects funded by the Federal Transit Administration. I am very proud of the accomplishments of Metro, and particularly Mayor Lanier of Houston, and I want to commend their efforts.

As we can tell from that list of transportation programs, Houston addresses its transportation problems in a very comprehensive manner. All the projects are designed to support its core bus system and improve vehicular and pedestrian mobility. Houston does not look at one problem area and try to fix it with a band-aid. They take a very comprehensive look at mobility problems.

It is this kind of philosophy that has enabled Houston to provide the best

service at the lowest cost, and I again want to give praise for their efforts.

Mr. Chairman, I must say to the gentleman from Michigan [Mr. CARR] that he has done an excellent job under very difficult circumstances. I commend his work, and say from all of us, particularly all of us on this side of the aisle, we really appreciate his service to this body.

Mr. WOLF. Mr. Chairman, I would ask how much time remains on both sides.

The CHAIRMAN pro tempore. The gentleman from Virginia [Mr. WOLF] has 3½ minutes remaining, and the gentleman from Michigan [Mr. CARR] has 2½ minutes remaining.

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Mr. WOLF. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. HUNTER] for a colloquy.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from Virginia for yielding me the time.

As the gentleman from Virginia is aware, I have been working with the county of Imperial and the California Department of Transportation to secure funding for an important transportation project in my district, the extension of California 98 to Interstate 8, which was authorized for \$2 million in H.R. 4385, the National Highway System Designation Act of 1994, and will augment the commercial port of entry currently under construction in Calexico, CA, at the California-Mexico border.

Mr. Chairman, the port will be about 6 miles away from the existing port of entry and accommodate an increasing flow of commercial traffic into the Imperial Valley. For this reason, the California Department of Transportation committed funds to construct the initial leg of the project, and amended their State Transportation Improvement Program to agree with the enacted NHS authorization bill.

Understanding the difficult decisions that were made by your committee this year, I am hopeful that some funding can be made available for the preliminary engineering and environmental analysis of the State Route 7 project.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Virginia.

Mr. WOLF. I thank the gentleman from California for his remarks, and I agree that the project deserves recognition. The road improvements will play an important role in the success of the port of entry, it will create an invaluable economic and commercial corridor along our border with Mexico.

Mr. Chairman, I told the gentleman that if they are able to get this in in the Senate side, I will do everything I can to see that the bill stays in the conference report.

Mr. HUNTER. I thank the gentleman for his efforts. I commend the gentleman and his staff for everything they have done to accommodate this critical project.

Mr. WOLF. Mr. Chairman, I yield back the remainder of my time.

Mr. CARR of Michigan. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. STUDDS], the distinguished chairman of the Committee on Merchant Marine and Fisheries.

Mr. STUDDS. Mr. Chairman, I rise in strong support of the bill, with certain small reservations.

Mr. Chairman. I rise today to commend the gentleman from Michigan, the subcommittee chairman, Mr. CARR, for the fine job that he has done in developing this bill. Given the tight discretionary spending cap that the Transportation Subcommittee had to work with, this bill generally provides the Coast Guard and other Department of Transportation agencies with adequate funds for continued operations in fiscal year 1995.

However, the funding levels for two Coast Guard accounts do concern me. First, the appropriation for the Coast Guard's operating expenses [OE] account is \$50,000,000 below the President's already austere request. This portion of the Coast Guard's budget funds its diverse day-to-day operations, including search and rescue, law enforcement, migrant interdiction, and pollution response and therefore suffers the most immediate and severe consequences when funding falls short.

In addition, since the administration's budget was submitted to Congress, the President has revised our Haitian interdiction policy to include at-sea asylum processing of refugees. This new policy will surely increase the cost of the Coast Guard's migrant interdiction program. I am concerned that these increased costs, when coupled with the lean budget submitted to Congress—a budget which this bill does not fully fund—may endanger the Coast Guard's ability to deliver the essential services that the Nation requires and has grown to expect.

Second, the \$25,000,000 appropriation for the State recreational boating safety grant program, while \$25,000,000 more than the administration's request, is \$7,250,000 less than the total amount available for the grant program in fiscal year 1994—a reduction of 18 percent. Since its establishment in the 1970's, this program has provided critical funding for State recreational boating safety programs, programs that are responsible for a five-fold drop in boating fatalities; from 20 per 100,000 boats in 1971 to 4 per 100,000 in 1992. Accident prevention is assuredly more cost-effective—and decidedly more humane—than search and rescue and I firmly believe that this program should be fully funded.

Let me be very clear that I do not raise these concerns to criticize Chairman CARR or his subcommittee. I believe they have done an admirable job under very difficult circumstances. However, I understand that the discretionary spending cap for the Senate Transportation Appropriations Subcommittee is somewhat higher than the House cap. If this is the case, I encourage Chairman CARR to address these areas of concern in Conference with the Senate.

Mr. BILIRAKIS. Mr. Chairman, in the early morning hours of August 10, 1993, a collision occurred in a navigation channel outside the entrance to Tampa Bay between two tug/barges and a 357-foot freighter. This accident resulted in a thunderous explosion which shot a fireball hundreds of feet into the air. In addition, approximately 380,000 gallons of oil spilled into the Gulf of Mexico. The cost of the cleanup of this spill will be enormous—several million dollars, at least.

However, this is not the first accident to occur at the mouth of Tampa Bay. Most of you will remember the disaster that occurred in May 1980, when a freighter ran into the Sunshine Skyway Bridge, causing one of its spans to collapse and killing at least 40 people.

In fact, the Tampa Bay area has been listed by the Coast Guard as a danger area for cargo ships carrying hazardous materials. In 1991, the U.S. Coast Guard conducted a "port needs study" on 23 ports across the United States. The goal of this study was to recognize the ports that are most prone to accidents. The study ranked Tampa Bay as one of the top 10 most dangerous ports.

The Coast Guard has developed a system designed to prevent these types of accidents. This system—the vessel traffic service or VTS—has been successfully implemented by the Coast Guard in four major port areas.

VTS functions like an air traffic control system. It tracks vessels by radar and assists them in navigating through hazardous areas.

Unfortunately, however, in the appropriation bill that we considered today, the Coast Guard's vessel traffic service has been pushed back another year. The bill we have before us will not result in deployment of VTS in Tampa Bay—or any other port—before the end of the 1995 fiscal year at earliest.

I have supported VTS as a cost-effective program that will save taxpayer money. Nationally, the cost to clean up these types of accidents far exceeds the funding requested by the Department of Transportation to operate the VTS program.

Mr. Chairman, it is my hope that I will be able to work closely with the chairmen of both the Transportation Appropriations Committee and the Public Works and Transportation Committee—as well as all of my House colleagues—in the future in order to secure the necessary funding for this vitally important program.

I express this hope not only in memory of the lives that have been lost in accidents such as those that I have described, but for the sake of the lives we will save through the VTS program.

Mr. FINGERHUT. Mr. Chairman, I wish to commend members of the House Appropriations Subcommittee on Transportation for their excellent work in passing the Department of Transportation and related agencies appropriations bill of 1995.

I especially wish to thank Chairman CARR for the inclusion of \$1 million for the Tower City Intermodal Hub Study. The proposed intermodal hub would integrate Cleveland's existing bus, rapid transit, and intercity rail services, as well as future commuter rail and high-speed rail services. Significant opportunities for transit linkages within the Cleveland-Akron-Columbus-Cincinnati corridor as well as

points west to Toledo-Detroit and east through my district to Buffalo would be created.

This funding will provide the development of a preliminary engineering study of three potential sites to assist in the critical decision of site selection. The Greater Cleveland Regional Transit Authority would be the recipient of the funding, and is presently committed to provide local matching funds.

I would like to thank the committee once again for the attention they have given this important request.

Mr. REED. Mr. Chairman, I rise in strong support of H.R. 4556, the fiscal year 1995 Transportation Appropriations Act, and in opposition to those amendments which would undermine the efforts of this Congress to develop and maintain our Nation's transportation infrastructure.

In particular, I want to commend Chairman CARR, the other members of the subcommittee, and its staff for directing Amtrak to utilize \$10 million to address the freight rail capacity problems caused by Amtrak's Northeast Corridor electrification program in my State of Rhode Island beyond the level Amtrak already plans.

I support Amtrak's efforts to electrify the Northeast Corridor and cut travel time between New York City and Boston to under 3 hours, and I am glad that the subcommittee continues to fund this initiative.

However, over time, I have become increasingly concerned that Rhode Island's existing freight rail system and the State's plan to introduce commuter rail service will be damaged by Amtrak's current electrification design. Moreover, the State's efforts to modernize its freight rail system and develop the former Navy base at Davisville, RI, will be unduly hampered by the current electrification plan. Unfortunately, without the subcommittee's action, the combined negative impacts of the existing electrification program threatened my State's future economic viability.

Simply stated, Amtrak's electrification current design does not permit adequate access or sufficient vertical clearance for current or expanded levels of freight service.

Amtrak's electrification program requires the modification of almost 50 bridges in Rhode Island. Unfortunately, Amtrak's current modification plan calls for bridge clearances of 16 feet, 8 inches. Not only could this plan compromise existing freight operations, it would preclude the planned introduction of modern double and triple stack carriers from the Port of Davisville since these carriers require clearances of 19 feet, 7 inches. Without a comprehensive bridge clearance improvement project, the long-term economic development of Southeastern New England will be seriously impacted.

Beyond the need for higher bridge clearances, Amtrak's plan to increase the amount of passenger train traffic through electrification will severely limit the access of freight trains to the Northeast Corridor. Indeed, the schedule modeling of proposed freight rail operations indicate that Rhode Island freight will only be allowed to move from 2 a.m. to 4 a.m. in the morning—a schedule that business cannot and should not have to operate under. In addition, as we know from recent, tragic railroad accidents, there is a need to rapidly increase

rail safety. One of the best ways to increase safety is to run freight and passenger traffic on separate lines.

The solution to this problem is to rehabilitate and construct a third track dedicated to preserving and expanding freight service in Rhode Island.

Moreover, the State of Rhode Island and its freight carrier are committed to funding 50 percent of this project—a level of support that is far beyond the standard State contribution.

While some of my colleagues may rise today in opposition to this bill claiming it is not in the Nation's interest, I believe they miss the point. The bill before us is about improving the efficiency of our Nation's transportation system, and more importantly in economically struggling areas, it is about jobs.

Mr. Chairman, I thank the chairman for his support for Rhode Island's efforts to protect its freight and commuter rail plans, and I urge a "yes" vote for H.R. 4556.

Mr. MINETA. Mr. Chairman, I rise in support of the provision in the bill, H.R. 4556, that permits the State of Maryland to amend the terms of its truck weight limitations. The provision approves the application of the laws and regulations in effect in the State of Maryland on June 1, 1993 as it relates to certain truck weight and axle limitations.

Mr. Chairman, as many Members of this body may recall with the enactment of the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA], the Congress froze the existing State and Federal limits on truck sizes and weights for use on the Interstate system. To the extent that certain States were determined to have truck size and weight limits that could exceed the Federal limits, ISTEA permitted the continuing use of the grandfathered vehicles. Unfortunately, any attempt by States to amend the State truck size and weight limits to come closer toward compliance with the Federal limits were precluded under the truck size and weight limits agreed to in ISTEA.

In the State of Maryland, there is a grandfather provision which allows short three-axle dump trucks to operate at up to 65,000 pounds. The Maryland three-axle 65,000 pound grandfathered vehicle is one of the worst in the country. But it is allowed by existing Federal law and will go on being allowed by Federal law if we do not act.

However, with the need to address the impact of heavy truck travel on roadways within the State of Maryland, the Maryland State Legislature has enacted a law phasing out the 65,000 pound three-axle service vehicles and replacing the vehicles with a 70,000-pound four-axle configuration. The requirement to switch to a four-axle truck would significantly reduce the loading per axle, would significantly reduce wear and tear on the Interstate System, and would reduce braking distances and therefore improve safety. The four-axle requirement basically takes the same payload and spreads it over more axles, wheels, and bearing area. The result is less damage to the Interstates and better safety performance. That is what this provision would have us agree to.

Although the new vehicle would not conform to the Federal bridge formula which limits axle weights, spacing, and gross vehicle weights, the use of the newly designed vehicle would

be a significant improvement over the existing vehicle. This is a major attempt by the State of Maryland to conform with the Federal truck size and weight limitations. The savings projected to accrue from reduced pavement damage are in the range of \$20 million per year. This provision takes a bad situation and makes it better.

In order for the State of Maryland to benefit from the pavement repair savings of \$20 million per year, the use of the newly designed vehicle must be approved by the Congress. If we do not enact this provision, the new State law in Maryland automatically self-destructs and the three-axle trucks get to go on doing more damage and having longer braking distances, and in fact new trucks can be added to the Maryland fleet which operate at three-axles and 65,000 pounds.

Therefore, Mr. Chairman, I strongly support the provisions of section 332 of this legislation that would provide for the use of the four-axle service vehicle in the State of Maryland.

Mrs. ROUKEMA. Mr. Chairman, I rise today in strong opposition to adoption of H.R. 4556, the "Department of Transportation and Related Agencies Appropriations Bill, 1995." While I realize funding is very tight and we all must tighten our belts, this legislation absolutely neglects the State of New Jersey. I am sure my colleagues are aware, New Jersey is the most densely populated State in the Nation, and its transportation infrastructure is perpetually stretched to the limit. Moreover, Federal clean air mandates will be placing an even greater burden on New Jersey's transportation infrastructure over the next few months.

Even as I speak, northern New Jersey motorists are struggling in the searing summer heat to pass through the Route 17/Route 4 interchange is a major east/west to north/south link in northern New Jersey and its improvement is vital for commuters and commerce. Yet, despite the U.S. House of Representatives' approval of a \$3 million general fund authorization for the Route 17/Route 4 interchange as part of H.R. 4385, the National Highway System Designation Act of 1994, the House Appropriations Committee has completely overlooked this project's desperate need for funding in fiscal year 1995.

The interchange lies at the heart of the Borough of Paramus and Bergen County's commercial hub, and it is a critical crossroad for all of northern New Jersey. Fortunately, local officials have worked closely with the New Jersey Department of Transportation to formulate and approve a new interchange design.

The existing interchange was built in 1932 and designed to accommodate an estimated volume of 12,000 vehicles per day. Clearly, with the present estimated daily volume of 250,000 vehicles, the interchange is no longer suitable, and in dire need of improvement. Not only is the interchange one of the busiest intersections in New Jersey, it is also one of the most dangerous—averaging one motor vehicle accident per day.

At an estimated total cost of \$90 million, completion of the Route 17/Route 4 interchange project is heavily dependent upon Federal funding. Full funding for the interchange should not be a problem since both Route 17 and Route 4 have been designated by the U.S. Department of Transportation as

components of the urbanized area portion of the NHS, in accordance with applicable provisions outlined in the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA].

The desperate need for Federal funding of the interchange project has accelerated due to a land dispute brought about by the specifications of the New Jersey Department of Transportation approved design. The owner of the Alexander's department store property has threatened to raze the existing retail structure and construct three new retail facilities unless a minimum of \$8 million in Federal funds can be made available to purchase the property, in fiscal year 1995. Should this property be redeveloped, the entire project will have to be placed on-hold while less-vehicle-efficient redesign is formulated.

The State of New Jersey stands ready to provide the required matching funding necessary to bring the Route 17/Route 4 interchange problems to a successful resolution. While the authorized amount represents a beginning in the funding process for construction of the Route 17/Route 4 interchange, the Appropriations Committee's unwillingness to fund this project has placed its timely completion in danger.

In conclusion, Mr. Chairman, this legislation is not acceptable to the State of New Jersey. I would hope in the future the Committee will look more favorably upon New Jersey's transportation needs, including the Route 17/Route 4 interchange, the Interstate 280 connector in Newark, and full funding for the State's urban core project.

Mr. Chairman, I urge my colleagues to support the motion to recommit the bill and to vote against final adoption of H.R. 4556.

Ms. FURSE. Mr. Chairman, I rise today in strong support of H.R. 4556, fiscal year 1995 appropriations for the Department of Transportation and related agencies. I want to pay special thanks to Chairman CARR and all the members of the subcommittee for their hard work and expeditious action on this important legislation. Given the freeze in domestic discretionary funding enacted as part of the deficit reduction plan, I know the subcommittee faced a number of difficult problems this year.

When I was elected to Congress in 1992, I promised all citizens in my community that one of my top priorities would be to ensure that Westside Light Rail project—from downtown Portland to downtown Hillsboro—became a reality. Last year, I had the pleasure of working with the subcommittee and to secure a funding level to keep Westside Light Rail on schedule. In fact, here in the House, I was able to secure the highest funding level ever for the project. I am pleased to let my constituents know that the bill before us today hits a new high water mark. It contains the highest level ever proposed in the House for the Westside Light Rail project: \$73.5 million. I find it gratifying that these funds will help ensure that the hard work of so many of our local people will not go to waste, and the project will stay on track for an additional year. Today's bill is living proof that hard work truly does pay off.

Earlier this year, I testified with Tom Walsh, general manager of Tri-Met, before Mr. CARR's subcommittee regarding this project. At that time, we were able to give the entire sub-

committee a tremendous amount of good news about Westside Light Rail. The Westside Light Rail project was officially dedicated last August and construction began on the tunnel segment this past winter. Thirty-seven fully accessible low-floor cars are currently on order. Construction on the other line segments will begin in the coming months. The Hillsboro project's environmental impact statement [EIS] was recently completed and the region expected to complete negotiations or an amendment to the full funding grant agreement this summer. In fact, throughout my district, there is ample evidence of progress on the Westside Light Rail project.

Currently the first of the two legs of the Westside project is scheduled to open in the fall of 1997. Frankly, it can't become operational soon enough. The project is largely located in Washington County, the fastest growing county in the entire State. Washington County and all surrounding areas are facing increasing gridlock as the current transportation infrastructure is incapable of accommodating the exploding traffic demand. The west hills of Portland are formidable obstacles to future road expansion. Light rail will make expanded future travel between downtown and the western suburbs possible. Westside Light Rail is, without question, the most important project in my district.

Public support for Westside—even with all the temporary disruptions that construction of this project has created in my community—remains high. Public support remains consistently high because people in Portland understand that Westside is key to our region's future. The vision of liveable communities with less traffic and vibrant commerce depends in no small part on regional and State land use decisions. In Oregon, all these decisions emphasize corridor and zoning planning and are predicated on the completion of the Westside project. Transit and road networks will work hand-in-hand to continue what we believe is an unparalleled quality of life.

The Portland area's commitment to Westside light rail is best represented by the general obligation bond measure which was passed in November 1990 by 74 percent of the vote. Citizens were willing to put their own money where their mouth was to provide the local match for the Westside project. The State legislature has approved the use of lottery fund moneys for the State's share of the entire project. In fact, for the Hillsboro segment, the State and local governments will overmatch the section 3 funds to reduce the Federal share to 33 percent. That's another signal of the community's commitment to light rail.

Secretary Peña was quoted earlier this year as saying that Portland has "the best transit system in the country." He's right. The Clinton administration has been very supportive of the Westside light rail project, both in terms of its recommendations in the Federal Transit Administration's 3-J report, but also in the award of discretionary funds to keep the project on line. Having personally contacted the President about Westside light rail, I'm appreciative of their support.

There are a number of people I need to thank here in the House, in addition to Chairman CARR, for their efforts on Westside light

rail. Special thanks are due to Senator HATFIELD for his long-term commitment to Westside, and his work on the Senate side. He is a good friend. The dean of the Oregon delegation, RON WYDEN, has once again been extremely helpful in advancing this project. I thank him for all he has done. In fact, every time I have asked a member of the Oregon delegation to support the Westside project—and it has been a number of times—they have done so.

I'd like to mention one additional aspect of this legislation, something which has gone largely unnoticed. H.R. 4556 includes the first real funding for highspeed rail. In the Northwest, we have one of five nationally designated highspeed rail corridors—from Vancouver, B.C., to Eugene, OR—and it goes right through my district. The \$25 million provided by the committee will be a significant boost to the \$50 million which Oregon and Washington have already committed to this project. I believe it will be a very cost-effective investment.

Additionally, I'd like to point out that one of the very real needs in the Northwest is to be given the authority to actually begin work on corridor, as opposed to simply doing more planning. The bill before us today is a good step in this direction. We in Oregon have a plan, we have local funds, and we are ready to go. It we receive funds in fiscal year 1995, we will be even closer to making highspeed rail a reality in our region.

Once again, Mr. Chairman, I urge all my colleagues to support H.R. 4385. I have been fortunate during this Congress to be involved with so many good people on the Westside Light Rail project at virtually every level: local, regional, State groups, and Tri-Met itself. I am proud of the work I have done to advance Westside, and urge support of H.R. 4385. It is a good bill, important legislation for Oregon and the Nation.

Mr. TAUZIN. Mr. Chairman, I rise today in support of H.R. 4556. On behalf of the men and women who's service in the Coast Guard means so much to Americans everywhere, I ask my colleagues to support this bill.

I want to thank my colleague, Chairman CARR, for the cooperation that he has demonstrated in working with the Subcommittee on Coast Guard and Navigation to address a number of concerns that we brought to his attention.

In a very difficult budget year, Chairman CARR has ensured that the Coast Guard's capital improvements account is adequately funded. This investment in new ships, boats, and shore facilities will bring returns for years to come. Additionally, H.R. 4556 provides funding for two programs that are very important to my subcommittee; reserve training and boating safety.

Like every other agency in the Department of Transportation, the Coast Guard had orders to reduce its budget request for fiscal year 1995. Due to very tight budget allocations in the House, H.R. 4556 recommends cutting an additional \$50 million below the President's request for the Coast Guard's operating account.

In 1995 the Coast Guard already plans to decommission 11 cutters; ground 11 aircraft; and consolidate numerous administrative offices across the country.

What's more, the Coast Guard has once again been forced to reduce its drug interdiction operations because of the crisis in Haiti. We must give the Coast Guard the funding it needs to carry out the missions that we have assigned to it.

While I understand that there were few funding alternatives for the committee, I hope that in conference the Coast Guard's operating budget can be increased to reflect the President's request.

I ask my colleagues to support H.R. 4556. Mr. SKAGGS. Mr. Chairman, I'd like to thank Chairman CARR, Representative WOLF, and the other members of the Transportation Appropriations Subcommittee for their hard work on this bill, which makes the kind of investments this nation needs to maintain and improve our transportation infrastructure.

In particular, I'd like to mention a few items of interest to me and the people of Colorado. First, I want to thank the committee for providing priority designation in the interstate maintenance discretionary account for the I-70/I-25 interchange in the Denver metro area, which is better known as the "Mousetrap" because of its high traffic volume and poor design.

Rebuilding the Mousetrap has been a top priority for the Colorado Department of Transportation. These segments of I-25 and I-70 are major routes for hazardous material transportation, thus making the interchange one of both local and national significance. The committee's support for this project, as reflected in its continued priority designation, will ensure that the project moves along.

Second, the committee has given priority designation in the discretionary bridge fund to the 23d Street viaduct reconstruction project. The reconstruction of the viaduct will make it much easier for people to get into and out of Denver during rush hour, for Rockies games at the new Coors Field, and during other peak traffic times. Priority designation is crucial to keeping this project going, and the committee's action will be very welcome by all Coloradans who travel in and out of Denver's lower downtown.

Third, the committee has included \$2 million in Federal Transit Administration funding for the purchase of 10 new buses by the Upper Eagle Valley Transit System in Vail, CO. These funds will allow the city of Vail to replace buses that were purchased in 1981 and have outlived their useful life. The buses currently in service in Vail do not meet emission requirements or accommodate disabled passengers, and the funding provided in the bill will rectify that problem.

Members will also be interested in knowing that Vail has proposed a unique arrangement to share the buses. They'll be used by Vail during the winter months, when demand is greatest there, and used by other communities in the summer, when the need is greatest in those cities. I think this new and innovative arrangement is an important step forward in making sure that scarce Federal resources are stretched as far as possible, and I appreciate the committee's support for Vail's request.

Finally, I want to note that this is, of course, the last time that Chairman CARR will be bringing the Transportation appropriations bill to the House floor. Mr. Chairman, it has been a

pleasure serving on the committee with you, especially including our joint service together on the Commerce, Justice Subcommittee. I know we all wish you the best of luck as you move on to another challenge. Your efforts on behalf of Colorado's transportation needs have been greatly appreciated, and I hope to have the opportunity to continue working with you in conference committees on these and other issues in the future.

Again, I'd like to commend and thank the members of the subcommittee, and I urge all of my colleagues to support this well thought out legislation.

Mr. BUYER. Mr. Chairman, I rise to express my appreciation to the Transportation Appropriations Subcommittee for including \$3 million in funding for the Hoosier Heartland Corridor.

The Hoosier Heartland Industrial Corridor was authorized by the Intermodal Surface Transportation Efficiency Act as a high priority congressional corridor. This project will link Fort Wayne to Lafayette by a four-lane highway. It is one of the top priorities of the Indiana Department of Transportation and enjoys broad bipartisan support in the communities all along the project route.

The recently passed authorization legislation for the National Highway System, H.R. 4385, included \$3 million in additional authorization for Hoosier Heartland Corridor. Therefore, this funding should not meet with any objections based upon an insufficient authorization level.

The Hoosier Heartland Corridor will become a vital link in the economic development of north central Indiana. The corridor is a major delivery route for manufacturers and producers of goods. Tractor trailers use the road as well as passenger cars and slow-moving farm equipment. In addition, many portions of the existing configuration of the highway are narrow, two-lane, with narrow shoulders and drop offs. The State of Indiana has indicated that there will be a 50-percent reduction in accidents that will lead to savings both in terms of personal injuries and property damage.

I am grateful that the Appropriations Committee, and Mr. CARR, and Mr. WOLF in particular, have recognized the merit of further Federal funding for this much needed project in north central Indiana.

Mr. BACCHUS of Florida. Mr. Chairman, I rise today in strong support of H.R. 4556, the transportation appropriations bill. Despite the continuing budgetary constraints confronting this body, this bill reflects a strong commitment to meeting the transportation needs of this country. I commend the chairman of the Appropriations Subcommittee on Transportation for this tremendous accomplishment and thank him for his attention to my specific concerns.

I am especially pleased that this legislation includes funding for several projects that will help meet the transportation needs of rapidly growing central Florida. This funding will move forward the downtown Orlando circulator project; rehabilitate Runway 18L/36R at the Orlando International Airport; and provide additional buses for the Lynx system serving a tricounty area. These multimodal projects will go a long way toward improving the mobility of residents and the many visitors traveling in the Orlando area and provide more efficient transportation for a region that continues to experience unprecedented growth.

With respect to the downtown circulator project, otherwise known as OSCAR, I believe the city of Orlando has chosen the most responsible, cost-effective, and affordable system for its citizens. By changing its locally preferred alternative earlier this year, the city not only improved the financial performance of the project, but also reduced the Federal requirement for the project by \$25 million.

The funding provided for the rehabilitation of one of the Orlando International Airport's major runways will enable the airport to proceed on extensive capacity improvements, achieve its development goals, and avoid future congestion delays. As the largest airport on the east coast, these improvements are vital to the operations and safety of air travel.

Finally, I am pleased with the subcommittee's continuing support for the Lynx bus system. This system serves Orange, Seminole, and Osceola Counties, with a total population of 1.3 million residents and tens of millions of visitors each year. Lynx needs to rapidly expand its service to keep up with growth, and this bill's support is critical to doing so.

Again, I strongly support this legislation and commend the subcommittee chairman and others who spent their time and energy to bring it before us today.

Mr. PAYNE of Virginia. Mr. Chairman, I rise to express my concerns about the provisions in this bill that apply to the Essential Air Service Program. H.R. 4556 implements the administration's recommendation to expand the mileage criteria determining eligibility for the program to include small hub airports, in addition to the medium/large hubs under current law. The effect of this change is to make some currently eligible areas, such as the city of Danville, VA, no longer eligible for the program.

I oppose this change because I believe Danville is one of those small municipalities that the EAS Program was designed to protect. With a population of only 53,000, continued commercial air service allows Danville to remain a gateway for commerce and business for the entire south central part of the State.

In the years before 1978, when the airline industry was deregulated, commuter air passenger levels at the Danville airport averaged almost 13,000 arrivals and departures annually. In the years after the industry was deregulated, this number plummeted to an annual average of less than 2,400, with a low point of 936 in 1981.

In a deregulated environment, the ability of small airports like Danville to attract passengers is at the mercy of airline scheduling. Years when the airlines serving the area increase the number of flights or improve the routes, passenger levels soar. Other years, when few flights are provided or when the routes are so convoluted that you can actually drive the distance in less time than it takes to fly, not surprisingly, the number of passengers drops.

Without the Essential Air Services Program, the airlines have made it quite clear that they would discontinue services to places like Danville entirely. For the tens of thousands of people in Danville and the surrounding areas, this means a 1½ hour drive to the nearest airport with passenger service, in North Carolina. It means less business travel into the area,

and as a consequence, fewer opportunities for economic growth.

It is my understanding and hope that, as in previous years, the support the Essential Air Service Program enjoys in the other body will result in this change in criteria being reversed. I strongly support this effort.

I believe the investment we are putting into the Essential Air Services Program is a wise use of our scarce resources, making it possible for small, rural communities to expand their economy and increase jobs. Rather than cutting off their ability to efficiently interconnect with larger commercial areas, we should instead be looking into methods by which the EAS Program can more effectively serve these communities' transportation needs.

Mr. CARR of Michigan. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 4556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$58,094,000, of which \$3,962,000 shall remain available until expended; and of which not to exceed \$25,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided*, That notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this Act may be used for business opportunities related to any mode of transportation.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, to remain available until expended, \$2,693,000.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

For necessary expenses for operations and research activities related to commercial space transportation, \$6,060,000, of which \$2,000,000 shall remain available until expended.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed \$88,750,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriations Acts to the Department of Transportation, together with advances and reimbursements received by the Department of Transportation.

PAYMENTS TO AIR CARRIERS (LIQUIDATION OF CONTRACT AUTHORIZATION) (AIRPORT AND AIRWAY TRUST FUND) (INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under section 419 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1389), as is payable by the Department of Transportation, \$25,600,000 to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs in excess of \$25,600,000 for the Payments to Air Carriers program in fiscal year 1995: *Provided further*, That none of the funds in this Act shall be used by the Secretary of Transportation to make payment of compensation under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the appropriation in this Act for liquidation of obligations incurred under the "Payments to air carriers" program: *Provided further*, That none of the funds in this Act shall be used for the payment of claims for such compensation except in accordance with this provision: *Provided further*, That none of the funds in this Act shall be available for service to communities in the forty-eight contiguous States and Hawaii that are located fewer than seventy highway miles from the nearest hub airport, or that require a rate of subsidy per passenger in excess of \$200: *Provided further*, That of funds provided for "Small Community Air Service" by Public Law 101-508, \$13,000,000 in fiscal year 1995 is hereby rescinded.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space and related services assessed by the General Services Administration, \$144,419,000: *Provided*, That of this amount, \$1,872,000 shall be derived from the Highway Trust Fund, \$38,728,000 shall be derived from the Airport and Airway Trust Fund, \$678,000 shall be derived from the Pipeline Safety Fund, and \$172,000 shall be derived from the Harbor Maintenance Trust Fund: *Provided further*, That in addition, for assessments by the General Services Administration related to the space needs of the Federal Highway Administration, \$17,688,000, to be derived from "Federal-aid Highways", subject to the "Limitation on General Operating Expenses".

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, \$1,500,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$15,000,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed fifteen passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act 42 U.S.C. 429(b)); and recreation and welfare; \$2,580,000,000, of which

\$25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which \$25,000,000 shall be expended from the Boat Safety Account: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and eighteen, exclusive of aircraft and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further*, That none of the funds in this Act shall be available for special and incentive pay under section 301 of title 37, United States Code, to any Coast Guard member assigned to a skill, rating, or specialty to which special separation benefits under section 1174 of title 10, United States Code, or voluntary separation benefits under section 1175 of such title will be paid.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$385,200,000, of which \$32,500,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$201,750,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 1999; \$14,900,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1997; \$31,500,000 shall be available for other equipment, to remain available until September 30, 1997; \$93,050,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1997; and \$44,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1995: *Provided*, That funds received from the sale of the VC-11A aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$22,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. Ch. 55), \$562,585,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$66,000,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, de-

velopment, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, \$20,310,000, to remain available until expended, of which \$3,150,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

Mr. CARR of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the text of the bill through page 9, line 5, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there any amendments to the portion of the bill described in the gentleman's unanimous-consent request?

If not, the Clerk will read.

The Clerk read as follows:

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, \$25,000,000, to be derived from the Boat Safety Account and to remain available until expended.

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 9, strike lines 6 through 11.

Mr. PENNY. Mr. Chairman, before I make remarks on this specific amendment, I do want to comment on an observation made by the gentleman from Washington State. I, too, think that it is unfortunate that the appropriators bring to the floor work which reflects many difficult choices, a variety of spending cuts, and yet all too often those cuts are not highlighted during floor debate. I am delighted that in one instance, the foreign aid appropriations bill, we have undertaken a process these past 3 years whereby the membership as a whole is afforded the opportunity to vote for an amendment which reflects all of the cuts considered and recommended by the committee. In that fashion, the committee's work is ratified by a vote of the floor, and more to the point, the committee gets credit for the cuts that they have recommended. I would hope that other appropriations subcommittee chairmen would consider that approach in the future, because they are deserving of credit for the choices and the cuts that they have recommended.

In fairness to the chairman of this particular subcommittee, it should be noted that a variety of cuts have been included in the committee bill. They have reduced funding for the office of the Secretary, they have reduced fund-

ing in the area of highways and in aviation. In the National Highway Transportation Safety Administration, they have recommended almost \$3 million in reductions. St. Lawrence Seaway Development Corp. reflects a reduction in spending. Right down the line, a procurement account, bonuses and awards, all have received cuts. There are cuts sprinkled throughout this bill, and it certainly is reflective of the work of this committee in trying to conform with the budget resolution which called for much tighter spending caps this year than has been true in years past.

Mr. Chairman, having said that, it will be inevitable that in spite of the choices made at the committee level, there will be exceptions taken here on the House floor and other legislators, as is our right, will bring forward other ideas for spending reductions.

Mr. Chairman, there are several amendments pending today; three of them are my own. I want to present at this point one of those amendments.

The premise of this amendment, as is true of the next two, is that the Clinton administration has established certain priorities which ought to be considered. They have recommended to the Congress certain program reductions and program cancellations. I think it appropriate to suggest that maybe the Clinton administration's cuts ought to be brought to a vote within the Congress as a whole.

In this instance, the boat safety appropriation, a \$25 million expenditure, has been included for fiscal year 1995. This is a program that has historically provided financial assistance for the development and implementation of a coordinated national recreational boating safety program. Boating safety statistics do reflect that there has been great success over the years as a result of this initiative. The States collectively spend about 4 times more than they receive from the Federal Government for these boat safety programs. My home State of Minnesota is known nationally as the State of 10,000 lakes. Clearly, we have an interest in boat safety in our home State, but obviously we pay the bulk of the cost of that boat safety program with State funds. The administration concluded that, given the fact the vast majority of these dollars are appropriated at the State level and given the fact that we are talking about waters, lakes, rivers, and streams that are largely under State jurisdiction, that it is appropriate to withdraw Federal Government funding for the boat safety program. In their recommendation to the Congress, they ask that this be one of nearly 100 programs that we cancel.

Mr. Chairman, my amendment today would simply honor the administration's request that this boat safety program be canceled. I would urge favorable consideration of the measure.

Mr. CARR of Michigan. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, more people are killed in this country each year in boating accidents than any other form of transportation except for motor vehicles. Over 900 people are killed and more than 350,000 injured each year in boating accidents. In response to this problem, the National Transportation Safety Board conducted a special study just last year and made several recommendations to improve boating safety all across this country.

The Coast Guard's boating safety grants program will help implement the safety board's recommendations, because they can be used to target Federal funding to address the problems in boating education and boating safety enforcement. These funds go to virtually every State in this country to help improve boat safety programs in those States.

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I would direct the Members' attention to pages 41 and 42 of the committee report, which indicates the amount of funding that is expected to be received by each of the States under this program. As that information shows, each Federal dollar put into this program leverages \$5 put in it by the States. The total Federal investment in this bill is about \$25 million, and that would, therefore, leverage about \$125 million in State funds. This is the kind of leveraged investment that we should be supporting, not abandoning.

Furthermore, the program is funded out of the aquatic resources trust fund, which is financed by a tax on motorboat fuel. Boaters are paying into this program, and they receive the benefits directly. Under the gentleman's amendment, boaters would still be required to pay the fuel tax, but would not receive the improvements in boating safety for which they are currently paying.

Finally, the gentleman's Dear Colleague distributed yesterday claimed there was little testimony that exists to support the continuation of this program. Let me advise the Members that my subcommittee held detailed hearings just this year on the Coast Guard programs under our jurisdiction, including this one, and significant testimony was provided on boating safety programs and the boating safety grant program. Additional testimony in support of this program was received from State boating safety officials. These hearings are available for any Member's review. It is simply not accurate to say the Committee on Appropriations' recommendation was not based on any hearing data.

I am also aware that the authorization committee has also held recent hearings on this subject.

I urge defeat of the amendment.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before I do, let me just say that it comes from one of the better Members on both sides of the aisle, either side.

The gentleman from Minnesota [Mr. PENNY] will be missed, not that he is leaving right now, because he will be here until the end of the year. But I may not have an opportunity to speak with respect to a couple of his amendments.

He is one of the more thoughtful, I think, diligent, hard-working Members. I personally am going to be sorry to see him go.

I do not support the amendment. I think the chairman made a very, very good case. It is safety. It is search and rescue. At the very time we approach the summer recreational boating season, this would absolutely be the wrong thing to do.

So I reluctantly, well, not even reluctantly, but because of my affection for the gentleman from Minnesota [Mr. PENNY], I strongly urge the defeat of the amendment.

Mr. BONIOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is one more example of an amendment that is penny wise and pound foolish.

Supporters of this amendment are asking us to cut one of the most effective crime prevention and safety programs we have in America today.

Let me say that one more time, Mr. Chairman: supporters of this amendment are asking us to cut one of the most effective crime prevention and safety programs we have in America today.

I do not think we want to be doing that. The last time I checked, the American people want us to do more about crime, not less—whether that crime is on the streets or on the water.

Let me put the Boating Safety Program in terms that everybody can understand. Let me give you a hypothetical example.

Let us say a State is having problems with drunk driving.

People are dying on the highways and putting other people's safety at risk.

So in response, we put more police on the road.

We step up prevention efforts.

And we increase safety education.

And in time, our efforts prove wildly successful.

Drunk driving is reduced and our streets are made safer.

Reasonable people would look at that situation and applaud a program that works.

But supporters of this amendment would look at that situation and say now that we have cut crime, let us cut the program.

Let us pull the cops off the streets.

Let us stop the education programs.

That is what this amendment is all about.

We had a real problem with boating safety.

The facility rate was extraordinarily high, and the safety of good, honest boaters was threatened.

But since we started the Boating Safety Program, the fatality rate has reached an all-time low, and we have made America's waterways safer.

But now that the program is working, we are being asked today to turn our backs on all the progress we've made. We can not afford to do that.

We have cut the budget by 25 percent.

The chairman of the National transportation Safety Board says this amendment is, "misguided, dangerous, and a thinly veiled attempt at deficit reduction at boating safety's expense."

I could not agree more.

Mr. Speaker, I do not think we want an explosion of boating fatalities on our hands.

This is one crime prevention and safety program that works. We should be strengthening it, not eliminating it.

I urge my colleagues to vote no on the Penny amendment.

Mr. STUDDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Penny amendment, an amendment that would eliminate funding for the Coast Guard's extraordinarily successful State Boating Safety Grant Program. Members should oppose this amendment for several reasons.

First, and the gentleman should not take this personally, this amendment will not save a penny. The program is structured in such a way that amounts not appropriated for boating safety will ultimately be spent on sport fish restoration projects.

Second, the State Boating Safety Program has been an unqualified success in reducing boating fatalities. Since the program began in the 1970's, deaths have dropped five-fold, from 20 per 100,000 boats in 1971 to 4 per 100,000 boats by 1992. If the point of the amendment is to save money, it is most assuredly more cost-effective—and decidedly more humane—for the Federal Government to prevent accidents rather than search for and rescue those imperiled by life-threatening situations.

Third, a vote for this amendment is a vote to cut funding for every State and territory in the United States. In fiscal year 1993, a total of \$36,333,497 in Federal boating safety grants was allocated to 55 States and territories. Grants ranged from \$220,000 for territories to over \$3,000,000 for large States like Florida.

Fourth, Mr. Penny asserts that there is little testimony to support continuation of this program. Nothing could be

further from the truth. In the Congress alone, this program has been discussed at three hearings held by the Committee on Merchant Marine and Fisheries and strongly supported by witnesses on each occasion.

Finally, and as succinctly as I can put it, if this amendment is agreed to, no money will be saved, but lives will surely be lost.

As the recreational boating season begins, let us keep our waterways safe. Vote "no" on the Penny amendment.

Mr. KOPETSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will be brief, as well. I rise in opposition to the amendment offered by the gentleman from Minnesota. I do so recognizing that he is one of our few Members who goes through the budgets very thoroughly and seeks out these kinds of questions and programs and brings them to the full body and asks for us to examine them. That is exactly what has occurred.

I did testify before the subcommittee of the chairman, the gentleman from Michigan [Mr. CARR], on this very issue, because we in the Far West in the State of Oregon rely upon these moneys as part of a partnership with our local police officers as well. This is a partnership.

The money does come from the boat users, and it goes back into their safety programs.

In addition, State moneys are contributed as well to enhance the safety on our streams and rivers in the State of Oregon and throughout this land. So even though it is \$25 million, these moneys are spread throughout the United States as America goes to the waterways for family and recreational values that they do offer, and so I do rise in opposition and hope the body will reject this amendment.

Mr. HUTTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. As a member, and previous chairman, of the Coast Guard Subcommittee, I strongly support the Coast Guard's Boating Safety Grant Program.

As the members of this body well know, I am a fiscal conservative. However, I do not believe that we should zero budget accounts designed for public safety. It is impossible to argue that the Coast Guard Boating Safety Program does not save lives. There are many people alive today because of this program. Of all Federal spending, I believe that proven public safety programs are some of the most important expenditures we make.

Furthermore, this amendment will not reduce our deficit at all. The Coast Guard Safety Grant Program is funded by the Wallop-Breaux trust fund, financed by the gas tax on recreational boaters. If the Boat Safety Program is

eliminated the funds would revert to the State Sport Fish Restoration Program—not to the Treasury. I respect the gentleman's desire to reduce our deficit; however, the trust fund financed Boating Safety Program is not the place.

Please oppose this amendment and support our U.S. Coast Guard Boat Safety Program to save lives.

Mr. TAUZIN. Mr. Chairman, I rise in strong opposition to the Penny amendment. The Penny amendment would totally eliminate the Coast Guard's State Boating Safety Grant Program.

I assume that this amendment is being offered to save money. But it will not save a dime. If the \$25 million recommended for the Boating Safety Program is eliminated, that money will automatically roll over into the Sport Fish Restoration Program which currently enjoys adequate funding.

The State Boat Safety Program provides matching grants that allow states to put law enforcement and rescue personnel on state waterways where the Coast Guard does not patrol. Its simple, if we eliminate this program, we eliminate or significantly reduce state law enforcement on our coastal and inland waterways.

The Boating Safety Program is paid for entirely by boaters. If the Boating Safety Program is eliminated, boaters will continue to pay the motorboat fuels tax, but the services that boaters count on will be gone.

The Penny amendment will not save the Federal Government any money. But it will cost our States vital matching funds for law enforcement and safety programs and it could cost boaters their lives. Vote "no" on the Penny amendment.

Mrs. FOWLER. Mr. Chairman, I rise today in strong opposition to the amendment to eliminate the \$25 million appropriation to the Coast Guard for boat safety programs.

This program is funded by a users fee placed on recreational boaters. Every time a recreational boater buys gas, he pays a fuel tax that in turn, funds the State Boat Safety Program. This tax was instituted with the express understanding of both this body and the recreational boaters that the proceeds of the tax would fund State Boat Safety Programs.

This program is especially critical in the state of Florida. With our temperate climate, residents of Florida enjoy boating year round. In addition, the State is surrounded on three sides by water and has numerous lakes and rivers. These combined factors result in over 700,000 residential boats using our waterways on an annual basis.

Currently, Florida receives \$3 million a year for boat safety programs. These funds are divided evenly between the Florida Game and Fresh Water Fish Commission and the Florida Department of Environmental Protection and are specifically earmarked for boating safety projects.

The loss of these funds—paid by a users fee on boaters—will be devastating to Florida. Our boating safety programs will be drastically reduced. Boat safety education classes and safety literature will be eliminated and we will see at least a 35-percent loss of safety patrol services. The loss of these services will be an

injustice to the recreational boater who is already paying for them.

I strongly urge the rejection of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. PENNY].

The amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

FEDERAL AVIATION ADMINISTRATION
OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development, the payment of obligations for the Aircraft Purchase Loan Guarantee Program required pursuant to guarantees issued under Public Law 85-307, as amended (49 U.S.C. 1324 note), establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of the Airport and Airway Improvement Act of 1982, as amended, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, \$4,585,000,000, of which \$2,450,250,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of aviation services, including the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That, of the funds available under this head, \$23,000,000 is available only for permanent change of station moves for members of the air traffic workforce: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act shall be available for activities under the Aircraft Purchase Loan Guarantee Program the obligations for which are in excess of \$9,970,000 during fiscal year 1995.

Mrs. FOWLER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wonder if the chairman of the Transportation Subcommittee might be willing to enter into a colloquy with me on the subject of the FAA's Center for Management Development.

Mr. CARR of Michigan. Mr. Chairman, will the gentlewoman yield?

Mrs. FOWLER. I am happy to yield to the gentleman from Michigan.

Mr. CARR of Michigan. Mr. Chairman, I would be happy to join my good

friend, the gentlewoman from Florida, in a colloquy.

Mrs. FOWLER. Mr. Chairman, the bill before us today would delete funding for the FAA's Center for Management Development at Palm Coast. I believe such an action would be a mistake. This facility is a model of partnership between the FAA, the academic community, and private sector entities, and it is specifically staffed and resourced to support the FAA's needs for management and training. The facility features state-of-the-art technological support and services specialized to meet the needs of the FAA. The center hosts some 3,500 students each year, along with some 2,000 additional FAA employees at field sites throughout the country. Another 22,000 participate in correspondence programs offered through the center.

The committee report cites budget considerations in making the case for closing the Center for Management Development. In addition to noting that the CMD has developed a business plan that would ensure greater savings and the delivery of upgraded services at no additional cost to the FAA, I would observe that even if the center were to close, the FAA would still be required to make lease payments on the CMD facility into 1997.

It would seem ill advised to shut down the operation, given these facts. Under the circumstances, I would like to suggest to the chairman that the subcommittee give this matter further review as the house and the other body move to conference. It is my strong sense that a thorough analysis of the situation would yield a decision to continue this unique and valuable operation.

Mr. CARR of Michigan. Mr. Chairman, will the gentlewoman yield?

Mrs. FOWLER. I yield to the chairman of the subcommittee.

Mr. CARR of Michigan. I thank the gentlewoman for yielding. Mr. Chairman, I am aware of the congresswoman's concerns on this issue and believe that it does merit some additional consideration. I want to assure the gentlewoman that as the process unfolds through the Senate and through the conference, that we will take her views into consideration.

Mrs. FOWLER. I thank the chairman for his willingness to take another look at this situation.

Mr. MICA. Mr. Chairman, first I would like to commend by colleague, the gentlewoman from Florida [Mrs. FOWLER] and ask that my remarks be associated with her comments made in the colloquy with the distinguished chairman from Michigan. My comments today are in support of retaining the Federal Aviation Administration Center for Management Development which is located in Palm Coast, FL.

As a member of the House Public Works and Transportation Committee, Aviation Subcommittee, I have been concerned about the operation and management of the FAA center

to ensure that the taxpayers and Federal Government are receiving a proper return for their investment. I personally visited the center in Palm Coast on June 9, 1994. I had the opportunity to accompany FAA Administrator David Hinson on a visit to this facility. I want to report to the House that I was very impressed with the changes instituted at this center under Administrator Hinson's direction.

The FAA is now operating this management center with new private sector contractors and new FAA personnel. In reorganizing, the FAA has expanded many programs to benefit management and other levels of employees, and has adopted a plan to secure alternate sources of future financing.

While the bill's report language indicates the committee believes it may be cheaper for the FAA to provide such services through local or regional competition, the FAA is already utilizing private competitive options. My research indicates that this facility costs far less than other similar Federal management programs. Cutting this appropriation still leaves a Federal obligation to pay contract commitments.

I would ask that the appropriate subcommittee staff or Members visit this facility before making any final decision relating to the fate of this management center. I believe that in fact this project is a good example of the Federal Government, private sector, and education working together. Finally, at a time when Federal buyouts are paring our administrative and management staffs it does not make sense to eliminate this potentially effective management training center.

The CHAIRMAN. If there are no amendments to this paragraph, the Clerk will read.

The Clerk read as follows:

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized by the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, \$2,176,700,000, of which \$1,968,200,000 shall remain available until September 30, 1997, and of which \$208,500,000 shall remain available until September 30, 1995: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That none of the funds under this head for the Advanced Automation System may be obligated until the Federal Aviation Administration submits to the House and Senate Committees on Appropriations and the House Committee on Public Works and Transportation and the Senate Committee on Commerce, Science, and Transportation a com-

prehensive program plan and up to date estimate of the fiscal year 1995 budget requirement for this program.

(RESCISSION)

(AIRPORT AND AIRWAY TRUST FUND)

Of the total unobligated balance from appropriations under this head for fiscal year 1994 and prior years, \$51,700,000 are rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, in accordance with the provisions of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1301 et seq.), including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$254,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs under the Airport and Airway Improvement Act of 1982, as amended, and under other law authorizing such obligations, \$1,500,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of \$1,500,000,000 in fiscal year 1995 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982, as amended.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Federal Aviation Act of 1958, as amended (49 U.S.C. App. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under title XIII of the Federal Aviation Act of 1958.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed \$524,021,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That not to exceed \$216,805,000 of the amount provided herein shall remain available until September 30, 1997.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by

the Federal Highway Administration, to remain available until expended, \$10,000,000, to be derived from the Highway Trust Fund: *Provided*, That not to exceed \$100,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses": *Provided further*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations of which are in excess of \$10,000,000 in fiscal year 1995 for "Highway-Related Safety Grants".

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$17,160,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1995.

FEDERAL-AID HIGHWAYS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, \$17,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND
(LIMITATION ON DIRECT LOANS)
(HIGHWAY TRUST FUND)

During fiscal year 1995 and with the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed \$42,500,000.

MOTOR CARRIER SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 402 of Public Law 97-424, \$73,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$74,000,000 for "Motor Carrier Safety Grants".

SURFACE TRANSPORTATION PROJECTS

For up to 80 percent of the expenses necessary for certain highway and surface transportation projects and parking facilities, including feasibility and environmental studies, that advance methods of improving safety, reducing congestion, or otherwise improving surface transportation, \$299,862,000, to remain available until expended.

NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended) and the National Traffic and Motor Vehicle Safety Act, (Public Law 89-563, as amended) \$74,352,000, of which \$38,327,000 shall remain available until September 30, 1997.

(RESCISSIONS)

Of the amounts provided under this heading in Public Law 102-388, \$103,929 are rescinded.

Of the amounts provided under this heading in Public Law 101-516 and Public Law 101-164, \$3,268,700 are rescinded.

OPERATIONS AND RESEARCH
(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991, to be derived from the Highway Trust Fund, \$46,997,000, of which \$29,891,000 shall remain available until September 30, 1997.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and 410, section 211(b) of the National Driver Register Act of 1982, as amended, and section 209 of Public Law 95-599, as amended, to remain available until expended, \$151,000,000, to be derived from the Highway Trust Fund: *Provided*, That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1995, are in excess of \$151,400,000 for programs authorized under 23 U.S.C. 402 and 410, as amended, of which \$123,000,000 shall be for "State and community highway safety grants", \$3,400,000 shall be for the "National Driver Register", and \$25,000,000 shall be for section 410 "Alcohol-impaired driving countermeasures programs": *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed \$5,153,000 of the funds made available for section 402 may be available for administering "State and community highway safety grants": *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 may be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION
OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$13,650,000, of which \$1,300,000 shall remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and that no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Rail-

road Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

Mr. CARR of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the text of the bill through page 20, line 10, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there amendments to the portion of the bill designated in the unanimous consent request?

If there are none, the Clerk will read.

The Clerk read as follows:

LOCAL RAIL FREIGHT ASSISTANCE

For necessary expenses for rail assistance under section 5(q) of the Department of Transportation Act, as amended, \$17,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 20, strike lines 11 through 15.

Mr. PENNY. Mr. Chairman, this amendment tracks with the previous amendment in that this program too was recommended for cancellation by the Clinton administration. The objections raised to my amendment earlier are clearly objections to the decision of the administration that the boat safety program could safely be cancelled. It is of concern to me that in a State like Minnesota, where we certainly have plenty of water, with 10,000 lakes, that we should feel the need to turn to the Federal Government for funding for a program that is clearly and primarily a State responsibility.

I accept the judgment of the House that that program ought to be continued, but now want to ask of the membership whether the local rail freight assistance program is one that ought to be reviewed. Here again, just as with the boat safety program, we have an initiative that is now largely financed at the State level and these Federal funds, at best, are supplemental. This program, I believe, has provided some benefit in saying rural rail lines. I know of some of that benefit even in my own State of Minnesota. But, like the boat safety program, it is an instance in which a very small percent of total funds for this purpose are provided by the Federal level. It is an instance in which we are dealing with rail lines that are primarily within the boundaries of a given State. For that reason, it is reasonable to question whether this is a program that should be funded solely with State dollars rather than a Federal expenditure.

I would remind my colleagues as well that this particular program was among the 100 programs that the Clinton administration attempted to cancel in this year's budget. I would ask

that we consider the administration's priorities in attempting to weed out unnecessary spending at the Federal level and to set some priorities within our transportation budget. I urge favorable consideration of the amendment.

Mr. CARR of Michigan. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, the gentleman's "Dear Colleague" sent around yesterday on this subject merely states that in his view the local rail freight program is not justified in a tight budget year and notes that it was not included in the President's budget. While we have looked diligently at all the programs in the Department of Transportation's budget as recommended by the President we are at the same time not a rubber stamp. We are well aware that this program was not included in the President's budget. It was included in the Department of Transportation's request to OMB, however. The department recognizes the importance of this program and continues to request funding for it in their own internal process. I suppose if we wanted to declare OMB the font of all knowledge in the budget process, we could save ourselves a lot of time each year and maybe abolish the Committee on Appropriations and maybe even the Congress. But the people left it up to us to make the final decisions, not our friends down at OMB.

This program stretches a very few Federal dollars a very long way. For example, in fiscal year 1994 a total of 31 States submitted applications totalling \$42 million in competition for the \$15.3 million that was available. Existing law requires that each application include a detailed cost-benefit analysis, and the States share in the costs. The greater the State's share the higher the benefit-cost ratio and the more likely it is that a particular project will receive Federal funds. With so much competition, there is high assurance that only the best projects are being selected. None of the funds are earmarked or set aside for particular projects.

This program was also the only authorized program available to finance emergency railroad-related work after the devastating Midwest floods of last year.

Mr. Chairman, we made other reductions in this bill in order to find funds for LRFA. It is a solid program with a history of performance. Grants are distributed all over this country to help rehabilitate rail track and improve rail commerce. Importantly, this program is targeted toward regional and small lines that came about after the deregulation of the railroads in this country a few years ago. Many of these local and short-line railroads are undercapitalized. LRFA has been the source of some funds, it leverages funds to get

those rail lines that are the feeders, the nerve endings of our rail system in America, back to standard. The program is authorized, it continues to be supported in the internal documents of the Department of Transportation and the Federal Railroad Administration. In short, it has broad-based support, and with all due respect to the gentleman from Minnesota, I recommend that the amendment be defeated.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I think the chairman explained the reasons as well as they could be explained. The local rail freight assistance program is the only—and I stress the only—Federal financial system program available for this rail freight assistance. These are small short lines. This is the only Federal program available for the necessary capital. The program has been extremely effective in helping States preserve and maintain an increasing number of local and regional railroads being created.

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It has been stimulated with regard to economic growth and jobs, and, lastly, there is over \$440 million in track rehabilitation that is needed. So I think it would be appropriate, Mr. Chairman, to defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. PENNY].

The amendment was rejected.

The CHAIRMAN. Are there further amendments to this portion of the text?

If not, the Clerk will read.

The Clerk read as follows:

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$47,067,000, of which \$2,500,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$17,145,000, to remain available until expended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.) and the Rail Safety Improvement Act of 1988, \$165,000,000, to remain available until September 30, 1997.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any

such guaranteed obligation is outstanding: *Provided*, That no new loan guarantee commitments shall be made during fiscal year 1995: *Provided further*, That, notwithstanding any other provision of law, for fiscal year 1989 and each fiscal year thereafter all amounts realized from the sale of notes or securities sold under authority of this section shall be considered as current year domestic discretionary outlay offsets and not as "asset sales" or "loan prepayments" as defined by section 257(12) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That any underwriting fees and related expenses shall be derived solely from the proceeds of the sales.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the planning or execution of the National Magnetic Levitation Prototype Development program as defined in subsections 1036(b) and 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991.

NEXT GENERATION HIGH SPEED RAIL

For necessary expenses for Next Generation High Speed Rail studies, corridor planning, development, demonstration, and implementation, \$20,000,000, to remain available until expended: *Provided*, That funds under this head may be made available for grants to states for high speed rail corridor design, feasibility studies, and environmental analyses.

TRUST FUND SHARE OF NEXT GENERATION HIGH SPEED RAIL

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For grants and payment of obligations incurred in carrying out the provisions of the High-Speed Ground Transportation program as defined in subsections 1036(c) and 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, including planning and environmental analyses, \$3,400,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$5,000,000.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 45 U.S.C. 601, to remain available until expended, \$771,700,000, of which \$526,700,000 shall be available for operating losses incurred by the Corporation, for mandatory passenger rail service payments, and for labor protection costs, and of which \$245,000,000, not to become available until July 1, 1995, shall be available for capital improvements: *Provided*, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status: *Provided further*, That of the funds provided under this head for operating losses, \$8,000,000 is available only for the National Railroad Passenger Corporation's share of short-term avoidable costs for

state-supported rail services authorized under section 403(b) of the Rail Passenger Service Act, as amended.

**FEDERAL TRANSIT ADMINISTRATION
ADMINISTRATIVE EXPENSES**

For necessary administrative expenses of the Federal Transit Administration's programs authorized by the Federal Transit Act and 23 U.S.C. chapter 1 in connection with these activities, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$43,060,000.

FORMULA GRANTS

For necessary expenses to carry out the provisions of sections 9, 16(b)(2), and 18 of the Federal Transit Act, to remain available until expended, \$1,356,050,000: *Provided*, That no more than \$2,506,050,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds provided under this head for formula grants no more than \$700,000,000 may be used for operating assistance under section 9(k)(2) of the Federal Transit Act: *Provided further*, That of the funds provided under this head, \$16,000,000 shall be available for grants for the costs of planning, delivery and temporary use of transit vehicles for special transportation needs of the XXVth Summer Olympiad and the Xth Paralympiad for the Disabled, to be held in Atlanta, Georgia, of which \$5,600,000 shall be available for the Paralympic Games: *Provided further*, That in allocating the funds designated in the preceding proviso, the Secretary may make grants to any public body the Secretary deems appropriate, and such grants shall not be subject to any local share requirement or limitation on operating assistance under this Act or the Federal Transit Act: *Provided further*, That none of the funds made available for the XXVth Olympiad or the Xth Paralympiad for the Disabled shall be expended before October 1, 1995.

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by section 11(b) of the Federal Transit Act, to remain available until expended, \$6,000,000.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by section 26 of the Federal Transit Act, to remain available until expended, \$92,250,000.

**TRUST FUND SHARE OF TRANSIT PROGRAMS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)**

For payment of obligations incurred in carrying out section 21(a) of the Federal Transit Act, \$1,150,000,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That \$1,150,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account.

Mr. CARR of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the text of the bill through page 26, line 14, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the text?

If not, the Clerk will read.

The Clerk read as follows:

**DISCRETIONARY GRANTS
(LIQUIDATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)**

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$1,725,000,000 in fiscal year 1995 for grants under the contract authority in section 21(b) of the Federal Transit Act: *Provided*, That notwithstanding any provision of law, there shall be available for fixed guideway modernization, \$725,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$353,330,000; and there shall be available for new fixed guideway systems, \$646,670,000, to be available as follows:

\$48,000,000 for the South Boston Piers transitway project;
\$50,000,000 for the Chicago central area circulator project;
\$33,770,000 for the Dallas South Oak Cliff LRT project;
\$5,000,000 for the DART North Central light rail extension project;
\$6,000,000 for the Dallas-Fort Worth RAILTRAN project;
\$20,000,000 for the Florida Tri-County commuter rail project;
\$60,000,000 for the Houston Regional Bus Plan program;
\$165,000,000 for the Los Angeles Metro Rail (MOS-3) project;
\$2,000,000 for the Miami Metrorail north corridor extension project;
\$500,000 for the New Jersey Urban Core project;
\$10,000,000 for the New Orleans Canal Street Corridor project;
\$45,000,000 for the New York Queens Connection project;
\$2,400,000 for the Cincinnati Northeast/Northern Kentucky rail line project;
\$10,000,000 for the Orange County Transitway project;
\$10,000,000 for the Pittsburgh Busway projects;
\$73,500,000 for the Portland Westside LRT project;
\$10,000,000 for the Salt Lake City light rail project: *Provided*, That such funding may be made available for related high-occupancy vehicle lane and intermodal corridor design costs: *Provided further*, That notwithstanding the provisions of Public Law 103-122, funds provided for the Salt Lake City light rail project in that Act may be used for final design;
\$40,300,000 for the San Francisco BART Extension/Tasman corridor project;
\$10,000,000 for the San Juan, Puerto Rico Tren Urbano project;
\$4,700,000 for the Seattle-Renton-Tacoma commuter rail project;
\$19,500,000 for the St. Louis Metro Link LRT project;
\$1,000,000 for the Tampa to Lakeland commuter rail project;
\$10,000,000 for the Twin Cities central corridor project;
\$5,000,000 for the Wisconsin central commuter project; and
\$5,000,000 for the Whitehall ferry terminal, New York, New York.

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 26, line 20, strike "\$1,725,000,000" and insert "\$1,501,000,000".

Page 26, line 24, strike "\$725,000,000" and insert "\$760,000,000".

Page 27, line 1, strike "\$353,330,000" and insert "\$311,000,000".

Page 27, strike line 3 and insert "\$400,000,000".

Page 27, strike line 4 and all that follows through page 29, line 10.

Mr. PENNY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PENNY. Mr. Chairman, this amendment gets to some real money. We are talking over \$200 million of savings if this amendment is adopted. The President, in his request to Congress, suggested that we allocate \$1.5 billion for these discretionary grants for transit purposes. The committee in its deliberation increased that amount to \$1.725 billion, an increase of \$224 million beyond the President's request. My amendment would reduce the amounts available in two of the categories to conform with the request of the administration.

In the first instance, Mr. Chairman, monies made available for fixed guideway modernization we would actually increase to the President's level, from \$725 million to \$760 million. This allocation would conform with the President's priority to put more of our funding into these fixed guideway systems. In the second instance, a slight reduction, from \$353 million to \$311 million would be recommended for acquisition of buses and bus-related facilities.

The major change, and this is a change that reflects the Clinton administration's priorities in this regard, is a reduction from the \$646,670,000 available for other fixed guideway systems or new starts. We would reduce that amount to \$400 million.

The Clinton administration has attempted, ever since the President was sworn in, to put the brakes on demonstration projects and new starts in this regard. Their recommendation this year was somewhat more modest than a lot of us anticipated. Nonetheless, Mr. Chairman, the Clinton administration is trying to send a signal that we should stipulate fewer of these demonstration projects for the future, and the cut of \$246 million in this category is reflective of their desire to see us back away from these line-item designations.

In particular, the committee has not only allocated a higher amount for these new start projects, but they have designated virtually all of that money for projects of their choosing: \$48 million for South Boston Piers transitway, \$50 million for Chicago central area circulator project, \$33 million for a Dallas South Oak Cliff LRT project, \$20 million for a Florida Tri-County commuter rail project, \$60 million for the

Houston Regional Bus Plan, \$165 million for the Los Angeles Metro Rail project, \$10 million for the New Orleans Canal Street Corridor, \$45 million for the New York Queens Connection, \$10 million for Orange County Transitway, \$10 million for the Pittsburgh Busway, \$73 million for the Portland Westside LRT project, \$10 million for Salt Lake City. The list goes on.

The point is that we have designated within the committee bill numerous specific projects, and the Department of Transportation will have virtually no discretion as to how to prioritize these demonstration projects across the Nation. That is because in allocating the money for this account we have specifically designated where the Department of Transportation must spend virtually every dime.

The White House has repeatedly raised its objections to this sort of line item appropriation for demonstration projects. They have continually criticized demonstration project funding, and their budget has reflected a desire to ratchet down our age-old practice of bringing home projects to our district based on an allocation spelled out in these appropriation bills.

There are priority transit projects which must be explored. I believe that DOT's funding criteria is sufficient to demonstrate to the American public the sorts of mass transit systems that make the most sense for our Nation's future. I do not believe that we need a list of these projects spelled out in this committee print. I urge that we conform with the President's request in this regard, and, to do that, we need to adopt the pending amendment.

Mr. CARR of Michigan. Mr. Chairman, with all due respect to my colleague from Minnesota [Mr. PENNY], I rise in opposition to his amendment. The gentleman from Minnesota is my good friend and a real leader in the fight to cut the budget in responsible ways. Nonetheless, I find myself in strong opposition to this amendment.

Mr. Chairman, the gentleman from Minnesota [Mr. PENNY] seeks to reduce the discretionary grants program by \$224 million to bring the account into agreement with the budget request, as he has said.

Mr. Chairman, the committee's recommendations for transit discretionary grants brings the program much more into agreement with the authorization legislation passed by the Congress and signed into law by the President in 1991. That legislation, the so-called ISTEA, authorized \$1.725 billion in contract authority for fiscal year 1995 for discretionary grants. It further authorized 40 percent of that total for rail modernization, 40 percent for section 3 new starts, and 20 percent for buses and bus-related facilities. This excludes an additional \$325 million in general funds authorized by ISTEA.

The bill as reported from the Appropriations Committee limits obligations on discretionary grants to the authorized level of \$1.725 billion. It provides that 42 percent of the total, or \$725 million, be used for rail modification instead of the 50 percent that the administration's budget directed. It provides that 37.5 percent, or \$646.7 million, be used for new starts instead of 26.7 percent, or only \$400 million as proposed by the administration.

It also should be noted that in each category, rail mod, new starts, and buses, the amounts recommended are below the comparable figures for fiscal year 1994. In every case, the committee's bill is closer to the legislation enacted by the Congress and signed by the President. In addition, for each individual new start project listed in the bill, the amount recommended is within the amount authorized either by existing law or contained in the National Highway System bill that passed the House last month by a vote of 412 to 12.

I submit to my colleagues that in this account, the prerogatives and perspectives of the Congress are very much preferable to the green eye shade bean counters at the Office of Management and Budget. Make no mistake about it. That is where the cuts were made. The Federal Transit Administration wanted to budget \$2 billion for discretionary grants in 1995. The Department of Transportation's request to OMB was for even more, \$2.05 billion, including \$820 million for section 3 new starts. The FTA and the Department know what the demand and the needs are for discretionary grants in this country. The Department knows that if funded at the level of only \$400 million requested in the budget prepared by OMB, several projects will experience construction stoppages with resulting cost increase, in loss of jobs, and other increasing costs.

For one project, the committee has been advised that if the funding above the budget request that we have recommended is not provided, costs will be increased by at least \$70 million, and the project could be delayed by at least 3 years. It was in an effort to avoid situations such as this that the committee carefully considered the requests for all projects and submitted the recommendations we are considering today. Each and every project also had to comply with our detailed questionnaire and submit detailed criteria for our decisionmaking.

It is true that we have reordered the administration's priorities somewhat. We have suggested savings elsewhere in the bill, such as the \$90 million requested for remodeling the James A. Farley Post Office Building in New York City or the \$30 million budgeted for a Coast Guard program that is experiencing schedule slippage, the VTS program.

Mr. Chairman, we have applied those savings in a number of other projects

for which we have provided in section 3. We believe we have made a better balance of the transportation needs of the country than OMB.

Mr. Chairman, I oppose the amendment.

Mr. WOLF. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

The gentleman from Michigan [Mr. CARR] has made some very good points, so it would be redundant for me to go over them. I would say there may be one or two exceptions in this category, so that if there was a separate vote on them, I would have a hard choice to vote for them. But I think, looking at the overall situation, the committee has criteria and the committee has looked at this very, very carefully.

As the members of the committee remember, when I spoke initially in the general debate, I made the comment that the gentleman from Michigan [Mr. CARR] and the committee have established criteria whereby we examined these new projects, and I think the committee but for one or two cases has made a very good choice here.

So, Mr. Chairman, for the reasons given, I do oppose the amendment.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong opposition to the amendment offered by the gentleman from Minnesota [Mr. PENNY].

Mr. Chairman, these proposals have been subjected to hearings by the subcommittee chaired by the gentleman from Michigan [Mr. CARR] and the ranking minority member, the gentleman from Virginia [Mr. WOLF] of the Subcommittee on Surface Transportation of the Public Works Committee. In addition, detailed justification material was submitted to both subcommittees.

This proposal was included in section 122 of H.R. 4385, the National Highway System bill which passed this House by an overwhelming vote. There has been full public scrutiny of this proposal and this House just a few weeks ago voted overwhelmingly for it.

This Dade County project will build a transit line through an area of economic deprivation. The populations to be served is dependent upon public transportation. Public transportation is the primary means of getting to jobs. Dade County is the fourth most congested metropolitan area in the Nation. All the highway capacity that can be added has been added. The only means of reducing congestion and meeting the needs of future growth is through rail transit.

These proposals create jobs by providing a means so that people can get to work. The adoption of this amendment means that people will not be able to get jobs. If you want to reduce the unemployment rate, reduce the welfare roles and thereby reduce the

deficit, then vote no on this amendment. If you want to reduce air pollution, then vote no.

Mr. Chairman, this is a bad amendment which should be summarily rejected.

Mr. MINETA. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong opposition to this amendment. As Chair of the authorizing committee with jurisdiction over transit issues, I have worked closely with Chairman CARR on a broad range of transportation issues.

He should be commended for his hard work in bringing H.R. 4556 to the floor in its current form. This is a good bill which balances the need for deficit reduction with very real unmet transportation needs across America. Chairman CARR and the members of his subcommittee spent day after day, often all day, hearing testimony from countless witnesses on transportation issues.

The Penny amendment, by slashing \$224 million from the section 3 transit program, destroys this balance and makes a mockery of the hearing process. Most importantly, the amendment would hurt transit systems of all sizes across the country. Section 3 provides badly needed funds to modernize existing rail transit systems, to construct new transit systems, and to provide funds for the purchase of buses and bus facilities. The funds are vitally needed to meet clean air goals, to reduce congestion, and to provide transportation to those without access to an automobile.

The bill before us actually reduces the amount of funding for transit compared to the President's budget. The mix of funding in the bill is a bit different than in the President's budget; for example, section 3 is higher and section 9 is lower. What this amendment would do is cut transit funding wherever it is higher than the President's request, but make no change where it is lower.

Thus, while the bill before us cuts the President's request for transit by \$142 million, the amendment would leave us \$366 million below the President's request for transit, a very serious attack on transit service in this country.

We all support the goal of deficit reduction; but, H.R. 4556 already cuts section 3 to a level more than \$300 million below its authorized level. Appropriations for the transit program as a whole are more than \$700 million below their authorized level.

In other words, transit programs have already made a \$700 million down payment on deficit reduction for fiscal year 1995.

Making deeper cuts, ignoring the committee hearing process, and denying transit service to those who need it the most would be short-sighted and extremist.

I urge my colleagues to defeat the amendment.

□ 1410

Mr. LIVINGSTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. We can get carried away with all these savings. We might as well vote down the whole bill and save \$35 billion, or at least the \$14 billion in discretionary appropriations, if you want to start saving money.

We can stop government if you want to. We can save \$1.5 trillion by voting against all of the appropriations bills. But to run the government, there is a normal process, and these projects, as I understand it, have all been authorized. They have gone through the process, as the gentleman from California, Mr. Mineta, just stated.

His Committee on Public Works and Transportation has fulfilled its responsibility of reviewing these projects. Last year, some projects were not authorized. But this time, these projects were authorized. And, the authorization bill passed by over 400 votes. So all of the projects in the Penny amendment specifically are authorized. The subcommittee, under the leadership of the distinguished gentleman from Michigan [Mr. CARR], has done a good job. The gentleman has strictly followed the authorization process, including for one of the projects in which I do have an interest. I concede that. It is called the Canal Street Streetcar.

Now, some people could say that the Canal Streetcar project might not have been properly examined. Well, it has been examined thoroughly by not only the authorization committee, but by the Appropriations subcommittee. A 50 page report examines the benefits of the streetcar corridor project. It says that it has tremendous value in reducing traffic congestion in the City of New Orleans, and that it is projected to raise about \$1 billion in increased ridership. It reduces pollution. And it has great value in fuel savings because you are going to streetcars versus those smelly gas burning buses.

Excuse me, Mr. Chairman, buses are made in Detroit, but I prefer streetcars. They do not pollute. They run clean, they have historical significance, and they provide great transportation. They are safe, and they do their job in an energy efficient manner. The streetcar project is a good project.

The New Orleans streetcar and the San Francisco cable car are those types of projects which demonstrate the wisdom of the ages. They worked well 100 years ago, and they work equally well, if not better, today. This is a good project, the type of project that, frankly, you can always eliminate, I suppose. But at some point, we have to understand that we can spend money on worthwhile projects, or we can just not spend money at all. We can just scratch all of the budget and save a lot of money and just eliminate Govern-

ment altogether, and perhaps we will be doing the taxpayers a service.

I happen to be a fiscally conservative person, who scores very high on fiscally conservative rankings. But I think in this instance, we have to recognize that when you have a Government process which works, which allows various committees and subcommittees to provide checks and balances for each other, then ultimately you have to reach a conclusion.

Are you going to spend any money or no money? If you are going to spend some money, you ought to do it with the projects that go through the hoops and comply with the legislative process. In this instance, virtually every one of these projects that the gentleman has in his amendment have complied with the process. So I think this amendment is out of order and should be rejected.

Mr. PENNY. If the gentleman would yield for one quick question, you made reference to the fact that streetcars were a good idea. History proves that. Today, with our environmentally conscious electorate and legislation that is steering us in an environmental direction, it has proven that these streetcars have some virtue once again.

But I wanted to ask, 100 years ago, did the Federal Government help New Orleans build this streetcar system?

Mr. LIVINGSTON. No, I doubt that they did. Of course, I was not around then, but I would have to say that in all probability, they did not. But the Government has since become involved in mass transit projects, and as mass transit projects go, this is probably one of the best in the Nation. So I would urge the rejection of this amendment.

Mr. FOGLIETTA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Penny amendment. For far too long transit has been treated like a poor step child. Finally, under the leadership of Chairman CARR and this subcommittee, we are reversing this trend.

This amendment would take critical funding away from bus projects nationwide. It would take funding away from innovative, new, congestion-relieving transit projects. And it would take funds away from efforts to modernize and make critical repairs to older transit systems across the country. This is wrong.

As I stated before, our subcommittee took a very hard look at our investment priorities. In the face of incredibly tight budget constraints we established investment criteria.

We asked tough questions. We made investment decisions based on merit. The projects supported in section 3 are good projects and are worthy of our support. I urge my colleagues to support investment in public transit and reject this amendment.

Mrs. BENTLEY. Mr. Chairman, I rise today to express my strong opposition to this amendment.

Mr. Chairman, it upsets me that this body is actually considering the elimination of the boating safety account of the Aquatic Resources Trust Fund, which is one of the few excellent examples of a Federal program that works.

The boating safety account is funded entirely by the user fees paid by recreational boaters on marine fuel and equipment. These fees directly go into a trust fund which enables 55 States and territories to train and purchase equipment for law enforcement personnel, provide boating safety education and inspection, and support search and rescue facilities. The loss of this user-fee account would devastate boating safety programs and impact directly on boating safety in general.

Since this grant program began in the early 1970's, boating fatalities have dropped five-fold, from 20 fatalities per 100,000 boats in 1971 to 4 per 100,000 boats in 1992.

Mr. Chairman, I believe that it is vital that the boating safety account remain intact and we should do our best to ensure that it does.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. PENNY].

The amendment was rejected.
The CHAIRMAN. Are there further amendments to this portion of the bill? If not, the Clerk will read.

The Clerk read as follows:

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out section 21(b) of the Federal Transit Act, administered by the Federal Transit Administration, \$1,500,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

INTERSTATE TRANSFER GRANTS—TRANSIT

For necessary expenses to carry out the provisions of 23 U.S.C. 103(e)(4) related to transit projects, \$48,030,000, to remain available until expended: *Provided*, That notwithstanding the formula for apportionment under 23 U.S.C. 103(e)(4)(J), of the amount made available under this head, only \$9,500,000 shall be available for the substitute transit project approved under section 1045 of Public Law 102-240.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out the provisions of section 14 of Public Law 96-184 and Public Law 101-551, \$200,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint

Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, \$10,271,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, \$26,074,000, of which \$185,000 shall be derived from the Pipeline Safety Fund, and of which \$2,468,000 shall remain available until September 30, 1997: *Provided*, That up to \$1,000,000 in fees collected under section 106(c)(11) of the Hazardous Materials Transportation Act, as amended (49 U.S.C. App. 1805(c)(11)) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received from user fees established to support the electronic tariff filing system: *Provided further*, That there may be credited to this appropriation funds received from user fees established to defray the costs of obtaining, preparing, and publishing in automatic data processing tape format the United States International Air Travel Statistics data base published by the Department.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968, as amended, and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$32,967,000; of which \$2,432,500 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 1997; and of which \$30,534,500 shall be derived from the Pipeline Safety Fund, of which \$14,323,000 shall remain available until September 30, 1997.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out section 117A(1)(3)(B) of the Hazardous Materials Transportation Act, as amended, \$400,000 to be derived from the Emergency Preparedness Fund, to remain available until September 30, 1997; *Provided*, That not more than \$10,550,000 shall be made available for obligation in fiscal year 1995 from amounts made available by section 117A(h)(6)(B) and (i)(1), (2) and (4) of the Hazardous Materials Transportation Act, as amended: *Provided further*, That no such funds shall be made available for obligation by individuals other than the Secretary of Transportation or his designee.

ALASKA PIPELINE TASK FORCE

(RESCISSION)

(OIL SPILL LIABILITY TRUST FUND)

Of the funds made available under this heading in Public Law 102-388, \$544,000 are rescinded.

Mr. CARR of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the text of the bill through page 33, line 9, be considered as read, printed be printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill? If not, the Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$40,000,000: *Provided*, That not more than \$1,000,000 of the funds made available under this head shall be available for implementation of Public Law 101-576.

AMENDMENT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONYERS: Page 33, line 14, strike the colon and all that follows through "101-576" on line 17.

Mr. CONYERS. Mr. Chairman, this amendment that Mr. CLINGER, the ranking Republican on the Government Operations Committee, and I are offering, would delete language in the bill that prohibits full funding of the Chief Financial Officers Act in the Department of Transportation. Congress passed the CFO Act in 1990 to bring better financial accountability to the Federal Government.

The CFO Act was a result of the financial scandals that hit the Federal Government over the past 20 years. Remember the problems at HUD? The CFO Act was designed to make sure that that type of financial mismanagement and the loss to the taxpayers doesn't happen again.

Unfortunately, H.R. 4556 includes a restriction on carrying out the act. The amendment that Mr. CLINGER and I are offering would lift a \$1 million cap on the amount of money the Department of Transportation inspector general can spend on auditing financial statements. These statements are required by the CFO Act. And I would point out that DOT is the only Department prohibited from complying with the CFO Act because of a funding restriction.

One of the reasons that you will hear this cap is in the bill, is concerns that the inspector general will not have enough financial resources to continue performing program audits, those audits that look at how specific programs are working. In fact, sound program audits are anchored in solid financial audits. Without adequate financial systems, internal controls, and management tools in place, managers cannot possibly have the information they need to make good management decisions on how to run those programs.

Mr. Chairman, agency officials, including chief financial officers, inspectors general, and agency heads, have all stated that financial audits mandated by the act are instrumental in helping them address significant financial management problems. The administration and the General Accounting

Office fully support this amendment. So do groups such as Citizens Against Government Waste, the National Taxpayers Union, and the Council for Excellence in Government, which I would like to ask unanimous consent to include letters stating their support, together with other materials at this point in the RECORD.

A vote for this amendment is a vote to stop financial mismanagement and waste. Let us fully implement the Chief Financial Officers Act. I urge your support for this amendment.

LETTERS IN SUPPORT OF CONYERS/CLINGER AMENDMENT TO THE FISCAL YEAR 1995 Department of Transportation and Related Agencies Appropriation Bill

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, June 15, 1994.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on Government Operations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The 1995 Transportation and Related Agencies Appropriations Bill places a restriction of \$1 million on the amount the Department of Transportation Inspector General can spend on conducting audits required by the Chief Financial Officers Act of 1990. In reaction to a similar restriction contained in the 1994 Transportation and Related Agencies Appropriations Bill, the President's 1995 Budget requested that this restriction not be included in the 1995 appropriating language.

We continue to support the removal of the \$1 million restriction.

Sincerely,

LEON E. PANETTA,
Director.

GENERAL ACCOUNTING OFFICE,
Washington, DC, June 14, 1994.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on Government Operations, House of Representatives, Washington, DC

Hon. WILLIAM F. CLINGER, Jr.,
Ranking Minority Member, Committee on Government Operations, House of Representatives, Washington, DC:

This letter responds to your request for our views on an amendment that would remove the \$1 million limitation placed on the Department of Transportation Inspector General in meeting the requirements of the Chief Financial Officers (CFO) Act. This limitation in the past has restricted the ability of the Transportation IG to meet all of its responsibilities under the CFO Act.

GAO strongly supports the CFO Act and believes that achievements of its objectives are important to improved financial management. Our governmentwide experience in reviewing agencies' efforts to implement the CFO Act, particularly the act's requirement for annual audited financial statements, demonstrates that the benefits of the CFO Act far outweigh the costs.

As GAO testified before the Senate Committee on Governmental Affairs earlier this year and plans to testify before your committee later this month, the CFO Act has resulted in numerous benefits including:

Significantly more accurate and useful information on the government's financial status and its operations;

Substantial savings of resources through recovery of funds due the government, and more efficient use of funds;

A more in depth understanding of the extent and pervasive nature of the internal

control and financial management systems problems facing the government;

A better knowledge of the limited extent to which the Congress and program managers can rely on the financial information they receive; and

Improvements in management's accountability for, and focus on, strong financial management, including the need for effective controls and systems.

Agency officials, including CFOs, IGs, and agency heads have stated that the financial audits mandated under the act have been instrumental in helping them address significant financial management problems. In addition, the Director of the Office of Management and Budget agrees with these assessments and reported to the Congress last November that the pilot program under the CFO Act has been successful.

Throughout government, the CFO Act is producing great benefits in improving government operations, and we believe that sufficient funding to meet the act's requirements is a wise investment of the government's resources.

GENE L. DODARO,
Assistant Comptroller General.

FINANCIAL EXECUTIVES INSTITUTE,
Washington, DC, June 13, 1994.

Hon. BOB CARR,
Chairman, Subcommittee on Transportation, Committee on Appropriations, Washington, DC.

DEAR MR. CHAIRMAN: Financial Executives Institute (FEI) would like to express its strong opposition to the \$1 million cap imposed on the Transportation Department's Office of the Inspector General for auditing activities related to the Chief Financial Officers (CFO) Act.

As a professional association representing over 14,000 senior financial executives from 8,000 companies throughout the United States, we have long understood that timely reliable financial information is vital for effective decision-making, planning, and ultimately, for improved productivity.

We are particularly alarmed by the statements of the Subcommittee which questions the need for full implementation of the CFO Act, as well as the benefits of good financial information. In our review of the Fiscal Year 1993 CFO Act's Annual report, we discovered widespread financial management problems in the Department of Transportation that could result in millions, if not billions, of taxpayers dollars being at risk. For example:

(1) "The Highway Trust Fund audit report indicated that the lack of documentation for an estimated liability of approximately \$935 million and the auditors' inability to apply other procedures to validate the fairness of the amount resulted in a disclaimer of an opinion on the financial statements."

(2) "The FAA audit report indicated that the lack of available automated detail records and the inability of the auditors to use manual records prevented them from expressing an opinion on the financial statements. The report on internal control structure indicated five material weaknesses: inconsistent/incorrect processing of fund usage transactions, unconfirmed balance of year end purchase-in-transit inventory, inability of the central automated accounting system to separate prior year records from current year activities, understatement of Trust Fund operating expenses and assets, and unsatisfactory control over a wire transfer system."

These two examples are illustrative of the serious financial management problems that

persist in the Department of Transportation, and we would strongly urge that the Subcommittee reconsider lifting the \$1 million cap so that proper audits can be conducted at DOT.

We appreciate your consideration of our request, and would look forward to meeting with you and your staff to discuss this issue.

Very truly yours,

JAMES A. KANZ.

NATIONAL ASSOCIATION OF STATE
AUDITORS, COMPTROLLERS AND
TREASURERS,

June 15, 1994.

Hon. BOB CARR,
Chairman, Subcommittee on Transportation, Committee on Appropriations, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to respectfully request that you consider removing the \$1 million limitation on expenditures that the FY 1995 Department of Transportation and Related Agencies Appropriations bill places on implementation of the CFO Act. Our association enthusiastically supported passage of the CFO Act. We support the CFO Act, because—as was stated in a recent report issued to accompany the Vice President's National Performance Review, entitled *Improving Federal Financial Management*—"... better financial management is necessary to give the President, Congress, and other policymakers an accurate picture of the federal budget when they make broad policy decisions and to show Americans that their money is managed well."

A key provision of the CFO Act calls for audited financial statements for all trust funds, revolving funds, and substantial commercial activities, as well as for a pilot program encompassing 10 departments and agencies. The Office of Management and Budget's 1993 Federal Financial Management Status Report and 5-year Plan notes that "... audited financial statements are yielding information that is highly beneficial." The report notes a number of instances in which audited financial statements have enabled federal agencies to identify financial systems weaknesses that could otherwise have gone undisclosed. These weaknesses include:

Inaccurate inventory records that resulted in excess inventory purchases valued at more than \$100 million;

Underutilized user fee systems that resulted in the unnecessary use of over \$30 million of appropriated funds;

Deficiencies in deobligation systems that permitted the agency system to record overstated obligations by \$40 million; and

Inadequate accounting controls that resulted in failure to bill non-Federal entities for loan installments totaling more than \$30 million.

Further underscoring the value of audited financial statements, Comptroller General Charles Bowsher said last Fall that yearly audits of the agencies responsible for 95 percent of federal assets and outlays would be a costly but important step. In an address before the American Institute of Certified Public Accountants, he said "these are big jobs, but they're doable, and they should be done. ... I think you've got to invest before you get savings."

I respectfully submit that an investment of \$1 million, or one-fortieth of the Transportation OIG's appropriation, is not a sufficient investment in this important method of improving financial management. It would appear that the \$3.6 million requested last year would more realistically enable the

OIG to comply with the provisions of the CFO Act.

On behalf of the National Association of State Auditors, Comptrollers and Treasurers, I want to thank you for considering my comments on this matter. Should you have any questions regarding these comments, I ask that you contact Helena Sims, Director of our Washington Office at (202) 624-5451.

Sincerely,

ROBERT D. LUTH,

State Accounting Administrator State of Nebraska, and Chairman, NASACT Task force on Improving Federal Financial Management.

AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

Washington, DC, June 15, 1994.

Hon. BOB CARR,

Chairman, Subcommittee on Transportation, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The American Institute of Certified Public Accountants (AICPA) is the national professional association that with more than 314,000 CPAs in

public practice, industry, government, and education. The AICPA, through the efforts of volunteer members, is devoted to developing standards for audits and other services by CPAs, providing educational guidance materials to its members, administering the Uniform CPA Examination, and monitoring and enforcing compliance with the profession's technical and ethical standards. All of these activities are undertaken with the objective of assisting our members in their efforts to serve the public interest.

We have long had an interest in the Chief Financial Officers Act and believe we have contributed to influencing Congress' enactment of it. I am writing to urge you and your colleagues to delete the cap on funding to implement the Chief Financial Officers Act in the Department of Transportation Appropriations legislation H.R. 4556. It is our understanding that a simple removal of the cap on the amount of funds DOT could allocate would allow the agency to employ adequate funds to implement the requirements of the CFO Act. We believe such a funding shift will untie the Department's hands in determining which audits should be conducted.

The CFO Act is the first effort by the Congress to bring discipline and critical management information to the government policy making process. Without the benefits the act can provide being made available to the DOT, OMB and the Congress, it is difficult to see how long term savings and efficiencies can be instituted that can be preventative in nature rather than curative. We urge you to consider the wisdom of removing the caps and let the Department proceed to adequately fund the implementation of CFO Act.

We call your attention to the High Risk Areas for the Department of Transportation that are listed in the 1994 Budget. These areas highlight the need for adequate funding to achieve the objectives of the CFO.

Representatives of the AICPA will gladly meet with you to discuss this further, if you wish.

Sincerely,

J. THOMAS HIGGINBOTHAM,

Vice President, Congressional and Political Affairs.

DEPARTMENT OF TRANSPORTATION

High risk area	Progress to date and next steps	Assessment	Investment to correct high risk area (in thousands of dollars)	
			1993 request	1993 enacted
Departmental financial systems are numerous, fragmented, and non-standard. DOT financial systems process over \$30B in outlays annually. At risk: assurance that funds are being accounted for in an accurate, timely, and useful fashion.	DOT is (i) correcting immediate problems in accounting, personnel, payroll, and procurement systems; (ii) establishing standards and developing a strategic systems plan for future modernization; and (iii) fully implementing an integrated systems environment. In 1992, DOT implemented its DAFIS core accounting system at the Maritime Administration—DAFIS is now installed in 7 out of 10 offices and administrations; and completed the conceptual design plan for an Integrated Personnel/Payroll System (IPPS). Significant progress was reported in the 1993 budget because the DAFIS implementations were accomplishing significant consolidation of core accounting system support. However, some accounting weaknesses in DAFIS remain, and significant work on longer-term strategies and plans for integrating subsidiary systems and providing more useful cost information has been delayed due to Congress' cuts in the President's 1993 request. Next steps: Complete (i) installation of DAFIS for remaining three offices by July 1993, and (ii) detailed design for IPPS during 1993. Implementation of IPPS and other systems enhancements will require resources in 1994.	2	6,213	3,668
Federal Transit Administration (FTA): Inadequate grants management oversight. At risk: FTA over \$35B in active grants. At risk: \$300-500M.	FTA must improve oversight of grantees' adherence to Federal requirements. In 1992, FTA: (i) received additional staff support (31 FTEs); and (ii) implemented recommendations of the Administrator's Task Force Report on program management oversight. These recommendations included (i) a risk assessment for early identification of problem grantees needing assistance and closer monitoring, (ii) a more comprehensive Triennial Review process, and (iii) targeting of contractor support funds for oversight activities. FTA is also working to revise audit guidance to comply with Federal requirements. FTA has already taken short term steps to separate project oversight from program management activities. Additional resources provided by Congress in 1993 will be used to fund new contractor support activities. Next steps: During 1993, FTA will (i) continue organizational and functional changes to focus on and improve program oversight; (ii) increase the use of funds to hire contractors to perform procurement, management, financial, and safety reviews and audits; (iii) work with OMB to improve audit guidance; and (iv) recruit appropriate oversight staff. Funds will be required in 1994 to provide staffing and contractor support in the discretionary and formula grant programs.	2	24,977	28,368
Federal Aviation Administration: major systems acquisition procedures inadequate. FAA procurement plans are estimated at \$8.2B over the next 15 years. At risk: increased costs because of poor contract administration.	FAA has developed an internal management control plan to identify and focus on major acquisition weaknesses, and an acquisition plan policy which includes provisions for contract award, administration, modification, and approved by senior management. Program offices must now justify and validate requirement needs at four successive phases from concept to production. FAA has also organizationally separated acquisition review and oversight from acquisition operations. Next steps: DOT will conduct a Procurement Management Review of FAA contract administration activities and contract modifications. Mission needs statements will be improved to include appropriate quantitative, analytical support by implementing a structured mission analysis process which will be closely tied to the budget process. Mission needs will be reevaluated throughout the life cycle, operations requirements will be developed, and improvements in performance resulting from acquisitions will be measured. Acquisition policies will be revised and updated. Requirements determination, specification development, and pre-production testing processes will be improved through formation of Quality Action Teams. Additional training will be implemented, including a 20-week course for some project managers. Existing funds will be used to finance corrective actions.	2	5,500	5,500
U.S. Coast Guard: major systems acquisition procedures inadequate. USCG procurement plans are estimated at \$1.5B over the next 5 years. At risk: increased costs because of poor contract administration.	In 1992, USCG conducted internal management control reviews on major systems acquisitions. These found that improvements are needed to protect source selection information and improve invoice processing. Mission justification now includes detailed cost estimates that are adequately supported and include all costs. Hands-on training in procurement management reviews and accountability is being improved. Next steps: In 1993, continue to improve the mission analysis and mission needs process (closely tied to the budget process), both at USCG and DOT. Mission needs will be reevaluated through acquisition life cycle, and improvements in performance resulting from acquisitions will be measured through a structured process every year. Policy will be updated and revised as needed, and a system for correcting procurement errors will be developed. Program managers will continue to be trained at the Defense System Management College, and Warrant Officers assigned to field units with oversight responsibilities. A followup system to track procurement deficiency corrective actions will be developed.	2	15	15
Federal Aviation Administration: Inadequate management of spare parts at field activities. At risk: \$130.7M of spare parts at field facilities.	The FAA must (i) improve management of spare parts at field activities; (ii) reduce inventory holding costs; (iii) take timely disposition action on excess and inactive materials; and (iv) centralize inventory management. FAA has issued revised guidelines to improve inventory management and has developed a supply site management plan. Next steps: Planned actions are to complete a phased inventory of field stock exceeding the threshold cost. Funds will be required in 1994 to complete implementation of the new inventory system and to conduct inspections of field facilities. Added to the high risk list.	A		
U.S. Coast Guard: Inadequate logistical support for spare parts at field activities. At risk: \$93.6 M of a \$346.7 M on-hand inventory representing excess inventory.	The Coast Guard needs to implement internal control objectives and techniques sufficient to minimize its inventory cost for spare parts. Necessary corrective actions include implementation of the new Aeronautical Maintenance Management Information System (AMMIS). AMMIS is intended to improve planning, tracking and recording capability. Added to the high risk list. Next steps: Introduction of the AMMIS system is scheduled for 1993 with full implementation in 1995. Funds will be required in 1994 to (i) provide advanced logistics management training, (ii) finance AMMIS, and (iii) complete the reorganization of the warehouse.	A		
Department: Inadequate Department Information System Security (ISS). Annual investment of nearly \$3B for information technology.	Security efforts have not kept pace with improved technology to safeguard information systems. Security improvements are needed to safeguard information systems for grant management, funds control, and management and safety of the Department's operational systems (e.g., Air Traffic Control Systems). DOT must develop a comprehensive security plan, and revise existing policy, issue procedural guidance, and perform security oversight reviews. Added to the high risk list. Next steps: (i) Completed revisions to existing policy statements (March 1993); (ii) complete four oversight reviews (September 1993); and (iii) issue guidance in support of ISS policy (September 1995). Funds will be required in 1994 for staffing and training.	A		

DEPARTMENT OF TREASURY

High risk area	Progress to date and next steps	Assessment	Investment to correct high risk area (in thousands of dollars)	
			1993 request	1993 enacted
Internal Revenue Service (IRS): strategy for collecting and resolving Accounts Receivable (AR) is inadequate. IRS Accounts Receivable \$71B (current estimated collectible value is \$28B). Collections totaled \$24B in 1992. At risk: at least \$28B in collectible receivables; \$43B estimated allowance for doubtful accounts needs to be reconciled and closed out.	Since IRS collections have not kept pace with the growth in unpaid tax debt, significant Federal revenues may be lost. In 1992, the IRS: (i) set targets for AR and other functions and began quarterly performance reviews with OMB and Treasury; (ii) eliminated duplicate penalties from AR and initiated a pilot to eliminate erroneous accounts; (iii) began a feasibility study of the use of private collection agencies to resolve unworked, lower priority accounts; (iv) undertook a series of efforts to accelerate contact with delinquent taxpayers, including an accelerated notice pilot; and (v) modified its installment agreement and offer-in-compromise policies to permit more flexibility and increased collections. During the year, installment agreements have increased 47%; collections from installment agreement have increased 24%; and offers-in-compromise submitted by taxpayers have increased twofold. Next steps: Accounts Receivable will be elevated to be an integral part of the Servicewide Compliance 2000 Strategy and related plan. In 1993, the IRS will conduct a private collection agency pilot and expand nationwide its pilot to eliminate erroneous accounts from AR. For 1994, if the private collection agency pilot proves feasible, legislation is needed to fund referral of unworked, low-priority cases to private collection agencies out of a portion of the proceeds. Continued funding of AR improvements will be needed in 1994.	2	16,217	15,641
Customs Service: Inadequate collecting/accounting systems for revenues on imports \$20 billion collected annually. At risk: control of revenues, including tracking of \$880M in posted receivables.	A new core accounting system. Asset Information Management System (AIMS), was implemented to provide general ledger, funds control, and budget execution capabilities. Interfaces between AIMS and Customs administrative and revenue subsystems will provide improved data accuracy. Customs still needs to improve accounting for protested amounts and revenue collection—through the Automated Commercial System (ACS) and its interfaces with AIMS. A system for mail entry of collections was implemented in 1992 to enhance control over receivables. Congress' cut of the President's 1993 request will delay improvements to ACS, and interfaces between Customs subsystem and AIMS. Next steps: Customs reallocated \$4.5M from other activities to (i) continue to redesign of the protest module in ACS; (ii) continue work on ACS and its interfaces with AIMS (needed to support accountability of revenues); (iii) begin work on the cost accumulation capabilities in phase (ii) of AIMS; and (iv) improve data integrity through efforts to develop interfaces between Customs subsystems and AIMS. Additional resources will be needed for this effort in 1994.	2	1,668	0
Departmental Financial system coordination is inadequate. Treasury is investing \$81 million in financial systems development in 1993. At risk: systems developed by bureaus may not support departmental financial management initiatives.	Treasury has improved system oversight by establishing the Office of Financial Systems and Reports, and issuing Treasury Directive 32-02, "Approval of Financial Management System," which requires departmental review and approval for systems. Efforts are underway to implement the recommendations of the department-wide studies on integration of financial systems and financial report filing procedures. The Financial Management Systems Advisory Committee was established to ensure consistency in the design and enhancement of financial management systems. This committee will initiate efforts to determine department-wide financial management system requirements. The first three priorities will be travel, procurement, and revenue systems. Treasury continues to make progress in further reducing the variety and number of financial management systems by implementing the Federal Financial System (FFS) software at three additional bureaus (IRS, USCS, and FLET). Current efforts will result in half of the bureaus using FFS by 1993 (accounting for 83% of Treasury's total budget authority). Next steps: Treasury (i) is allocating additional funds (\$320,000) to this project in 1993, (ii) will oversee installation of FFS software at ATF, and (iii) will develop plans for establishing a department-wide financial management system. Additional resources will be required in 1994 to improve systems oversight.	2	170	170
Customs, Operations and Maintenance Account, Air and Marine Interdiction Programs lack adequate internal controls. Interdiction Operations and Maintenance accounts in 1993 totalled \$138M. At risk: \$26-\$50M dollars in unobligated balances.	Customs identified problems accounting for prior year unobligated balances in this program. Corrective actions to address these problems are underway. Last summer, Customs hired the accounting firm of KPMG Peat Marwick to review the account balances of the air/marine program, and they are now completing their work. Recommendations of Treasury's own study team will be implemented to improve the account's internal controls. Finally, the Inspector General will review results of both efforts. ADDED TO HIGH RISK LIST.	A		

NATIONAL TAXPAYERS UNION,
Washington, DC, June 14, 1994.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on Government Operations, Washington, DC.

DEAR MR. CHAIRMAN: The 250,000-member National Taxpayers Union strongly supports the Conyers/Clinger Amendment that would remove a \$1 million cap on the amount the Department of Transportation's Inspector General may spend on auditing financial statements as required by the Chief Financial Officers Act.

It is important to note that this amendment would not increase spending. The appropriation for the Inspector General would remain at \$40 million. This amendment would provide the flexibility for the Inspector General to comply with the Chief Financial Officers Act.

As an organization that represents the interests of the American people in insuring the taxpayers money is being spent efficiently, we have long understood the importance of sound financial management and auditing practices to achieve a more efficient Federal government. A vote for this amendment is a pro-taxpayer vote, and a vote for restoring strong financial management to the Department of Transportation.

Sincerely,

DAVID KEATING,
Executive Vice President.

THE COUNCIL FOR
EXCELLENCE IN GOVERNMENT,
Washington, DC, June 15, 1994.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on Government Operations, Washington, DC.

DEAR MR. CHAIRMAN: The Council for Excellence in Government would like to express its strong support for the Conyers/Clinger Amendment that removes a \$1 million cap on the amount the Department of Transportation's Inspector General may

spend on auditing financial statements as required by the Chief Financial Officers Act.

As an organization that continuously works to improve government management and performance, we have long understood the importance of sound financial management and auditing practices to achieving these goals.

Sincerely,

PATRICIA MCGINNIS,
President.

CITIZENS AGAINST GOVERNMENT WASTE,
Washington, DC, June 15, 1994.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on Government Operations, Washington, DC.

DEAR MR. CHAIRMAN: The 600,000 members of the Council for Citizens Against Government Waste (CCAGW) strongly endorse the Conyers-Clinger Amendment to strike the \$1 million restriction on spending by the Department of Transportation's (DOT) Inspector General on auditing financial statements as required by the Chief Financial Officers Act of 1990 (CFOs Act).

We appreciate your continued leadership in furthering the objectives of the CFOs Act. As a Grace Commission recommendation, the establishment of CFOs was a critical step in bringing sound financial management and auditing practices to the federal government.

A vote for this amendment will help fulfill the promise of the CFOs Act. Taxpayers will be able to determine just how their hard-earned money is being spent at the Transportation Department. CCAGW will consider this vote as part of our 1994 Congressional ratings.

Sincerely,

THOMAS A. SCHATZ.

□ 1420

Mr. CLINGER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is a critical vote. The Conyers-Clinger amendment presents the body with a chance to take an effective, meaningful stand against waste, fraud, and abuse. The appropriations bill we are debating today includes a cap on the use of funds to implement the Chief Financial Officers Act at the Department of Transportation. You are likely to hear from the defenders of this measure an argument repeated nowhere else in the Federal Government. Namely, that sound financial management practices simply do not matter.

Let me read from the Appropriation Committee's report,

While providing a modest level of funding, the committee is still not convinced that there will be any significant benefit to the DOT from the activity, while its costs continue to reduce funding for other audit activities. The committee retains some serious reservations about the need for full implementation of the CFO legislation within this particular department.

I find this statement simply amazing. Nowhere else, not in the private sector, not in State and local governments, and, I hope, nowhere else in Congress, could you find the argument that sound financial management practices provide no significant benefits.

In their review of the Department of Transportation's financial management activities, the Office of Management and Budget has reported to Congress two examples which are illustrative of the serious financial management problems that persist at the Transportation Department. Their report states that the highway trust fund

audit identifies the lack of documentation for an estimated liability of approximately \$935 million. Furthermore, the FAA audit disclosed that a lack of automated detail records and the inability to use manual records prevented the auditors from even expressing an opinion on FAA's financial statements. Their report on internal controls indicated at least five material weaknesses. It is anybody's guess how many problems would have been uncovered if all of DOT's financial statements had been audited as currently required by law.

While these accounting issues are not the most exciting subjects debated on this House floor, I can assure you that these audit reports identify the same types of financial weaknesses that the Federal Government would never tolerate from publicly held companies, yet, we seem consistently willing to put off efforts to solve these problems when they arise in the Federal Government.

In my view, the CFO's Act thus far has paid big dividends. The Comptroller General of the United States, Charles Bowsher, recently testified on the benefits associated with full implementation of financial management reforms. He stated, "Since its enactment in late 1990, we have seen progress in directly confronting serious financial management weaknesses. The act's requirement for producing annual audited financial statements—something this bill would virtually eliminate at DOT, I might add—is demonstrating its value in several important ways.

First, a much clearer picture is emerging of the Government's true financial condition. Financial statement audits have provided a much more realistic portrayal of the costs the Government can expect to incur as a result of its activities. The audits have highlighted billions of dollars in liabilities and potential losses to the Government. This is the kind of information needed to make critical decisions on budgeting, tax policies, and the overall direction of Government programs.

Second, according to GAO, financial statements have brought much needed discipline in pinpointing waste, mismanagement, and possible illegal acts and in highlighting the gaps in safeguarding the Government's assets.

Third, CFO Act financial audits have identified actual and potential savings of hundreds of millions of dollars. For example, the Department of Defense identified over \$204 million in potential savings from duplicate invoices, duplicate payments, and avoided interest.

Finally, the financial audits, according to GAO, are also confirming just how little confidence the Congress and program managers can place in the information they now receive. GAO has identified hundreds of billions of dollars of accounting errors—mistakes and omissions that can render information provided to the Congress virtually useless.

These are the benefits that could be received by full implementation of the CFO's Act requirements for audited financial statements. Yet, they are benefits that may never be realized at the Department of Transportation unless the Conyers/Clinger amendment is adopted.

How can we argue that Transportation, unlike every other department within the Federal Government, is clear of fraud, waste, and abuse. Would it not be important to my colleagues on the Transportation Appropriation Subcommittee to know whether the financial data being provided to you by the Department is correct. And how can you now argue that it is correct when GAO is finding billions of dollars in mistakes and omissions at every other agency in the Federal Government.

I implore my colleagues to vote "Yes" on the Conyers-Clinger amendment and allow the Department of Transportation to improve their management systems, to bring soundness and stability to the management of their Department.

I also urge my friends on the Appropriations Committee to learn more about the benefits associated with the financial management reforms required by the CFO's Act. Universally, agency CFO's and inspectors general have reported that the process of preparing and auditing financial statements brings much needed rigor to accounting and financial reporting and highlights where the real problems are. Sit down with the financial managers of your departments and review their financial statements. Understand that the weaknesses identified in the financial statement audits result in massive waste, fraud, and abuse and eventually in fewer program dollars being received by program beneficiaries.

Finally, the inspector general community, especially the inspector general at the Department of Transportation, needs to take the congressionally mandated requirements of the CFO's Act seriously. The act mandates that financial statements shall be audited and the results of those audits reported to Congress. An inspector general who cannot perform this function is simply not abiding by the law, which is completely abhorrent to the principles and goals of the Inspector General Act.

In closing, I urge a "yes" vote on the Conyers/Clinger amendment. Bring sound financial management policies into the Department of Transportation.

Mr. CARR of Michigan. Mr. Chairman, I move to strike the requisite number of words, and I rise in the spirit of compromise.

Mr. Chairman, it is my intent to accept the amendment. I would like to indicate that we do have some problems with the amendment. We fun-

damentally do not agree with it. However, in the interest of comity between ourselves and the authorizing chairman and ranking member, both outstanding leaders of our country, I think that we could accept this amendment and continue working with the Committee on Government Operations to try to fix what we see as some of the deficiencies of the CFO Act, as it applies to the Department of Transportation.

I would like to explain the rationale for the committee recommendation further because there have been some misconceptions and misrepresentations made about what the reported bill actually does and does not do to implement the CFO legislation.

First, the Members should know that this is not a new limitation. The limitation in this bill is the same as we have had in place for 2 years.

The reported bill includes \$1,000,000 for CFO activities. That is the amount requested in the President's budget. We included all funding requested by the administration. It is the same amount as provided for fiscal years 1993 and 1994, and almost the same as provided for fiscal year 1992 (\$1,125,000). The bill doesn't cut existing activities—it restrains growth in an area where the benefits are far from clear.

Most importantly, even with the \$1 million limitation in this bill, by far, most of the audits required by the CFO Act are being done. According to the Department of Transportation, by dollar value, 97.4 percent of the funds required to be audited by the CFO Act are being audited. Removing the limitation would raise CFO funding by 260 percent, to audit only an additional 2.6 percent of funds. The committee's view is that we should not be paying millions more to audit small accounts such as the gifts and requests fund of the Maritime Administration, which receives less than \$50,000 a year, and the Coast Guard gift fund. We could end up spending more to audit those funds than they even take in during a year. I know the Government Operations Committee would like to be able to say that their legislation was fully funded, and that all of the required funds are being audited, without regard to whether there are indications of financial problems in those funds. This has symbolic value. The reported bill was a compromise, and allowed the vast majority of dollars to be audited.

I should also point out that removing the limitation without adding funds requires the IG to make \$2.6 million in cuts to fund the CFO program. This will cause devastating cuts to the IG's auditing work force. Our estimate is that 15 percent of the entire audit work force will have to be laid off or redirected to finance the CFO financial statements. Members should be aware that this amendment will have harmful effects on the office of the inspector general.

As I indicated, in the spirit of compromise I will not oppose the gentleman's amendment, and we will try to work with the Government Operations Committee and the department to ensure that something beneficial results from the additional funding, and that the impact on other IG audits and investigations is mitigated as much as possible.

I urge adoption of the amendment.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. CARR of Michigan. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I want to thank my friend and colleague from Michigan who has done an excellent job in shepherding this bill through. Whatever the problems are that linger, even with withdrawing, accepting this amendment, I would be delighted to work with the gentleman in the future. I again thank him for his cooperation.

Mr. CARR of Michigan. Mr. Chairman, it is always a pleasure to work with the gentleman.

Mr. COX. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the chairman and I thank the gentleman from Michigan and my distinguished chairman on the Committee on Government Operations. I am delighted that this amendment is being accepted. I told the gentleman from Michigan [Mr. CONYERS] that I think that our implementation and oversight of the CFO Act is perhaps the most important work and the most salutary work that our Committee on Government Operations is doing.

□ 1430

Mr. Chairman, the Federal Government does not produce annual audited financial statements, even though the U.S. Government spends \$1.5 trillion each year. This is one of the biggest reasons that our Government is so deep in debt.

Mr. Chairman, the Federal Government requires every large company in America, of course, to produce annual audited financial statements, and yet the Federal Government itself is incapable of doing so. Mr. Chairman, that is a scandal, and it leads to mismanagement and waste.

To put an end to this scandal, and to see to it that the Federal Government finally prepares honest financial reports for Government managers and taxpayers, Congress passed the Chief Financial Officers Act unanimously in both the House and Senate. Mr. Chairman, we have to see to it that Congress now provides the necessary support to implement the Chief Financial Officers Act.

Today, Mr. Chairman, I am delighted that we are reaffirming our support for the CFO Act with the same unanimity that brought it to us in the first instance. Throughout our Government, Mr. Chairman, as of now, fiscal responsibility is the exception, rather than the rule. It is an afterthought at best. We need the CFO Act to turn this sad situation around.

Today before sundown our Government will lose \$1 billion. Tomorrow it will lose \$1 billion. We will lose over \$1 billion every day the Government is in business this year. To cover up the poor fiscal management, Federal

spending is expected to grow every year between now and the end of the century.

Today Federal spending is \$1,484 billion a year. Next year it will be \$1,509 billion. In the next 3 years, it will go up \$1.6 trillion, \$1.7 and finally \$1.8 trillion in 1998. Yet the people who have been opposing the CFO Act, some in the bureaucracy, some in the trenches, say, "We simply cannot afford to maintain sound accounting practices." If they have their way, we will not know where the \$1.8 trillion is going.

Already, Mr. Chairman, many Federal agencies we have seen on the Committee on Government Operations and on my Subcommittee on Commerce, Consumer, and Monetary Affairs, many agencies are having trouble implementing the CFO Act because they have not sufficient support to do it. I recently met with one official from a Federal agency who told me it would take 7 years before his agency can produce audited financial statements.

Imagine if we told the IRS that we could not figure out our income because of bad accounting practices, but that we would get around to it in 7 years. Do we think the IRS would give us 7 years to put our fiscal house in order? Of course not. They would slap us with a hefty fine on top of back taxes and add interest to that.

Mr. Chairman, we should not have to wait years to get honest financial statements from the Federal Government, but unless we were to pass this amendment, we would have to wait years. When I worked in the White House, I was amazed to learn that the President, the Nation's Chief Executive, cannot get an honest financial statement from the Government he supposedly runs. Each agency now keeps its books differently, so that soft numbers we do have cannot be consolidated into a single financial report.

If the Department of Transportation, covered by this bill, or any other single agency did not comply with the CFO Act, then we would never have a Government-wide financial statement. The CFO Act would be gutted. That is just what the opponent of fiscal responsibility want.

Mr. Chairman, I am absolutely delighted that we will unanimously approve the Clinger-Conyers amendment, and restate the strong bipartisan support of Congress for immediate implementation of the CFO Act.

Mr. STENHOLM. Mr. Chairman, I rise today to urge my colleagues to support the amendment to H.R. 4556, the Transportation appropriations bill, offered by Chairman CONYERS and the ranking minority member Mr. CLINGER. This amendment would lift the limitation that has in the past restricted the ability of the Transportation inspector general to meet all of his responsibilities under the 1990 CFO Act. I would like to commend the spon-

sors of this amendment for the diligence they have shown on this issue.

The people of my district are tired of Government waste and this amendment is a solid step in keeping us informed so that we can keep our constituents informed. Therefore we here in Congress must send a message to the taxpayers that we are in favor of sound economic decisions concerning our Government finances. The Department of Transportation has many management weaknesses such as inaccurate inventory records, underutilized user fees, deficiencies in deobligation systems, and inadequate accounting controls. The Chief Executive Officer Act of 1990 was approved by Congress as a way to bring about better accountability to the executive branch. This amendment would allow that accountability to be measured. The Transportation Department is the only department prohibited from complying with the CFO Act because of a funding restriction despite widespread financial management problems.

Office of Management and Budget Director Leon Panetta supports the removal of the \$1 million restriction. Along with the Clinton administration, the General Accounting Office, the Financial Executives Institute, Citizens Against Government Waste, and the National Taxpayers Union.

I support this amendment because it does not add any money to the appropriations bill but rather saves taxpayer dollars by allowing the DOT's inspector general to fully comply with the CFO Act. It will hold the DOT more accountable by allowing sound and complete audits of the agencies within. Friends, we face many tough choices in dealing with our budget crisis. Members of this body may disagree on many of the choices we face, but we all agree that we need to eliminate waste and mismanagement.

Voting yes to the Conyers-Clinger amendment is one more step in the right direction in saving taxpayers' dollars and to holding executive agencies more accountable ensuring reliable performance of the services they were meant to do.

Mr. PAYNE of Virginia. Mr. Chairman, I rise in strong support of the amendment offered by Mr. CONYERS and Mr. CLINGER.

No large business in the Nation would operate without the services of a chief financial officer. Yet, the bill we are considering will authorize the expenditure of over \$14 billion without providing adequate funding for a critical provision of the Chief Financial Officers Act of 1990—the audit of the Department's financial statement by the inspector general.

We passed the CFO Act in 1990 to ensure that agencies are able to properly account for all appropriated funds. The CFO Act makes possible the kind of sound cost/benefit analysis of programs that American businesses use every day.

If we limit the ability of the inspector general to audit financial statements at the Department

of Transportation, we in Congress will not be able to judge which programs work and which don't. Making these decisions is vital if we are to ensure the wise use of taxpayer dollars—14 billion taxpayer dollars in this case.

Mr. Chairman, we made a good start at reducing the Federal budget deficit last year by voting to cut Government spending. But we must also ensure that what we do spend is spent wisely. To do this, we must support the CFO Act by providing adequate funding for implementation of the act in each agency, including the Department of Transportation.

The CFO Act is working and working well. I urge all my colleagues to support the full implementation of the act by voting for the Conyers-Clinger amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. CONYERS].

The amendment was agreed to.

Mr. CLINGER. Mr. Chairman, with the cap on expenditures by the Transportation Department inspector general now lifted, the IG should now fully comply with the Chief Financial Officers Act. Under this Federal statute, the DOT inspector general must perform financial statement audits on all trust funds, revolving funds and commercial activities each year. Furthermore, she must report on the results of her audits to the Secretary of Transportation no later than June 30 of each year.

In the past, the Transportation Department inspector general was allowed to audit portions of only four of the nine financial statements prepared at DOT. That will no longer be acceptable. For the fiscal year 1994 financial statements, the IG will be expected to perform complete audits on each of the nine financial statements prepared at the Transportation Department. We are not asking DOT to do anything that we have not required publicly held corporations and State and local governments to do for years. Those organizations have come to recognize the benefits associated with sound financial management practices. It is time that everyone in the Federal Government perform these audits as well.

The vote today should be a sign to all executive branch officials that the U.S. Congress is serious when it tells agencies to reform their management practices. The law of the land now calls for financial management reform. There should be no excuses now for the Department of Transportation, or any other agency, not to be in compliance with the Chief Financial Officers Act.

The CHAIRMAN. Are there further amendments to this portion of the bill?

If not, the Clerk will read:

The Clerk read as follows:

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION

BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$3,350,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$37,392,000, of which not to exceed \$1,000 may be used for official reception and representation expenses.

INTERSTATE COMMERCE COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), and not to exceed \$1,500 for official reception and representation expenses, \$43,495,000: *Provided*, That joint board members and cooperating state commissioners may use government transportation requests when traveling in connection with their official duties as such: *Provided further*, That \$8,300,000 in fees collected in fiscal year 1995 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1995.

AMENDMENT OFFERED BY MR. KASICH

Mr. KASICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KASICH: Page 34, strike line 17 and all that follows through "That" on line 25.

Mr. KASICH. Mr. Chairman, I come to the floor again for the second year in a row in a truly bipartisan effort to try to consolidate, eliminate, a bureaucracy that was created in the 1800's, most of whose regulatory authority and regulatory need was eliminated in the 1980's by then-President Jimmy Carter.

Mr. Chairman, we have had a lot of criticism of Jimmy Carter over the years, and at times I chimed in, but I will tell the Members that President Carter did lead the way in a number of areas, specifically in deregulation of a lot of our transportation activity.

What the Interstate Commerce Commission was created for in the 1800's was basically to deal with railroads. It then had accelerated jurisdiction in the area of trucking and moving and busing, but what has happened is, since the period of the 1980's we have passed a number of bills through this Congress to deregulate many of the activities that the ICC was created to regulate.

Mr. Chairman, one of the things we did was, in 1980 we passed the Staggers Act that began to deregulate the operation of the railroads. We also, of course, in 1980 passed the Motor Carrier Act. The Motor Carrier Act deregulated the trucking industry. We essentially have in the ICC now an operation that does nothing more than to produce filings of trucking companies, no more, in the area of regulation.

Also in 1980 the Household Goods Transportation Act was passed that de-

regulated the moving industry, and in 1982 we passed the Bus Regulation Reform Act that regulated the busing industry. The only real activity that goes on in the Interstate Commerce Commission anymore essentially has to do with the railroads. That amount of regulation basically comprises about 37 percent of the operations.

Mr. Chairman, what are we trying to do here? What we are essentially trying to do is to take a bureaucracy that was created in the 1800's, most of whose functions have been eliminated because of the deregulation of many of the activities that they were in charge of regulating. We then want to take the Interstate Commerce Commission and its bureaucracy and fold it into the Department of Transportation.

There was a similar effort done like this, proposed by Jimmy Carter, to fold the Civil Aeronautics Board into the Department of Transportation. This is somewhat consistent with that effort. What we do here, Mr. Chairman, is we try to zero out the funding of the Interstate Commerce Commission.

In the Committee on Public Works and Transportation there is a bill that empowers the President of the United States and the Department of Transportation, the head of the Department of Transportation, to decide which of the functions of the ICC really should be retained within the Department of Transportation.

What we are essentially saying is take this big bureaucracy of 600 people, zero it out, ultimately transfer the functions of the ICC into the Department of Transportation, and let the President and the Secretary of Transportation tell us which of those functions are really important. Then they can determine how many employees they want to have actually carrying out those functions, but they would be held to the ceiling levels created in the Department of Transportation, so we would save money.

Mr. Chairman, some of the argument is that this would not save money. Mr. Chairman, I come here today with a Congressional Budget Office estimate.

I want to go back to a speech that President Clinton gave at the State of the Union in February 1993. Members might remember when the President stood up here and said:

I will point out that the Congressional Budget Office is normally more conservative about what was going to happen and closer to right than previous Presidents have been.

□ 1440

Mr. Chairman, I did this, used CBO estimates in the 1994 budget so we could argue about priorities with the same set of numbers. The President himself basically said, the Congressional Budget Office is the bible of budget estimates.

We have asked the Congressional Budget Office for their estimate on our

proposal. CBO estimates that annual savings in payroll costs and related expenses would be about \$40 million, but could be as low as \$30 million and as high as \$50 million. The fiscal year 1995 savings would be about \$15 million less because of severance costs.

Our proposal would save \$25 million in the first year by consolidating these bureaucracies. Over 5 years we would save somewhere in the neighborhood of \$150 million, and that is the minimum level, \$150 million.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. KASICH] has expired.

(On request of Mr. HEFLEY and by unanimous consent, Mr. KASICH was allowed to proceed for 3 additional minutes.)

Mr. KASICH. Mr. Chairman, what we are proposing is in an orderly fashion to take an older bureaucracy, to separate the separate bureaucratic nature of that organization, most of whose regulatory functions have withered away. We are charging the Secretary of Transportation and the President with deciding which of those functions still should be carried out. We are allowing them to hire people under the ceiling of the Department of Transportation. We will save at least \$25 million in the first year and somewhere over \$150 million over 5 years. We will have begun to re-invent government. We will have made for more efficient process.

Mr. Chairman, we came very close to winning this amendment last year, just a few votes short. Part of the reason I believe we lost is Members still did not know what the details are. Most of the Republican side of the aisle voted for this. I would say to my Democratic colleagues, I have appealed to them over this period of this week to really be for some change.

I have asked them to come to the floor and actually vote for something that begins to really re-invent government. I think it is a good vote for this whole House. We are going to be able to maintain the essential functions of this operation, we will save money, we will consolidate bureaucracy, and I think we will be moving in the direction that I believe the American people want to move and it represents real change.

Is our proposal perfect? No, no proposal for change is perfect, but it gets us on the road to making some significant changes in an organization that really does need to be reformed, really needs to be eliminated. The functions kept were legitimate. The rest of them, let us do away with them. We owe the taxpayers of this country that. I think that is what your constituents want. I know it is what mine want.

I ask for your support on this measure on truly a bipartisan basis.

Mr. CARR of Michigan. Mr. Chairman, I rise in vigorous opposition to this amendment.

Mr. Chairman, this amendment seeks to strike all the funding for the Inter-

state Commerce Commission from the fiscal year 1995 Department of Transportation bill. The amendment would, in effect, abolish the ICC within a little more than 3 months.

Mr. Chairman, this amendment is like a bad dream that comes back night after night. The amendment was debated last year and it was defeated, not once but twice by this body. We debated the amendment first in the fiscal year 1994 DOT appropriations bill. It was defeated. We debated the amendment again as part of the Penny-Kasich amendment to H.R. 3400, a fiscal year 1994 supplemental and rescissions bill. Again, the amendment was defeated. The sponsors' proposal to abolish the ICC and to transfer its functions to the DOT is simply a proposal whose time has not come. Even the sole Republican ICC Commissioner has said, "There is little if anything to be gained by moving the ICC's current functions to another government agency."

Mr. Chairman, the sponsors of this amendment raise the flag of reinventing government and saving money. They argue that DOT can do what the ICC does, only at a lower cost. They cite CBO estimates that transferring the ICC to DOT would save \$15 million to \$45 million in the first year, and \$30 million to \$50 million in subsequent years after initial severance costs are paid.

Mr. Chairman, let us look at the estimates a little closer. CBO's estimates assume that all 614 ICC employees would be transferred to DOT. The DOT would then reduce its personnel levels through a reduction-in-force in order to stay within its personnel ceilings. In other words, to achieve the savings estimated by CBO, some 600 people would have to be RIF'd at the Department of Transportation at a cost of approximately \$15 million. Moreover, the CBO analysis assumes that DOT would absorb ICC functions without any increase in personnel. Let me repeat that. It assumes that the DOT can absorb ICC functions without an increase in personnel or capital equipment. I might add, it is an assumption that we just know is flawed. It does not pass the common sense test.

Mr. Chairman, like other Federal agencies, DOT is mandated to reduce employment levels by 12 percent by fiscal year 1999. Under H.R. 4556, the bill before us, the Department will have approximately 2,400 fewer full-time equivalent civilian personnel in fiscal year 1995 than it had 2 years ago. Making these employment reductions without impairing vital transportation safety functions will not be easy. For example, the Federal Aviation Administration recently granted buyout authority to 2,700 employees to avoid having to conduct a reduction-in-force this year. Clearly, the Department of Transportation is already working with ex-

tremely tight personnel levels and it is simply unrealistic to assume that it can take over the ICC functions within the existing personnel ceilings without cutting back on other essential activities.

A vote for this amendment is a vote to compromise the Coast Guard, it is a vote to compromise flight services in this country, it is a vote to compromise the ability of the Federal Highway Administration to conduct the investments that we want in America.

Mr. Chairman, this is a bad idea whose time has not come.

Mr. DELAY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I think this is the first and only time that I will disagree with my beloved chairman.

I hope Members will really take a look at this amendment and subsequent amendments that will be proposed to take care of some of the problems that our chairman has outlined, including a second amendment, I think it is \$15 million will be added for severance in trying to ease this transfer as far as the employees are concerned.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, let me be clear on that. The reason our first year savings are only \$25 million and not \$40 million is we have a severance package in our proposal that would come after this would be adopted.

Mr. DELAY. Mr. Chairman, I think that pretty well clears up the concern Members may have about some of the employees over at ICC.

Members of the House, the ICC, the Interstate Commerce Commission, is a dinosaur that just absolutely refuses to die. This was an agency that had 2,000 employees and is down to 600. Why? Because it does not do anything of substance.

Mr. Chairman, I want to try to explain what the Interstate Commerce Commission is. It is the last hangers-on after deregulation has been so successful.

Over the last 2 days, it is amazing to me. I have received a great deal of correspondence on this amendment that we offer on the floor today. It is very interesting to note that the only opposition I have received from off the Hill has been from labor unions. In their correspondence, they reiterate the same old tired argument that there is some justification for the ICC. But wait a minute. Why are the labor unions interested in keeping the ICC?

After some discussion on this subject, we tried to figure it out, and the only thing that we could figure out was first that somehow they want to keep rates artificially high, which does not make any sense to me since there are so many nonunionized trucking companies operating in the United States as compared to 15 years ago.

The only other reason we came up with, and probably is much more important to the unions, is that they hope that in some way, someday, there will be a future possibility that the Government would through the ICC re-regulate the rates and keep rates artificially high.

□ 1450

I introduced legislation when I was in the Texas House of Representatives to deregulate trucking way back in 1978, and in 1986, I introduced, with my good friend and former colleague, Jim Moody, H.R. 3222, legislation that would have completely deregulated the trucking industry and reorganized the Interstate Commerce Commission under the DOT.

I feel as adamant today about this issue as I did 15 years ago.

Let us look at the reality of the elimination of the ICC. What do they do right now as far as trucking is concerned? If you want to go into the trucking business or you want to expand your current authority, all you have to do is send a piece of paper to the ICC requesting formal permission to operate a trucking business. How ridiculous. More paperwork for the trucking industry.

And then when you are in business, every time you want to change your rate, you are supposed to send a rate tariff to the ICC. Do you know what deregulation has done? It has created a whole new industry called rate bureaus. These are the people that collect the rates. You can consult with a rate bureau and find what the rates are to haul your goods right now without the ICC, an industry that is creating jobs and doing a wonderful job of managing the information flow of what the rates are out there.

The ICC does not do anything but collect them.

Now, some shippers are concerned, and you may have heard from some of them, about this rate-filing situation, and where would you file rates? You would file rates, if you still have to comply with the law, and I would hope that we would repeal such a law, if you have got to do it, you can still file your paper with the DOT, and the DOT will take it and put it where the ICC does, back in the file box somewhere, in their computers or in a warehouse, and it means nothing to anyone. It does not do anything.

In fact, when I first came here, it was interesting to note back in the early 1980's that the Interstate Commerce Commission itself did not even meet for about 2 years, did not even meet. We were paying salaries, and the Commissioners did not even meet. Did the world fall apart?

The CHAIRMAN. The time of the gentleman from Texas [Mr. DELAY] has expired.

(By unanimous consent, Mr. DELAY was allowed to proceed for 1 additional minute.)

Mr. DELAY. Mr. Chairman, the world did not fall apart because the Commission did not meet. The world did not fall apart because the ICC went from 2,000 employees to 600.

We are hanging onto a dinosaur. This very agency is the oldest Federal regulatory agency in our Government, and it is time for it to crawl into its hole and cover those old bones up and sail off into the sunset and be the old dinosaur that it is, and maybe somebody will dig them up later on, and we will all lament about the fact that we had the Interstate Commerce Commission, that overregulated the trucking industry and cost our economy millions and billions of dollars.

We do not need the ICC. We do not need the ICC. We could put it into the DOT, if you want to keep some semblance of regulation, but this is a dinosaur that has met its day, and we ought to do away with it.

Mr. MINETA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment.

The proponents stand alone. The General Accounting Office is against this change. The affected industries are against the change. Consumers are against this change. The Interstate Commerce Commission [ICC] is against this change. The Department of Transportation itself—the administration—is against the change and I am against the change.

You get the impression from the boosters of this amendment that the ICC's independence is a result of inadvertence, a mere detail—something a sleepy Congress has failed to correct since it first made some kind of mistake a century ago.

It was no mistake then; it is not one now. The Interstate Commerce Commission's [ICC] independence from the executive branch, its insulation from parochial concerns, its bipartisan/staggered-term makeup—these things were done by design. And they are valued today.

The amendment's supporters are at pains to promise that if you kill this agency today they will revive its functions somewhere in the bowels of the Department of Transportation tomorrow. They will do this, moreover, with a new structure inside DOT that recreates the very independence they want you to kill outside of DOT. Why do they want you to go to this trouble?

To achieve cost savings, they say. The buzzwords here are "consolidation" and "streamlining" and "administrative efficiencies"—all good things, things no one can argue against.

The trouble is, there would be no such cost savings. Not a week ago the General Accounting Office [GAO] told the authorizing Committees where this argument ought to be waged—that shifting the ICC's functions to DOT would, and I quote, "compromise the

independence of the decision-making process without generating meaningful cost savings."

That is a bad bargain, Mr. Chairman.

It fails to appreciate the efficiencies this particular agency has already achieved. I know the ICC's jurisdiction has seen significant reductions—its critics are quick to point in out—but its staff and budget cuts in the past decade far exceed the jurisdictional change, made by Congress in early 1980's.

The point is, Mr. Chairman, we in Congress do not lightly delegate quasi-legislative and quasi-judicial duties. When we do, we take great care to encourage trust and confidence in the process. And independence is absolutely essential to that process. I ask you, why did we refuse to put the ICC into DOT back in 1966, when the new Department was created? And why have we refused since then? Because we, like both the consumers and industry, value an independent rulemaking and dispute resolution process.

Our colleagues seek to do with this amendment what they could not do elsewhere, in the proper forum, before our committees of jurisdiction.

Now I have no doubt that some of you who support total deregulation may believe that defunding the ICC sounds like a good thing. But I would urge you to take another look at this.

You cannot deregulate by budget-cutting alone. Even if the ICC were to disappear this morning, the regulatory laws would stay in place.

So, who would administer the law, provide the guidance, and know the details of the rule? These are good questions, I think.

My greatest nightmare is that defunding the ICC would prime another negotiated rates-type situation for the courts.

The CHAIRMAN. The time of the gentleman from California [Mr. MINETA] has expired.

(By unanimous consent, Mr. MINETA was allowed to proceed for 1 additional minute.)

Mr. MINETA. In fact, if you look at the Negotiated Rates Act, which passed this House with overwhelming support just 6 months ago, much of what we fought for and accomplished together was to take issues like rate reasonableness and what constituted a contract and pull them out of the courts and put them back to the ICC. So, if slash-and-burn budget cutting wipes out the ICC, some of what we achieved with the Negotiated Rates Act would be wiped out as well.

I do not believe that is anybody's intention, but it would be one of the results of this amendment. We should not be adopting amendments into law when we have so little understanding of what the consequences would be.

I urge opposition to the amendment.

□ 1500

Mr. OXLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment, and at the outset let me say to my good friend, the gentleman from Ohio [Mr. KASICH] and other Members on my side of the aisle that it puts me in a strange position of opposing the Kasich amendment, since I was one of the few early on to support the Kasich budget when, as he now says, we could get all of the people who supported the original Kasich budget a few years ago in a telephone booth. That telephone booth has gotten a lot larger.

Mr. Chairman, I rise in opposition to the amendment to strike all funding for the Interstate Commerce Commission. This is not because I have any fondness for regulation or bureaucracy; quite the opposite. In fact, the current prosperity and resurgence of our railroad industry is due primarily to the wisdom of the Congress in enacting the Staggers Rail Act of 1980.

That law severely restricted the degree to which the ICC could regulate the economic aspects of rail transportation—rates, abandonments, and so forth. The Staggers Act has been so successful that we now have the most financially healthy railroad industry in at least three decades. And that's the kind of genuine, targeted deregulation that makes good sense and good public policy. Even better, the Staggers Act empowered the ICC to go beyond the statutory deregulation, seeking out additional areas where Government intrusion in the marketplace is unnecessary. So the rail responsibilities now entrusted to the ICC are now part of the solution, not the problem. That's what those of us on the Energy and Commerce Committee know; the Public Works Committee will have to speak to the question of truck deregulation.

Now to the numbers. Does this amendment save any money? Answer: not enough to matter. The General Accounting Office reported to the joint Energy and Commerce-Public Works hearing last week that just picking up the existing ICC functions and giving them "as is" to the Department of Transportation would produce no real savings. Instead, GAO said real savings—up to one-third of the ICC budget—could be obtained immediately by statutory changes to reduce trucking regulation.

Some Members might be under the misimpression that keeping economic regulation at the ICC was an anomaly or an inadvertence after DOT was created in 1966, that is absolutely incorrect. Many noneconomic—safety—functions formerly entrusted to the ICC were given to DOT at that time, but there was a conscious decision by Congress not to place issues of economic regulation in the more politicized envi-

ronment of a Cabinet agency headed by a single appointee who served at the President's pleasure, not for a fixed term as ICC commissioners do.

The proponents of this amendment claim that they are really pursuing substantive deregulation, and that this appropriations amendment is just the first step in "forcing" the authorizing committees to address the subject. That sounds good, but who's being forced to do what? If this amendment succeeds, only two results are assured: One, the immediate termination of many ICC employees and, two, the effective impounding of any remaining ICC funds without DOT being able to use them. That is due to the fact that even if DOT has plenty of money in its account after this amendment, DOT still will not have any legal authority to spend those funds on ICC functions. Only an authorization statute can do that.

In conclusion, Mr. Chairman, I want to reiterate my own enthusiasm for minimizing Federal regulation wherever we can. But this amendment produces no real economy—just organizational chaos. Even the most hidebound bureaucracies are not improved by adding confusion to the mix.

Let us defeat this amendment, get back to what we ought to be doing, and that is deregulating by the authorizing committees and making a system work for the benefit of all taxpayers.

Mr. CONDIT. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. I thank the gentleman for yielding.

Mr. Chairman, there is one thing we have got to make clear: the General Accounting Office is not the budget estimator of the House; and, second, the General Accounting Office has nothing to do with estimating our bill. We have the official CBO estimate, which shows in the first year we will save \$25 million. We have a complete severance pay package, \$150 million in savings over 5 years, officially scored by the Congressional Budget Office, the bible of congressional budget estimating activities.

The General Accounting Office is not the office that does the estimates; it is the Congressional Budget Office. Furthermore, what we are proposing in this is a bill in Public Works that has sat there for a year. We were promised some effort to take a look at this. We did not have a hearing until 1 week ago. What we want to do is we want to orderly transfer the functions into the Department of Transportation, precisely what was done or similar to what was done with the Civil Aeronautics Board, a proposal. I must say that even Stephen Breyer, the President's nominee to the Supreme Court, I suspect, would support this.

This is a shrinking of a bureaucracy that really has no utility in an era of deregulation.

Mr. CONDIT. I thank the gentleman for his remarks.

Reclaiming my time, I simply say that change is really hard to make happen in this institution. Change is hard to make happen anywhere. I believe this is what this is all about.

The American people want us to make some intelligent changes here, and I believe this is an intelligent change. It is a change that has been a long time coming. Consolidation will result in eliminating a lot of duplication, it will help in terms of saving money. It is a budget saver, and make no mistake about it, you know that the President has already stated that we ought to use CBO numbers and he had said those are the numbers that count.

As has been stated already, the savings by CBO in the first year are \$25 million and, over a 5-year period, \$150 million. That is a big savings. That is by the CBO.

That is the agency that the President said we ought to use.

The point I really want to make here today, I think the point about the savings has already been made and Members ought to realize that and Members ought to realize this is a vote about change. The American people want us to make some changes, some tough choices. This is a vote to change the place.

But in changing the place, when we move those responsibilities over to the Department of Transportation, we are not going to weaken the regulations or the standards. We are not going to weaken those at all. Most of them have been eliminated, but the ones that have not been eliminated, will be carried out by the Department of Transportation.

So whatever is necessary to be done, whatever is left there is going to happen. What we have done is just eliminated bureaucracy. We have changed. We have for one time eliminated an agency. When is the last time we have done that here? I am not sure. But we need to make change happen, and I call upon my colleagues today to evaluate this carefully. You will clearly see it is a change that you are making happen today.

I urge support of the amendment.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Last year I voted against the amendment. I went back and looked to see what I had said. I said, "Mr. Chairman, I am opposed to the amendment. I am going to oppose the amendment, but in defense of my colleague, the gentleman from Ohio [Mr. KASICH], let me just say that I think he does speak about a certain frustration that a lot of people have."

I went on, "I remember in 1984 we did exactly what the gentleman from Ohio

[Mr. KASICH] is saying when we merged the Civil Aeronautics Board. The first recommendation actually came under the Carter administration to merge the CAB, and we put it into the Department of Transportation."

□ 1510

I went on. It was September 23 when I said:

"So the idea does have merit, and I would urge the Congress and the authorizing committees here to listen to what my colleague has said."

The gentleman's amendment makes sense, and I think the idea should be given consideration because I did hear many of the same arguments when the CAB case came up.

Now I will tell my colleagues I have a couple of problems with the technical part concerning how we blend in the protection for the Federal employees. But if this amendment carries, I will work with the majority and those who are interested to make sure that those protections are made.

I sat through the ICC hearings, and at times I just wondered. It just seems that this group, who I think perhaps, maybe, do more than the authors of the amendment think are necessary, ought to be in the DOT. The same way that Mr. Carter and Mr. Breyer, whoever came up with the idea, felt that they should be in this DOT at that time.

Now when we moved this CAB, we lost nothing. We actually, if my colleagues go back, will find that we have gained. I think the gentleman from California [Mr. CONDIT] or the gentleman who spoke last time spoke about change. I think this is an opportunity for change. Not because I think the amendment is absolutely perfectly drawn, but I believe, based on what I said last year, and how I felt, and how I watched, and what I have seen, I think the appropriate vote today is a vote for the amendment offered by the gentleman from Ohio [Mr. KASICH] to move the process on whereby we can go to conference, and deal with this issue and do something which, I think, will be in the best interests of the American people.

Mr. KENNEDY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the amendment to eliminate the Interstate Commerce Commission. There is not a day that goes by where we do not hear some Members stand up here on the floor of the House and talk about how we have to cut this program or that program in order to deal with the Federal budget deficit.

Finally, we have an offering before us as a Congress to be able to eliminate a Federal program and do it, not by cutting senior citizens, not by hurting our children, not by hurting anyone other than the very jobs that are supported

by the agency itself. We do not, in fact, end up, through this elimination of this agency, in any way affecting the regulatory capabilities of the Federal Government to look out after the interests that the agency was designed to promote.

If we look at what this agency does, it essentially performed a role 100 years ago that created regulation of our trucking industry, it created regulations of our railroad industries, it arranged for regulation of our moving industries, it arranged, more recently, for the arrangements of our transportation and airline ticket prices. The fact is that we have, this Congress in the 1980's, chosen to deregulate every single one of those industries, thereby eliminating the very necessity of the Interstate Commerce Commission.

Now, Mr. Chairman, I do not question that we cannot find somebody to come in and tell us why this agency still needs to be in existence even though the regulations that it oversees no longer exist. I am sure somebody can come up with that justification. But the fact is that is all it is is a justification. It is not real.

We do not need the ICC. We can transfer the functions that the ICC performs into the Department of Transportation or the Department of Justice.

To those that say it is impossible to do so, Mr. Chairman, I would simply say:

"Let's look at what we do at the Department of Veterans Affairs. We have an independent veterans agency that looks out after the interests of individual veterans that have a gripe with that agency."

The fact is, if we look at other programs, we find that it worked perfectly well to have independence of judgment within agencies as to grievances that individuals, or corporations, or others might have with the way the agency develops. That is what we expect from our Department of Justice. It is what we can expect from the Department of Transportation.

I think it is a well thought through amendment. I agree with the gentleman from Virginia [Mr. WOLF] that there might be some details in terms of how we are dealing with the issues of the 600 employees so that there might be some independence issues that we can take a look at in terms of trying to strengthen independence.

I think that the Congress owes a great deal, a debt of gratitude, to the gentleman from Washington [Mr. SWIFT], and we ought to acknowledge that under the leadership of the gentleman from Washington we have been able to cut 70 percent of this agency over the course of the last several years, and that is a major testimony to his leadership.

But I do think that the time has come to ice the ICC.

Mr. SMITH of Michigan. Mr. Chairman, I rise today to offer my strong support to the Kasich-Hefley-Conditt-DeLay-Cox-Kennedy amendment to eliminate funding for the Interstate Commerce Commission. As chairman of one of the House's Committee on the Budget's working groups assigned to physical capital activities, including the ICC, we examined this issue. I believe it is time to get rid of the Interstate Commerce Commission. This commission is now looking for ways to justify its existence, and those ways include more regulations that will end up hurting business in this country.

The official CBO pricing of this proposal will save \$15 million to \$45 million in the first year and \$30 to \$50 million every year thereafter. This Nation faces spiraling deficits, and, even though it is not billions, it is a step in the right direction.

Mr. Chairman, I urge my colleagues to support this amendment as a small step to reform Government and reduce waste.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Ohio [Mr. KASICH].

Mr. Chairman, I rise to take the conservative view on this matter. As my colleagues know, a real conservative wants to know what is going to happen and whether the change that is projected is one which is going to make the situation better for the country or worse.

Now the offerers and supporters of the amendment are correct that the ICC's authority over most rate regulation has been abolished, and that is so. There is no hidden agenda here on behalf of those of us who say it is unwise to abolish the ICC to restore rate regulation. That is not at issue. The thesis that we see before us here is that we are going to save money by abolishing the ICC.

The General Accounting Office says that there will be no savings flowing from abolishing the ICC, and, if my colleagues look at those numbers, and if my colleagues look at the numbers that have been presented by the Congressional Budget Office, they will find that those are correct numbers and that they make sense.

I say to my colleagues, "In point of fact, if you abolish the ICC, the functions have to be transferred somewhere. Where? To the Department of Transportation. And you have to put people to work at the Department of Transportation to do the same work that they are now doing at the ICC, and it is a well settled experience of all of us who have dealt with reorganizations that, when you reorganize, you usually cost the government money."

But what really will happen here is that this reorganization that is projected, it, first of all, cannot take place

until after the legislative committees have functioned. But equally important, we are going to have to pay severance pays and the cost of discharging a large number of Federal employees. The cost of this is some \$12 million.

Now that is not a big item, but it is an important item because it is money that is wasted, and then we are going to have to go out and rehire many employees to do the same thing that is now done at the ICC.

□ 1520

Now, what are they going to do? They are going to deal with the licensing of railroads. They are going to deal with protection of communities against termination of rail services.

Now, some of my colleagues around here are not aware of what happens when rail services are terminated. But the result to communities, to industries, to workers, to agriculture, to cities, and to States, are calamitous. And one of the things that the ICC does is to conduct these undertakings in an open, collegial, process, to which all may have access and in which all may participate after notice and opportunity for hearing.

The function then of the ICC, as opposed to the Department of Transportation, is to see to it that you have an open process, a collegial process, in which the Congress may supervise and observe closely the actions taken, the communities may know that they are going to have a fair opportunity to be heard.

Move the matter to the Department of Transportation, and you have a fine solution. It would be one which would be approved in Russia. It would be one which would be thoroughly enjoyed in South America, or in Europe, where you have then a clerk who stamps "approved" or "disapproved." No hearing, and your railroad service for a community is discontinued. Industry, jobs, agriculture, employment, is hurt by that process.

What we are talking about here is addressing the things which the ICC does in an open process, instead of moving those functions, at no savings, and perhaps at substantial additional costs, to the wonderful closed system that you have at the Department of Transportation, where decisions are made in the bowels of a building, with no sunlight, with no opportunity to be heard, no ability of the communities, the citizens, the Congress, and others, to know what is going on and why.

Now, perhaps you like that. Perhaps you want that. But if you have ever dealt with the termination of rail service, or disputes over trackage rights, mergers, sales consolidations, and other operating transactions involving railroads, you will know that these are things which should be done in the open, in the clear light of day, with notice and hearings and opportunity for people to be heard.

The CHAIRMAN. The time of the gentleman from Michigan has expired. (By unanimous consent, Mr. DINGELL was allowed to proceed for 2 additional minutes.)

Mr. DINGELL. Simply eliminating the ICC's functions and legal responsibilities in the name of budget considerations or some other consideration is not going to help. It is going to do great damage to the transportation system, and, more importantly, to those who are dependent upon it, and who are dependent on having this being done in an open process.

Let me try and summarize. This proposal is not going to save any money. It is simply going to require us to pay a lot of severance money, and then pay a lot of money to hire a lot of people over at the Department of Transportation after we have fired them over here at the ICC. It is going to move an open process in dealing with the responsible regulatory business that is now done by the ICC from an open process, where all may participate and know what is going on, to a process where everything is closed down and where public participation, knowledge, information, and opportunity to be heard, and to know what is going on, is foreclosed.

In my book, that is one of the most unwise steps that we can take, and it is not the conservative who wants the abolition of the ICC. It is the conservative who is responsible, who says know what it is before you do it, and know what the consequences of your action might be before you take those steps. That is why this amendment should be rejected.

I urge my colleagues to reject an irresponsible, ill-conceived amendment that has been rejected time after time by this body, and should be rejected again.

Mr. CARR of Michigan. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 30 minutes by 3:55 p.m. I have discussed this with the gentleman from Ohio [Mr. KASICH]. We want to provide an opportunity for everyone to have their say.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. KASICH. Mr. Chairman, reserving the right to object, we could agree to a 4 o'clock time limit. I would say to the gentleman, it is not our intention to filibuster. We have a number of speakers. We may be able to wrap up before 4. If the gentleman could go to 4, we can reach agreement on that.

Mr. CARR. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude by 4 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair will elect to continue under the 5-minute rule.

Mr. DUNCAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment of the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, I want to address two issues the previous speaker brought up. The first one is the ICC holds all these meetings in the glare of public scrutiny. In 1993 the ICC held only eight voting conferences in 9 months, covering 25 proceedings. During that time, the agency handled by nonvoting more than 300 other matters. So this is not an agency that is accustomed to operating in the light of day.

In regard to the issue of the abandonment of rail lines, let me just show you on this chart. The railroad abandonment activity, these are numbers of activities that have been applied for. It represents the ones that they applied for and were denied. As you can see, there are not a lot of people applying, and virtually none of them have been denied. This is not a problem.

Let me explain. In 1989 there were only two denied. In 1990, there was one. In 1991, there was zero. In 1992, there were two. And in 1993, there was only one case. So we are not talking about a giant flurry of activity, because it does not exist. We are not talking about losing all this public purview into this. In fact, we can enhance public participation and we should. We can do it in DOT.

One more time: It is not the Government Accounting Office that does estimates, it is the Congressional Budget Office. And we save \$150 million over 5 years, plus in the first year, a minimum of \$250 million, while also trying to accommodate the problems we have with the transfer of employees.

Mr. DUNCAN. Mr. Chairman, reclaiming my time, I thank the gentleman for those points and for the fine work he has done on this amendment.

Let me just say I support this amendment. I think the ICC is the prime example, it is the epitome of an agency that does little more than push paper. It helps no one. It helps no one other than the bureaucrats who work for it.

Several years ago when I was practicing law, I had some experience with the ICC. I was representing a small bus company which operated tour buses and which was a mom-and-pop operation. But it was a very fine business. It had safe, new buses. The owner of the company had driven up well over 1 million miles himself without an accident. He had two drivers who had driven well over 1 million miles without an accident.

He had a previous lawyer who had advised him he did not need ICC approval

for out-of-State trips if they involved church groups. So he took, among other things, the youth group of the First Baptist Church of Concord, TN, on a mission trip to South Dakota. He took the Baptist Student Union at Carson-Newman College on a trip. He took several senior citizen groups from churches on trips out of State.

And then, all of a sudden, the ICC swooped down upon him, and we go through a full day-long hearing. Never once was there anything said about the safety of his buses. Never once was there anything said about his employees or himself. There was nothing that he did wrong, other than cross a State line.

We could not believe that this was the United States of America. The only thing that he had done was his prices were about half those of the bigger companies.

In that instance, the ICC was responsible for causing consumers to have to pay twice as much as they would have otherwise. The ICC has done little more than raise prices to consumers and provide jobs for the bureaucrats who work for it.

This amendment, as has been pointed out previously, will save some \$25 million to \$50 million. I cannot think of a better amendment or one that the people of this country, the owners of our Government, would support, than this one. So I urge my colleagues to strike a blow for fiscal sanity and support the Kasich amendment.

□ 1530

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I think the gentleman makes an incredible point that Members really need to think about. The easiest, the least expensive business that one can get into in this country is in the trucking business. All one has to do is buy a van and start the business. What the gentleman from Tennessee is describing, the onerous paperwork, the paperwork burden, the rate filings, the collegial atmosphere that the chairman of the Committee on Energy and Commerce talks about is intimidating to the disadvantage of this country to get into this business or to stay in this business. In fact, the gentleman describes an incident not unlike one that I encountered where a Hispanic was cleaning commodes in an automobile dealership in my district went out and started his own company, got caught by the ICC and now he is back cleaning commodes. I think it is outrageous.

Mr. DUNCAN. Mr. Chairman, I thank the gentleman. If we want to help small business as opposed to big business, then I would say vote for this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

One of the most distinguished Members of this House in opposition to this amendment said it was an amendment that no true conservative could support. Thus I am free to support it, and I do.

I begin with this: If we were today creating a government given the role that the Interstate Commerce Commission now plays, would we create one? I do not think anyone would say yes. That is, it is not a question as to whether or not they have a role. But do they have a role that rises to the level where there should be Presidentially appointed commissioners confirmed by the Senate and all of the accoutrements?

Given what we know, I think it is clear the functions can be performed by fewer people. Many of us also believe, because this is an areas where I incline strongly to the view that deregulation is economically advantageous and better for the consumer, I also believe that when we have this as a component of the Department of Transportation rather than as a separate board with all of the trappings, we are likelier to get the functions reduced.

Every human being tends to want to retain the functions. Put five Presidential appointees or however many we have into this, have them confirmed by the Senate and they are giving, frankly, the functions of the ICC more of a role than they ought to have. That does not mean that they have no functions.

I mentioned the Senate. There is a collateral reason why I think this is in our interest. Right now they have to be confirmed by the Senate. That means five more confirmations. That means five more opportunities for Senators to put holds on things. Do I believe that by lessening the role of the Senate in the process we will probably reduce some inefficiency in Government just by that? Having these people appointed to do their job rather than being Presidentially appointed and Senatorially confirmed in and of itself seems to me is an advantage.

The fundamental point I would make is this, it is not denigration of the important work that a lot of decent people do at the ICC to note that if we were today creating a government, we would not give to this function an independent agency. It is simply not on a par with the other independent agencies, the SEC, et cetera.

Therefore, it appears to me to be a reason to vote for the amendment. Indisputably, we can perform the functions it performs less expensively, and I think if we go that route, we may even save more money because I believe we are likelier further to deflate the functions.

I am a supporter of the gentleman's amendment.

Mr. COX. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it would be well to put into context why we are debating this today. One important, perhaps overriding, reason is that our Government is \$4.5 trillion in debt, and we are losing money, hemorrhaging red ink at the rate of over \$1 billion a day. So we are looking for places to cut.

What can we do to stop this hemorrhaging of red ink? If we took over a failing enterprise that was losing hundreds of millions of dollars a year, what would we do? Would we trim at the edges? No. Of course not. We would sell off the unprofitable divisions and focus our energies on those things that really worked, those things that made sense for the 1990's.

Trimming at the edges, cutting across the board by 2 percent these days has all of the logic of taking 2 percent of the pages out of every book in the library in order to cut the library budget.

We have to start in the Federal Government liquidating entire agencies, zeroing out whole agencies where the functions themselves are overtaken by events. And what better place to start than an antiquated agency like the ICC, the oldest regulatory agency in Washington, 107 years old.

What better place to start than an agency where three of the commissioners came to my office shortly after I was elected and said, we should be abolished. We have nothing left to do.

The ICC has spent the last 14 years with its bureaucratic energies simply searching for some new mission, something else to do.

In its salad days, before bipartisan congressional majorities clipped its wings, it was a regulatory terror. It became the textbook example of mindless regulation cited by liberal consumer groups and conservative free market economists alike.

As a result, in 1980, three important bills were passed: The Staggers Act deregulated the railroads. The Motor Carrier Act deregulated trucking, and the Household Goods Transportation Act deregulated moving.

All three of these bills passed in 1980.

Two years later a fourth bill was passed, the Bus Regulation Reform Act, in 1982, so that today we can say that most interstate surface transportation has already been deregulated and that is why the ICC has nothing left to do. Yet it still exists.

This is a great place to start cutting. But the ICC, which is a relic, think of this, of the 19th century, is not dead yet. It refuses to die. In fact, the ICC is the Freddy Krueger of the Federal Triangle.

Despite the drastic decline in its authority, it no longer has the authority to set prices, for example, the ICC still requires, as the gentleman from Texas [Mr. DELAY] pointed out so well here on the floor, carriers to file paperwork every time they changed their prices.

This paper shuffling costs the taxpayers \$15 million a year. But it costs consumers much, much more, even though the GAO, which has been cited so many times on the floor here during this debate, has found that these filings are essentially a formality.

All told, the Congressional Budget Office, which scores savings in our budget, has estimated that this proposal, this amendment will save \$150 million over 5 years. I repeat, this amendment that we are now debating, according to the CBO, will save \$150 million over 5 years. No wonder that taxpayer watchdog groups across the country have endorsed this amendment: Groups like Citizens for a Sound Economy, Citizens Against Government Waste, the National Taxpayers' Union, and the National Association of Manufacturers.

So what is the downside of eliminating the ICC? We have heard some arguments here on the floor today. There is no downside.

There are some bureaucratic arguments that are advanced by the people who work at taxpayer expense over at the ICC, but funding another century of unnecessary regulation is not a persuasive argument.

The diehard regulators point out that the ICC performs quasi-legislative and quasi-judicial functions. So what? So does virtually every regulatory agency in Washington, including the Department of Transportation where these few remaining functions would be transferred under our legislation.

The bureaucrats say the ICC has broad discretion and makes difficult fact determinations. Well, so does virtually every regulatory agency, including DOT.

But wait, they say, the ICC actually regulates other Federal agencies. Well, so do a host of other agencies, including, as it happens, DOT.

The determinations now made by the ICC would be made by DOT under our proposal, as has been outlined.

Importantly, they would remain subject to judicial review, even after transfer to DOT, ensuring their impartiality.

Mr. Chairman, enough is enough. We are supposed to be running a government, not an antique collection.

The CHAIRMAN. The time of the gentleman from California [Mr. COX] has expired.

(By unanimous consent, Mr. COX was allowed to proceed for 10 additional seconds.)

Mr. COX. Mr. Chairman, if the United States Congress cannot bring itself to part with this relic of Grover Cleveland's first term, Grover Cleveland's first term, that is what this dates from, the American people will know for certain we are just not serious about our \$4.5 trillion debt.

Mr. SWIFT. Mr. Chairman, I move to strike the requisite number of words.

Mr. KASICH. Mr. Chairman, will the gentleman yield?

Mr. SWIFT. I yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, out of courtesy, I would ask if the gentleman is the final speaker. I am going to try to make sure we wrap this up as quickly as we can. It appears that way.

Mr. SWIFT. Mr. Chairman, I would say to the gentleman, as far as I know, but I am neither controlling the time here nor the debate, but as far as I know.

Mr. KASICH. Mr. Chairman, I thank the gentleman for yielding.

Mr. SWIFT. Mr. Chairman, we have just heard the argument that one of the reasons we should get rid of the ICC is that it is old. The Constitution is older. Logic would suggest we get rid of the Constitution. The Magna Carta is older. Perhaps Great Britain should get rid of that. The Bible, also. That is the kind of logic we have been hearing all morning and afternoon long on this bill. What we have been hearing is wishful thinking masquerading as fact.

Mr. Chairman, Members have been subjected to arguments and a wish list. They have not been subjected to many facts. Let me try and bring some facts to this debate, and make three points.

Mr. Chairman, first, the kind of work that the ICC performs, adjudications, investigations, the resolution of complaints between shippers and carriers and oversight of our Nation's surface transportation industries, are best performed by an independent regulatory commission. That point has been stated over and over and over again by the transportation industries themselves, by shippers and carriers and labor and local communities. They are best served by an independent regulatory commission, and with decisions that are openly arrived at. They do not want these functions transferred to an executive branch agency.

Mr. Chairman, we heard very early in the debate that the only people that support that is organized labor. Let me add, Mr. Chairman, to the list: the National Coal Association; Consolidated Freightways, Omni Tracks, Inc., a small railroad; the Regional Railroads of America; and the Association of American Railroads. That was a fact given earlier that was simply incorrect and wrong.

Mr. Chairman, the second point I would like to make is that the Department of Transportation does not have the expertise to handle the functions of the ICC. They have told us so. DOT does not want the functions of the ICC to be transferred. They have told us so.

The Committee on Public Works and Transportation and the Committee on Energy and Commerce held a joint hearing last week in which we investigated exactly this issue, and found a number of very interesting things, including this question asked by the gentleman from California [Mr. MINETA]:

"Could you tell us whether or not the Department of Transportation would be in a position to assume all of the current ICC responsibilities and functions?"

The representative of DOT said, "We would not be in such a position, because there are areas of expertise that are really unique to the ICC that would need to be built up for the department." Again, the question we would have is, what would be the point of just having to develop that expertise?

"The second issue really is there have been different ways of reassigning these functions to DOT that have been considered, but there would be insufficient funds to do that."

He said, "What we have is, we really need to set up an entire mechanism to provide the kind of isolation and insulation in what are really, in many respects, fundamentally quasi-judicial functions and decisions."

"What, again," said the DOT representative, "is the point of having to do that except to show that it is theoretically possible in some convoluted way to do so when it does not seem like a good exercise of anybody's time?"

Mr. Chairman, the fact is that this amendment acknowledges that problem by requiring the transfer of all of the workers at the ICC to the new quarters in the Transportation Building, and that does not sound very efficient to me.

However, even if we should go along with this jury-rigged scheme of first cutting off the funding and then coming back after the fact and eliminating the Interstate Commerce Commission or the Interstate Commerce Act or some of the functions, if we accept that we are just shuffling around desks and bodies and responsibilities, there will be no regulation, no oversight, no cop on the beat for surface transportation, and we still do not save any money.

Let me repeat that, Mr. Chairman, that even after sacrificing the independent regulatory system that has been the support of the shippers and carriers who depend upon its ability to undertake expert, disinterested adjudication, we do not save any money.

The CHAIRMAN. The time of the gentleman from Washington [Mr. SWIFT] has expired.

(By unanimous consent, Mr. SWIFT was allowed to proceed for 3 additional minutes.)

Mr. SWIFT. Mr. Chairman, the General Accounting Office reported after extensive analysis that their conclusion was quite specific, that killing the ICC and transferring its functions and expertise to DOT would "compromise the independence of the decisionmaking process without generating meaningful cost savings."

The supporters of this amendment, Mr. Chairman, have talked about some CBO estimates that purport to save \$30 million or so each year. First, with

great respect to the CBO, they will first have to tell us that these figures are a preliminary analysis based on some very arbitrary assumptions.

This question was raised in the hearing as well, and the CBO, in response to a question about the CBO's figures, the GAO said, "To give CBO its credit, however, they do admit that they did not undertake a very sophisticated analysis. The CBO usually does undertake a very sophisticated analysis when it does its work, and we have a lot of respect for their work, but this is not one of those attempts on their part."

I said, "So you are saying," in the net result, "that you and the CBO both agree," when we get to apples and apples, "there would be no savings? No significant savings is the word you used."

And the GAO said yes.

I am sorry that the authors of this amendment, who testified at a recent joint hearing, did not stay around long enough to hear the testimony of the Department of Transportation of the Government Accounting Office on not only the importance of preserving this independent regulatory body, but also on discussions on where the ICC needs to respond to changes in its transportation industry.

The authors of this amendment reverse the process. If we pass this scorched earth amendment and then let the Secretary of Transportation recommend what pieces of the Interstate Commerce Act should be kept, and which pieces would be thrown away, we not only essentially delegate the responsibilities of the Congress, and I would be happy to hear from the Secretary, but we should first determine what it is we want the agency to do, and then appropriate.

In the past 14 years we have eliminated 70 percent of the Interstate Commerce Commission. That, here on this floor, is used as a criticism. If we eliminate 70 percent, the logic seems to be that we should certainly eliminate the last 30 percent, rather than, I think, declaring a justified victory that we have reduced the size of this agency by 70 percent.

However, those who are knowledgeable about the work of the ICC, the shippers, carriers, AFL-CIO, the GAO, and the Department of Transportation itself, say that this amendment is the wrong way to do that. In fact, the transportation industry speaks with an almost unanimous voice: "Do not pass this amendment."

H.L. Mencken said that "there is always an easy solution to every human problem; neat, plausible, and wrong." This amendment is poorly thought out. It at best will cause significant short-term dislocation in our transportation industry, and it will save no money. That is at its best, it will save no money. At its worst, it will cause chaos

throughout the transportation industry, and still save no money.

The amendment is wrong, Mr. Chairman, I urge its defeat.

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. SWIFT. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I would just ask, did the GAO look at our proposal?

The CHAIRMAN. The time of the gentleman from Washington [Mr. SWIFT] has expired.

Mr. KASICH. Mr. Chairman, I wanted to say to the gentleman from Michigan [Mr. CARR], we are running into a problem here. We are running into a problem here. We have basically about two or three more speakers. We are bumping up against the time limit.

Mr. Chairman, we can go ahead and keep the time limit if the gentleman would approve a unanimous consent agreement, because we do not want to run over 5 or 10 minutes. We may need 2 or 3 minutes.

Mr. CARR of Michigan. Mr. Chairman, I ask unanimous consent that all debate on this amendment end at 4:05. That ought to be able to accommodate the gentleman, if Members will keep their remarks brief.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CARR of Michigan. Mr. Chairman, under that circumstance, is it not appropriate for the Chair to divide the time?

The CHAIRMAN. The Chair would respond that the Chair has that authority, and given the fact that there are various speakers on both sides, the Chair will allocate the time remaining equally between the gentleman from Michigan [Mr. CARR] and the gentleman from Ohio [Mr. KASICH], with the time to be managed on each side by those gentlemen.

□ 1550

Mr. KASICH. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Chairman, I rise in strong support of the Kasich amendment to eliminate the ICC.

Last year, President Clinton challenged all of us to be specific in our spending cuts. It seems to me this cut should be at the top of every Member's list.

The ICC is clearly past its prime. Deregulation has made many of its tasks obsolete. Today is our chance to finally do this.

Mr. Chairman, I was a little bit surprised by the remarks of the distinguished gentleman from Washington, the previous speaker, who said that the Department of Transportation does not want the functions that should be transferred to the Department. Too

bad. Who elected the bureaucrats at the Department of Transportation? Who charged them with the responsibility of streamlining government? We are responsible to the taxpayers. The Department of Transportation is responsible to us as part of the executive branch of government, as well. It seems to me we are more representative of the taxpayers and the voters of this land and should make this decision today.

Mr. Chairman, we all know how numbers can be cooked, but the most objective analyses show that somewhere between \$20 million and \$30 million would be saved the first year and at least \$150 million over 5 years by eliminating this agency.

Mr. Chairman, the same amendment fell just 11 votes short of passage last year in this body. This year let us stand up and be accountable to the taxpayers of America. Let us listen to the 600,000 members of Citizens Against Government Waste who have recommended that this be abolished. Let us eliminate this ancient relic of an agency and start streamlining government. Let us support the Kasich amendment to end the ICC.

Mr. SCHAEFER. Mr. Chairman, will the gentleman yield?

Mr. RAMSTAD. I yield to the gentleman from Colorado.

Mr. SCHAEFER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong support of the amendment to eliminate funding for the Interstate Commerce Commission. This is a perfect example of a government agency that has been allowed to continue to exist long after outliving its usefulness.

In my Fiscal Responsibility Act of 1994, H.R. 3958, I proposed the elimination or scaling back of over 150 specific programs. The ICC stands out like a beacon on this list of wasteful spending.

The ICC regulations are no longer relevant. Deregulation of the trucking industry occurred over a decade ago and has ensured that competition exists to protect America's consumers. Thus, we no longer need a Federal agency to provide that function.

This void of responsibility leaves the ICC with plenty of time to spend the taxpayers money on such needless studies and reports as "So You Want to Start a Small Railroad." The American people have made it loud and clear they will not tolerate Congress squandering their money on this nonsense.

Mr. Chairman, I urge all of my colleagues to take a hard look at this program and decide whether or not it is worth borrowing against our children's future. The answer is quite simply, no. Let us do the truly responsible thing and put this outdated Commission out of its misery.

Mr. CARR of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Chairman, I thank the distinguished chairman for yielding me the time.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Subcommittee on Surface Transportation and the Subcommittee on Transportation and Hazardous Materials recently conducted a hearing on the issues being raised by this amendment.

Our colleagues, JOHN KASICH, JOEL HEFLEY, TOM DELAY, and GARY CONDIT all were kind enough to appear before the subcommittee.

I appreciate that.

What the subcommittee found out is that if we transfer all of the ICC's functions to the DOT there would be no budget savings; none. Both the CBO and GAO agree.

Any budget savings would only result by eliminating some of the ICC's responsibilities, but that is not what is being required under the Kasich legislation.

Second, many in the transportation community and the GAO maintain that it is in the public interest to maintain an independent, quasi-judicial, authority—the ICC—to govern such issues as ratemaking. The authorizing committees in the House concur in this assessment. Now, let me state that this is not a partisan issue. During our hearing we received testimony from all of the ICC Commissioners. The Republican Commissioner is Karen Phillips. She is a very fine and capable Commissioner.

I quote her from the hearing transcript:

I think to zero-fund the agency and then let the Secretary decide a few months down the road what needs to be kept or what doesn't—I think it would ensure only one thing and that is chaos in the transportation industries; and there are a lot of people who would be very poorly served, I think, by such an approach.

Let me be clear. Commissioner Phillips is known to be a proponent of additional transportation deregulation. There are some philosophical differences between her and her other colleagues.

But in this case, Republican and Democrat Commissioners alike, are united in opposition to what is being proposed today on the House floor. Because they realize, as should we, that this amendment has nothing to do with whether you believe there should be less regulation or more regulation of the trucking and railroad industries.

The issue at hand involves process. It involves how best to provide for the effective administration of the Commission's regulatory and consumer protection mandates.

And in the opinion of this gentleman from West Virginia, the public interest is best served by maintaining an independent ICC.

I urge a "no" vote on this amendment.

Mr. KASICH. Mr. Chairman, I yield 1¼ minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, earlier today one of my colleagues, the gentleman from California [Mr. CONDIT], suggested that change is never easy. I am also reminded of the saying that "If you want something to last forever, put it in the Federal budget."

Change is not easy at the national level, but change can come. It has come in the past with strong presidential leadership.

In 1980, thanks to the leadership of President Carter, we passed major deregulation. We deregulated the railroad industry with the Staggers Act in 1980, the Motor Carrier Deregulation Act in 1980, and the Household Goods Deregulation Act in 1980. This leaves us in present-day America with a dramatically different regulatory landscape than the one that existed just 10 to 12 years ago. In this timeframe, we have seen a tenfold reduction in the number of railroad line abandonments. Those requests have trickled to a point where they are almost nonexistent, and the need for an extensive ICC process to review those requests is no longer there. Truck rate filings result in less than 1 percent of these rate requests being denied. GAO has recently submitted a study that suggests that virtually all of this rate review is simply a formality.

Mr. Chairman, I think the time has come for us to question whether we any longer need an independent ICC. I think the answer is obviously no. The time has come to question whether we need 600 employees to review and implement these regulations. I think the answer is obviously no.

Mr. CARR of Michigan. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. KASICH. I very much appreciate the chairman's graciousness in accommodating unanimous consent requests.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Colorado [Mr. HEFLEY] to close this argument on our side.

The CHAIRMAN. The gentleman from Colorado [Mr. HEFLEY] is recognized for 3 minutes.

Mr. HEFLEY. Mr. Chairman, the agony of trying to bring about change in the Federal Government.

As the gentleman from Minnesota [Mr. PENNY] said, once an agency begins operation in the Federal Government, it lasts forever. Today we come to the floor representing the taxpayer, because today we are offering an amendment that will cut the size of Government, make it more efficient, and save the taxpayer money. It is, as we have seen from the debate, and I

think that this has been a good debate, a bipartisan amendment. Our amendment is not a tax cut, it is a government cut. It starts the two-step process of eliminating the Interstate Commerce Commission and transferring its duties, the duties that need to be transferred, to the Department of Transportation.

Much of today's debate concentrated on the amendment's savings: Will it save money? How much money will it save?

But there is more than the taxpayers' money at stake here today. This amendment is also about good Government and a good legislative process amendment.

Let us consider the savings first.

The received GAO study suggests the savings from transferring the ICC to the DOT would be minimal, not as we have been told here today, no savings, but minimal savings. There would be minimal, and that is only considering one portion of it, that is considering the railroad portion of it.

□ 1600

Like the middle-class taxpayer, however, we will take the savings. A million is a lot of money. But the savings highlighted by the GAO are just the beginning. More could be achieved.

For example, the ICC still requires motor carriers to file their rates despite having been stripped of its authority to set rates 15 years ago. According to GAO, these filings are a formality that go unchallenged 99 percent of the time. The total cost? \$15 million. We could save that.

The ICC also employs almost 50 workers every year to enforce safety and insurance regulations, responsibilities also handled by the DOT. While the specific tasks may be different, the general mission is the same. We do not need two bodies doing the same work. Total cost? \$4 million. We could save that \$4 million.

Finally, there are the five Commissioners with their salaries, their staffs, administrative costs. Eliminate those positions, and we will save even more. Take advantage of the above reforms, and we could save up to \$150 million in 5 years, and that is a lot of money in anybody's book.

But this debate is about more than saving money. It is also about good Government.

ICC supporters argue that the Commission is worth the extra cost, in part because the Commission often considers cases in open sessions, voting before the public. More than half of the votes they make do not occur in open session.

The issue of accountability: ICC supporters claim the Commission is more accountable than nonindependent agencies. This begs the question. Accountable to whom? Not the President. The ICC is independent. Not the American voter. In other words, the ICC lacks a great deal in accountability.

Finally, we are told that only the ICC has the expertise to do the job. I have two responses to this claim.

First, if the experts are civil servants, we can move them from the ICC to the DOT. It is all the same Government and the same civil service.

Second, while I'm sure our four current Commissioners are very talented, past Commissioners have been appointed with no transportation background at all. There is no minimum qualification being an ICC Commissioner—anybody can be appointed.

In other words, the expertise issue is just another smokescreen.

But beyond the savings issue and the concerns of good Government, this is a debate about process.

Our opponents say we have the cart before the horse. They say we should work through the committee process, transfer the ICC to the DOT, and then offer to cut the ICC's funding.

This offer reminds me of the story of the old man from New Hampshire giving directions to the New York tourist.

First he says, "Go north until you come to a general store, and then—no, no, that's not right."

Then he says, "Drive east past the apple orchard until you—no, no, that's not right either."

Finally he says, "Come to think of it, you can't get there from here."

After 8 years of inaction on my bill to sunset the ICC, it is obvious the committees with ICC oversight have no interest in considering our legislation. We either pass this amendment today, or we do not "get there from here."

So the choice before the House is a simple one. Do we transfer the ICC to the DOT to benefit consumers and middle-class taxpayers, or do we continue our legacy of protecting a few special interests at the expense of everyone else?

A vote for this amendment is a vote to cut spending, make Government more accountable, and reject a legislative process designed to protect special interests.

This amendment will save money, make Government more efficient, and make our regulation of surface transportation more accountable. In my mind, that is a simple choice.

Mr. PORTMAN. Mr. Chairman, I rise today in strong support of the pending amendment offered by Mr. KASICH, Mr. CONDIT, and others.

There may have been a time when there was a real need for the ICC. That time has come and gone.

Today, we have the opportunity to make a modest but important step in reducing Government spending. We can also improve the efficiency of the bureaucracy.

Since the ICC's creation, we have enacted into law numerous pieces of legislation that have made it basically obsolete. With the increased levels of deregulation, the drop in ICC's jurisdiction leaves it as an agency with little left to do—an agency in search of a mis-

sion—an agency whose existence is difficult to justify.

Let us take the step today to help bring the Federal Government into the 1990's. Let us pass the Kasich-Condit amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. KASICH].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. KASICH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 192, not voting 13, as follows:

[Roll No. 250]

AYES—234

- | | | |
|--------------|--------------|---------------|
| Allard | Gallo | Margolies- |
| Andrews (NJ) | Gekas | Mezvinsky |
| Andrews (TX) | Geren | McCandless |
| Archer | Gilchrest | McCollum |
| Armey | Gillmor | McCrery |
| Bacchus (FL) | Gingrich | McDade |
| Bachus (AL) | Glickman | McHale |
| Baker (CA) | Goodlatte | McHugh |
| Baker (LA) | Goodling | McInnis |
| Ballenger | Gordon | McKeon |
| Barca | Goss | McMillan |
| Barrett (NE) | Grandy | Meehan |
| Barrett (WI) | Greenwood | Mfume |
| Bartlett | Gunderson | Mica |
| Barton | Gutierrez | Miller (CA) |
| Bateman | Hall (TX) | Miller (FL) |
| Bentley | Hancock | Minge |
| Bereuter | Hansen | Molinari |
| Berman | Hastert | Montgomery |
| Bilbray | Hayes | Moorhead |
| Billirakis | Hefley | Myers |
| Bliley | Herger | Neal (MA) |
| Blute | Hoagland | Neal (NC) |
| Boehner | Hobson | Nussle |
| Bonilla | Hoekstra | Orton |
| Browder | Hoke | Packard |
| Bunning | Horn | Parker |
| Burton | Houghton | Paxon |
| Buyer | Huffington | Payne (VA) |
| Byrne | Hunter | Penny |
| Callahan | Hutchinson | Peterson (FL) |
| Calvert | Hutto | Petri |
| Camp | Hyde | Pickett |
| Canady | Inglis | Pickle |
| Cardin | Inhofe | Pombo |
| Castle | Istook | Porter |
| Chapman | Jacobs | Portman |
| Clement | Johnson (CT) | Poshard |
| Coble | Johnson (GA) | Pryce (OH) |
| Collins (GA) | Johnson, Sam | Quillen |
| Combest | Johnston | Quinn |
| Condit | Kasich | Ramstad |
| Cooper | Kennedy | Ravenel |
| Cox | Kim | Regula |
| Crane | King | Ridge |
| Crapo | Kingston | Roberts |
| Cunningham | Klug | Roemer |
| de la Garza | Knollenberg | Rogers |
| DeLay | Kolbe | Rohrabacher |
| Diaz-Balart | Kyl | Ros-Lehtinen |
| Dickey | LaRocco | Roth |
| Doolittle | Lazio | Roukema |
| Dornan | Leach | Royce |
| Dreier | Lehman | Santorum |
| Duncan | Levy | Saxton |
| Dunn | Lewis (CA) | Schaefer |
| Edwards (TX) | Lewis (FL) | Schiff |
| Ehlers | Lewis (KY) | Schroeder |
| Emerson | Lightfoot | Sensenbrenner |
| Everett | Linder | Shaw |
| Ewing | Livingston | Shays |
| Fawell | Lloyd | Sisisky |
| Fingerhut | Long | Skeen |
| Fish | Lucas | Skelton |
| Fowler | Machtley | Smith (MI) |
| Frank (MA) | Maloney | Smith (NJ) |
| Franks (CT) | Mann | Smith (OR) |
| Franks (NJ) | Manzullo | Smith (TX) |
| Gallegly | | Snowe |

- Solomon
- Spence
- Stearns
- Stenholm
- Strickland
- Stump
- Sundquist
- Talent
- Tanner
- Tauzin

- Taylor (MS)
- Taylor (NC)
- Tejeda
- Thomas (CA)
- Thomas (WY)
- Thurman
- Torkildsen
- Torricelli
- Upton
- Valentine

- Vucanovich
- Walker
- Walsh
- Weldon
- Wolf
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer

NOES—192

- Abercrombie
- Ackerman
- Andrews (ME)
- Applegate
- Baessler
- Barcia
- Barlow
- Becerra
- Bellenson
- Bevill
- Bishop
- Boehlert
- Bonior
- Borski
- Boucher
- Brewster
- Brooks
- Brown (FL)
- Brown (OH)
- Bryant
- Cantwell
- Carr
- Clay
- Clayton
- Clinger
- Clyburn
- Coleman
- Collins (IL)
- Collins (MI)
- Conyers
- Coppersmith
- Costello
- Coyne
- Cramer
- Danner
- Darden
- de Lugo (VI)
- Deal
- DeFazio
- DeLauro
- Dellums
- Derrick
- Deutsch
- Dicks
- Dingell
- Dixon
- Durbin
- Edwards (CA)
- Engel
- English
- Eshoo
- Evans
- Faleomavaega (AS)
- Farr
- Fazio
- Fields (LA)
- Fields (TX)
- Filner
- Flake
- Foglietta
- Ford (TN)
- Frost
- Furse
- Gejdenson

- Gephardt
- Gibbons
- Gilman
- Gonzalez
- Green
- Hall (OH)
- Hamburg
- Hamilton
- Hastings
- Hefner
- Hinchey
- Hochbrueckner
- Holden
- Hoyer
- Hughes
- Insee
- Jefferson
- Johnson (SD)
- Johnson, E.B.
- Kanjorski
- Kaptur
- Kennelly
- Kildee
- Klecza
- Klein
- Klink
- Kopetski
- Kreidler
- LaFalce
- Lambert
- Lancaster
- Lantos
- Laughlin
- Levin
- Lipinski
- Lowey
- Manton
- Markey
- Martinez
- Matsui
- Mazzoli
- McCluskey
- McDermott
- McKinney
- McNulty
- Meek
- Menendez
- Meyers
- Mineta
- Mink
- Moakley
- Mollohan
- Moran
- Morella
- Murphy
- Murtha
- Nadler
- Norton (DC)
- Oberstar
- Obey
- Oliver
- Ortiz
- Owens
- Oxley
- Pallone

- Pastor
- Payne (NJ)
- Pelosi
- Peterson (MN)
- Pomeroy
- Price (NC)
- Rahall
- Rangel
- Reed
- Richardson
- Romero-Barcelo (PR)
- Rose
- Rostenkowski
- Rowland
- Royal-Allard
- Rush
- Sabo
- Sanders
- Sangmeister
- Kaptur
- Sawyer
- Schenk
- Schumer
- Scott
- Serrano
- Sharp
- Shepherd
- Shuster
- Skaggs
- Slatery
- Slaughter
- Smith (IA)
- Spratt
- Stark
- Stokes
- Studds
- Stupak
- Swett
- Swift
- Synar
- Thompson
- Thornton
- Torres
- Towns
- Trafiacant
- Underwood (GU)
- Unsoeld
- Velazquez
- Vento
- Visclosky
- Volkmer
- Waters
- Watt
- Waxman
- Wheat
- Whitten
- Williams
- Wilson
- Wise
- Woolsey
- Wyden
- Wynn
- Yates

NOT VOTING—13

- Blackwell
- Brown (CA)
- Dooley
- Ford (MI)
- Grams

- Harman
- Hilliard
- Lewis (GA)
- McCurdy
- Michel

- Reynolds
- Tucker
- Washington

□ 1624

The Clerk announced the following pair:

On this vote:

Mr. Grams for, with Mr. Tucker against.

Ms. LAMBERT and Messrs. TOWNS, JEFFERSON, WILSON, GONZALEZ,

and KLEIN changed their vote from "aye" to "no."

Mr. McMILLAN, Mrs. LLOYD, Mrs. BYRNE, Mr. TEJEDA, and Mr. BERMAN changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KASICH

Mr. KASICH. Mr. Chairman, I ask unanimous consent that I be permitted to offer the amendment that we have at the desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KASICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KASICH: Page 57, after line 7, insert the following new section:

SEC. 339. The amount otherwise provided by this Act for "DEPARTMENT OF TRANSPORTATION—OFFICE OF THE SECRETARY—Salaries and Expenses" is hereby increased by \$26,300,000, of which amount \$8,300,000 shall be derived from amounts provided for in this Act under the heading "INTERSTATE COMMERCE COMMISSION—Salaries and Expenses".

Mr. KASICH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KASICH. Mr. Chairman, I first want to say to the gentlemen who have had such interest in this that it is clearly our intention, with the passage of this amendment, I say to the gentleman from California [Mr. MINETA] and the gentleman from Washington [Mr. SWIFT], that I personally want to be as helpful as I can to make sure we have a smooth transition. I want to thank them for the tenor of the debate, and I want to thank, not just the Republicans, but the Democrats as well, for, I think, what is a significant moment in this House when Republicans and Democrats could come together, debate together and vote together to bring some change to this town.

Mr. Chairman, this amendment is designed to transfer \$18 million over to the Secretary of Transportation, \$15 million of which would be used for severance pay and the other \$3 million for the purposes of a smooth transition, and it also transfers over the user fees that are now generated by the ICC over to the Department of Transportation.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KASICH. I yield to the gentleman from Michigan.

Mr. CARR of Michigan. Notwithstanding the fact that I did not agree with the gentleman on the last amendment, Mr. Chairman, I want to con-

gratulate him on his victory and say that this amendment merely conforms the bill to the action that the House has just taken. Given the vote just taken, this amendment is appropriate, and we would accept the amendment on this side.

□ 1630

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. KASICH].

The amendment was agreed to.

Mr. CARR of Michigan. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 57, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

PAYMENTS FOR DIRECTED RAIL SERVICE

(LIMITATION ON OBLIGATIONS)

None of the funds provided in this Act shall be available for the execution of programs the obligations for which can reasonably be expected to exceed \$475,000 for directed rail service authorized under 49 U.S.C. 11125 or any other Act.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For administrative expenses of the Panama Canal Commission, including not to exceed \$11,000 for official reception and representation expenses of the Board; not to exceed \$5,000 for official reception and representation expenses of the Secretary; and not to exceed \$30,000 for official reception and representation expenses of the Administrator, \$50,030,000, to be derived from the Panama Canal Revolving Fund: *Provided*, That none of these funds may be used for the planning or execution of nonadministrative and capital programs the obligations for which are in excess of \$540,000,000 in fiscal year 1994: *Provided further*, That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed forty-three passenger motor vehicles for replacement only (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama), the purchase price of which shall not exceed \$19,500 per vehicle.

DEPARTMENT OF THE TREASURY

REBATE OF SAINT LAWRENCE SEAWAY TOLLS

(HARBOR MAINTENANCE TRUST FUND)

For rebate of the United States portion of tolls paid for use of the Saint Lawrence Seaway, pursuant to Public Law 99-662, \$9,319,000, to remain available until expended and to be derived from the Harbor Maintenance Trust Fund, of which not to exceed \$132,000 shall be available for expenses of administering the rebates.

WASHINGTON METROPOLITAN AREA
TRANSIT AUTHORITY

INTEREST PAYMENTS AND REPAYMENTS OF
PRINCIPAL

For payment of obligations incurred pursuant to Public Law 96-184 and the Initial Bond Repayment Participation Agreement, \$664,666,667, to remain available until expended, which shall be used only to repay principal to the Federal Financing Bank for

the Washington Metrorail construction loan; and in addition, such amounts as are necessary for payment to the Federal Financing Bank, of accrued interest and premium, if any, for such loan.

TITLE III
GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 302. Funds for the Panama Canal Commission may be apportioned notwithstanding 31 U.S.C. 1341 to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law that are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a Executive Level IV.

SEC. 305. None of the funds for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. None of the funds in this Act shall be available for the planning or implementation of any change in the current federal status of the Volpe National Transportation Systems Center, and none of the funds in this Act shall be available for the implementation of any change in the current federal status of the Turner-Fairbank Highway Research Center: *Provided*, That the Secretary may plan for further development of the Volpe National Transportation Systems Center and for other compatible uses of the Center's real property: *Provided further*, That

any such planning does not alter the federal status of the Center's research and development operation.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1995 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1994, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 15 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned 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, 1995, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104, 144, of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240;

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a), Title 23 U.S.C., the Federal lands highway program, the intelligent vehicle highway systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024, of Public Law 102-240: *Provided*, That amounts made available under section 6005 of Public Law 102-240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs under the head "Federal-Aid Highways" in this Act; and

(4) notwithstanding subsection (a), the Secretary shall withhold from initial distribution the fiscal year 1995 Federal-aid highways obligation limitation set aside for Interstate Construction Discretionary projects: *Provided*, That the Secretary shall distribute only after August 1, 1995, such obligation limitation withheld in accordance with this section to those States receiving Interstate Discretionary allocations.

(d) During the period October 1 through December 31, 1994, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transpor-

tation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97-424, sections 1061, 1103 through 1108, 4008, and 6023(b)(8) and 6023(b)(10) of Public Law 102-240, and for projects authorized by Public Law 99-500 and Public Law 100-17, shall not exceed \$325,155,150.

(e) During the period August 2 through September 30, 1995, the aggregate amount which may be obligated by all States pursuant to paragraph (d) shall not exceed 2.5 per cent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104 and 144 of title 23, United States Code, and 1013(c) and 1015 of Public Law 102-240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which would not be obligated in fiscal year 1995 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1995, has the amount distributed to such State under paragraph (a) for fiscal year 1995 reduced under paragraph (c)(2).

SEC. 311. None of the funds in this Act shall be available for salaries and expenses of more than one hundred and ten political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 312. Not to exceed \$850,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 313. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under section 21 of the Federal Transit Act, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program.

SEC. 314. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 315. Such sums as may be necessary for fiscal year 1995 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act.

SEC. 316. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 317. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to Federal Aviation Administration design and performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by the Federal Aviation Administration in accordance with agency criteria.

SEC. 318. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of \$10,000,000

in any one year of the contract or (2) includes a cancellation charge greater than \$10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the federal government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 319. None of the funds provided in this Act shall be made available for planning and executing a passenger manifest program by the Department of Transportation that only applies to United States flag carriers.

SEC. 320. None of the funds made available in this Act may be used to implement, administer, or enforce the provisions of section 1038(d) of Public Law 102-240.

SEC. 321. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Discretionary grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 1997, shall be made available for other projects under section 3 of the Federal Transit Act, as amended.

SEC. 322. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of the Federal Transit Act, as amended, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 323. (a) Of the budgetary resources available to the Department of Transportation (excluding the Maritime Administration) during fiscal year 1995, \$65,120,000 are permanently canceled.

(b) The Secretary of Transportation shall allocate the amount of budgetary resources canceled among the Department's accounts (excluding the Maritime Administration) available for procurement and procurement-related expenses. Amounts available for procurement and procurement-related expenses in each such account shall be reduced by the amount allocated to such account.

(c) For the purposes of this section, the definition of "procurement" includes all stages of the process of acquiring property or services, beginning with the process of determining a need for a product or services and ending with contract completion and close-out, as specified in 41 U.S.C. 403(2).

SEC. 324. Of the funds appropriated in Public Law 103-122 for railroad-highway crossings projects, \$20,000,000 shall be available for costs, not to exceed 80 per cent, of a project to reduce rail-highway conflicts on M-59 near Pontiac, Michigan, and a project on Bristol Road near Flint, Michigan, including \$500,000 which shall be made available to improve and upgrade Maple Road at Bishop Airport, Michigan: *Provided*, That of the funds appropriated in Public Law 94-387 for railroad-highway demonstration projects, \$486,000 in unobligated balances shall be made available for the rail relocation project in Lafayette, Indiana.

SEC. 325. None of the funds provided by this Act shall be made available to any State, municipality or subdivision thereof that diverts revenue generated by a public airport in violation of the provisions of the Airport and Airway Improvement Act of 1982, as amended.

SEC. 326. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 327. None of the funds made available by this Act may be obligated or expended to design, construct, erect, modify or otherwise place any sign in any State relating to any speed limit, distance, or other measurement on any highway if such sign establishes such speed limit, distance, or other measurement using the metric system.

SEC. 328. None of the funds provided by this Act shall be made available for any airport development project, or projects, proposed in any grant application submitted in accordance with title V of Public Law 97-248 (96 Stat. 671; 49 U.S.C. App. 2201 et seq.) to any public agency, public authority, or public airport that imposes a fee for any passenger enplaning at the airport in any instance where the passenger did not pay for the air transportation which resulted in such enplanement, including any case in which the passenger obtained the ticket for the air transportation with a frequent flyer award coupon.

SEC. 329. None of the funds in this Act may be used to continue the federally-funded research and development center (FFRDC) relationship between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development after March 31, 1995: *Provided*, That the Federal Aviation Administration may continue this work after March 31, 1995 only by full and open competition among all interested parties, including the Center for Advanced Aviation Systems Development.

SEC. 330. Funds provided in this Act for the Department of Transportation working capital fund (WCF) shall be reduced by \$13,253,000, which limits fiscal year 1995 WCF obligational authority for elements of the Department of Transportation funded in this Act to no more than \$88,750,000: *Provided*, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included from each account for the working capital fund.

SEC. 331. Funds provided in this Act for bonuses and cash awards for employees of the Department of Transportation shall be reduced by \$6,012,680, which limits fiscal year 1995 obligational authority to no more than \$25,500,000: *Provided*, That this provision shall be applied to funds for Senior Executive Service bonuses, merit pay, and other bonuses and cash awards.

SEC. 332. Section 127(a) of title 23, United States Code, is amended by adding at the end the following: "With respect to the State of Maryland, laws and regulations in effect on June 1, 1993, shall be applicable for the purposes of this subsection."

SEC. 333. None of the funds made available in this Act may be used to implement, administer, or enforce the provisions of Public Law 101-500.

SEC. 334. Funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training and for reports' publication and dissemination may be credited to the Research and Special Programs account.

SEC. 335. Funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited to the Federal Highway Administration's "Limitation on General Operating Expenses" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Railroad Safety" account, except for State rail safety inspectors participating in training pursuant to section 206 of the Federal Railroad Safety Act of 1970.

SEC. 336. (a) Subsection (b) of section 1045 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1994) is amended to read as follows:

"(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—

"(1) GENERAL RULE.—Upon approval of any substitute project or projects under subsection (a)—

"(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

"(B) a sum equal to the amount that would have been apportioned to the State of Wisconsin on October 1, 1994, under section 104(b)(5)(A) of title 23, United States Code, if the Secretary had not approved such project or projects shall be available to the Secretary from the Highway Trust Fund to incur obligations for the Federal share of the costs of such substitute project or projects.

"(2) AVAILABILITY.—Amounts made available under paragraph (1)(B) shall be available for obligation on and after October 1, 1994. Amounts made available under paragraph (1)(B) shall remain available until expended and shall be subject to any limitation on obligations for Federal-aid highways established by law.

"(3) APPLICABILITY OF TITLE 23 U.S.C.—Amounts made available under paragraph (1)(B) 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 carried out with such funds shall be determined in accordance with section 103(e)(4)(D) of such title."

(b) CONFORMING AMENDMENTS.—

(1) SUBSECTION (c).—The second sentence of subsection (c) of section 1045 of such Act is amended by striking "the authority of section 103(e)(4) of title 23, United States Code," and inserting "section 21(a)(2) of the Federal Transit Act".

(2) SUBSECTION (d)(1).—Subsection (d)(1) of section 1045 of such Act is amended by striking "project for" and all that follows through the period at the end thereof and inserting "transit project."

(3) SUBSECTION (d).—Subsection (d) of section 1045 of such Act is amended by striking paragraph (3) and by redesignating paragraph (4) as paragraph (3).

(c) REDUCTION OF INTERSTATE CONSTRUCTION AUTHORIZATION.—Section 108(b) of the Federal-Aid Highway Act of 1956 is amended by striking "\$1,800,000,000 for the fiscal year ending September 30, 1996" and inserting "\$1,800,000,000, reduced by the amount made available under section 1045(b)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, for the fiscal year ending September 30, 1996".

SEC. 337. (a) UNIFORM HOV-2 DEMONSTRATION PROJECT ON I-66 IN VIRGINIA.—Notwithstanding any other law or any prior decision of the Secretary of Transportation, the Governor of Virginia shall have the authority to

carry out, during all of fiscal year 1995, a demonstration project on Interstate Highway 66 (I-66) in Fairfax and Arlington Counties, Virginia, to determine the impact of applying a uniform high-occupancy vehicle restriction to the portion of I-66 that is between the District of Columbia and Interstate Highway 495 (I-495) and the portion of I-66 that is west of I-495.

(b) PROJECT REQUIREMENTS.—

(1) UNIFORM HOV RESTRICTION.—Except as provided in paragraph (2), under the demonstration project established under this section, the uniform high-occupancy vehicle restriction applied to the 2 portions of I-66 described in subsection (a) shall be vehicles carrying 2 or more persons.

(2) AUTHORITY OF GOVERNOR OF VIRGINIA.—During the 1-year demonstration period under this section, the Governor of Virginia shall retain the flexibility to return the high-occupancy vehicle restriction applicable to the portion of I-66 that is between the District of Columbia and I-495 to vehicles carrying 3 or more persons, or to make any other revisions in the demonstration project that the Governor determines are necessary.

(c) STUDY AND REPORT.—If the Governor of Virginia makes use of the authority granted in subsection (a), the Governor shall—

(1) carry out an assessment of the effects of the uniform high-occupancy vehicle restriction under the demonstration project established under this section; and

(2) upon completion of the assessment, submit to the Congress and to the Secretary of Transportation a report setting forth the results of the assessment and the demonstration project.

SEC. 338. (a) FEDERAL LINE OF CREDIT.—For the purpose of carrying out a demonstration of the construction of public toll roads in Orange County, California, authorized by section 129(d) of title 23, United States Code, there is hereby appropriated \$8,000,000 for the Secretary to enter into an agreement to make a line of credit available, with a principal amount not to exceed \$120,000,000 to the public entity or entities with the statutory authority to construct such facilities.

(b) EFFECTIVE PERIOD.—The line of credit under this section shall be available for draws during the period beginning on the date of completion of construction and ending on the last day of the tenth calendar year following the date construction of the facilities is completed.

(c) PURPOSES.—The line of credit under this section shall be available to pay the costs of extraordinary repair and replacement of the facilities, unexpected Federal or State environmental restrictions, operation and maintenance expenses of the facilities, and debt service on tax-exempt or taxable obligations financing the facilities.

(d) LIMITATIONS.—

(1) CAPITAL EXPENDITURES.—With respect to capital expenditures, draws on the line of credit under this section shall only be made if and to the extent proceeds from the sale of the obligations issued by the public entity or entities which otherwise would be available for such purposes are exhausted, or are otherwise unavailable for the payment of such capital expenditures.

(2) EXPENSES.—With respect to expenses, including operation and maintenance expenses and debt service, a draw on the line of credit under this section shall only be made if revenues from toll operations and capitalized interest are insufficient (or are otherwise unavailable) for such purposes.

(3) PER YEAR.—No more than 10 percent of the total principal amount of the line of

credit under this section shall be available for draws in any one year.

(4) **THIRD PARTY CREDITOR RIGHTS.**—No third party creditor of the public entity or entities shall have any right against the Federal Government with respect to draws on the line of credit under this section.

(5) **AVAILABILITY FOR PARTICULAR COSTS.**—There is no guaranteed availability of proceeds of the line of credit under this section for the payment of any particular cost of the public entity or entities which might be financed under this section.

(e) **INTEREST RATE AND REPAYMENT PERIOD.**—Any draws (except for operation and maintenance expenses) on the line of credit under this section shall accrue interest at the 30-year United States Treasury bond rate beginning on the date such draws are made and shall be repaid in not more than 30 years; except that any draws under the line of credit for operation and maintenance expenses shall accrue interest at the 3-year United States Treasury note rate beginning on the date such draws are made and shall be repaid in not more than 3 years.

The **CHAIRMAN.** Are there any points of order to that portion of the bill?

POINT OF ORDER

Mr. **MORAN.** Mr. Chairman, I raise a point of order against section 337.

Mr. Chairman, that section would in part authorize a demonstration project on Interstate Highway 66 in Arlington County, VA, to determine the impact of applying a high occupancy restriction to the portion of Interstate 66 that is between the District of Columbia and the Interstate Highway 495, the Beltway, the portion of I-66 that is west of the Beltway.

As such, section 337 is legislation in an appropriations bill and in violation of rule XXI of the standing rules of the House of Representatives. Clause 2 of rule XXI prohibits legislation on general appropriations bills. Section 337 is in fact legislation. The authority to undertake what is proposed in section 337 does not currently exist.

The lead-in to section 337 specifically states, "notwithstanding any other law or any prior decision of the Secretary of Transportation." Section 337 in fact would alter previous policy decisions on this issue.

So, Mr. Chairman, section 337 on its face is legislation in a general appropriations bill, and thus in violation of rule XXI. Accordingly, I insist on my point of order.

The **CHAIRMAN.** Does the gentleman from Virginia [Mr. **WOLF**] seek recognition?

Mr. **WOLF.** Mr. Chairman, I wish to respond.

In responding to the point of order, I want to tell the body I am very disappointed that this has happened. There is HOV-2, for Members who were not here during the debate, in Houston, TX, and there was no point of order. Pittsburgh, Honolulu, Denver, San Diego, Hartford, Connecticut, Los Angeles, Seattle, Orange and Riverside Counties.

By this point of order being taken and what it will result in, it will now

result in neighborhoods continuing to be clogged and safety problems, because outside the Beltway on 66 it is HOV-2, and inside the Beltway it is HOV-3. There is sign clutter there. What we would have done is taken cars off of the residential streets like Columbia Pike, and Lee Highway, and Wilson Boulevard, and in Fairfax and different places like that and put it on 66 where it belongs.

Second, from an environmental point of view, this is a very, very bad idea.

Third, it would enable moms and dads, particularly under the legislation that we have passed setting up onsite day-care. In fact, we have day-care centers here in the Capitol. We have put together the legislation to create 100 day-care centers in this region around here, whereby a mom or dad could drive to work with their son or daughter. Also, a husband or wife could come. And to object to this is absolutely crazy. I think it shows you how much this body is out of touch.

Mr. Chairman, I would just say I am disappointed with regard to this, because this was a request made by the Governor of Virginia on behalf of a 1-year trial period, and I think it is a mistake and is going to hurt a lot of people.

The **CHAIRMAN** (Mr. **BOUCHER**). The Chair is ready to rule on the point of order. The language with respect to which the point of order is raised constitutes legislation on an appropriations bill. Therefore, it violates rule XXI and the point of order is sustained.

Are there further amendments to this portion of the bill?

AMENDMENT OFFERED BY MR. BORSKI

Mr. **BORSKI.** Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. **BORSKI**: Page 50, strike lines 8 through 10.

Mr. **BORSKI.** Mr. Chairman, I offer this amendment on behalf of myself and the gentleman from Pennsylvania [Mr. **CLINGER**].

Mr. Chairman, our amendment would strike the provision in H.R. 4556 that would prohibit the Department of Transportation from using any funds to enforce the Sanitary Food Transportation Act.

Despite the urgent need that was shown when this act was passed in 1990, this provision in the bill would cut off any money for enforcement with no plans to provide a replacement.

In February, I personally asked the Acting Administrator of RSPA, who was testifying under oath, about the administration's plans for this act.

The answer I received was that there would be a briefing for my staff.

But since that time, despite our repeated requests, we have received no further information from DOT.

If there is a better, more efficient way to enforce the act, we would be happy to listen to those proposals.

We must not accept a situation where food and garbage are being carried in the same trucks—and chemicals and fruit juices are being transported in the same tank trucks.

Four years ago, our Subcommittee on Investigations and Oversight heard about one truck that made 23 different trips—carrying chemicals, cattle feed, fruit juice, chocolate, cooking oils, and more chemicals.

We heard about the same trucks being used to transport garbage from New Jersey to the Midwest and food from the Midwest to the supermarkets of the Northeast.

The Sanitary Food Transportation Act of 1990 directed the Department of Transportation to work with other Federal agencies that have similar, but not identical responsibilities.

There was clearly a gap in the law and DOT was the agency to fill it. We couldn't tolerate food and garbage sharing the same trucks in 1990 and we should not tolerate it now.

This provision of the appropriations bill will return this situation to the way it was before the Sanitary Food Transportation Act—when some companies thought they could make extra money backhauling garbage and chemicals in the same trucks they use for food and drink.

We must not go back to our constituents and tell them that transporting the food they buy in their supermarkets in garbage trucks is acceptable because it doesn't happen very much.

We cannot go back to our constituents and tell them that the fruit juice they bought is fine even though it was carried in a truck that had been hauling chemicals.

If we don't want to have to tell these things to our people, we must not allow the enforcement of the Sanitary Food Transportation Act to be completely gutted.

That's what this provision of H.R. 4556 would do without any plan to replace DOT in the enforcement of the act.

It makes no sense to prohibit DOT from enforcing this act without deciding how they should be replaced.

Future discussions may result in DOT being given an enforcement or coordinating role. We should decide that role through the regular legislative process, not through the prohibition in section 333.

I urge my colleagues to support my amendment and then we can discuss how this program should be changed to make it more effective.

Let's not make it impossible for DOT to participate in the solution. Vote "yes" on the amendment.

Mr. **CARR** of Michigan. Mr. Chairman, if the gentleman would yield, I want to defend the provision of our bill. But in the interest of compromise and saving the Members time, I am prepared to accept the amendment.

Mr. Chairman, this year, the administration's fiscal year budget request for the Department of Transportation included no funds or personnel to implement the Sanitary Food Transportation Act [SFTA]. The Department indicated to our subcommittee during our fiscal year 1995 hearings that it did not believe that food contamination as a result of a practice called backhauling was a serious problem. Moreover, the Department told us that it believed that other agencies—primarily the Department of Agriculture and the Food and Drug Administration within the Department of Health and Human Services—should have the lead responsibility for food safety enforcement.

In addition, we understood that the administration was considering legislation to significantly modify SFTA such that the Department of Transportation would not be the lead agency to implement its requirements.

Mr. Chairman, after examining this issue in our hearings over the past few years, the committee agreed with the administration's proposal to eliminate funding to implement SFTA. Consistent with that position, the fiscal year 1995 Transportation appropriations bill also includes a limitation prohibiting the use of funds to implement SFTA.

While I am concerned that our citizens have a safe food supply, I continue to have reservations about the fact that SFTA would impose a whole new set of food safety enforcement responsibilities on DOT. SFTA would require DOT to hire and train an entire cadre of food safety inspectors at the expense of meeting other important aviation, rail, and pipeline safety needs when there is limited evidence that a problem exists. In fact, since 1989, only 13 incidents of food contamination due to the method of transportation have been documented.

At the same time that SFTA would require a huge new bureaucracy at the Department of Transportation, the U.S. Department of Agriculture and the Food and Drug Administration currently have over 7,000 food safety inspectors. These agencies have the necessary statutory authority to address any food contamination issues that might occur during the loading, off-loading and actual transport of food commodities.

I would note also that Vice President GORE's National Performance Review [NPR] recommended that food safety responsibilities be streamlined and consolidated into one agency. Certainly, implementing SFTA in the Department of Transportation is counter to the NPR recommendations.

Mr. Chairman, our committee report directs DOT to resolve, in consultation with USDA and HHS, how the intent of SFTA can best be met, whether statutory changes are needed, and how enforcement responsibilities among DOT,

USDA, and FDA will be shared, and to report back to the committee prior to conference action on the fiscal year 1995 Transportation appropriations bill. We believed that this is a reasonable approach to addressing any problems that might currently exist in the safe Transportation of food. I understand that the DOT is close to finalizing a package of legislative amendments to SFTA that will help to make the law more workable and less costly.

I would hope that I could get a commitment from the gentleman that he will work with his colleagues on the Public Works Committee and the Energy and Commerce Committee, as well as the Department of Transportation, to work toward enactment of these needed modifications to SFTA so that the DOT will be able to share enforcement responsibilities more equally with the USDA and FDA.

I believe that the provision in the bill to limit the use of funds to implement SFTA is a good government, common-sense measure. I believe that we should not create another regulatory bureaucracy to provide for the safe transportation of food, when better coordination among the existing bureaucracies will accomplish the same purpose. However, if I could get agreement that the authorizing committees will take another look at this issue, I will accept the amendment.

Mr. BORSKI. Mr. Chairman, I thank the gentleman. I can assure the gentleman, I have spoken with the Chairman of the Committee on Public Works and Transportation, the gentleman from California [Mr. MINETA], and the Surface Committee Chairman, the gentleman from West Virginia [Mr. RALL], and we stand ready, willing and able to work with you and the Department of Transportation to make this program work better.

Mr. CLINGER. Mr. Chairman, if the gentleman will yield, as a cosponsor of the Safe Food and Transportation Act, I want to thank Chairman CARR for accepting this amendment. I think this whole episode has sort of underscored the poor job the Department did in advising the authorizing committee, our committee, of the problems they were having in implementing this bill. But if this amendment did not pass, they were not going to be able to do anything about making it any better. So I think this clears the way for us to really get on with trying to resolve how best to implement this very important act.

Mr. BORSKI. Mr. Chairman, I appreciate the leadership of the gentleman on this issue.

Mr. DINGELL. Mr. Chairman, I understand the concerns that have been voiced about the implementation of the Sanitary Food Transportation Act [SFTA] by the Department of Transportation. When the Energy and Commerce Committee helped to develop this legislation in 1990, our intent was to curb certain unsafe

practices that involved the transportation of potentially harmful nonfood products in the same motor and rail vehicles that carry food and food products.

We believed at that time that additional measures were needed to ensure the quality and safety of the Nation's food supply. However, we did not intend that an entirely new food inspection and enforcement bureaucracy be created at the Department of Transportation.

I would support efforts to achieve a sensible and coordinated enforcement program. I understand that the Department of Transportation plans to submit a legislative package to Congress to modify the Sanitary Food Transportation Act in a way that will promote these objectives.

Our committee will review these legislative proposals to ensure that we protect the public health and safety through proper food transportation practices in a manner that is both cost-effective and manageable.

Mr. MINETA. Mr. Chairman, I rise in support of the amendment which would allow continued support of the Sanitary Food Transportation Act of 1990 by the Department of Transportation which passed overwhelmingly in the 101st Congress.

The Sanitary Food Transportation Act [SFTA] was the direct result of the Public Works and Transportation Committee becoming aware of alarming activities being carried out by some members of the transportation industry. Those activities consisted of moving waste materials and nonfood products in vehicles and tankers that were also used to transport food.

Although examination of the issue of these activities throughout the hearing process did not show any documented cases of food contamination resulting from these activities; there was clearly the threat of such harm to the public.

One of the most prevalent issues regarding such activities was the practice of backhauling municipal and solid waste in the same trucks that carry food products primarily in the Northeast and Midwest, where refrigerated trucks used to have food and nonfood consumer products were loaded with baled solid waste for return trips. Similarly, cargo tanks that previously transported edible liquids were being used for the backhauling of chemicals.

Now, in the Department of Transportation appropriations bill, and with the full cooperation and indeed suggestion of the DOT, there is a provision that prohibits the use of DOT funds for the implementation, administration, or enforcement of Public Law 101-500, the Sanitary Food Transportation Act of 1990. The appropriators will tell you that the implementation of SFTA better belongs in the U.S. Department of Agriculture [USDA] and the Food and Drug Administration [FDA]. They will also say that implementing SFTA in the Department of Transportation runs counter to Vice President GORE's National Performance Review which they say recommends food safety responsibilities be streamlined and consolidated in one agency.

I want to share with my colleagues in the House a few excerpts from then Senator Gore's floor statement during the Senate passage of SFTA on September 20, 1990.

Mr. GORE. Mr. President, I come before the Senate today to ask for passage of S. 2393, the Safe Food Transportation Act.

Ten months ago, I introduced S. 1904, the Clean Food Transportation Act, because backhauling—the dangerous practice of hauling garbage or hazardous chemicals in one direction and then without proper cleaning, using the same vehicle to transport food—is inexcusable, and it has to stop.

Right now, it is legal for a trucker to use the same tank to ship hazardous materials one way and food the other. Truckers from all across the country have come forward with horror stories about backhauling. One trucker recalled hauling asphalt emulsion in one direction and table wine for the return trip. Another trucker told how he had washed out his tanker more than 15 times but still found a substance traced to a load of plastic resin hauled 2 months before, a substance that remained in the tanker through loads of vegetable oil, whisky and chocolate—products that could be on any of our kitchen shelves.

I am especially pleased that the Safe Food Transportation Act, includes the provision of my bill which would involve the participation of the Motor Carrier Safety Assistance Program inspectors in enforcing the decontamination requirements of the bill. Hopefully, these inspectors will be able to help stop drivers who falsify shipping documents by stating that the previous loads were food grade; drivers like those who testified before the House committees last summer. The bill requires DOT rulemaking to make sure drivers and shippers verify that appropriate records and markings are maintained regarding food-carrying vehicles.

In conclusion, I want to point out that the USDA and the FDA have always had the authority to address food contamination issues, but despite their enforcement authority the issue of transporting food in contaminated vehicles was fast becoming a national problem which had reached the local and national news media, to include a segment on the "60 Minutes" television program.

I, therefore, support my distinguished colleagues, ROBERT BORSKI and WILLIAM CLINGER of Pennsylvania, the original sponsors of SFTA in 1990, and the sponsors of this amendment today and ask that my colleagues in the House join with me in agreeing to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. BORSKI].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I ask unanimous consent that I be allowed to present an amendment that was scheduled to be presented in title I.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. CARR of Michigan. Mr. Chairman, reserving the right to object, I do so only to seek an agreement with the gentleman about the time. We are trying to accommodate the gentleman in offering the amendment out of order, and I would like to do that, although I will oppose the amendment. On the other hand, I would hope that the gentleman would agree to perhaps a 15

minute debate time limit on this amendment.

Mr. HEFLEY. The gentleman from Michigan [Mr. CARR] has been very accommodating to me on this. I will certainly agree with the stipulation of 15 minutes, divided between the two.

Mr. CARR of Michigan. Mr. Chairman, if that can be incorporated in the unanimous consent request, I would withdraw my reservation of objection.

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The CHAIRMAN. Is there objection to the request of the gentleman that we return to that portion of the bill so he may offer an amendment with debate to be equally divided for a period totaling 15 minutes, with one-half of that time to be managed by the gentleman from Colorado [Mr. HEFLEY], and the other one half to be managed by the gentleman from Michigan [Mr. CARR]?

Mr. SWIFT. Mr. Chairman, reserving the right to object, I do so to point out that yesterday we spent 3 hours on the floor of this House with the majority being cajoled over the fact that we waived some rules. What the request is, it is essentially a request to waive the rules.

I would, under the rules of the House, be absolutely within my rights to object to this request. I just want to point out that comity goes both ways.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: Page 23, line 21, strike "\$771,700,000, of which \$526,700,000" and insert "\$694,530,000, of which \$474,030,000".

Page 23, line 24, strike "\$245,000,000" and insert "\$220,500,000".

Page 24, line 7, strike "\$8,000,000" and insert "\$7,200,000".

Mr. HEFLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Tuesday's edition of my hometown newspaper ran a story on a proposed Amtrak line that would run from Denver, CO through my hometown of Colorado Springs to El Paso, TX. But there is only one problem with that, and that is money. The proposed line would cost Colorado, New Mexico and Texas roughly \$80 million in subsidies just to start it up.

Unfortunately, that is not all it would cost. Colorado would have to pony up another \$57 million to upgrade tracks and build stations, and each state would pay about 3 million

annually for operating costs. And that is still not all.

The Amtrak line would be a money-losing route. According to the local newspaper, researchers estimated that up to 120,000 people would ride the Denver to El Paso Rocky Express annually. That is 60,000 less than is needed to break even. In other words, the line is expected to cover only two-thirds of its costs.

But there is still more. Last year, when I offered a similar amendment to cut 10 percent out of the Amtrak budget, the Washington Post wrote an article entitled "Congress Should Reinvent Amtrak To Make It Profitable." In it, the article states:

Congress' mandate to Amtrak 23 years ago was to operate rail service on a for-profit basis, but the National Railroad Passenger Corporation hasn't come close. Nor is it likely to meet the goal it set in 1990 to eliminate the need for Federal financial support for Amtrak's operations by the year 2000.

To better illustrate this point, let us take a look at Amtrak's performance over the last 5 years. Last year, 1993, Amtrak lost \$731 million. In 1992, \$712 million; in 1991, \$721 million; in 1990, \$703 million, and in 1989, Amtrak lost \$665 million. And the list of yearly losses goes on and on.

Instead of operating as a for-profit corporation, Amtrak has managed to saddle this country with over \$16 billion worth of debt. These perennial losses work out to the taxpayer subsidy of about \$25 for every passenger. With that kind of subsidy, Braniff Airlines would still be flying.

Furthermore, the Cato Institute estimates that Federal subsidies to Amtrak passengers are 10 to 20 times higher than those offered to intercity bus and air travelers.

So the question we must ask ourselves is this, Can we really afford to continue this practice? Clearly, I think, the answer is no.

Fortunately, there is a better way to run intercity rail passenger service. Privatization is the key to Amtrak's fiscal health. According to the Washington Post, "A privatized Amtrak could make money." In fact, several countries have already privatized their once State-owned passenger rail services, including Sweden, Japan, and Argentina. Sweden may be using the ideal model. The Swedish model establishes two entities, the railroad operating company is required to make a profit, and the government is responsible for maintaining the track, similar to our Government building and maintaining roads, highways, and airport runways.

Privatizing Amtrak could work, if given the chance. Organizations such as the Reason Foundation and the 1988 Presidential Commission on Privatization, which included members of both labor and management, have concluded that privatization is not an answer but the answer to Amtrak's problems.

Mr. Chairman, opponents of my amendment and of privatizing Amtrak will argue that it is doomed to failure without Government intervention. It looks to me like Amtrak is doomed to failure with Government help.

Mr. Chairman, I cannot understand how on one hand Amtrak and its supporters can say they need more money from the taxpayers to stem the flow of red ink and then propose to offer a new line of service that will lose money. It does not make sense. At least it did not make sense until today, when I received a letter from the President of Amtrak which states:

If you support a cut of Amtrak, you will create yet another train wreck that we are not responsible for but must suffer the consequences of.

Mr. Chairman, I have come to expect this. Last year my amendment was blamed for a train wreck that occurred 2 days before the Transportation bill even was brought to the floor. Now I am being blamed for any accidents that might happen out in the future. That is pure demagoguery, and it explains why after 24 years on the public dole Amtrak's management is unable to fulfill its congressional mandate to operate on a profit basis. My amendment only cuts 10 percent from Amtrak's operating loss subsidy and its capital expenses subsidy, which amounts to a \$77 million reduction. The amendment is by no means a panacea, but it is a start. It will save our Nation millions of dollars and help improve competitiveness.

Let us show the taxpayers of this country that we are willing to do what it takes to get this country back on its feet. Vote for this amendment and let us begin to wean, we are not doing away with Amtrak subsidy, but begin to wean Amtrak off the Government payroll.

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

Mr. CARR of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to the amendment. In fact, I think it is extremely unfortunate that these amendments keep coming up. The House has voted repeatedly to sustain Amtrak. Usually those votes received at least 300 votes from this body. In fact, let me remind the Members that just last year, the gentleman from Colorado offered two similar amendments to cut Amtrak, and both were soundly defeated. One of those was the same amendment he offers today, to cut Amtrak by 10 percent. That was defeated by a vote of 271 to 153. The House has spoken time and time again on this issue, Mr. Chairman, and the gentleman from Colorado offers no significant new information this year.

Mr. Chairman, this bill proposes a lean budget for Amtrak. The recommended levels in this bill for Am-

trak's operating and capital costs are over \$100 million below the administration's request and even further below Amtrak's request. Amtrak needs all the help we can give them at this time, and they have new management which is taking an aggressive stance to improve service quality, increase maintenance, and provide a better overall product for Amtrak travelers. The GAO testified before our subcommittee this year in support of Amtrak's need for increased Federal support.

Just when Amtrak is making these improvements, the gentleman offers an amendment which would cut 10 percent of Amtrak's Federal support—\$24.5 million from Amtrak's capital grant and \$52.67 million from their operating grant. We have already cut the request back significantly. I believe what we are really saying if we pass this amendment is that we don't want a national passenger railroad in this country. In contrast, I believe the past votes of this body, including last year, strongly indicate that this Congress support Amtrak.

Let me take a moment to advise the Members of the impact of this amendment. According to Amtrak, reductions of the magnitude would:

Eliminate plans to initiate new service in at least six areas, including Seattle to Portland; Seattle to Vancouver; Raleigh to Charlotte; Boston to Portland, ME; Los Angeles to Santa Barbara; and Chicago to Madison through Milwaukee.

Jeopardize the entire Amtrak-State partnership program, which provides services to Illinois, Missouri, New York, Michigan, California, Alabama, Wisconsin, Illinois, and North Carolina.

Cause Amtrak to consider reducing service on routes between Washington and Montreal, Chicago and Seattle, and Chicago to Oakland.

Jeopardize their plans to make much-needed improvements in aged and inadequate maintenance facilities in Los Angeles, Delaware, New York, and Indiana; and make it virtually impossible for Amtrak to procure new locomotives and trains which they desperately need, and replace defective crossties in the Northeast corridor between Washington and New York.

I should also note that Amtrak currently operates some of the country's most critical commuter rail systems, including northern and southern California, Boston, Connecticut, Maryland, and northern Virginia. Without adequate Federal operating subsidy, Amtrak might have to default on those contracts, shutting down these systems until a new operator could be found. This would be extremely disruptive to commuters trying to get to work in those communities, and could have a ripple effect on the economies of those regions.

I mention these impacts, Mr. Chairman, to let the Members of this body

know that this is a very serious amendment, with serious consequences for our nationwide transportation system and for the cities and States all over this country which I just mentioned.

This amendment is not only hurtful, Mr. Chairman, it is unnecessary. We have adequate funding to sustain Amtrak. This bill is within the total budget resources assigned to us in the congressional budget process. I am sorry this kind of amendment has come up once again this year, because I believe the will of this body has been expressed many times on the need for a national passenger rail system. I am not aware of any new information which would cause a different assessment by this body.

I strongly urge the defeat of this amendment.

Mr. Chairman, I yield 2 minutes to a member of my committee, the gentleman from Pennsylvania [Mr. FOGLETTA].

Mr. FOGLETTA. Mr. Chairman, I rise today in opposition to the Hefley amendment.

My colleague from Colorado may see Amtrak as an easy target. Amtrak is struggling. But the question comes down to this—do we want to have a rail passenger service in the United States. And I believe that if you put the question to the American people the answer would be a resounding—yes.

America needs and wants transportation options.

But in order for Amtrak to thrive—it is in desperate need of help. Amtrak's equipment is old. They don't have enough locomotives to adequately provide on-time service. Amtrak's equipment maintenance facility is over 85 years old.

They have been plagued with devastating equipment losses from accidents and natural disasters. Amtrak needs our support.

This amendment would also impede Amtrak's very successful Northeast corridor—the Nation's only high-speed rail corridor. A line that carries nearly 11 million passengers every year. It is an generator in one of the most economically vital regions of our Nation.

My colleague's amendment would cut Amtrak's funding \$154 million. This would be devastating. If we agree that America needs Amtrak as a transportation option—we simply can't accept such a cut. I urge my colleagues to reject this amendment.

Mr. CARR of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment. I think the gentleman from Colorado [Mr. HEFLEY] has some good ideas. But to take this money out of Amtrak now would be, I think, devastating.

□ 1650

When Tom Downs, the administrator, head of Amtrak, came before our committee to testify, he showed the needs

that Amtrak currently has. While the amendment is well-meaning, I think it would be a mistake, particularly at this time, to cut Amtrak to that point. Quite the contrary, when we look at the needs, Amtrak actually needs more money or needs to find a different way of paying for the service in the system we have in the country.

The CHAIRMAN. The Chair advises that the gentleman from Colorado [Mr. HEFLEY] has 2 minutes remaining, and the gentleman from Michigan [Mr. CARR] has 4½ minutes remaining.

Mr. CARR of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. SWIFT], the distinguished chairman of the subcommittee.

Mr. SWIFT. Mr. Chairman, I think I am going to buy my esteemed colleague, the gentleman from Colorado [Mr. HEFLEY] a barber pole, because it was the symbol, years ago when barbers were also doctors, that when a patient came to the barber and they were ill, they bled them a little. Amtrak is ill. There is no question about it. The gentleman's solution is we will make them better because we are going to bleed them a little.

GAO, Mr. Chairman, gave testimony before my subcommittee very recently and they said, "Yes, Amtrak is sick." They were very diplomatic, but when we got down to what they were saying, Amtrak is sick because it has been starved to death. When we look around and we say, "Who did that," it was administrations and this Congress.

Mr. Chairman, we are the trouble with Amtrak. Amtrak provides an energy-efficient, environmentally sound transportation alternative. Is it subsidized? Yes. So is virtually all the public transportation in the world, and in this country. Airlines are subsidized, and let me tell the Members, probably the most single subsidized form of transportation in this country is our automobiles.

Do not bleed this to death. Do not use a medieval form of cure. Vote against this amendment.

Mr. CARR of Michigan. Mr. Chairman, I yield the remainder of our time to the gentleman from Michigan [Mr. DINGELL], the distinguished chairman of the Committee on Energy and Commerce.

The CHAIRMAN. The gentleman from Michigan [Mr. DINGELL] is recognized for 3½ minutes.

Mr. DINGELL. Mr. Chairman, this is another example of an amendment where the author knows the cost of everything and the value of nothing. Amtrak is the most environmentally sound, economic and efficient system of transportation we have in the country. It moves large numbers of people, it does it at low cost and with minimum adverse impact upon the environment.

Mr. Chairman, if we were to spend our money well we would put money

into investing in additional facilities for Amtrak so it could begin to make money, provide the kind of service that people want. Amtrak now has waiting lists of people who want service. We have to wait for a ticket, we have to wait to get a reservation, we have trouble getting from city to city on Amtrak. Why? Because we do not give them the capital investment and the money which they need.

Mr. Chairman, the bill which is before us gives them less than they requested and less than the administration sought, and if we had spent the money that Amtrak asked, we might conceivably have come up with situation where we could begin to actually provide the service that the people need and to eliminate congestion on the highways and air pollution.

Mr. Chairman, the effect of this amendment is going to be to reduce service, to make it harder to move people, to adversely impact the environment, and to trigger additional payments, because of labor protection agreements between Amtrak and the employees.

Mr. Chairman, this amendment is probably going to cost as much as it is going to save and perhaps more. Mr. Chairman, it is going to set in place a situation where Amtrak now, which is beginning to get ahead of the curve of inadequate service and old and obsolete equipment, will begin to fall back with adverse consequences on everything else, including the safety, the safety of the public which is dependent upon Amtrak.

Mr. Chairman, I would urge my colleagues to reject this amendment. It is nothing if not irresponsible. Mr. Chairman, I would ask Members to think of the future of the country, the environment. I would ask my colleagues to think of the needs of the traveling public, the concerns of the State about abating pollution from excessive automobile use, and I would urge that the amendment be rejected enthusiastically.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

I would ask the gentleman to explain to me how he really feels about my amendment. It is difficult to get up here, Mr. Chairman, after being so denounced in such a scathing fashion.

Mr. Chairman, I guess I would like for the gentleman from Michigan [Mr. DINGELL], who has had many years of experience dealing with these kinds of issues, and since he thinks most of us that do not serve on his committee do not have enough experience to offer these kinds of amendments, I would like for him to come forward and to give us an amendment or a proposal that would show us down the line how we were going to have Amtrak privatized. Other countries are doing it, they are privatizing. I would like for us to have a way so we could see the light down there.

Mr. DINGELL. Will the gentleman yield?

Mr. HEFLEY. I yield to the gentleman from Michigan.

Mr. DINGELL. I am the one who presided, Mr. Chairman, over the sale of Conrail. We were able to sell Conrail and did. As a matter of fact, I saw to it that the sale was done through a stock offering. This was the sensible way, put it out on the public and let them buy shares in it.

How, I ask my friend, the gentleman from Colorado [Mr. HEFLEY], and I have great respect for him and great affection, how are we going to sell a railroad which has to be subsidized, which costs millions of dollars a year more than it earns, to intelligent purchasers of securities on the market, given the fact that the securities laws require us to disclose and tell the truth about the situation in which we are engaged?

Mr. HEFLEY. Mr. Chairman, if I could reclaim my time, that is the very point, I would say to the gentleman from Michigan [Mr. DINGELL]. That is what we ought to be doing, is working up the answer to that "how."

I have a newspaper article which says, "Ottawa To Kill Its \$1.6 Billion Subsidy for Transportation." Yes, Mr. Chairman, this was a temporary thing. It was supposed to be a temporary subsidy. We have had 23, this will be 24 years, of this kind of subsidy. One of the speakers said we are starving it to death. Over the last 10 years it has lost each year between \$600 million and \$800 million. I do not quite call that starving.

Mr. Chairman, I ask for an "aye" vote on the Hefley amendment.

Mr. OXLEY. Mr. Chairman, I rise in opposition to the amendment. I could go into great detail about the role of Amtrak as part of our overall national transportation policy, and the need to keep it in place in that capacity. But I do not think that is really necessary here, given the dollars-and-cents realities of either eliminating or substantially reducing Amtrak's funds. The harsh fact of life is that when Amtrak was first established, Congress provided in the Rail Passenger Service Act that every Amtrak worker is entitled to a full year's severance pay for every year he has worked there, up to a maximum of 6 years. Since most Amtrak workers have at least 6 years of seniority, that means that for almost every Amtrak worker terminated in this upcoming fiscal year, Amtrak will owe six times the worker's annual pay.

Mr. Chairman, what does this mean in overall terms? Well, the last time Amtrak estimated the labor protection costs of a shutdown in 1990, the overall labor protection bill was \$2.6 billion. Of that, \$765 million would be due in the first year. To put it another way, if we delete Amtrak's funding this fall, the Government will owe the equivalent of 3 or 4 years of Amtrak funding in labor protection, but the public will be getting no train service for that money. And remember, these numbers have undoubtedly become bigger since 1990.

Even a reduction such as this amendment proposes would produce proportionately labor protection liabilities.

This situation comes about because of the underlying laws governing Amtrak. I share the goals of many Members in trying to make Amtrak as lean as possible and let its new management try to rationalize the route structure and operations.

Mr. Chairman, until Congress changes the labor protection laws, Amtrak is stuck with a huge ball and chain in the form of crippling labor protection liabilities that are triggered every time routes are changed or eliminated. Unlike the freight railroads, who are required by law to pay labor protection payments only in certain defined transactions, Amtrak has to pay it for every termination of an employee caused by discontinuing a train. In fact, Amtrak even has to pay full labor protection if the employee in question can be kept on the payroll, but must be relocated more than 30 miles in order to continue working. In other words, the employee can treat a 30-mile relocation as a termination for purposes of collecting his 6 years of pay.

Given these realities, Mr. Chairman, regardless of whether one would like to see a reformed Amtrak as I would, or no Amtrak at all, as some other Members would, this amendment will not achieve any fiscal savings. We have to reform the labor protection requirements first; otherwise, this amendment will mean spending more of the taxpayers' money next year—not less—and getting no transportation service in return.

Mrs. BENTLEY. Mr. Chairman, I agree with my friend from Colorado, Mr. Hefley, that the deficit desperately needs to be reduced, but reducing it at the expense of Amtrak—which is already underfunded—is, frankly, a horrible idea.

Mr. Chairman, I expect this amendment to lose by a wide margin because even the most fiscally conservative Member of this body realizes the importance of Amtrak to this country's transportation needs.

Amtrak, this country's nationwide passenger service corporation, operates over 250 intercity trains a day over 24,000 miles of rail line serving 525 communities in every State but four in the continental United States. Each year Amtrak carries more than 40 million passengers—about 22 million intercity passengers and 18 million metropolitan commuters.

With the adoption of this amendment—a 13-percent reduction in Amtrak's budget—the services Amtrak provides will be reduced severely.

When these services cease, not only will Amtrak workers be affected, but the riding public as well. Amtrak's equipment will begin to deteriorate to the point that the riding public will no longer care to ride Amtrak, and will find other means of transportation.

Furthermore, there is a safety factor involved. Amtrak is one of the safest modes of transportation in our country today, but without a fully funded program, the safety systems on the equipment will begin to deteriorate, possibly causing or contributing to accidents which could result in serious injury, and possible death, to workers and the riding public.

Amtrak workers have struggled for years to improve the quality of service they provide to

the public, and also to improve Amtrak's revenue to cost ratio. The corporation has come a long way over the last 10 years. With the passage of this amendment, Amtrak will be unable to continue to provide the quality service that they strive to provide and of which they are so proud.

As Members of Congress deeply concerned with the efficient and safe movement of people and commodities, which enhances economic development throughout our country, I strongly urge you all to vote against the Hefley amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 103, noes 326, not voting 10, as follows:

[Roll No. 251]

AYES—103

- Allard
- Andrews (TX)
- Archer
- Army
- Baker (CA)
- Baker (LA)
- Ballenger
- Barrett (NE)
- Bartlett
- Barton
- Billirakis
- Boehner
- Bonilla
- Brewster
- Bunning
- Burton
- Buyer
- Camp
- Canady
- Coble
- Collins (GA)
- Combest
- Cooper
- Cox
- Crane
- Cunningham
- DeLay
- Dickey
- Doolittle
- Dornan
- Dreier
- Duncan
- Edwards (TX)
- Fawell
- Fields (TX)
- Goss
- Hall (TX)
- Hancock
- Hansen
- Hastert
- Hefley
- Herger
- Hobson
- Hoekstra
- Horn
- Huffington
- Hunter
- Hutchinson
- Inglis
- Inhofe
- Istook
- Johnson, Sam
- Kasich
- Kim
- Kingston
- Klug
- Knollenberg
- Kolbe
- Kyl
- Lewis (FL)
- Lightfoot
- Linder
- Livingston
- Manzullo
- McCandless
- McCullum
- McCreery
- McInnis
- McKeon
- Miller (FL)
- Minge
- Nussle
- Packard
- Paxon
- Penny
- Petri
- Pombo
- Porter
- Portman
- Pryce (OH)
- Ramstad
- Ravenel
- Roberts
- Rohrabacher
- Ros-Lehtinen
- Roth
- Royce
- Schaefer
- Sensenbrenner
- Shaw
- Shays
- Shuster
- Smith (MI)
- Smith (TX)
- Stearns
- Stenholm
- Stump
- Synar
- Talent
- Thomas (WY)
- Vucanovich
- Walker
- Young (FL)

- Darden
- de la Garza
- de Lugo (VI)
- Deal
- DeFazio
- DeLauro
- Dellums
- Derrick
- Deutsch
- Diaz-Balart
- Dicks
- Dingell
- Dixon
- Dooley
- Dunn
- Durbin
- Edwards (CA)
- Ehlers
- Emerson
- Engel
- English
- Eshoo
- Evans
- Everett
- Ewing
- Faleomavaega (AS)
- Farr
- Fazio
- Fields (LA)
- Filner
- Fingerhut
- Fish
- Flake
- Foglietta
- Ford (MI)
- Ford (TN)
- Fowler
- Frank (MA)
- Franks (CT)
- Franks (NJ)
- Frost
- Furse
- Galleghy
- Gallo
- McMillan
- McNulty
- Meehan
- Gephardt
- Geren
- Gibbons
- Gilchrest
- Gillmor
- Gilman
- Gingrich
- Glickman
- Gonzalez
- Goodlatte
- Goodling
- Gordon
- Grandy
- Green
- Greenwood
- Gunderson
- Gutierrez
- Hall (OH)
- Hamburg
- Hamilton
- Harman
- Hastings
- Hayes
- Hefner
- Hinchey
- Hoagland
- Hochbrueckner
- Hoke
- Holden
- Houghton
- Hoyer
- Hughes
- Hutto
- Hyde
- Inlee
- Jacobs
- Jefferson
- Johnson (CT)
- Johnson (GA)
- Johnson (SD)
- Johnson, E.B.
- Johnston
- Krapo
- Kaptur

- Kennedy
- Kennelly
- Kildee
- King
- Kleczka
- Klein
- Klink
- Kopetski
- Kreidler
- LaFalce
- Lambert
- Lancaster
- Lantos
- LaRocco
- Laughlin
- Lazio
- Leach
- Lehman
- Levin
- Levy
- Lewis (CA)
- Lewis (GA)
- Lewis (KY)
- Lipinski
- Lloyd
- Long
- Lowey
- Lucas
- Machtley
- Maloney
- Mann
- Manton
- Margolies-Mezvinsky
- Markey
- Martinez
- Matsui
- Mazzoli
- McCloskey
- McDade
- McDermott
- McHale
- McHugh
- McKinney
- McNulty
- Meek
- Menendez
- Meyers
- Mfume
- Mica
- Miller (CA)
- Mineta
- Mink
- Moakley
- Mollinari
- Mollohan
- Montgomery
- Moorhead
- Moran
- Morella
- Murphy
- Murtha
- Myers
- Nadler
- Neal (MA)
- Neal (NC)
- Norton (DC)
- Oberstar
- Obey
- Olver
- Ortiz
- Orton
- Owens
- Oxley
- Pallone
- Parker
- Pastor
- Payne (NJ)
- Payne (VA)
- Pelosi
- Peterson (FL)
- Peterson (MN)
- Pickett
- Pickle
- Pomeroy
- Poshard
- Price (NC)
- Quillen
- Quinn
- Rahall
- Rangel
- Reed
- Regula
- Richardson
- Roemer
- Rogers
- Romero-Barcelo (PR)
- Rose
- Rostenkowski
- Roukema
- Rowland
- Roybal-Allard
- Sabo
- Sanders
- Sangmeister
- Santorum
- Sarpalius
- Sawyer
- Saxton
- Schenk
- Schiff
- Schroeder
- Schumer
- Scott
- Serrano
- Sharp
- Shepherd
- Sisisky
- Skaggs
- Skeen
- Skelton
- Slattery
- Slaughter
- Smith (IA)
- Smith (NJ)
- Smith (OR)
- Snowe
- Solomon
- Spence
- Spratt
- Stark
- Stokes
- McHale
- Strickland
- Studds
- Stupak
- Sundquist
- Swett
- Swift
- Tanner
- Tauzin
- Taylor (MS)
- Taylor (NC)
- Tejeda
- Thomas (CA)
- Thompson
- Thornton
- Thurman
- Torkildsen
- Torres
- Torricelli
- Towns
- Trafficant
- Underwood (GU)
- Unsoeld
- Upton
- Valentine
- Velazquez
- Vento
- Visclosky
- Volkmer
- Walsh
- Waters
- Watt
- Waxman
- Weldon
- Whitten
- Williams
- Wilson
- Wise
- Wolf
- Woolsey
- Wyden
- Wynn
- Yates
- Young (AK)
- Zeliff
- Zimmer

NOES—326

- Abercrombie
- Ackerman
- Andrews (ME)
- Andrews (NJ)
- Applegate
- Bacchus (FL)
- Bacchus (AL)
- Baessler
- Barca
- Barcia
- Barlow
- Barrett (WI)
- Bateman
- Becerra
- Bellenson
- Bentley
- Bereuter
- Berman
- Bevill
- Bilbray
- Bishop
- Blackwell
- Bliley
- Blute
- Boehlert
- Bonior
- Borski
- Boucher
- Brooks
- Browder
- Brown (CA)
- Brown (FL)
- Brown (OH)
- Bryant
- Byrne
- Callahan
- Calvert
- Cantwell
- Cardin
- Carr
- Castle
- Chapman
- Clay
- Clayton
- Clement
- Clinger
- Clyburn
- Coleman
- Collins (MI)
- Condit
- Conyers
- Coppersmith
- Costello
- Coyne
- Cramer
- Crapo
- Danner

NOT VOTING—10

Collins (IL)	Michel	Tucker
Grams	Reynolds	Washington
Hilliard	Ridge	
McCurdy	Rush	

□ 1716

The Clerk announced the following pair:

On this vote:

Mr. Grams for, with Mr. Tucker against.

Mr. CONYERS and Mr. SLATTERY changed their vote from "aye" to "no." Mr. BURTON of Indiana, Ms. PRYCE of Ohio, Mr. HOBSON, and Mr. MCCOLLUM changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to this portion of the bill?

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 57, after line 7, insert the following new section:

SEC. 339. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, before I proceed, I yield to the gentleman from Ohio [Mr. FINGERHUT], the outstanding young freshman from northeastern Ohio.

Mr. FINGERHUT. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I asked the gentleman to yield to me just for a moment just to say thanks to the chairman of the subcommittee, the gentleman from Michigan [Mr. CARR].

The first Member of Congress whom I ever met in my life was the gentleman from Michigan [Mr. CARR]. I met him when I served as an intern for him when I was a junior in college.

As a freshman Member of this body, there is no Member of Congress who I believe has done more to look out for new Members, to teach us, to show us how to serve our districts. As a leader on his subcommittee, he has cared a lot about the process by which we keep our country moving forward on transpor-

tation. In this bill particularly, he has once again helped northeast Ohio. I thank him for that.

Mr. Chairman, I am strongly supportive of this bill.

I simply want to say to BOB CARR that I am going to miss him in this body.

Mr. TRAFICANT. Mr. Chairman, earlier, the comments of the ranking member, the gentleman from Virginia [Mr. WOLFE], relative to the gentleman from Michigan [Mr. CARR], probably were wise words for all of us. I think we all feel the same way, and we will miss our chairman.

Mr. Chairman, my amendment is the same amendment that was offered last year. I would ask the committee to accept it and approve the amendment and to keep it in conference.

Mr. Chairman, I yield to the subcommittee chairman, the gentleman from Michigan [Mr. CARR].

□ 1720

Mr. CARR of Michigan. I thank the gentleman for yielding.

Mr. Chairman, this is basically the same amendment that was offered last year by the gentleman from Ohio [Mr. TRAFICANT]. I salute the gentleman for his diligence and dedication to the American worker. We accept the amendment. The gentleman's commitment has been unwavering throughout his tenure in the House. I have no problem with the amendment and urge its adoption.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Virginia.

Mr. WOLF. I thank the gentleman for yielding.

Mr. Chairman, I have no problem with the amendment, and I support the amendment.

Mr. TRAFICANT. Mr. Chairman, I encourage the effort to get everyone to buy American goods. And I thank the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to this portion of the bill?

Mr. LEHMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Michigan [Mr. CARR] in a brief colloquy regarding a couple of projects in my district. I would like to clarify that the gentleman from Michigan [Mr. CARR] and I discussed including some language in the committee report for Highway 41 and railroad consolidation projects in California.

Mr. CARR of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LEHMAN. I yield to the chairman.

Mr. CARR of Michigan. I thank the gentleman for yielding.

Mr. Chairman, I am familiar with the issues the gentleman raises. I am familiar with both these projects and will endeavor to address these issues further in the conference.

Mr. LEHMAN. I appreciate that and thank the gentleman for his assistance on all these matters.

The CHAIRMAN. Are there further amendments to this portion of the bill? If not, the Clerk will read the balance of the bill.

The Clerk read as follows:

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1995".

Mr. CARR of Michigan. Mr. Chairman, I move to strike the last word, and, first, I take this opportunity to thank the gentleman from Virginia [Mr. BOUCHER] for his services today as chairman and presiding officer.

Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MAZZOLI) having assumed the chair, Mr. BOUCHER, 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. 4556) making appropriations for the Department of Transportation and related agencies for fiscal year ending September 30, 1995, and for other purposes had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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 passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. STEARNS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 363, noes 59, not voting 12, as follows:

[Roll No. 252]

AYES—363

Abercrombie	Andrews (ME)	Applegate
Ackerman	Andrews (TX)	Bacchus (FL)

rule XXI against certain provisions in the bill. Clause 2 of rule XXI prohibits unauthorized appropriations or legislative provisions in a general appropriations bill.

Mr. Speaker, H.R. 4554 is the Agriculture appropriations bill for fiscal year 1995. The bill appropriates a total of \$67.9 billion in budget authority which is \$536 million below the President's budget request and \$4.2 billion below last year's level.

During testimony before the Rules Committee, Chairman DURBIN discussed the difficulty the committee faced in making the choices between what programs needed increases in funding and where the cuts would have to be made.

While staying within the overall budget ceiling, the committee was able to provide increases for only the eight highest priority programs. These programs include: The Supplemental Food Program for Women, Infants, and Children; low-income rent supplements; subsidies for guaranteed loans; rural water and sewer grants; rural business enterprise grants; local technical assistance and planning grants; and the Food and Drug Administration.

In order to keep the bill below the 602(b) allocation and make necessary increases in funding for the priority programs, the committee was required to make reductions in funding below the fiscal year 1994 level in most of the other discretionary programs contained in the bill.

As a result, the bill's discretionary spending outlays have been reduced by 10 percent below last year's appropriation level. Out of the roughly 90 programs in the bill, over 70 have been cut and 10 have been held at the same level as last year.

Mr. Speaker, of the programs funded in the bill the crop insurance program has been funded at a level of \$292 million which is less than the administration's request. The committee assumes significant savings will be achieved in fiscal year 1995 through the enactment of the administration's crop insurance reform proposal which is pending before the Agriculture Committee.

The bill also appropriates \$431 million for the Food Safety and Inspection Service. The bill assumes the enactment of legislation authorizing the collection of \$103 million in user fees which could raise the total available to \$534 million. This funding includes \$8 million to hire an additional 200 meat and poultry inspectors.

The bill appropriates a total of \$2.7 billion for soil and water conservation programs. Of this total, \$1.7 billion is provided to the Conservation Reserve Program which would encourage farmers to take highly erodible land out of crop production. Another \$93 million in funding will be used for the Wetlands Reserve Program. This amount is a 40-percent increase from the previous year's level.

The bill also appropriates \$15.5 billion to reimburse the Commodity Credit Corporation. Funding for the CCC is \$2.5 billion less than last year's funding. This reduction is attributable to reduced crop production resulting from last year's floods in the Midwest.

H.R. 4554 provides lending authority of \$2.5 billion for Framers Home Administration housing programs which is a decrease of 24 percent from the current fiscal year.

The bill also provides \$1.4 billion for the Rural Electrification Administration. Although funding is close to the administration's request, it is distributed differently among the various programs. The bill increases the funding for 5-percent electric loans to \$75 million and comparable telephone loans to \$75 million.

H.R. 4554 appropriates \$28.8 billion for the Food Stamp Program. This amount is a 2-percent increase from the current level. The bill also appropriates \$3.5 billion for the Special Supplemental Food Program for Women, Infants, and Children. The amount is 8 percent more than last year's level.

The bill further provides \$7.45 billion for child nutrition programs and \$80 million for the Emergency Food Assistance Program which distributes food to needy individuals. In addition, the bill provides \$1.3 billion for the Food for Peace Program which provides assistance to other nations for the purchase of U.S. agricultural commodities.

Finally, the bill appropriates \$899 million for the Food and Drug Administration which includes the collection of \$86 million for user fees.

Mr. Speaker, we have the best agricultural system in the world. We spend a smaller percentage of our income on food than any other industrial nation in the world. The programs in this bill play an important role in maintaining our food system. Today's farmers are faced with difficulties never seen before. Many of the farmers in my State can't seem to break even. The programs in this bill do not just help the farmer, but benefit all Americans by providing a plentiful supply of reasonably priced food.

Mr. Speaker, House Resolution 455 will expedite consideration of this important legislation. I urge my colleagues to support the rule and the bill.

□ 1800

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

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

Mr. Speaker, as my colleague, the gentleman from South Carolina, has described, this is an open rule providing for the consideration of H.R. 4554, making appropriations for agriculture, rural development, the Food and Drug Administration, and related agencies for fiscal year 1995.

The rule does provide protection for certain unauthorized appropriations

and certain legislative provisions contained in the bill. However, an itemized list of those provisions was made available so that Members can see exactly what we are protecting under the rule. I am not aware of any objection to these waivers, and the rule does not restrict the amending process nor does it prohibit motions to strike specific funds. I am pleased to support its adoption.

As usual, the Appropriations Committee has done an outstanding job. This bill provides funding for numerous agricultural programs, such as price supports, research, and crop insurance. It also funds Conservation, Rural Development and Food Assistance Programs, as well as funding the Food and Drug Administration, the Commodity Credit Corporation, and other related agencies. The committee was able to meet its obligations and still report a bill that is \$4.18 billion below last year's level. I am sure this was a difficult task, and I commend the committee for a job well done.

Mr. Speaker, I urge adoption of this rule so we can move on to the consideration of this important appropriations bill.

Mr. DERRICK. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, I want to thank the gentleman from South Carolina [Mr. DERRICK], as well as the gentleman from Tennessee [Mr. QUILLEN] for producing this rule and expressing their opinion in support of it.

I might say to the House, Mr. Speaker, that last year this bill came to the floor with no rule whatsoever. It was the decision of the gentleman from New Mexico [Mr. SKEEN], the ranking member of this committee, and myself, that we would bring this bill to the floor with an open rule so that any Member wishing to offer any germane amendment would be allowed to do so. This year, because of several unauthorized programs, major programs, I might add, it was necessary to seek the protection of a rule for that specific and limited purpose.

For all of the Members of the House on both sides of the aisle, for all intents and purposes, this is an open rule. We anticipate having a free and open debate. I want to thank the Committee on Rules for their cooperation.

Mr. QUILLEN. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. I thank the gentleman for yielding time to me.

Mr. Speaker, I want to take this opportunity to say that this is a good rule. I support it. I think it is indicative of the kind of work we have done on the bill itself under the leadership of the gentleman from Illinois [Mr. DURBIN].

I want to say that I think that with 535 absolute experts in agriculture

within the confines under this dome, we can get this agriculture appropriation bill done in a very short order without too much bloodletting, and the rest of it. I know there is a lot of contention and so on. Let us approve the rule and get on with the debate.

Mr. QUILLEN. Mr. Speaker, I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 3355, VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

Mr. MCCOLLUM. Mr. Speaker, as I announced yesterday, I offer a privileged motion to instruct conferees on the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCCOLLUM moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 3355 be instructed not to agree to Title IX, relating to racially discriminatory sentencing, of the House amendment or to any similar provision.

The SPEAKER pro tempore. The gentleman from Florida [Mr. MCCOLLUM] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

Mr. EDWARDS of California. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from California [Mr. EDWARDS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

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

Mr. Speaker, this is a motion to instruct conferees on the crime bill regarding the so-called Racial Justice Act. It is to instruct them to strike title IX, which is the Racial Justice Act in its entirety. This is singularly the most contentious issue facing the conferees and facing this Congress on the entire issue related to crime.

Mr. Speaker, what this so-called provision does that was in the House bill, and is not in the Senate bill, and was

adopted by this body when we tried to strike it by a virtual tie vote—it came out of the Committee on the Judiciary this way—what it does is it sets up a scheme whereby an inference of racial discrimination arises in cases involving capital punishment whenever there is a significant factor of racial disparity, either in the sentencing for capital punishment or in the recommendations of the prosecutors around the country in jurisdictions that have the death penalty.

Mr. Speaker, the effective result of that process of using statistics is going to be that virtually every jurisdiction in this country, whether that is a State or a court jurisdiction, that has the death penalty is going to be found to have racially discriminated in death penalty cases because there will be a statistical disparity inherent in this process.

The burden that then is placed upon a prosecutor to overcome this particular inference that is placed in law every time he tries to seek the death penalty in future cases, or tries to overcome the problems raised by those sitting on death row right now when they raised this point with him, that burden is so great that the prosecutors all tell us they will never be able to overcome it.

They are not able to do things they would normally do, because the legislative or proposed language that would go into the law under this proposal is such that they cannot produce witnesses who say, "We did not discriminate," they cannot produce a jury, they cannot produce the judge, they cannot produce anyone. They are going to have to use statistics to rebut statistics, which is absolute nonsense.

Mr. Speaker, the bottom line is that this provision is a back doorway to effectively end the death penalty in this country, and to abolish it. I think a lot of us understood that, Mr. Speaker, when it came up here, but many may not have when it came up on the House floor before.

It is tonight an opportunity for this body to send a signal to our conferees that we have had time to think about this process, and that we understand it, and that we are ready now to instruct them to strike this provision and to not go forward with it in the conference with the Senate, since there is no like provision in the Senate version of it.

Mr. Speaker, what I would suggest that we do in looking at this is to look at the overall picture just for a second. Mr. Speaker, if we are looking at race as a basis of sentencing in capital cases, we have to understand first of all that over the past 10 years or so, approximately 47 percent of all murder victims in this country were black; only 12 percent of the population is black. Ninety-four percent of those who murdered those 47 percent who

were murder victims in the country were themselves black.

If we start playing with statistics and basing the entire question of whether there is discrimination in capital cases on the basis of comparing the number of those who are in the minority, say blacks in this case, who receive the death penalty, versus those in the general population who are white versus those who are black, we wind up with a disparity, no matter how we look at it, in that sense.

That, I venture to say, in most communities in this country that are minority communities, let us say black communities, if we would ask them, they would be more than happy to say, "We want you to be tough. We want the death penalty to be given to people who are murdering our neighbors and our friends and our children." Almost all victims' organizations concur in that, regardless of their race.

This is a bogeyman argument on the basis that there is some kind of discrimination going out there in our court jurisdictions. I do not think it exists personally, and to the degree it does exist, the way to address it is not with this absolutely rigid formula that is designed not to get at the problem of discrimination, but is designed to abolish the death penalty in this country and make it impossible to ever have it again.

Mr. Speaker, we offered here on the floor, when the time arose earlier to do that and the bill was out, an alternative called the Equal Justice Act.

□ 1810

It would have gone step by step through the process of a court consideration of a capital case and set forth procedures that would assure there would be no discrimination in jury selection, in the arguments by prosecutors to the jurors, in the process of handling the case all the way through. But unfortunately that was not adopted, and we are left here tonight with the opportunity only to reject what actually is in the bill that left here and the words to conferees not to proceed.

Mr. Speaker, 38 attorneys general of the various States have said what I am saying tonight. They are saying if this becomes law, there will not be a death penalty in this country again in any jurisdiction where it exists today, and if there is ever going to be another one tried in this country and prosecutors attempt to establish the death penalty in some jurisdiction where there has not been a track record, they are going to have to do it on the basis of quotas, racial quotas for murderers. I find that to be abhorrent. I do not think most of the body wants that. I am confident that they do not. That is the reason why I am offering this motion to instruct this evening. I want there to be no mistake about it. I understand the probability of success on this motion

may be limited, but anybody who is going back home to face their voters this fall ought to know that they are going to be asked about this. They are going to be asked about it by the prosecutors in their jurisdictions in their home States, and they should be. They are going to be asked about it by the voters who have heard by now and certainly by then from their prosecutors and their attorneys general how terrible this provision is and what it really means, and, that is, the end of the death penalty.

Mr. Speaker, this is an opportunity for the House to correct a wrong and do it ourselves and make sure the conferees have a clear message. That is the reason for offering this motion to instruct.

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

Mr. EDWARDS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a totally unnecessary motion by the gentleman from Florida. It needlessly makes it more difficult for the conferees to operate. The conferees have already met, we met this afternoon, and there are a lot of things going on, agreements and disagreements and compromises being made insofar as this racial justice portion of the bill. The bill that will come out of the conference will be entirely different from the racial justice portion of the bill that was approved by the House.

Mr. Speaker, I think it would be helpful if the gentleman would withdraw his motion because we think it is unnecessary, it gets in the way, and perhaps is just a maneuver to complicate the crime bill.

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

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, the gentleman from California [Mr. EDWARDS] is probably the most preeminent opponent of the death penalty in the Congress. I respect him for that. He takes a very sincere and intellectually consistent position. But I disagree with it. The Racial Justice Act very clearly is a way to prevent anybody from being executed in this county. The gentleman from Florida [Mr. MCCOLLUM] is correct, and the fact that the gentleman from California [Mr. EDWARDS] has chosen to lead the opposition to this motion to instruct, I think lets the cat out of the bag.

Mr. Speaker, really what we ought to be doing in terms of the context of the crime bill is making sure that justice is given with compassion to the victims of crime. As the gentleman from Florida [Mr. MCCOLLUM] has stated, most often the victims of crimes committed by members of minority groups are members of the same minority

group. So we do not have a quota system for victims being discussed here, but we are having a quota system for criminals being discussed here.

When a criminal who is convicted by a jury of their peers commits a crime on a victim of the same race or the same minority group, having this type of a quota system, I think, completely ignores what the rights of the victims are. Our criminal justice system has gotten off the track because it has become too defendant-oriented and not enough society-oriented and not enough victim-oriented. The Racial Justice Act is another case of a defendant-oriented provision that might find its way into law.

Mr. Speaker, contrary to my friend, the gentleman from California [Mr. EDWARDS] striking out the Racial Justice Act will make a crime bill a lot easier to pass through the Congress and to get on the President's desk. I believe that the Racial Justice Act is one of the principal impediments to getting a good crime bill through the conference, and through the Senate, and through the House of Representatives. That is why I think this motion to instruct is essential. If we get the Racial Justice Act out of the way, I think it will be much, much easier to get a crime bill through by the time of the Fourth of July recess.

Mr. MCCOLLUM. Mr. Speaker, I wonder if the gentleman from California has any further speakers on his side. I have a number on mine.

Mr. EDWARDS of California. Mr. Speaker, I have reserved the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield 4 minutes to the gentleman from New Mexico [Mr. SCHIFF], a member of the Committee on the Judiciary.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, I join in the motion made by the gentleman from Florida. The fact of the matter is that the so-called Racial Justice Act means that in all probability there will be little or no death penalty actions in this county if it becomes law. That is not only true of the new death penalties that have been so touted by the administration in the crime bill that is pending before us, but it is also true of State government death penalty actions that are pending. That is why the National District Attorneys Association and the National Association of Attorneys General have come out against this act.

The gentleman from California has suggested "Well, it is already being changed." My response is it has not changed yet. Right now the so-called Racial Justice Act is the act on the books. The reason that the District Attorneys and Attorneys General oppose it is that it provides an unlimited use of statistics to avoid the death penalty.

In the first place, the Racial Justice Act is not limited by race. That is,

there is no limitation of which persons of which race can raise this as a defense in a death penalty action. It applies, in other words, to everybody.

Second of all, it is not limited in terms of who the person in the criminal case is for whom these statistics should apply. It could be the defendant, but it could also be the victim.

Third, it is not limited to how the statistics are applied. The argument could be made that whatever statistical analysis is presented that the statistics between this defendant and defendants in comparable cases are different. It could be argued that the cases between this defendant and all persons arrested for murder are different. It could be argued that the statistics between this defendant or this victim and that person's racial numbers in the general population are different.

Putting all those together presents a combination that can be argued virtually endlessly. For example, a Caucasian defendant in a death penalty case could argue that he received the death penalty case could argue that he received the death penalty because of racially motivated reasons because his victim was Caucasian and the number of cases that received the death penalty where Caucasians are victims exceeds the percentage of Caucasians in the population generally. That is just one example about how all of these statistics can be put together. If they are put together, the next step is the burden goes to the prosecutor. If there is a statistical showing in any one of these endless ways of racial disparity, the prosecutor must then prove that the racial disparity is not due to racial discrimination. This forces the prosecutor to prove a negative which is an impossibility to begin with.

Mr. Speaker, I want to conclude by alluding to what I think was the reference by the gentleman from California to propose changes in the so-called Racial Justice Act presuming that we may, in fact, get there. At least the press discussions are that the so-called compromise would make the death penalty subject to employment type of pattern and practice discrimination cases.

Mr. Speaker, that is still a problem and it is still an equal problem. In the first place, the death penalty and murder cases are not like employment. A number of jobs in an assembly line at a business may be the same. I can say after a career as a criminal prosecutor, having prosecuted personally many murder cases, having defended some murder cases, that no two murder cases are ever the same. Further, the pattern and practice approach to employment is argued when there is one employer making a decision. In other words, the statistics are argued that this employer hired this person and this person and did not hire that person

and another person. In the death penalty and in murder cases, there is more than one decisionmaker. There is a prosecutor, there is a judge, and there is a jury and they can be different in each case. That is why I think the compromise that is supposedly coming will not work, either.

□ 1820

Mr. MCCOLLUM. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. CANADY].

Mr. CANADY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I believe that if the Members of this House would be out and talking to the American people, they would find that the last thing the American people want is a new law giving death row inmates more opportunities to challenge their death sentences, and that is exactly what the so-called Racial Justice Act will give death row inmates.

It is undeniable that this new law would substantially impede the application of death sentences in jurisdictions throughout this country. That means that a vote against the motion to instruct conferees is a clear vote against a workable death penalty in this country. That in itself should be enough to settle the matter. But there is more.

The Racial Justice Act flies in the face of the foundational principles of the American system of justice. Under that system, the administration of justice is individualized. Individuals charged with a crime are tried and sentenced based on the unique facts of their case. It is the circumstances of the particular crime which are at issue when the case goes before the judge and jury. Individuals are sentenced to death because their individual conduct merits the ultimate penalty.

The Racial Justice Act would destroy this structure of justice in America. It would create an environment in which considerations of race are central to death penalty cases. It would force prosecutors, judges, and juries to focus on the issue of race in all murder cases. Is that what this House really wants?

Nothing could be more out of step with the ideals and goals of our system of justice. It would be a travesty for the House to allow this attack on the fundamental principles of justice to go forward.

Individuals should be tried and sentenced based on the facts of their individual case. Our system of trial by jury should not be subordinated to studies concocted by sociologists. Justice is not about statistics. Americans do not want punishment meted out by statisticians. They certainly do not want racial quotas for the death penalty.

This House should adopt the motion to instruct conferees.

Mr. MCCOLLUM. Mr. Speaker, I yield 6 minutes to our distinguished minor-

ity whip, the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I want to first of all commend the gentleman from Florida for bringing up this motion to instruct conferees.

I think there are a number of reasons to vote for this motion to instruct. As my colleagues know, the other body has voted down the idea of establishing quotas for convicted murderers, and the other body will not accept this particular provision. So if you want to pass a crime bill in a reasonably prompt manner, we should take this out.

But there is a deeper principle at stake here. Most Americans believe in an effective, believable death penalty. Most Americans know that the long, drawn-out appeals process has undermined the death penalty.

As the attorney general of Georgia, Michael Bowers, pointed out recently, we had a killer who was executed in Georgia 16 years after he was convicted. Attorney General Bowers was a law student when this killer was tried. He is now the attorney general of Georgia, and has been reelected twice during the period that this particular murderer was on death row appealing.

The Philadelphia Inquirer reports that there are 4,000 convicted murderers on death row across America already trapped into an appeals process that makes no sense, an appeals process that, for example, has people like John Wayne Gacy, who was convicted of killing over a dozen young men and has admitted to killing 33, who spent over a decade sitting and waiting. In John Wayne Gacy's case, it was such a sickening process, when he was finally executed, we had a week of television coverage of the art work he had done while in prison. We did not have coverage of the 33 families who lost a loved one because this man had killed a member of their family.

So we have this process by which defense attorneys and liberals do everything they can to destroy the death penalty by delay and by avoidance, and now what happens; here is a provision which the Philadelphia Inquirer estimated would apply to 4,000 already convicted murderers. This would give them another automatic right of appeal. It would in fact require the taxpayers to pay for the appeal. You would have another year or 2 years or 3 years of additional appeals.

Attorney general of California Dan Lungren testified that in one case the appeal cost the State of California over \$1 million because this type of argument required that the State prove a negative, that it prove that it did not in any way under any circumstance have any discrimination of any kind, rather than requiring the murderer to prove a positive, namely, that there was discrimination. Now, at \$1 million a case, that means the people of Amer-

ica who want an effective, believable death penalty are being asked to accept an additional 2 or 3 years of appeals at a potential cost of \$4 billion for people who are already convicted of murder and have already been sentenced to the death penalty.

There is a deeper problem with this particular provision. It ceases to deal with murderers as individuals. It ceases to deal with crimes as individual acts, and it begins to group people together on a fairly bizarre principle, the principle that who you kill racially matters, or that your own race matters.

Let me just give you two examples: Imagine that a murderer is convicted who is 50-percent Chinese and 50-percent Hispanic. Is the prosecutor to look at that year's quota system to decide whether this should count as an Asian or a Hispanic based on the number of people who have been sentenced to death? Or imagine that you have five white potential murderers, five Hispanic potential murderers, five Asian potential murderers, five black potential murderers, all coming up in New York City or Los Angeles, and the district attorney is sitting there looking at the cases. Do you decide based on convictions attained so far this year which ones you try for life and which ones you try for the death penalty? And you weight them based on how many death penalties you already have gotten this year by race?

It seems to me this is the most grotesque anti-American concept I have heard of. It is profoundly wrong to start lumping Americans together based on genetic code. Americans should be tried as individuals for crimes they commit as individuals. They should be sentenced as individuals. They should appeal as individuals.

Anyone who votes against this motion to instruct needs to understand what you are doing. If you vote against this motion to instruct, you are voting for more appeals. If you vote against this motion to instruct, you are voting to ask the taxpayers to pay at least \$4 billion, paying for defending against these appeals.

If you vote against this motion to instruct, you are voting to allow murderers to sit even longer and be even further away from the act for which they were sentenced to death.

If you vote against this motion to instruct, you are voting to count people by racial blocks rather than as individuals, and you are voting to create a quota system in the most grotesque way possible, a quota for murderers on death row.

I beg my colleagues to look at this carefully and for the good of this country to vote yes on this motion to instruct.

Mr. MCCOLLUM. Mr. Speaker, I would like to first of all inquire how

much time I have, and I ask the Chair if I have the right to close.

The SPEAKER pro tempore (Mr. WISE). The gentleman from Florida [Mr. MCCOLLUM] has the right to close, and the gentleman from Florida has 9 minutes remaining.

Mr. MCCOLLUM. Mr. Speaker, I have no other speakers but myself, and I would be the closing speaker for our side, I say to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will close at this point by reiterating what it is we are about today. We are about an opportunity to instruct the conferees on the part of the House to strike in essence from the House provisions the so-called Racial Justice Act. We are the only body in the conference on the crime bill who have this provision.

I would like to do a couple of quotes for everybody here so we understand what we are dealing with. First of all, the idea that there is, indeed, a problem of racial discrimination in the whole area of capital sentencing has been pretty well debunked.

I have here a newspaper article from a May issue of the Washington Times, May 16, 1994, a very long article. It says, "Research Debunks Idea of Racial Bias in Death Sentences." In the very first section of this long article, it says the study by the Rand Corp. in California found that with controls for variables such as severity and number of crimes committed, there is no disparity between those sentences to death for killing whites and those on death row for killing blacks.

□ 1830

And this is a real long statistical study in itself. I also would like to point to the absurdity of this which has been written about by a distinguished columnist, Mr. George Will, in his column of May 19, 1994, which was produced after this body had passed this particular provision. He says, in part, and I quote,

About half of America's murder victims are white, about half are black. But about 85 percent of the victims whose killers have been executed were white. So juries place a higher value on the deaths of whites, right? Not so fast.

Capital punishment is especially apt to be imposed on killers of police officers. Eighty-five percent of murdered police officers are white. Are juries placing high value on the lives of white people or police officers?

Juries' sympathies may vary with the moral character of the victim. A higher percentage of black murder victims than of white victims are killed while involved in illegal drug activities.

Prosecutors are more apt to seek capital punishment when a murder is committed during the commission of another crime such as robbery or rape. According to one broad

survey, 20 percent of white murder victims and 12 percent of black victims are killed by persons committing another crime.

Since capital punishment was reinstated in 1976, 232 persons (as of several weeks ago) have been executed. Of those, 91—39 percent—were black, more than three times the black percentage of the population. However, since 1976 the annual percentages of blacks among those convicted of homicide have ranged from 44 to 52. If those statistics prove discrimination, does it favor or injure blacks?

The bottom line of all of this, I think, is pretty simple, given that 95 percent, I say it is 94 but I will not quibble over 1, but Mr. Will says of murdered blacks are killed by blacks, the result might be more executions of blacks if we harshly impose a rigid quota system. The bottom line is a number of studies and distinguished commentators do not believe we have a racially biased system in capital punishment, and I do not. But even more telling is the fact that the attorneys general and the District Attorneys Associations have said this is really going to mess up the whole works and going to mean the end of capital punishment.

I have a letter here dated June 16, 1994, to me, addressed by William C. O'Malley, the president of the National District Attorneys Association. And I read it:

It is the understanding of this Association that you will introduce a motion instructing the members of the House at the Conference on the Crime Bill not to agree to Title IX (the "Racial Justice Act"). The National District Attorneys Association gives full support to this motion and urges the members of the House to give full weight of consideration to the voices of their district attorneys.

The 7000 members of this organization serve daily as the "people prosecutors;" we lead them in their fight against crime in every city and county across America. We hear and understand their frustration with a system of criminal law that leads to endless delays and we do, despite the beliefs of some members of Congress, understand the implications of this Act.

We cannot support an Act that attacks the very foundation of our system nor can we ignore the voices of the people we serve. If the people of the United States are against imposition of the death penalty, then let them attest to such in their state legislatures; if they believe that an individual should not be held accountable for his or her acts, then let us make the decision in open debate.

If passed, the "Racial Justice Act" will lead to never-ending litigation and a mounting frustration by the American people that the system of law does not work. You, as the members of Congress, and we, as the peoples prosecutors, will ultimately be held accountable to our citizens for this frustration and fear. The Crime Bill has many features to recommend it, we urge you not to let the provisions pertaining to racially discriminatory sentencing condemn it to ignominy.

I would suggest, my colleagues, that we listen to the prosecutors of this Nation who have stated it correctly, this is not the kind of provision we want in a crime bill. We have again tonight the opportunity to do something about it

by passing this motion to instruct conferees. One of the district attorneys wrote a letter, of which I have a copy, to the Los Angeles Times. The letter is reproduced with a caption that reads, "Bill Seeks Racial Quotas on Death Row." I should correct that; it was not the Times, it was the Los Angeles Daily News, dated June 6, 1994. This is by Gil Garcetti, the Los Angeles district attorney, who says, and I quote:

Rather than consider capital punishment on a case by case basis, the act would bog down the criminal justice system with impossible and inappropriate statistical comparisons that would result in the elimination of the death penalty.

How more precise can you be than Mr. Garcetti, the prosecutor, chief prosecutor of one of the largest counties, maybe the largest county in our Nation? The attorney general of California has also written, making the same kind of statement to us, Dan Lungren, who once served in this body, a distinguished Member at the time and now the attorney general of that great State. The bottom line is very simple for this body, we have the opportunity tonight to instruct our conferees to strike this ridiculous and harmful position and not go forward in conference with it. We have an opportunity to say to our conferees on the crime bill, "When you come up in the next couple of days and make your final decisions, then drop this provision." I think if Members have reflected, heard from their constituents, heard from their attorneys general in the States where the death penalty is there and the attorneys general of all the States, Democrat and Republican alike, then the vote tonight will be clearly the right vote. That will be to vote to instruct the conferees to strike title 9 as I have proposed. I fear that indeed the circumstances will be otherwise. But again I wish to admonish my colleagues that this is a very significant thing. There is probably nothing more significant that we will vote on in terms of crime legislation in this Congress or perhaps in many a Congress than taking out and making sure that this provision never becomes law, that will effectively end the death penalty in the Nation as we know it today. And if we do not act tonight accordingly, if this motion goes down, make no mistake, the voters of this Nation will speak in November, they will remember how you voted on this legislation, and I strongly in the strongest of words encourage you to do the responsible thing, vote for the McCollum motion to instruct conferees to strike and not go along with the title 9 Racial Justice Act in the crime bill.

The SPEAKER pro tempore (Mr. WISE). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct

conferees offered by the gentleman from Florida [Mr. MCCOLLUM]

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MCCOLLUM. 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 264, nays 149, not voting 21, as follows:

[Roll No. 253]

YEAS—264

Allard	Ehlers	Lancaster
Applegate	Emerson	LaRocco
Archer	English	Laughlin
Armey	Everett	Lazio
Bacchus (FL)	Ewing	Leach
Bacchus (AL)	Fawell	Lehman
Baessler	Fazio	Levy
Baker (CA)	Fields (TX)	Lewis (CA)
Baker (LA)	Fingerhut	Lewis (FL)
Ballenger	Fowler	Lewis (KY)
Barca	Franks (CT)	Lightfoot
Barcia	Franks (NJ)	Linder
Barrett (NE)	Galleghy	Lipinski
Bartlett	Gallo	Livingston
Barton	Gekas	Lloyd
Bateman	Geren	Lowe
Bellenson	Gilchrist	Lucas
Bentley	Gillmor	Machtley
Bevill	Gilman	Manzullo
Bilbray	Gingrich	Margolies-
Billrakis	Goodlatte	Mezvisinsky
Billey	Goodling	Mazzoli
Blute	Gordon	McCandless
Boehner	Goss	McCloskey
Bonilla	Greenwood	McCollum
Borski	Gunderson	McCrery
Boucher	Hall (TX)	McDade
Brewster	Hancock	McHale
Browder	Hansen	McHugh
Bunning	Harman	McInnis
Burton	Hastert	McKeon
Buyer	Hayes	McMillan
Byrne	Hefley	Meyers
Callahan	Hefner	Mica
Calvert	Heger	Minge
Camp	Hoagland	Molinari
Canady	Hobson	Montgomery
Cantwell	Hoekstra	Moorhead
Castle	Hoke	Moran
Clement	Holden	Murtha
Clinger	Horn	Myers
Coble	Houghton	Neal (NC)
Collins (GA)	Hoyer	Nussle
Combust	Huffington	Orton
Condit	Hughes	Oxley
Cooper	Hunter	Packard
Coppersmith	Hutchinson	Parker
Costello	Hutto	Pastor
Cox	Inglis	Paxon
Cramer	Inhofe	Payne (VA)
Crane	Inslee	Peterson (FL)
Crapo	Istook	Peterson (MN)
Cunningham	Johnson (CT)	Petri
Danner	Johnson (GA)	Pickett
Darden	Johnson (SD)	Pombo
Deal	Johnson, Sam	Pomeroy
DeLauro	Kanjorski	Porter
DeLay	Kasich	Portman
Deutsch	Kim	Poshard
Diaz-Balart	King	Price (NC)
Dickey	Kingston	Pryce (OH)
Dicks	Klecza	Quillen
Dooley	Klein	Ramstad
Doollittle	Klink	Ravenel
Dorman	Klug	Regula
Dreier	Knollenberg	Roberts
Duncan	Kolbe	Roemer
Dunn	Kreidler	Rogers
Durbin	Kyl	Rohrabacher
Edwards (TX)	Lambert	Ros-Lehtinen

Roth	Skelton
Roukema	Smith (MI)
Rowland	Smith (NJ)
Royce	Smith (OR)
Sangmeister	Smith (TX)
Santorum	Snowe
Sarparius	Solomon
Sawyer	Spence
Saxton	Spratt
Schaefer	Stearns
Schenk	Stenholm
Schiff	Strickland
Schumer	Stump
Sensenbrenner	Stupak
Shaw	Sundquist
Shepherd	Talent
Shuster	Tanner
Sisisky	Tauzin
Skeen	Taylor (MS)

Taylor (NC)
Thomas (CA)
Thomas (WY)
Thurman
Torkildsen
Trafficant
Upton
Volkmer
Vucanovich
Walker
Weidon
Whitten
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RUSH. Mr. Speaker, due to official business, I was not available for rollcall Nos. 251, 252, and 253.

Had I been present I would have voted "nay" on No. 251; "aye" on No. 252; and "nay" on No. 253.

□ 1900

GENERAL LEAVE

Mr. DURBIN. 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. 4554, which will be considered today, and that I be permitted to include extraneous matter.

The SPEAKER pro tempore (Mr. SYNAR). Is there objection to the request of the gentleman from Illinois?

There was no objection.

AGRICULTURAL, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. DURBIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4554) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from New Mexico [Mr. SKEEN] and myself.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. DURBIN].

The motion was agreed to.

□ 1901

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. 4554, with Mr. SPRATT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Illinois [Mr. DURBIN] will be recognized for 30 minutes, and the

NAYS—149

Abercrombie	Grandy
Ackerman	Green
Andrews (ME)	Gutierrez
Andrews (NJ)	Hall (OH)
Andrews (TX)	Hamburg
Barlow	Hamilton
Barrett (WI)	Hastings
Becerra	Hinches
Berman	Hochbrueckner
Bishop	Jacobs
Blackwell	Jefferson
Boehler	Johnson, E. B.
Bonior	Johnston
Brown (CA)	Kaptur
Brown (FL)	Kennedy
Brown (OH)	Kennelly
Bryant	Kildee
Cardin	Kopetski
Carr	LaFalce
Chapman	Lantos
Clayton	Levin
Clyburn	Lewis (GA)
Collins (MI)	Long
Conyers	Maloney
Coyne	Mann
de la Garza	Manton
DeFazio	Markey
Dellums	Martinez
Derrick	Matsui
Dingell	McDermott
Dixon	McKinney
Edwards (CA)	McNulty
Engel	Meehan
Eshoo	Meek
Evans	Menendez
Farr	Mfume
Fields (LA)	Miller (CA)
Filner	Mineta
Flake	Mink
Foglietta	Moakley
Ford (MI)	Mollohan
Ford (TN)	Morella
Frank (MA)	Nadler
Frost	Neal (MA)
Furse	Oberstar
Gejdenson	Obey
Gephardt	Olver
Gibbons	Ortiz
Glickman	Owens
Gonzalez	Pallone

NOT VOTING—21

Bereuter	Hilliard	Ridge
Brooks	Hyde	Rush
Clay	McCurdy	Schroeder
Coleman	Michel	Tucker
Collins (IL)	Miller (FL)	Valentine
Fish	Murphy	Washington
Grams	Reynolds	Yates

□ 1858

Mr. DE LA GARZA, Ms. FURSE, and Mrs. MALONEY changed their vote from "yea" to "nay."

Messrs. KLECZKA, PETERSON of Florida, DURBIN, PARKER, GORDON, STUPAK, FAZIO, PASTOR, and ROEMER, Ms. ENGLISH of Arizona, and Ms. LAMBERT changed their vote from "nay" to "yea."

So the motion to instruct conferees was agreed to.

gentleman from New Mexico [Mr. SKEEN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I yield myself such time as I may consume.

At the outset, let me say that I want to thank a number of people who have worked very hard in the preparation of this bill. I can thank each member of the subcommittee, and they certainly deserve it. But I want to particularly point out the service of my colleague, the ranking member of the committee, the gentleman from New Mexico [Mr. SKEEN].

This committee deliberation has been open. It has been bipartisan. We have gone through some very difficult discussions over a very, very difficult bill. The gentleman from New Mexico [Mr. SKEEN] has been cooperative to a fault. I thank him from the bottom of my heart for all of his effort, and I am fortunate to have his assistance in the preparation of this important legislation.

But neither of us can take credit for this bill in its entirety. Much of the credit goes to a very hard-working staff on both sides of the aisle. Particularly, I want to salute the majority staff, Bob Foster, Tim Sanders, Carol Murphy, and a gentleman who was detailed to the subcommittee for preparation of this bill, Kalven Trice, as well as Tony Savia and Jim Norgard, who helped in the support and preparation of this bill.

Let me tell Members what is entailed in the preparation of an appropriations bill of this magnitude. Some Members will come to the floor with ideas during the next day or two, ideas which they have worked on with their staffs. We certainly take everyone seriously and consider them under this open rule. But Members should be advised that the work product that we bring before them is the product of a great deal of effort: 11 weeks of hearings, 340 different witnesses, 35 Members testified. We received 1,119 letters from Members of this body requesting specific spending proposals; 7,066 pages of hearing record, some 7 volumes of hearings went into the preparation of this bill.

I recalled earlier that there were three staff members and three support staff who prepared, on the majority side, a bill which totals \$67,892,326,000. For those who listen to and believe the talk show hosts who say that the committees on Capitol Hill and Congress are overstuffed, I would have them note that this group of six individuals tackled a bill of the magnitude of \$67 billion.

During the course of our deliberation, we prepared a bill which comes in over \$4 billion less than last year's level and over \$535 million less than the President's request.

The most critical part of this bill, and the one we will spend our time de-

bating in detail, relates to discretionary spending, which totals about \$13.2 billion.

So that my colleagues can understand the magnitude of the challenge which we faced on this bill, the bill that we submit for their approval is \$1.3 billion less than last year in discretionary spending. That is over 10 percent less than the appropriations bill of last year.

We are some \$549 million below our budget authority ceiling. We were faced with making cuts in many very good and important programs. The section 515 rural rental housing program, the section 502 single family rural housing program, watershed and flood prevention programs, the agriculture conservation program, and the Public Law 480 program. Of the 90 or so different programs in this bill compared to last year's appropriation, 70 or more will receive fewer dollars. About 10 will receive the same, and a handful will see increases. When I say "a handful" I am not exaggerating.

The major increases in this bill are in two programs: the WIC Program, which we increased by \$260 million, and the low-income rent supplement program which we increased by about \$76 million. I think these are two critically important programs. I am prepared to defend these increases, as we consider the fact that so many programs are reduced.

We have also called in our friends and colleagues from the authorizing committee, the Committee on Agriculture, to take on responsibilities to share our burden. They are awesome responsibilities.

In the first instance, we are counting on them working on the question of reorganization of the Department of Agriculture to make it more cost-efficient and help us to reduce spending. We are also asking them to take a look at a very controversial program, the meat and poultry inspection program, and to make dramatic changes there.

We have assumed the enactment of a user fee. This is a proposal which is not new. It was made by Presidents Reagan, Bush, and now President Clinton in an effort to call on those who benefit from Federal meat inspection to pay for overtime costs beyond the first shift.

We are asking for the creation of a user fee that will generate some \$103 million from that industry.

We also, of course, are asking for Federal crop insurance reform. The President has made a proposal. We are hopeful that the Committee on Agriculture will work assiduously in the months ahead and come up with a crop insurance reform that will benefit the taxpayers and, of course, the producers across America. We believe that they can save us some \$200 million, if they do that.

We have also taken a look at special research grants. We have asked each

institution of higher learning, which requests such a grant, to give us written justification. There are 79 such grants in this bill in comparison to 133 in the final appropriations bill last year. There is a 10-percent reduction below last year's House passed bill in the amount of money that is being spent for that activity.

I also believe that the wetlands reserve program is important, but we cannot meet the administration's requested expenditure level because of the serious restrictions in this bill.

As a result, we are holding the program to 100,000 acres and adding those States formerly covered by the water bank program. There will be no new signups allowed under the conservation reserve program, and there are some changes made in terms of funds for research on tobacco. We also continue last year's restriction on the promotion of tobacco exports.

Let me conclude, at this point, by saying the following: In the last few years we have heard many speeches given on this floor by Members of my party on the Democratic side and by Members on the Republican side relative to the need to reduce the deficit.

Mr. Chairman, we have had Members of this body come before us time and time again calling for major surgery on our deficit. This bill is a challenge to each of those Members who have stood before us calling for serious addressing of the deficit as to whether or not they are going to be honest and accept the reality of deficit reduction.

□ 1910

For those who have called for major surgery on the deficit, we are going to raise the question now as to whether they will faint at the sight of blood when it comes to appropriations cuts. That is what it is all about.

If I had my way, Mr. Chairman, there would be more money in this bill for important programs for agriculture and for rural America, but those cards were not dealt to this subcommittee. We were given a pretty tough hand to play.

Because of decisions made last year in the Clinton deficit reduction plan, we will reduce our deficit by over \$500 billion over the next 5 years, \$500 billion over the next 5 years.

Many said at the time the plan was passed that we should cut more spending. Many representatives of farm groups came to my office and said, "Congressman, do not vote for the Clinton plan. There is too much in terms of tax increases. Cut more spending."

Following that, there were those who said, "It is not enough." My colleagues, the gentleman from Ohio [Mr. KASICH], and the gentleman from Minnesota [Mr. PENNY], came in and said "cut more," and many of my colleagues said, "That is a good idea. Let us cut more spending."

Then on the other side of the Rotunda, two Members from farm States said, "Let us cut even more," and many of my colleagues said, "That is a good idea, let us cut more."

Then, of course, we had a proposal by some that we should exempt the Veterans' Administration from personnel cuts and cut even more into farm programs, and many folks stood up each and every time and said, "I agree, let us keep cutting, cut more spending."

This bill that we are presenting to the House of Representatives is exhibit A in what will occur if we continue to cut the deficit without being mindful of the impact it will have on important programs. It will be ironic to note how many Members will stand up and complain about cuts in spending in this bill, the very same Members who, for years, have been in that well begging for deeper deficit reduction.

Mr. Chairman, we are stuck with it. We have to deal with it. We have done

it responsibly. I am saddened by some of the cuts we have had to make. We will pay for them in the years to come, but unless and until we deal with our deficit honestly, unless and until Members realize that yes, in fact we can cut too much in spending when it comes to important programs, we will continue down this path.

Mr. Chairman, at this point in the RECORD I will insert the detailed tables for the bill.

[The tables follow:]

[The following text is extremely faint and largely illegible, appearing to be a continuation of the speaker's remarks or a list of items related to the bill.]

[The following text is extremely faint and largely illegible, appearing to be a continuation of the speaker's remarks or a list of items related to the bill.]

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I - AGRICULTURAL PROGRAMS					
Production, Processing, and Marketing					
Office of the Secretary.....	2,858,000	2,881,000	2,801,000	-57,000	-80,000
Office of Budget and Program Analysis.....	5,881,000	5,890,000	5,795,000	-86,000	-95,000
Chief Financial Officer.....	(575,000)	580,000	580,000	+580,000	.....
Office of the Assistant Secretary for Administration.....	803,000	617,000	596,000	-207,000	-21,000
Rental payments (USDA).....	135,503,000	136,457,000	135,193,000	-310,000	-1,264,000
Payments to GSA.....	(84,999,000)	(87,957,000)	(87,957,000)	(+2,958,000)	.....
Building operations and maintenance.....	(25,804,000)	(18,678,000)	(18,614,000)	(-7,190,000)	(-64,000)
Repairs, renovations, and construction.....	(24,700,000)	(29,822,000)	(28,622,000)	(+3,922,000)	(-1,200,000)
Advisory committees (USDA).....	840,000	977,000	928,000	-12,000	-49,000
Hazardous waste management.....	15,802,000	26,000,000	15,700,000	-102,000	-10,300,000
Departmental administration.....	26,301,000	118,049,000	26,187,000	-114,000	-91,862,000
Info share.....	.....	(90,000,000)	.....	.....	(-90,000,000)
Office of the Assistant Secretary for Congressional Relations.....	1,325,000	1,821,000	1,764,000	+439,000	-57,000
Intergovernmental affairs.....	475,000	.....	.....	-475,000	.....
Total, Congressional Relations.....	1,800,000	1,821,000	1,764,000	-36,000	-57,000
Office of Public Affairs.....	8,570,000	8,308,000	8,198,000	-372,000	-110,000
Office of the Inspector General.....	65,530,000	62,918,000	63,918,000	-1,612,000	+1,000,000
Office of the General Counsel.....	25,992,000	26,145,000	25,992,000	.....	-153,000
Office of the Assistant Secretary for Economics.....	586,000	593,000	540,000	-46,000	-53,000
Economic Research Service.....	55,219,000	53,565,000	54,306,000	-913,000	+741,000
National Agricultural Statistics Service.....	81,764,000	89,274,000	81,424,000	-340,000	-7,850,000
World Agricultural Outlook Board.....	2,568,000	2,619,000	2,498,000	-86,000	-121,000
Office of the Assistant Secretary for Science and Education.....	566,000	574,000	520,000	-46,000	-54,000
Alternative Agricultural Research and Commercialization.....	9,000,000	9,000,000	4,000,000	-5,000,000	-5,000,000
Agricultural Research Service.....	694,969,000	699,136,000	693,977,000	-992,000	-5,159,000
Human Nutrition Information Service.....	(11,068,000)	18,403,000	(10,618,000)	.....	-18,403,000
Buildings and facilities.....	32,743,000	25,700,000	23,400,000	-9,343,000	-2,300,000
Total, Agricultural Research Service.....	727,712,000	743,239,000	717,377,000	-10,335,000	-25,862,000
Cooperative State Research Service.....	441,273,000	418,517,000	413,960,000	-27,313,000	-4,557,000
Buildings and facilities.....	53,977,000	.....	34,148,000	-19,829,000	+34,148,000
Extension Service.....	435,982,000	432,386,000	429,200,000	-6,782,000	-3,186,000
National Agricultural Library.....	18,155,000	19,526,000	17,845,000	-310,000	-1,681,000
Office of the Assistant Secretary for Marketing and Inspection Services.....	687,000	695,000	605,000	-82,000	-90,000
Animal and Plant Health Inspection Service:					
Salaries and expenses.....	348,104,000	333,719,000	341,991,000	-6,113,000	+8,272,000
Special fund, user fees.....	91,460,000	101,860,000	96,660,000	+5,200,000	-5,200,000
Subtotal.....	439,564,000	435,579,000	438,651,000	-913,000	+3,072,000
Buildings and facilities.....	10,145,000	6,973,000	6,973,000	-3,172,000	.....
Total, Animal and Plant Health Inspection Service.....	449,709,000	442,552,000	445,624,000	-4,085,000	+3,072,000
Food Safety and Inspection Service.....	516,738,000	533,929,000	430,929,000	-85,809,000	-103,000,000
New user fees.....	(1,000,000)	.....	(1,000,000)	.....	(+1,000,000)
Federal Grain Inspection Service.....	11,532,000	11,255,000	11,325,000	-207,000	+70,000
Inspection and Weighing Services (limitation on administrative expenses, from fees collected).....	(42,784,000)	(42,784,000)	(42,784,000)	.....	.....
Agricultural Marketing Service:					
Marketing Services.....	61,614,000	58,125,000	55,728,000	-5,886,000	-2,397,000
New user fees.....	(4,452,000)	.....	(4,452,000)	.....	(+4,452,000)
(Limitation on administrative expenses, from fees collected).....	(55,953,000)	(57,054,000)	(57,054,000)	(+1,101,000)	.....
Funds for strengthening markets, income, and supply (transfer from section 32).....	10,309,000	10,375,000	10,309,000	.....	-66,000
Payments to States and possessions.....	1,735,000	1,250,000	1,200,000	-535,000	-50,000
Total, Agricultural Marketing Service.....	73,858,000	69,750,000	67,237,000	-6,421,000	-2,513,000
Packers and Stockyards Administration.....	12,123,000	11,968,000	11,989,000	-134,000	+21,000
Total, Production, Processing, and Marketing.....	3,181,227,000	3,230,085,000	3,011,179,000	-170,048,000	-218,906,000
Farm Income Stabilization					
Office of the Undersecretary for International Affairs and Commodity Programs.....	560,000	568,000	549,000	-11,000	-19,000
Agricultural Stabilization and Conservation Service:					
Salaries and expenses.....	730,842,000	700,958,000	716,333,000	-14,509,000	+15,375,000
(Transfer from export loans).....	(589,000)	(600,000)	(589,000)	.....	(-11,000)
(Transfer from P.L. 480).....	(1,036,000)	(1,054,000)	(1,036,000)	.....	(-18,000)
Total, salaries and expenses.....	(732,467,000)	(702,612,000)	(717,958,000)	(-14,509,000)	(+15,346,000)
Total, Farm Income Stabilization.....	(733,027,000)	(703,180,000)	(718,507,000)	(-14,520,000)	(+15,327,000)
CORPORATIONS					
Federal Crop Insurance Corporation:					
Administrative and operating expenses.....	290,116,000	285,581,000	72,796,000	-217,320,000	-212,785,000
Federal crop insurance corporation fund.....	235,794,000	219,107,000	219,107,000	-16,687,000	.....
Total, Federal Crop Insurance Corporation.....	525,910,000	504,688,000	291,903,000	-234,007,000	-212,785,000

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Commodity Credit Corporation:					
Reimbursement for net realized losses	18,000,000,000	15,500,000,000	15,500,000,000	-2,500,000,000	.....
Hazardous waste (limitation on administrative expenses)	(4,000,000)	(5,000,000)	(5,000,000)	(+1,000,000)	.....
Borrowing authority	900,000,000	.....	.....	-900,000,000	.....
Total, Corporations	19,425,910,000	16,004,688,000	15,791,903,000	-3,634,007,000	-212,785,000
Total, title I, Agricultural Programs	23,338,539,000	19,936,299,000	19,519,984,000	-3,818,575,000	-416,335,000
(By transfer).....	(1,625,000)	(1,654,000)	(1,625,000)	.....	(-29,000)
(Limitation on administrative expenses).....	(102,737,000)	(104,838,000)	(104,838,000)	(+2,101,000)	.....
TITLE II - CONSERVATION PROGRAMS					
Office of the Assistant Secretary for Natural Resources and					
Environment.....	575,000	698,000	677,000	+102,000	-21,000
(Transfer from Soil Conservation Service)	(116,000)	.....	.....	(-116,000)	.....
Total	(891,000)	(698,000)	(677,000)	(-14,000)	(-21,000)
Soil Conservation Service:					
Conservation operations.....	591,049,000	637,945,000	576,562,000	-14,487,000	-61,383,000
River basin surveys and investigations	13,482,000	11,000,000	12,970,000	-512,000	+1,970,000
Watershed planning	10,921,000	7,400,000	10,546,000	-375,000	+3,146,000
Watershed and flood prevention operations	220,807,000	25,000,000	65,000,000	-155,807,000	+40,000,000
Emergency supplemental appropriations	340,500,000	.....	.....	-340,500,000	.....
Resource conservation and development.....	32,945,000	26,157,000	32,845,000	-100,000	+6,688,000
Great Plains conservation program.....	25,658,000	10,937,000	11,672,000	-13,986,000	+735,000
Total, Soil Conservation Service	1,235,362,000	718,439,000	709,595,000	-525,767,000	-8,844,000
Agricultural Stabilization and Conservation Service:					
Agricultural conservation program	194,650,000	100,000,000	100,000,000	-94,650,000	.....
Water quality incentives program	(18,500,000)	(15,000,000)	(15,000,000)	(-3,500,000)	.....
Forestry incentives program	12,820,000	6,625,000	6,625,000	-6,195,000	.....
Water bank program	8,000,000	8,000,000	.....	-8,000,000	-8,000,000
Emergency conservation program .....	.....	3,000,000	.....	.....	-3,000,000
Emergency supplemental appropriations	25,000,000	.....	.....	-25,000,000	.....
Colorado River Basin salinity control program.....	13,783,000	8,394,000	5,000,000	-8,783,000	-3,394,000
Conservation reserve program	1,743,274,000	1,752,216,000	1,743,274,000	.....	-8,942,000
Wetlands reserve program.....	66,675,000	240,900,000	93,200,000	+26,525,000	-147,700,000
Total, Agricultural Stabilization and Conservation Service.....	2,064,202,000	2,119,135,000	1,948,099,000	-116,103,000	-171,036,000
Total, title II, Conservation Programs.....	3,300,139,000	2,838,272,000	2,658,371,000	-641,768,000	-179,901,000
TITLE III - FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS					
Office of the Undersecretary for Small Community and Rural					
Development.....	580,000	586,000	568,000	-12,000	-18,000
Farmers Home Administration:					
Rural Housing Insurance Fund Program Account:					
Loan authorizations:					
Low-income housing (sec. 502)	(1,750,000,000)	(1,800,000,000)	(1,400,000,000)	(-350,000,000)	(-400,000,000)
Unsubsidized direct	(50,000,000)	.....	.....	(-50,000,000)	.....
Unsubsidized guaranteed	(750,000,000)	(1,300,000,000)	(1,000,000,000)	(+250,000,000)	(-300,000,000)
Housing repair (sec. 504)	(35,000,000)	(35,000,000)	(35,000,000)	.....	.....
Farm labor (sec. 514)	(16,300,000)	(16,482,000)	(15,915,000)	(-385,000)	(-567,000)
Rental housing (sec. 515).....	(540,107,000)	(220,000,000)	(30,000,000)	(-510,107,000)	(-190,000,000)
Site loans (sec. 524)	(600,000)	(632,000)	(632,000)	(+32,000)	.....
Credit sales of acquired property	(133,000,000)	(175,776,000)	.....	(-133,000,000)	(-175,776,000)
Total, Loan authorizations	(3,275,007,000)	(3,547,890,000)	(2,481,547,000)	(-793,460,000)	(-1,066,343,000)
Loan subsidies:					
Single family (sec. 502):					
Direct.....	329,480,000	165,600,000	265,440,000	-64,040,000	+99,840,000
Unsubsidized direct	3,785,000	.....	.....	-3,785,000	.....
Unsubsidized guaranteed	12,225,000	22,360,000	17,200,000	+4,975,000	-5,160,000
Housing repair (sec. 504)	12,467,000	11,690,000	11,690,000	-777,000	.....
Farm labor (sec. 514).....	7,911,000	8,193,000	7,911,000	.....	-282,000
Rental housing (sec. 515).....	297,524,000	115,500,000	15,750,000	-281,774,000	-99,750,000
Credit sales of acquired property	20,242,000	14,484,000	.....	-20,242,000	-14,484,000
Total, Loan subsidies.....	683,634,000	337,827,000	317,991,000	-365,643,000	-19,836,000
RHIF expenses:					
Salaries and expenses.....	374,255,000	392,502,000	374,255,000	.....	-18,247,000
Administrative expenses	21,906,000	15,563,000	15,563,000	-6,343,000	.....
Total, RHIF expenses.....	396,161,000	408,065,000	389,818,000	-6,343,000	-18,247,000
Rental assistance:					
(Sec. 521).....	440,854,000	517,108,000	517,108,000	+76,254,000	.....
(Sec. 502(c)(5)(D)).....	5,840,000	5,900,000	5,900,000	+60,000	.....
Total, Rental assistance.....	446,694,000	523,008,000	523,008,000	+76,314,000	.....
Total, Rural Housing Insurance Fund	1,526,489,000	1,268,900,000	1,230,817,000	-295,672,000	-38,083,000
(Loan authorization).....	(3,275,007,000)	(3,547,890,000)	(2,481,547,000)	(-793,460,000)	(-1,066,343,000)

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Rural rental assistance payments (voucher program)		25,000,000			-25,000,000
Self-Help Housing Land Development Fund:					
Loan authorization	(622,000)	(603,000)	(603,000)	(-19,000)	
Loan subsidy	23,000	11,000	11,000	-12,000	
Administrative expenses	14,000	14,000	14,000		
Agricultural Credit Insurance Fund Program Account:					
Loan authorizations:					
Farm ownership loans:					
Direct	(78,081,000)	(84,849,000)	(78,081,000)		(-6,568,000)
Guaranteed	(556,543,000)	(576,622,000)	(540,674,000)	(-15,869,000)	(-35,948,000)
Subtotal	(634,624,000)	(661,271,000)	(618,755,000)	(-15,869,000)	(-42,516,000)
Operating loans:					
Direct	(700,000,000)	(648,217,000)	(500,000,000)	(-200,000,000)	(-148,217,000)
Guaranteed unsubsidized	(1,800,000,000)	(2,000,000,000)	(1,735,000,000)	(-65,000,000)	(-265,000,000)
Guaranteed subsidized	(250,000,000)	(300,000,000)	(230,000,000)	(-20,000,000)	(-70,000,000)
Subtotal	(2,750,000,000)	(2,948,217,000)	(2,465,000,000)	(-285,000,000)	(-483,217,000)
Soil and water loans:					
Direct	(2,897,000)	(8,040,000)	(2,897,000)		(-5,143,000)
Guaranteed	(1,415,000)	(2,083,000)	(1,415,000)		(-668,000)
Subtotal	(4,312,000)	(10,123,000)	(4,312,000)		(-5,811,000)
Indian tribe land acquisition loans	(1,000,000)	(1,233,000)	(1,000,000)		(-233,000)
Emergency disaster loans	(100,000,000)	(100,000,000)	(100,000,000)		
Watershed and flood prevention	(4,000,000)			(-4,000,000)	
Resource conservation loans	(600,000)			(-600,000)	
Credit sales of acquired property	(123,783,000)	(90,000,000)		(-123,783,000)	(-90,000,000)
Total, Loan authorizations	(3,618,319,000)	(3,810,844,000)	(3,189,067,000)	(-429,252,000)	(-621,777,000)
Loan subsidies:					
Farm ownership:					
Direct	13,210,000	11,907,000	10,983,000	-2,227,000	-924,000
Guaranteed	20,870,000	22,258,000	20,870,000		-1,388,000
Farm operating:					
Direct	81,200,000	73,320,000	56,555,000	-24,645,000	-16,765,000
Guaranteed unsubsidized	9,360,000	10,800,000	9,360,000		-1,440,000
Guaranteed subsidized	29,425,000	38,430,000	29,425,000		-9,005,000
Soil and water loans:					
Direct	463,000	1,054,000	380,000	-83,000	-674,000
Guaranteed	31,000	46,000	31,000		-15,000
Indian tribe land acquisition	197,000	152,000	123,000	-74,000	-29,000
Emergency disaster	26,060,000	26,290,000	26,060,000		-230,000
Credit sales of acquired property	10,903,000	11,916,000		-10,903,000	-11,916,000
Negative subsidies	-781,000	-782,000	-782,000	-21,000	
Total, Loan subsidies	190,958,000	195,391,000	153,005,000	-37,953,000	-42,386,000
ACIF expenses:					
Salaries and expenses	261,158,000	211,488,000	229,735,000	-31,423,000	+18,247,000
Administrative expenses	14,234,000	14,031,000	14,031,000	-203,000	
Total, ACIF expenses	275,392,000	225,519,000	243,766,000	-31,626,000	+18,247,000
Total, Agricultural Credit Insurance Fund	466,350,000	420,910,000	396,771,000	-69,579,000	-24,139,000
(Loan authorization)	(3,618,319,000)	(3,810,844,000)	(3,189,067,000)	(-429,252,000)	(-621,777,000)
Rural Development Insurance Fund Program Account:					
Loan authorizations:					
Water and sewer facility loans:					
Direct	(834,193,000)	(976,853,000)	(834,193,000)		(-142,660,000)
Guaranteed	(35,250,000)			(-35,250,000)	
Subtotal	(869,443,000)	(976,853,000)	(834,193,000)	(-35,250,000)	(-142,660,000)
Community facility loans:					
Direct	(225,000,000)	(300,000,000)	(225,000,000)		(-75,000,000)
Guaranteed	(75,000,000)	(75,000,000)	(75,000,000)		
Subtotal	(300,000,000)	(375,000,000)	(300,000,000)		(-75,000,000)
Industrial development loans: Guaranteed	(249,381,000)	(1,116,344,000)	(500,000,000)	(+250,619,000)	(-616,344,000)
Total, loan authorizations	(1,418,824,000)	(2,468,197,000)	(1,634,193,000)	(+215,369,000)	(-834,004,000)
Loan subsidies:					
Water and sewer: Direct	115,786,000	136,466,000	115,786,000		-20,680,000
Community facility:					
Direct	21,723,000	28,500,000	21,723,000		-6,777,000
Guaranteed	3,803,000	3,728,000	3,728,000		-75,000
Industrial development	2,319,000	10,605,000	4,750,000	+2,431,000	-5,855,000
Total, Loan subsidies	143,631,000	179,299,000	145,987,000	+2,356,000	-33,312,000

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
RDIF expenses:					
Salaries and expenses.....	57,294,000	57,727,000	57,294,000		-433,000
Administrative expenses.....	900,000			-900,000	
Total, RDIF expenses.....	58,194,000	57,727,000	57,294,000	-900,000	-433,000
Total, Rural Development Insurance Fund.....	201,825,000	237,026,000	203,281,000	+1,456,000	-33,745,000
(Loan authorization).....	(1,418,824,000)	(2,468,197,000)	(1,634,193,000)	(+215,369,000)	(-834,004,000)
Rural Development Loan Fund Program Account:					
(Loan authorization).....	(100,000,000)	(125,000,000)	(88,038,000)	(-11,962,000)	(-36,962,000)
Loan subsidy.....	46,000,000	65,313,000	46,000,000		-19,313,000
RDLF expenses:					
Salaries and expenses.....	1,476,000	2,177,000	1,476,000		-701,000
Administrative expenses.....	5,000			-5,000	
Total, RDLF expenses.....	1,481,000	2,177,000	1,476,000	-5,000	-701,000
Total, Rural Development Loan Fund.....	47,481,000	67,490,000	47,476,000	-5,000	-20,014,000
(Loan authorization).....	(100,000,000)	(125,000,000)	(88,038,000)	(-11,962,000)	(-36,962,000)
Agricultural Resource Conservation Demonstration Program Account:					
(Loan authorization).....	(6,799,000)	(5,599,000)		(-6,799,000)	(-5,599,000)
Loan subsidy.....	3,599,000	3,086,000		-3,599,000	-3,086,000
State mediation grants.....	3,000,000		2,000,000	-1,000,000	+2,000,000
Rural water and waste disposal grants.....	487,500,000	525,000,000	500,000,000	+12,500,000	-25,000,000
Very low-income housing repair grants.....	25,000,000	25,000,000	24,900,000	-100,000	-100,000
Rural housing for domestic farm labor.....	11,000,000	11,000,000	10,900,000	-100,000	-100,000
Mutual and self-help housing.....	12,750,000	12,750,000	12,650,000	-100,000	-100,000
Supervisory and technical assistance grants.....	2,500,000	2,500,000	2,400,000	-100,000	-100,000
Rural community fire protection grants.....	3,500,000	5,000,000	3,400,000	-100,000	-1,600,000
Compensation for construction defects.....	500,000	500,000	495,000	-5,000	-5,000
Rural housing preservation grants.....	23,000,000	23,000,000	22,000,000	-1,000,000	-1,000,000
Rural business enterprise grants.....	42,500,000	50,000,000	47,500,000	+5,000,000	-2,500,000
Solid waste management grants.....	3,000,000	3,200,000	2,995,000	-5,000	-205,000
Emergency community water assistance grants.....	10,000,000			-10,000,000	
Outreach for socially disadvantaged farmers.....	3,000,000	5,000,000	2,995,000	-5,000	-2,005,000
Rural technology and cooperative development grants.....		5,000,000	1,500,000	+1,500,000	-3,500,000
Local technical assistance and planning grants.....		5,000,000	2,500,000	+2,500,000	-2,500,000
Subtotal, grants and payments.....	627,250,000	672,950,000	636,235,000	+8,985,000	-36,715,000
Rural Telecommunications Partnership Loan Program Account:					
(Loan authorization).....		(15,000,000)			(-15,000,000)
Loan subsidy.....		636,000			636,000
Administrative expenses.....		1,503,000			-1,503,000
Total, Rural Telecommunications Partnership Loan Program Account.....		2,139,000			-2,139,000
(Loan authorization).....		(15,000,000)			(-15,000,000)
Office of the Administrator.....	600,000			-600,000	
Salaries and expenses.....	23,385,000	48,177,000	37,811,000	+14,426,000	-10,366,000
Loan administrative expenses:					
RIHF (by transfer).....	(374,255,000)	(392,502,000)	(374,255,000)		(-18,247,000)
ACIF (by transfer).....	(261,158,000)	(211,488,000)	(229,735,000)	(-31,423,000)	(+18,247,000)
RDIF (by transfer).....	(57,294,000)	(57,327,000)	(57,294,000)		(-33,000)
RDLF (by transfer).....	(1,476,000)	(2,172,000)	(1,476,000)		(-696,000)
RTP (by transfer).....		(1,503,000)			(-1,503,000)
Self-Help HLDF (by transfer).....	(14,000)	(14,000)	(14,000)		
Total, salaries and expenses.....	(717,582,000)	(713,183,000)	(700,585,000)	(-16,997,000)	(-12,598,000)
Total, Farmers Home Administration.....	2,897,016,000	2,745,703,000	2,552,416,000	-344,600,000	-193,287,000
(By transfer).....	(694,197,000)	(665,006,000)	(662,774,000)	(-31,423,000)	(-2,232,000)
(Loan authorization).....	(8,419,571,000)	(9,973,133,000)	(7,393,448,000)	(-1,026,123,000)	(-2,579,685,000)
Rural Electrification Administration:					
Rural Electrification and Telephone Loans Program Account:					
Loan authorizations:					
Direct loans:					
Electric 5%.....	(110,140,000)	(25,000,000)	(100,000,000)	(-10,140,000)	(+75,000,000)
Telephone 5%.....	(81,589,000)		(75,000,000)	(-6,589,000)	(+75,000,000)
Subtotal.....	(191,729,000)	(25,000,000)	(175,000,000)	(-16,729,000)	(+150,000,000)
Treasury rate:					
Electric.....		(500,000,000)			(-500,000,000)
Telephone.....	(198,000,000)	(236,287,000)	(198,000,000)		(-38,287,000)
Subtotal.....	(198,000,000)	(736,287,000)	(198,000,000)		(-538,287,000)
Muni-rate:					
Electric.....	(600,000,000)	(200,000,000)	(575,250,000)	(-24,750,000)	(+375,250,000)

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
FFB loans:					
Electric, regular.....	(300,000,000)	(275,000,000)	(300,000,000)		(+ 25,000,000)
Electric, repriced.....	(513,000,000)			(-513,000,000)	
Telephone.....	(120,000,000)	(118,143,000)	(120,000,000)		(+ 1,857,000)
Subtotal.....	(933,000,000)	(393,143,000)	(420,000,000)	(-513,000,000)	(+ 26,857,000)
Total, Loan authorizations.....	(1,922,729,000)	(1,354,430,000)	(1,368,250,000)	(-554,479,000)	(+ 13,820,000)
Loan subsidies:					
Direct loans:					
Electric 5%.....	18,881,000	2,363,000	9,452,000	-9,229,000	+7,089,000
Telephone 5%.....	11,280,000		9,668,000	-1,612,000	+9,668,000
Treasury rate:					
Electric.....		350,000			-350,000
Telephone.....	40,000	47,000	40,000		-7,000
Muni-rate, electric.....	46,020,000	16,000,000	46,020,000		+30,020,000
FFB loans, regular electric.....	3,090,000	413,000	450,000	-2,640,000	+ 37,000
Total, Loan subsidies.....	79,111,000	19,173,000	65,630,000	-13,481,000	+46,457,000
RETRF salaries and expenses.....	29,982,000	29,459,000	29,982,000		+523,000
Total, Rural Electrification and Telephone Loans Program Account.....	109,093,000	48,632,000	95,612,000	-13,481,000	+46,980,000
(Loan authorization).....	(1,922,729,000)	(1,354,430,000)	(1,368,250,000)	(-554,479,000)	(+ 13,820,000)
Rural Telephone Bank Program Account:					
Direct loans (limitation on obligations).....	(199,847,000)		(175,000,000)	(-24,847,000)	(+ 175,000,000)
Direct loan subsidy.....	3,118,000		2,728,000	-390,000	+2,728,000
Treasury rate loans (limitation on obligations).....		(175,000,000)			(-175,000,000)
Treasury rate loan subsidy.....		35,000			-35,000
RTB salaries and expenses.....	8,794,000	8,818,000	8,794,000		-24,000
Distance Learning and Medical Link Programs.....	10,000,000	5,000,000	7,500,000	-2,500,000	+2,500,000
REA Economic Development Loans Program Account:					
Direct loans (limitation on obligations).....	(13,025,000)	(12,865,000)	(12,865,000)		
Direct subsidy.....	3,423,000	3,077,000	3,077,000	-346,000	
Salaries and expenses:					
Electric and telephone loans (by transfer).....	(29,982,000)	(29,459,000)	(29,982,000)		(+ 523,000)
Rural telephone bank (by transfer).....	(8,794,000)	(8,818,000)	(8,794,000)		(-24,000)
Subtotal.....	(38,776,000)	(38,277,000)	(38,776,000)		(+ 499,000)
Total, Rural Electrification Administration.....	134,428,000	65,562,000	117,711,000	-16,717,000	+52,149,000
(By transfer).....	(38,776,000)	(38,277,000)	(38,776,000)		(+ 499,000)
(Loan authorization).....	(1,922,729,000)	(1,354,430,000)	(1,368,250,000)	(-554,479,000)	(+ 13,820,000)
(Limitation on obligations).....	(212,872,000)	(187,865,000)	(187,865,000)	(-25,007,000)	
Total, title III, Rural Development Programs.....	3,032,024,000	2,811,851,000	2,670,695,000	-361,329,000	-141,156,000
(By transfer).....	(732,973,000)	(703,283,000)	(701,550,000)	(-31,423,000)	(-1,733,000)
(Loan authorization).....	(10,342,300,000)	(11,327,563,000)	(8,761,698,000)	(-1,580,602,000)	(-2,565,865,000)
(Limitation on obligations).....	(212,872,000)	(187,865,000)	(187,865,000)	(-25,007,000)	
TITLE IV - DOMESTIC FOOD PROGRAMS					
Office of the Assistant Secretary for Food and Consumer Services.....	551,000	558,000	540,000	-11,000	-18,000
Food and Nutrition Service:					
Child nutrition programs.....	2,727,022,000	2,234,533,000	2,202,274,000	-524,748,000	-32,259,000
Discretionary item.....		4,000,000			-4,000,000
Transfer from section 32.....	4,770,109,000	5,212,818,000	5,249,077,000	+478,968,000	+36,259,000
Total, Child nutrition programs.....	7,497,131,000	7,451,351,000	7,451,351,000	-45,780,000	
Special milk program.....	20,277,000	18,089,000	18,089,000	-2,188,000	
Special supplemental food program for women, infants, and children (WIC).....	3,210,000,000	3,563,588,000	3,470,000,000	+260,000,000	-93,588,000
Commodity supplemental food program.....	94,500,000	94,500,000	94,500,000		
Food stamp program:					
Expenses.....	24,545,655,000	25,187,710,000	25,174,457,000	+628,802,000	-13,253,000
Reserve.....	2,500,000,000	2,500,000,000	2,500,000,000		
Nutrition assistance for Puerto Rico.....	1,078,528,000	1,143,000,000	1,130,528,000	+52,000,000	-12,472,000
Cattle tick eradication.....	12,472,000		12,472,000		+12,472,000
Total, Food stamp program.....	28,136,655,000	28,830,710,000	28,817,457,000	+680,802,000	-13,253,000
Food donations programs for selected groups:					
Needy family program.....	68,641,000	38,454,000	33,154,000	-35,487,000	-5,300,000
Elderly feeding program.....	150,000,000	141,142,000	150,000,000		+8,858,000
Subtotal.....	218,641,000	179,596,000	183,154,000	-35,487,000	+3,558,000
Soup kitchens.....	40,000,000	50,000,000	40,000,000		-10,000,000
Total, Food donations programs.....	258,641,000	229,596,000	223,154,000	-35,487,000	-6,442,000
The emergency food assistance program.....	40,000,000	40,000,000	40,000,000		
Commodity purchases - TEFAP.....	80,000,000		40,000,000	-40,000,000	+40,000,000
Total, The emergency food assistance program.....	120,000,000	40,000,000	80,000,000	-40,000,000	+40,000,000

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)—Continued

	FY 1994 Enacted	FY 1995 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
Food program administration.....	107,767,000	106,465,000	106,465,000	-1,302,000	
Total, Food and Nutrition Service.....	39,444,971,000	40,334,299,000	40,261,016,000	+816,045,000	-73,283,000
Total, title IV, Domestic Food Programs.....	39,445,522,000	40,334,857,000	40,261,556,000	+816,034,000	-73,301,000
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS					
Foreign Agricultural Service.....	118,027,000	108,880,000	108,880,000	-9,147,000	
General Sales Manager:					
Appropriation.....		4,820,000			-4,820,000
(Transfer from Commodity Credit Corporation).....	(4,866,000)		(4,914,000)	(+48,000)	(+4,914,000)
(Transfer from export loans).....	(2,792,000)	(2,837,000)	(2,792,000)		(-45,000)
(Transfer from P.L. 480).....	(1,500,000)	(1,524,000)	(1,425,000)	(-75,000)	(-99,000)
Total, General Sales Manager.....	(9,158,000)	(9,181,000)	(9,131,000)	(-27,000)	(-50,000)
Total, Foreign Agricultural Service.....	118,027,000	113,700,000	108,880,000	-9,147,000	-4,820,000
Scientific activities overseas (foreign currency program) (limitation on administrative expenses).....	(1,062,000)	(1,062,000)	(1,062,000)		
Public Law 480 Program Account:					
Title I - Credit sales:					
Program level.....	(462,037,000)	(374,258,000)	(320,342,000)	(-141,895,000)	(-53,916,000)
Direct loans.....	(420,710,000)	(340,000,000)	(291,342,000)	(-129,368,000)	(-48,658,000)
Ocean freight differential.....	41,327,000	34,258,000	29,000,000	-12,327,000	-5,258,000
Title II - Commodities for disposition abroad:					
Program level.....	(821,570,000)	(773,000,000)	(821,100,000)	(-470,000)	(+48,100,000)
Appropriation.....	821,570,000	773,000,000	821,100,000	-470,000	+48,100,000
Title III - Commodity grants:					
Program level.....	(255,083,000)	(160,000,000)	(157,442,000)	(-97,641,000)	(-2,558,000)
Appropriation.....	255,083,000	160,000,000	157,442,000	-97,641,000	-2,558,000
Loan subsidies.....	323,989,000	275,604,000	236,162,000	-87,827,000	-39,442,000
Salaries and expenses:					
General Sales Manager.....	1,500,000	1,524,000	1,425,000	-75,000	-99,000
ASCS.....	1,036,000	1,054,000	1,036,000		-18,000
Subtotal.....	2,536,000	2,578,000	2,461,000	-75,000	-117,000
Total, Public Law 480:					
Program level.....	(1,538,690,000)	(1,307,258,000)	(1,298,884,000)	(-239,806,000)	(-8,374,000)
Appropriation.....	1,444,505,000	1,245,440,000	1,246,165,000	-198,340,000	+725,000
CCC Export Loans Program Account:					
Loan guarantees:					
Short-term export credit.....	(5,000,000,000)	(5,000,000,000)	(5,000,000,000)		
Intermediate export credit.....	(500,000,000)	(500,000,000)	(500,000,000)		
Emerging democracies export credit.....	(200,000,000)	(200,000,000)	(200,000,000)		
Loan subsidy.....	403,238,000	394,393,000	394,393,000	-8,845,000	
Salaries and expenses (Export Loans):					
General Sales Manager.....	2,792,000	2,837,000	2,792,000		-45,000
ASCS.....	589,000	600,000	589,000		-11,000
Total, CCC Export Loans Program Account.....	406,619,000	397,830,000	397,774,000	-8,845,000	-56,000
Total, title V, Foreign assistance and related programs.....	1,969,151,000	1,756,970,000	1,752,819,000	-216,332,000	-4,151,000
(By transfer).....	(9,158,000)	(4,361,000)	(9,131,000)	(-27,000)	(+4,770,000)
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Food and Drug Administration					
Salaries and expenses.....	813,339,000	586,533,000	834,971,000	+21,632,000	+248,438,000
Prescription drug user fee act.....	(56,284,000)	(79,423,000)	(79,423,000)	(+23,139,000)	
Mammography clinics user fee.....		(6,500,000)	(6,500,000)	(+6,500,000)	
New user fees.....		(252,000,000)			(-252,000,000)
Total, salaries and expenses.....	(869,623,000)	(924,456,000)	(920,894,000)	(+51,271,000)	(-3,562,000)
Buildings and facilities.....	8,350,000	8,350,000	18,150,000	+9,800,000	+9,800,000
Rental payments.....	48,575,000	46,294,000	46,294,000	-2,281,000	
Total, Food and Drug Administration.....	870,264,000	641,177,000	899,415,000	+29,151,000	+258,238,000
DEPARTMENT OF THE TREASURY					
Financial Management Service: Payments to the farm credit system financial assistance corporation.....	62,696,000	57,026,000	57,026,000	-5,670,000	

FY 1995 AGRICULTURE APPROPRIATIONS BILL (H.R. 4554)—Continued

Table with 6 columns: Agency/Program, FY 1994 Enacted, FY 1995 Estimate, Bill, Bill compared with Enacted, Bill compared with Estimate. Rows include Independent Agencies (Commodity Futures Trading Commission, Farm Credit Administration), Title VII General Provisions (Reorganization and streamlining), Recapitulation (Titles I-VII), and Grand total.

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

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

I would like to begin this debate on general debate by thanking the Chairman, the gentleman from Illinois [Mr. DURBIN] for the kind of inclusiveness, ingenuity, and just downright innovation that we have had in this committee, and it has been a very difficult one. It has not been partisan at all. There has been a suggestion that maybe it should be far more partisan, but agriculture is not an issue here.

As a matter of fact, Mr. Chairman, when we realize that only 2.2 percent of the entire population of the United States is involved, directly involved, in agriculture production, it is amazing to me that they all wound up here in Congress, because we have 435 absolute geniuses and absolute experts in agriculture, because everybody is interested in agriculture.

No matter how far away we have grown as far as our basic roots are concerned, we are all experts in this field. We all know what programs we want to fund, we know what could be cut, and yet, Mr. Chairman, that is not the way the game is played, because there are some discretionary and there are some mandatory facets to this whole question, and some of these expenditures lie on one side or the other.

Mr. Chairman, about the only thing that the Committee on Appropriations can do is take the discretionary side and deal with it as we must, given the 602(b) or the budget allocation we got from OMB. I think we did a credible job with a very difficult task, and one that is not to the liking of anyone, particularly those of us who have actually lived in the agricultural community and worked in agriculture and know that there is no margin, or very little margin, very little profit.

We despise the fact that in a national sense we are the target and the aim of a lot of discussion about the ridiculous situation we have in funding agriculture programs. We are a target for cutting expenditures in Government because no one believes that with our little rosy derrieres, well-fed as they may be, that there are so few people involved in really producing the kind of food that we take for granted today, the quality of it and the rest, because we do not need those agricultural programs any longer. If it was not for those programs there would not be that kind of an agricultural program in the United States.

I also get just a little bit testy with the fact that we hear a lot of people from other businesses that say, "Why can you not run agriculture like you run any other kind of business?" I will tell Members why not: because we have no control over our margins, we have no control over our production costs, we have all the planning in the world, but we take all the risks in the world.

It is a unique kind of business. We do it better here in the United States than any place in the world. We are the greatest agricultural technologists. There are the greatest producers on a unit basis, but we do not ever get any kind of a margin benefit out of these programs. We are never sure how long we can stay in this kind of a business.

As a result of that, when I first came to Congress in 1980, there were 4 percent of the population of this country involved, directly involved, in agriculture. Today it is about 2.2 percent, so tell me about high interest rates, tell me about other things that nobody can control in the agricultural communities, that has driven these people off of the agricultural production plain, rolled it into larger and larger operations, so you have scale.

As a matter of fact, Mr. Chairman, for the family of four today to be involved in agriculture, to have any kind of a chance of surviving in that particular endeavor, it takes about a \$1.5 to \$2 million basic investment. That is in land and equipment and so forth. So it is a high-cost, high-risk undertaking, yet we in the United States produce the best food, the best quality food and the best quantity of food, of any nation in the world. We are helping the rest of the world feed itself through our own technology.

Mr. Chairman, we have reduced the spending in agriculture through various programs over the years. We have gotten rid of the honey program. It cost us dearly, because we cut the program but we did not say that we had to go back and make good on the deficit payments that we had to make to honey growers. We are phasing out the wool program, which is supposed to be a big savings. It has absolutely saved not one dime, because they are still collecting the tariffs and those costs are still carried out to the taxpayers, so if you were going to get it off the taxpayers, you missed one more time.

Mr. Chairman, there are several other reasons for looking at this business of how are we going to cut, because when we are dealing with this, we do not always want to get what we pray for, because if we keep going in the direction we are going in agriculture, in cutting the core, we are not going to have any core production, it is just that simple. We do it or we do not do it.

We came up with the best we could, Mr. Chairman, User fees is not a new idea around this place. It was initiated sometime ago. Also, this is the straw we are trying to grasp to produce the kind of inspection we owe the people and consumers of this country today. It may not be the best way to do it, but that is about the only avenue that we had to explore in that particular vein to get inspections done. It is not a happy solution to this thing, but if you have got a better one, come up with it. We need all the help we can get.

Mr. Chairman, we appreciate that, and we have the authorizing committee that will be involved in this process, because if they want to raise the allotments in those particular areas, they have the authority to do that.

Mr. Chairman, with that I want to say that we have done the best we can with this bill. We are not apologizing to anybody for what we have done. We have made the cuts where we thought they should be and the increases where we thought they should be. We have all agreed on it, that we are going to support this thing.

I know it does not smell good or taste good, but it is about the only kind of medicine we have available to us. Let us get on with the business of taking care of agriculture in this country, and let the people there produce rather than worry about what we are going to do to them next.

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

Mr. DURBIN. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I thank the gentleman, and want to offer my highest congratulations to ranking member, the gentleman from New Mexico [Mr. SKEEN], and the chairman of the committee, the gentleman from Illinois [Mr. DURBIN].

As a member of the committee, I want to say that we are always mindful that the average American spends about 18 cents out of every dollar, or 18 percent, of their income on food. When we think about it, as we begin tinkering and cutting these programs, as we have had to this year, Mr. Chairman, we have to remember we are cutting into a system that has proven to be very successful. Unlike the former Soviet Union, most people in this country are well fed. We have managed to devise a system that is the envy of the world.

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This is the breadbasket of the world. We have places in other parts of the world where people are lined up for food. In fact, we are worried about food riots in some of the newly democratizing nations around the world and we do not want to cut so far into the bone of many of these programs that we undermine the safety and the soundness of our own people.

I am looking at over 70 programs that we have cut. We were forced to cut over \$4.1 billion below last year's level in these programs. A program like the Alternative Agricultural Research and Commercialization. I can remember the day when people did not eat kohlrabi on their plates next to carrots. Yet we have been able to put kohlrabi on the supermarket shelves around this country. Or apple puffs. We found a new use for apple puffs. Or try to find new use for tobacco, to use the protein

in tobacco for alternatives, so tobacco leaves could be used for other purposes. Or low-fat beef or soybean ink or tofu that is grown in my district with no pesticides for soybeans for tofu for the Japanese market. One says, "Well, gee, what does all that matter? What matters is we have had to cut over \$5 million in programs that help to create and market and help put those new products on the shelves to help bring income to our farmers and to America.

Mr. Chairman, as we go through this budget in line item after line item, \$1.5 billion cut from loan authority in our housing program; in our Cooperative State Research Service, \$45 million worth of cuts; on and on and on and on—almost every single program.

As we move into the 21st century, I hope that we can begin focusing on how America can invest in agriculture so that we can expand our imports. They have been literally flat for over a decade, or declining, while exports into this country of agricultural commodities have quadrupled, now almost half the level of our exports—23 billion dollars' worth of imports, 40 billion dollars' worth of exports. The trends are in the wrong direction.

As we cut, we better realize that in the end, if we undermine America's position in agriculture, we do not do a service to our people and the future of this country.

Mr. Chairman, I am proud to be a supporter of this legislation but recognize the tough choices that had to be made.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I commend the distinguished Appropriations Subcommittee chairman, Mr. DURBIN, and the committee ranking member, Mr. SKEEN, for their diligent efforts in bringing this measure to the floor at this time. I rise in opposition to the provision of this legislation that will drastically cut funding for the Farmers Home Administration [FmHA] section 515 Multifamily Rural Rental Housing Program.

Section 515 is a vital program which provides loans for developers to build, repair, and operate low-income multifamily housing projects in rural areas. It is an invaluable housing program that brings affordable housing to the residents of my district. In fact, in my district alone, the section 515 FmHA program provides for 393 units. Many depend upon these loans, which are often made for 50 years at 1 percent interest and cover 97 percent of the project's value.

As many of us are aware, an investigative report conducted by the House Appropriations Committee with regard to this program describes instances of fraud and abuse—including loan under-

writing, loan servicing, and specific mismanagement procedures. While those allegations are quite serious and warrant further investigation, I am troubled by the far-reaching effects of the committee's severe cuts. While we must ensure that Government-funded projects are cost efficient and properly managed, it is essential that we continue to provide much needed affordable housing assistance to low-income individuals and families in rural areas.

Instead of arbitrarily imposing severe cuts to this important housing program, I propose that we reform the manner in which this program is administered. Accordingly, I am submitting a list of reforms that are supported by the rural housing industry. I urge my colleagues to review those reform proposals and to reconsider the drastic cuts that are being proposed. I submit correspondence dated June 7, 1994, by the National Association of Home Builders for inclusion at this point in the RECORD, along with the correspondence dated May 24, 1994, by the New York State director of housing, Donald M. Halperin.

NATIONAL ASSOCIATION OF
HOME BUILDERS,

Washington, DC, June 7, 1994.

Hon. RICHARD J. DURBIN,

U.S. House of Representatives, Rayburn House
Office Building, Washington, DC.

DEAR CHAIRMAN DURBIN: I would like to express the appreciation of the National Association of Home Builders (NAHB) for your willingness to preserve a future for the Farmers Home Administration (FmHA) Section 515 rural rental housing loan program, if its existing problems are overcome. The Section 515 program has proven to be, in most instances, a successful public-private partnership for the production of affordable rental housing in our nation's rural areas. However, there are ways in which the program can and should be improved for it to serve its public purpose more fully.

While we of course defer to Housing and Community Development Subcommittee Chairman Henry Gonzalez (D-TX) for his review of these modifications, I respectfully submit these reforms as an indication of our strong efforts to maintain the program's integrity. The following are outlined conceptually and not listed in any order of priority. Reforms 1-7 are supported generally by the rural housing industry. As promised, NAHB has worked with its members to develop additional program improvements—they are listed as numbers 8-16.

1. Establish a two-year moratorium on prepayments, equity loan incentives or sales to nonprofits for all prepayment notices.

2. Amend existing housing statute to clarify that projects placed in service between 12/79 and 12/89 are ineligible for incentives until their original twenty-year use restriction expires.

3. Authorize a study to evaluate the need and cost of equity loans, and to develop alternatives to equity loans for housing preservation.

4. Establish wage matching procedures.

5. Eliminate occupancy surcharge.

6. Reduce mortgage terms to thirty years with a fifty year amortization schedule.

7. Allow transfers only if in best interest of tenants and government.

8. Reduce mortgage term to twenty years with a fifty year amortization.

9. Delete the preference for housing located more than twenty miles from an urban area.

10. Require FmHA National Office approval before loan reamortization.

11. Support legislation that, if the buyer and seller agree, then FmHA could transfer properties at the then current loan balance rather than at the lower of loan balance or market value.

12. Support legislation to clarify the Government's interest in reserve account funds.

13. Support legislation to allow tenant selection to return to "first come, first served" as long as such tenant is income eligible. This legislation would repeal the current practice of requiring the owner to give priority to the lowest income person on the waiting list.

14. Permit FmHA to refinance existing FmHA projects if such refinancing is not deemed a use of "new" funds and the refinance does not materially change the loan terms including restrictive use clauses or method of amortization.

15. Require FmHA to annually review the performance of 515 owners and managers and take actions to suspend or terminate such companies for major or continuing violations or mismanagement.

16. Require a FmHA/OIG study and audit and report to Congress on the progress and status for implementation of these reforms within six months after date of enactment.

I look forward to an opportunity to meet with you to further explain our position and discuss how these reforms would serve to alleviate the abuses in the Section 515 program as identified in the Surveys and Investigations Staff report.

It is our hope that such reforms will be included in this year's housing reauthorization bill. NAHB respectfully urges you to preserve as much of the existing Section 515 program funding level as possible while program modifications are made.

Sincerely,

GERALD M. HOWARD,

Staff Vice President for Legislative Affairs.

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

Albany, NY, May 24, 1994.

Hon. RICHARD J. DURBIN,

Chair, Agriculture Appropriations Subcommittee
of the Appropriations Committee, House of
Representatives, Washington, DC.

DEAR CHAIRMAN DURBIN: I strongly urge you to preserve adequate funding for the Farmers Home Administration (FmHA) housing programs, and particularly the Section 515 program. These programs are vital to the residents of the towns, villages, and counties of rural America.

The need for decent and affordable housing in rural areas is steadily increasing, both nationally and in New York. The FmHA Section 515 program is a successful program for producing this needed housing, and in turn stimulating construction projects in small communities. The Administration has proposed a 60% cut in this vital program which would result in a drop in production that would be felt by the poorest rural tenants. At a time when rural homelessness is increasing, we cannot afford to drastically reduce a program which serves people who desperately need affordable housing.

The House Appropriations Committee's investigative report which you released at your May 18th press conference does note administrative problems in FmHA's management of the Section 515 program. With reauthorization of the rural housing programs underway in the Housing Subcommittee of

the House Banking Committee, this report can be used to correct these problems.

In addition, the federal government could institute program changes based on the report's findings which will ensure that funds are delivered to those who need them most. For example, it could target funds for use by not-for-profit housing organizations, similar to New York State's Housing Trust Fund program. New York State has found that non-profit delivery of housing is both cost effective and provides for long term housing affordability and viability.

The report should not be used, however, to cut back on the Section 515 program, and thus on housing production in rural areas. This would punish the poor in rural areas and those who have run honest and effective programs.

I urge you to continue to support the rural housing programs and particularly Section 515 at FY 1994 levels so that we can continue to address the affordable housing problems of rural America and rural New York.

Thank you for your consideration.

Sincerely,

DONALD M. HALPERIN,
Director of Housing.

Mr. DURBIN. Mr. Chairman, I yield 4 minutes to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in strong support of this bill—a bill that was difficult to write and required tough choices on every line of every page. Repeatedly, Members on both sides of the aisle have called for cutting the deficit and reducing Federal spending. And for the past 2 years we have passed tough budgets that have heeded those calls.

Now, we all know that cuts are easy to call for, but difficult to make. We have repeatedly said that when you cut the budget there will be pain. In 3 years we have cut the Federal deficit by \$115 billion. That means very tough times—especially for discretionary programs. For fiscal year 1995, total outlays for discretionary programs will go below previous years, levels for the first time in 30 years—30 years. That is an impressive achievement, but not without its price.

And today we begin to pay the piper. This bill cuts discretionary spending 10 percent—that is \$1.3 billion—below last year's level. And you can't do that without hurting a number of programs—programs that are good, that help many people, and that the committee deeply regretted cutting. But we had to stay within our allocations, and we did that in as fair and as just a way as possible.

Under these circumstances, Chairman DURBIN did an artful—in fact amazing—job of bringing everyone into the process and writing a bill that reflects balance, diplomacy, and wisdom.

Led by Chairman DURBIN and the ranking minority member, Mr. SKEEN, this has been an active committee. And it has moved aggressively to ensure that we live within our means, that the taxpayers' money is spent wisely and well, and that we set our priorities carefully—making the most of the funds we have.

The committee pushed the USDA hard to adopt stricter standards by which it makes, oversees, and services loans to farmers—trying to close the loopholes through which has flowed \$10 billion in delinquent loans. And it investigated a rural housing program tainted by improper practices and reduced funding by \$510 million below last year—effectively stopping the program—until it can be turned around. These actions are bound to raise wails of anguish from some quarters but these are responsible actions, taken to protect taxpayers' money.

This is a bill which also protects consumers and looks after the Nation's most vulnerable citizens. This year, under Mr. DURBIN's guidance, the committee took strong steps to ensure that food safety is given a high priority by the Department of Agriculture, and that new micro biological standards will be used to judge the safety of food. And the bill backs up its concerns about food safety by providing \$7.6 million for 200 new meat and poultry inspectors.

The committee has targeted the nutrition of infants and their mothers as high priority, and this year provided a \$260 million increase in funds for the Women, Infants and Children Program. That is \$94 million less than the administration request, but, along with carryovers from last year, it keeps this program on the road to full funding.

Some programs that no one wanted to see cut were cut. We looked for a number of ways to fund the important Watershed and Food Conservation programs of the Soil Conservation Service. And although this program receives \$65 million—a cut of \$176 million below last year's levels—the committee identified \$125 million being held by OMB and \$65 million at the Department of Agriculture that can be spent on this program in addition to the appropriated funds.

Mr. Chairman this bill represents a monumental effort to provide for the wide range of needs contained within it, while cutting more than \$4 billion from last year's level and cutting \$500 million from the President's request. It is the result of hard-fought compromises and careful consideration. I urge its adoption.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. LEWIS].

Mr. LEWIS of Kentucky. Mr. Chairman, I rise this evening in opposition to H.R. 4554, the Agriculture Appropriation Act because of the damage that it will do to tobacco farmers and to Kentucky.

This bill is bad news all the way around for farmers in this country but especially for farmers in Kentucky.

It hurts Kentucky because it contains provisions that continue the assault on tobacco and the tobacco industry and it has to be stopped.

Among other restrictions, H.R. 4554 reduces much needed tobacco research funding for Kentucky.

It also continues to prohibit tobacco farmers from using the export marketing program at the Department of Agriculture.

Tobacco is the backbone of Kentucky's economy. It is the livelihood for most of the families in the commonwealth and for most of the second district. These families rely on tobacco to keep the families and their farms above water.

We cannot afford this continued pounding on Kentucky's economy by attacking tobacco at every turn. We cannot afford to cut research funding and maintain restriction on our farmers in the marketplace.

I urge my colleagues to oppose this assault on tobacco and vote "no" on H.R. 4554.

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Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. PASTOR].

Mr. PASTOR. Mr. Chairman, let me, first of all, applaud the effort and the work done by our esteemed chairman, the gentleman from Illinois [Mr. DURBIN], and the ranking member, the gentleman from New Mexico [Mr. SKEEN].

We started as a subcommittee with the effort of cutting \$1.4 billion before we looked to any funding of any program. Eighty percent of this bill is mandatory. So that meant that we had 13 billion dollars' worth of discretion to work with.

I had to participate in the subcommittee in cutting back programs that I believe in as well as the gentleman from New York [Mr. GILMAN]. He talked about 515. I believe it is a great program. I support it. But I had to work with the chairman, the ranking member, and my colleagues to give priority to programs that we also had to save.

We had to deal with WIC, a program I support. It did not get funded to the point I wanted, but with the money available for carryover, it is on the track to full funding.

I do not remember that we did anything to tobacco, because we do not do research in tobacco or these products.

My colleague, the gentleman from New York [Mr. WALSH], and I worked as well as the other members to try to get a little money in TFAB that provides commodities to senior citizens. We would like to have it funded in a greater amount. But we could not.

Mr. Chairman, through the work of the chairman, the gentleman from Illinois [Mr. DURBIN], and the ranking member, the gentleman from New Mexico [Mr. SKEEN], we had the situation of having to cut programs, programs that we did not have to cut, because of the agreement that was made last year.

Our 602(b) allocation forced us to look at these programs and give priority and bring out a bill that deserves the support of all the Members.

Mr. SKEEN. Mr. Chairman, I want to make a special introduction here for a long-time friend of mine, a gentleman who is probably one of the most devoted to agriculture from this body, the gentleman from Kansas [Mr. ROBERTS].

Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I thank my good friend and colleague for yielding me this time.

I truly appreciate the hard choices that our colleagues on the Appropriations Subcommittee faced in again trying to craft the Agriculture appropriations package, and I would refer to a former member of the House Committee on Agriculture and a chairman of the subcommittee who stated just a moment ago in his remarks that this, in fact, is a challenge to all of us who would like to see spending cuts and a reduced deficit. I accept that challenge.

If you come to my office, I would say to my friend and colleague, I have more NFIB Sentinals than we have marines on guard in Korea now probably; I have probably more National Taxpayer Union plaques than, say, the Chicago Bulls in terms of banners; I probably have more National Association of Business Bulldog awards than Staggard Lee, and it keeps going.

I probably have voted, and I hate to say this, and is the gentleman from Wisconsin [Mr. OBEY] here, I have probably voted against more appropriation bills than almost any person in the Congress, and hopefully have supported other spending cuts across the board. That is my problem. That is my problem with this bill.

I know you have been dealt a lousy hand with the budget agreement. You know, those of you who voted for it and said we had to make the hard cuts, we did not vote for it, we had another idea, and I know it has been a lousy hand.

But my frustration with this bill is not about the obligation we all have for spending cuts. It is about the choices. It is about the choices. Where were the cuts made?

This package cuts \$1.3 billion from agriculture spending. Now, agricultural producers across this Nation have supported the line-item veto, the balanced-budget amendment, spending cuts across the board, 2 percent across the board. If you want to do that, fine. This package, however, also increases spending by other programs by about \$400 million, \$385.5 million to be exact, and to pay for these increases, worthwhile programs were hit hard.

Let me itemize some: a severe cut in the export enhancement program just

when we have a watered-down GATT agreement, and we must have this export program to match the unfair trading practices of our competitors; low-income rural housing loan programs are also in this package; we underfunded Federal meat inspection by \$103 million.

We assume, as the gentleman has indicated, Congress will impose user fees to fund the meat inspection program. In addition to being an option that Congress has repeatedly rejected, we happen to think that all taxpayers ought to share that cost. User fees impose a tax. It is a tax. It is a cowboy tax. It will be paid for by consumers through higher prices in the grocery store and by producers, my cowboys.

Sixty-five dollars is the price right now in Dodge City. When this passes and we have utter chaos in June of 1995, it is going to go down to \$61. Tell your cowboys that.

It underfunds the Federal crop insurance program by \$217 million, which will effectively cripple efforts, good efforts, by the way, by this administration and by the chairman to reform the crop insurance program, and it will inhibit our ability to avoid costly ad hoc emergency disaster programs. You know the ones I am talking about. Every even-numbered year we have one.

Even if Congress abandons the administration's reform effort, this cut effectively makes the current Federal multiple-peril crop insurance program unworkable. It is not going to work.

It cuts Federal watershed and conservation programs \$242 million to \$65 million. That is a 75-percent reduction. Conservation programs cannot be maintained at this level. They cannot be expected to help farmers, ranchers, and our rural communities meet the current mandates for conservation compliance by the demand for voluntary conservation and environmental protection programs, let alone cope with the proposed water-quality mandates now being discussed in the Clean Water Act.

Now, I know there are no sacred cows. Lord knows, every farmer and rancher knows there are no sacred cows, and they have practiced self-sacrifice. I know we have to cut spending. I think my record reflects that. I will not back off to any other Member of Congress.

But when these cuts are used not to reduce the deficit but used to increase other programs, I must object.

I urge a no vote on H.R. 4554 with the utmost respect for the chairman of the subcommittee and the gentleman from New Mexico.

Mr. DURBIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I share the frustration of my colleague from Kansas. I share the disappointment of my colleague from Kansas.

But I am baffled by the surprise of my colleague from Kansas. How can this body continue to vote for deficit-reduction programs, continue to vote for spending-reduction proposals, applaud the efforts by the other body when they cut even deeper, exempt the Veterans' Administration and push deeper cuts on every other agency including agriculture, support ideas like the balanced-budget amendment and the line-item veto, and then stand startled, shocked, and surprised when an appropriations bill like this hits the floor?

I would only suggest to my colleague that there is one statistic which he quoted which is not quite accurate. We have a net cut in this bill of about \$1.3 billion. We have some \$300 or \$400 million in increases, so, in fact, we have cut from last year's appropriation \$1.6 to \$1.7 billion, painful cuts, as everyone has described them.

The other point I will make to my colleague is that the increases that we have made in this bill, limited as they are, are not increases that I believe the gentleman from Kansas would argue with. I think he shares, as I do, a belief that the feeding program for women, infants, and children [WIC] is a very important program, and getting more mothers in America and their children involved in it means healthier kids and a better America.

I believe the gentleman from Kansas would agree with me that we need to put \$76 million into the low-income rent supplement program to make sure the poor elderly and the poor families living in small-town Kansas and small-town Illinois have a chance to live in a decent dwelling.

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These are the two major increases in this bill. I would bet the gentleman from Kansas would have joined us at the table and come to the same conclusion, that we have to do these things.

I wish there were more money, but I am afraid we created a climate or an environment where we have few, if any, choices.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. I thank the gentleman for yielding.

Mr. Chairman, I am not surprised by the effort by the subcommittee. Again it is a matter of choice. I think the WIC Program is a very good program. I think its funding level, if memory serve me correctly, reaches about 86 percent of the intended goal, to get as many folks as we can in that program.

But when we are increasing programs for WIC and we are increasing programs for food stamps and increasing the money that goes to the FDA and we in turn cut the programs for production of agriculture over a period of 4 or 5 years, not only in this administration but in the previous administration, we are not talking about fingers

anymore, we are talking about arms and legs.

I am not surprised by the direction of the spending cuts. As a matter of fact, when I read the manifesto put out by Ken Cook of the Environmental Working Group just before the President took office, he indicated there would be spending priority changes at the Department of Agriculture, and policy changes. This is not benign neglect; this is a very planned effort to shift the funding priorities within the Department of Agriculture. And if we could have a spending freeze across the board within the Department of Agriculture, wait on welfare reform until we increase WIC or food stamps, I would applaud that. This reminds me of the Btu/food stamp spending cut effort that we went through in last year's budget. We just had a strong difference of opinion. I know the gentleman have worked hard, the gentleman from New Mexico [Mr. SKEEN] has worked hard, the gentleman from Illinois [Mr. DURBIN]; they had difficult choices. I just think the choices could have been made better. I am going to vote "no." That causes me a great deal of difficulty, being the ranking member on Agriculture. It is not a pleasant choice. On this particular effort—I will have more to say about it, hopefully, when we get into the amendments as of tomorrow.

Mr. Chairman, I told the gentleman from Illinois he should have not asked me these questions when his full chairman was there. He got pretty excited yesterday, and I do not want him to get excited with me now. I tried to point out that I do not think these choices are the best choices. Having said that, I certainly credit the gentleman and Mr. SKEEN for doing the best they can with a very badly dealt hand.

Mr. DURBIN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. I thank the chairman of the subcommittee for yielding this time to me. And I add my congratulations to my chairman and to the gentleman from New Mexico [Mr. SKEEN], the ranking member, and also the incredible staff help that we had in putting together a very difficult bill.

The last speaker, from Kansas, though, brings up some very interesting points. The fact is that this is a bill that addresses more than farm issues. We are dealing with food stamps, WIC, school lunch programs, rural housing, rural electrification, you name it.

In fact, this bill contains considerably more funding for the distribution of farm production than it does for the production of farm commodities itself.

The farm program represents less than 1 percent of the national Federal budget and has served this country well. It has served this country well by ensuring stability, stability so that a farmer could get a decent return on his investment. It served this country well because it ensured quantity.

When was the last time anyone here ever saw a shortage of a commodity or anything, for that matter, in one of our food stores? It is not happening.

We have quantity because our food and our farm programs have made it possible.

The farm program also ensures quality, a factor that anybody who looks at anything that we are importing should take very strongly into consideration.

It also allows our farmers to grow multiyear crops so that they can improve on their crops over the period of time that they are in the program.

Finally, and this is probably the most important, it provides an incentive for our farmers to gamble. There are no bigger gamblers in the entire world than this Nation's farmers. Year after year after year they are out in the field toiling to make sure that they get the quality, the quantity, and all of those stabilities that we want in our food stores.

Ladies and gentlemen, this food in America is not grown in the back of your supermarkets, it is produced by the farmers of this country. They are doing our country a service and they are doing it because of the very basic investment that we are making in our Federal food programs that are included in this bill.

Anyone who will stand and say that this is not a good bill has not read the tea leaves. We did the very best we could do with the money we had available. And, yes, we are making tough choices. You are going to see choices that are even tougher next year, take my word for it.

This is a good bill. Vote for it.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman I thank the gentleman for yielding. We all should be concerned with this appropriation bill that jeopardizes the future stability of America's agricultural industry.

In the months ahead, farmers will face major changes in agricultural policy, including the new 5-year farm bill. The agriculture industry is not organized to respond to Washington politicians who no longer understand agriculture and are more interested in a cheap food policy than a viable agriculture industry. Of the 20 new Members of the House Agriculture Committee, I am one of two who have a farm background. More and more farm policy is being determined by outside forces.

We should bring our agricultural groups and trade organizations together in one voice. We need to combine our strength to rebut the cheap food advocates and the highly organized environmentalists portraying agriculture as an abuser of our natural resources. Many in Washington are overly concerned with food safety and

rural welfare rather than developing agricultural policy that strengthens the No. 1 industry of this country. Many farm groups come to Washington to meet with me and testify before the Agriculture Committee. These groups all have their own agendas and priorities, but they can agree on some fundamental issues. Where they agree, they should give Congress a unified message and defend farmers' common interests.

My top priority on the committee is to create the kind of agricultural policy that allows commodity prices to increase at the marketplace rather than continue the USDA subsidies that encourage over production.

Overall under the new budget, spending will increase from last year's level of \$1.41 to \$1.83 trillion by 1999. In addition, the public debt will increase 47 percent from \$4.3 to \$6.3 trillion. The proposed 1995 budget, however, cuts USDA farm programs by \$4.1 billion. In recent budgets, production agriculture has been hit harder than any other Department of the Federal Government. Even though production agriculture constitutes less than 1 percent of the national budget, it is taking 10 percent of the cuts.

Mr. Chairman, I thank the gentleman for the time and I look forward to the debate on the amendments.

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Mr. SKEEN. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. WALSH], a member of the committee.

Mr. WALSH. Mr. Chairman, I rise in support of H.R. 4554 and its accompanying report that provides funding for agriculture, rural development, food and drug administration, and related agencies programs for fiscal year 1995. I want to commend subcommittee Chairman DURBIN and ranking member Mr. SKEEN for their leadership and fine work in crafting this difficult bill. I also would like to thank the subcommittee staff for their diligence and for the long hours they spent putting together this bill.

This bill contains many provisions that will cause real hardships for core agriculture production and research programs. In the last few years agriculture, and, in particular, production agriculture, has contributed more to deficit reduction than virtually any other sector of the economy. Congress has placed large assessments on dairy farmers, has made significant reductions in farm prices and income support payments, and we have eliminated the wool and mohair and honey programs. Undoubtedly, in the 1995 farm bill, Congress will continue to be pressured to further reduce agricultural spending. Therefore, any Member who believes that agriculture has not contributed its fair share to deficit reduction does not know what he or she is talking about.

This year, our bill provides \$67.892 billion for agricultural appropriations. This represents a reduction of \$4.173 billion from last year's level. Due to the tight fiscal constraints that were imposed on our subcommittee, we have had to reduce discretionary spending by nearly 10 percent from last year's levels. This has forced our subcommittees to make some tough choices—some of which I am not too happy with. We have had to reduce important soil conservation programs such as watershed and flood prevention operations and the Agricultural Conservation Program. These reductions will come back to haunt us in future years as we will be forced to spend more money down the road to make up for our negligence in conserving our soil and water resources.

I am troubled by the imposition of new user fees on the meat and poultry inspection industry. These unauthorized user fees would devastate meat packing companies as each processing plant would be burdened with what amounts to a new tax on the industry and this could lead to job layoffs and higher meat prices for consumers. I remain hopeful that we can find an alternative to user fees as we move forward in the appropriations process.

Fortunately, in a few areas, our subcommittee was able to provide increases to a few important agricultural programs. We were able to increase the important WIC Program by \$260 million as well as providing \$914 million, a small increase, for Food and Drug Administration Program. The FDA sets food and product standards, evaluates the safety and efficacy of new drugs and medical devices and protects and promotes the health of virtually every American by regulating the activities and uses of food and drug products.

I am also grateful to Chairman DURBIN and my good friend Congressman PASTOR from Arizona for helping to restore \$40 million in commodity purchases for the Emergency Food Assistance Program [TEFAP]. This program is used by many elderly and poor working class families to supplement their diet. It provides a crucial source of food to hungry families. Although I would like to have been a higher funding level for TEFAP I appreciate the subcommittee's efforts on behalf of this program.

While our committee was forced to make reductions in the vast majority of programs under our jurisdiction, these reductions were fair and spread throughout the bill. This is as good a bill as could have been developed given the tight fiscal constraints that we were faced with and I appreciate the bipartisan approach that the chairman has taken with Mr. SKEEN in regard to this legislation. We have done the best we can with the resources available to us, and I urge Members to support this bill.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. LUCAS].

Mr. LUCAS. Mr. Chairman, I thank the ranking member on the committee for having yielded this time to me.

Mr. Chairman, although having only been here for a matter of weeks now, I appreciate also the efforts of the committee in putting this together. The section that really reaches out and grabs me that I rise to speak on today is the one that will apparently deal a death blow to 14-some agriculture research stations across this Nation, one of which is in El Reno, OK, the facility that does 90 percent of its research in the pasture range area of which 90 percent is unique to that one facility. I realize that this bill reflects the shift from production agriculture to social programs going on in so many of our budgets, and I think I can safely say that when this bill reflects a \$1.3 billion decrease in money going to production programs and almost a \$400 million increase in social programs. Having spent 5½ years in a different legislative body, I also understand that the committee worked with the hand that was dealt them in a sense, and I appreciate that. But I also have to stress to my colleagues that the emphatic need that I see to stress in the long term future of agriculture requires that we not continue this.

Mr. Chairman, I urge a "no" vote on the bill.

Mr. DURBIN. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. COPPERSMITH].

Mr. COPPERSMITH. Mr. Chairman, I rise in support of the leadership shown by the gentleman from Illinois [Mr. DURBIN], the gentleman from New Mexico [Mr. SKEEN], and the subcommittee, too, in this bill, specifically the support for the special supplemental food program for women, infants and children, or WIC. WIC is clearly the right thing to do because of how it works and how well it works. WIC works because it meets the challenge of helping children and families in different ways at the same time. WIC supplements the food supply of women and children, but WIC also educates families on nutrition and healthy living. But most importantly, Mr. Chairman, WIC introduces families to health care and prevention through medical exams right at the start. WIC works with women and children to create successful futures. WIC works because it makes excellent economic sense. Studies show that for every 1 dollar spent, the Federal Government and States save as much as \$4 in future Medicaid costs. WIC is an extremely worthwhile investment in our families and our future. WIC also saves education dollars. Children in the WIC Program score higher on vocabulary and memory tests. Healthier kids who do better in school will mean fewer juvenile justice dol-

lars, criminal justice dollars, and AFDC dollars down the road.

Mr. Chairman, WIC works because it helps now and in the future. WIC helps solve an immediate crisis in the lives of many low-income pregnant and postpartum women and their children who suffer poor health or face health risks due to poor diets by providing food supplements. Then, WIC helps prevent future problems by assisting early in the lives of women and children and providing nutrition education along with food supplements. The program builds a solid foundation for the future, for families who need it.

Mr. Chairman, this bill makes an important step toward fully funding WIC at a time when dealing with the budget deficit means our choices will only get harder and harder. I trust that next year, with the leadership of the gentleman from Illinois [Mr. DURBIN], Congress will continue that progress and achieve that goal by 1996. The thousands of American youngsters whose lives became healthier, stronger, and more capable, provide thousands of reasons to support our continued progress toward fully funding WIC.

Mr. SKEEN. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Chairman, I thank the gentleman for having yielded this time to me.

I feel constrained to come here tonight to discuss the ag appropriation bill. Agriculture, along with defense, are the two areas that this administration has seen fit to cut in recent years. We have taken our share of the cuts every time a new program comes along. The Committee on Appropriations this year, and I hate to differ with my colleague from Illinois, but I think, with guidance, that this administration has again suggested additional cuts, and the spending has been transferred to social programs.

Mr. Chairman, a \$217 million cut in the crop insurance program was justified as savings assuming crop insurance reform. Nothing is further from the truth. The cuts will make it more difficult for this Congress to pass true crop insurance reform. It essentially leaves the Committee on Agriculture with three tough choices.

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No. 1, we will have no crop insurance reform program. No. 2, we will scale down the crop insurance reform program significantly, and we will have to jeopardize its success in doing that. Or we will cut other production agriculture to get the money.

Well, we get agreement on that. Cut other production agriculture. I think that is a very poor idea. One hundred and three million dollar cut in meat inspection. Meat inspection, with the tragedy that we had in this country with the young people, and we are

going to cut it? Or we are going to force the Committee on Agriculture then too increase fees? And we have had speakers here tonight talk about that.

I think the irony is that two of the administration's priorities, crop insurance reform and improved meat inspection, are on the block, and they were chopped.

Mr. Chairman, I will not need another minute to make the point, but I would like to finish.

We may call this the agriculture appropriations bill, but the fact, it is a lot less ag, and more appropriation for social spending. It is appropriating for about everything else but the production of agriculture. I would urge my colleagues to oppose it.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I thank the gentleman for yielding, and I thank both the gentleman from New Mexico [Mr. SKEEN], and the gentleman from Illinois [Mr. DURBIN], for their diligent work in preparing the agriculture appropriations bill for consideration by the House this year.

It has been said frequently during the discussion tonight that there have been tough choices in the development of this legislation. Those choices are represented in various accounts. This is where spending cuts really come home to roost, and I want to compliment the appropriators for taking this task so seriously and for working in what must have been very challenging circumstances to find savings which represent roughly 10 percent of the discretionary accounts within the agriculture appropriations bill.

I know of no other appropriations subcommittee that will be challenged to come up with as much savings as those achieved by these subcommittee members. Ten percent is deep by anyone's measurement.

I have heard some discussion about the inequity of these cuts, some discussion of the choices made, the priorities established. I think in fairness to the subcommittee, it must be stated that there are no easy choices when you are talking about a 10-percent reduction. But you do have to set priorities. I think while priorities within this Congress would differ and any one of us would come with a different list of cuts, and maybe a different list of programs to be benefited by what few increases are allowed, none of these would be any easier to swallow than the package put together by this appropriations subcommittee.

It is probably true that next year and the year after, not only this subcommittee, but others, are going to deliver to us documents that result in even more difficult spending choices. That is the order of the day. That will not change until this deficit is once

and for all eliminated. But I think as a member of the agriculture authorizing committee, as a legislator who for 12 years now has represented a rural constituency, I believe this subcommittee did a commendable job, under difficult circumstances. The budget action hit harder here than it probably hit any other part of the budget. They set priorities as best they could, they made the best choices they could, and I think the product of their work deserves our support.

Mr. SKEEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to close out by saying I was remiss in not providing an expression of gratitude to the other members of the committee. They know how much we prize their input and their cooperation. But also the staff. The committee staff has been, as always, superb, with the greatest knowledge and the greatest expertise, and no partisanship whatsoever. They are there to serve, and they do an outstanding job. I also want to say the associate staffs as well have spent long, long hours, and we appreciate that.

Mr. Chairman, in closing, from this side, this has not been a pleasant situation for anyone, particularly for those of us who have made and lived their lives in agriculture. Because we have been held up to ridicule by the so-called mass media, making fun of various agriculture programs that they neither understood nor cared about understanding, except trying to learn how to spell some of the exotic names we had for some programs, like Jajoba and Gayule. But when it came time to go to their supermarket, they were glad to pick it up off the shelf and run on home with it and eat it. That helped them keep their writing spic and span and sharp, but their understanding less than admirable.

I am not going to pillory the media or the general population idea that agriculture had become something that we just take for granted. I do not think we can ever do this.

I think the one thing we did in this bill that retrieves all honor and all justice is we took care of the research side of the thing, because it is the technology that drives the production in this country, and we did not stint on it. Yes, we did pull our horns in somewhat, but we did keep the research going that keeps us in the forefront of agricultural production, and I think it was well worth the effort.

Mr. Chairman, I yield back the balance of my time.

Mr. DURBIN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Illinois is recognized for 2 minutes.

Mr. DURBIN. Mr. Chairman, I just want to say for those following this debate, we have made an accommodation to the membership of the House and

are considering only general debate this evening, with no votes until tomorrow morning. That accommodation was made because the congressional Members, Republican and Democrat, had an event planned with their families, and we wanted to do our very best to make sure they could get together with their families. Tomorrow, in return, the gentleman from New Mexico [Mr. SKEEN] and I, are going to ask those offering amendments to limit their debate time to a reasonable amount, equally divided on both sides, in an effort to complete this important bill by tomorrow afternoon.

Mr. Chairman, I yield back the balance of my time.

Mr. GUNDERSON. Mr. Chairman, I rise in strong opposition to H.R. 4554, legislation which purports to make appropriations for our country's agricultural and rural development programs, as it has been presented to us here today. It is disheartening to watch this administration return time and time again to the programs which benefit our farmers and rural America as a whole to fill new demands on the revenues of the United States.

In the last 6 months, we have heard "need money for health care—let's cut agriculture"; "need money for GATT—let's cut agriculture"; "need money for welfare reform—let's cut agriculture". With all due respect, Mr. Speaker, there isn't enough discretionary money in all of agriculture to fund any one of those revenue demands, say nothing about all three of them. So, to this administration and the majority in this body I respond: Enough already.

We have heard a lot of rhetoric on this floor this evening that the subcommittee had a budgetary gun held to their heads and these are responsible cuts. I must strongly disagree. While there is no doubt that reductions in spending had to be made, the subcommittee consciously chose to increase spending in certain areas thereby increasing the reductions that had to be made in other areas. I would hardly call that responsible, Mr. Speaker.

While there is little doubt that many of the programs funded under H.R. 4554 are deserving of increases, in a time when a billion dollars of cuts had to be made in overall spending in this area, those increases—no matter how popular politically—cannot be justified.

As a result, Mr. Speaker, we lost \$17 million in hardship loans to our rural electric cooperatives, \$40 million in commodity assistance to the TEFAP program, \$39 million in Public Law 480 title I, concessional sales, \$177 million from watershed and conservation projects, and \$103 million from meat inspection activities from this year's spending levels. All of these programs could have been funded if the subcommittee would have chosen not to increase spending in other areas.

Simply stated, Mr. Speaker, the bill presented to us this evening is fundamentally unfair. As a result, consumers will pay more for the meat they need to feed their families, the poor and the elderly will receive fewer basic commodities for the tables, local communities will have to pick up more of the expense of complying with the water quality mandates the Federal Government places on them, and

parts of rural America will go without the upgrade in electrical services they need to remain competitive in the 21st century.

There is no doubt that, in a time of limited resources, tough choices have to be made. To make dramatic increases in certain programs under those circumstances simply cannot be justified when all of rural America suffers as a result. Accordingly, Mr. Speaker, I will have to oppose H.R. 4554 as presently constituted.

Ms. WOOLSEY. Mr. Chairman, I rise today in strong support of H.R. 4554, the Agriculture appropriations bill for fiscal year 1995. This bill provides crucial, much-needed support for the wine and winegrape industry in the United States.

The wines and winegrapes that come from the district I represent, Marin and Sonoma Counties in California, are famous worldwide for their excellence. The assistance provided by the fiscal year 1995 Agriculture appropriations bill to the wine and winegrape industry will enable the industry to continue to thrive in my district and all of California.

H.R. 4554 provides funds to the Market Promotion Program [MPP] which is, in part, responsible for the success of California wines in the international market. Although California's wines are competitively priced and are of the highest quality, they cannot survive in the world market without MPP due to unfair trade barriers and other disadvantages. The European Community is heavily subsidized through export refunds and domestic price support programs that allow European Community wine producers to lower costs and absorb high tariffs. However, the wine industry receives no production subsidies from the U.S. Government. MPP is not a subsidy; it is a program aimed at making U.S. exports successful in international markets.

In addition, H.R. 4554 provides funds that will allow the Department of Agriculture to continue its research on grape phylloxera—an insect that has been devastating to the grape growing industry. Phylloxera attacks the roots of grapevines, eventually killing the entire vine. The only solution to date is to replant with resistant rootstock, which is very costly. At the end of 1993, a total of about 1,350 acres of grapevines were removed in Sonoma County due to phylloxera, resulting in substantial financial losses. I am pleased that the fiscal year 1995 Agriculture appropriations bill enables the USDA to proceed with its efforts to assist the winegrape community in finding solutions to this costly problem.

Wine and winegrapes are a multibillion dollar industry for the United States, and I believe that the USDA has a responsibility to provide support and assistance to vintners and growers, enabling them to increase the quality and quantity of the wines produced in California and the United States.

Mr. Chairman, I urge my colleagues to vote in favor of H.R. 4554, the Agriculture appropriations bill of fiscal year 1995.

Mr. DURBIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HEFNER) having assumed the chair, Mr. SPRATT, 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. 4554), making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes, had come to no resolution thereon.

ADMINISTRATION POLICIES ON HAITI AND NORTH KOREA

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SOLOMON. Mr. Speaker, listen to these headlines from yesterday's news reports.

The first one says, "South Korea and U.S. lack strength to repel initial strike by North."

Then right below, we have, and listen carefully, "U.S. poised for invasion of Haiti within 2 months."

Mr. Speaker, this is scandalous.

This administration has got its priorities way out of whack.

We have vital national interests in Korea. We have none in Haiti.

We face a major military threat in Korea. We face none from Haiti.

Yet the administration appeases North Korea repeatedly, while readying to send boys to die in Haiti.

They have it absolutely backward.

We desperately need to build up our forces in Korea, now.

And that means we simply cannot afford to have our resources diverted to a place like Haiti.

When it comes to foreign policy, this administration seems to have a learning disability.

What will it take for this administration to come up with a foreign policy that makes sense?

[From the Washington Times, June 15, 1994]

S. KOREA, U.S. LACK STRENGTH TO REPEL INITIAL STRIKE BY NORTH

(By Rowan Scarborough and Bill Gertz)

If North Korea and the United States go to war, it will likely start with the North unleashing one of the heaviest artillery barrages in the history of warfare, followed by a mass invasion into South Korea and the quick capture of its capital, Seoul, according to U.S. officials.

Combined U.S. and South Korean ground and air forces are incapable right now of stopping the initial thrust. The two countries would eventually prevail, however, in a casualty-ridden conflict, relying on American troop reinforcements and massive air strikes, said the officials, who are monitoring the crisis over North Korea's defiant development of nuclear weapons.

Administration estimates just the number of dead and wounded in the tens of thousands in the war's first day alone.

The prospect of a long, bloody conflict is prompting some key members of Congress to urge President Clinton to act now to beef up American forces in the region.

They said adding to the 37,000 U.S. troops now would send an unmistakable message

that America is serious about stopping the isolated Stalinist government from deploying atomic weapons and invading the South.

"I would not hesitate" to move more soldiers and ships into the region, said Rep. Ike Skelton, Missouri Democrat and a senior member of the House Armed Services Committee. "They have to put in some more ground troops," he said in an interview yesterday. "Power does carry with it a great deal of deterrence."

"I think we could stop a huge incursion, but I'm convinced we would have huge casualties, principally from the artillery," Mr. Skelton said.

Sen. John McCain, Arizona Republican, is working on a resolution that may be debated in the Senate today. It would urge the administration to bolster defenses in the region in addition to imposing economic sanctions.

Mr. McCain is calling on Mr. Clinton to dispatch aircraft carrier task forces, tactical fighter squadrons and more attack helicopters to the region. He also wants B-52 bombers posed on airfields in Guam.

"If the North Koreans are saying that economic sanctions will be viewed as an act of war, then I think we at least have to be prepared," Mr. McCain said yesterday.

The senator plans to leave Friday for South Korea, where he will visit officials in Seoul and U.S. commanders in the field. Upon his return, he plans to offer an amendment to the pending 1995 defense bill that incorporates the troops' needs, if the Clinton administration has not acted by then.

"So far they have done very little in my view," he said.

A Senate defense aide said promilitary lawmakers are concerned that four years of cutting the defense budget may have left the armed forces unable to quickly deploy the tens of thousands of troops needed to augment South Korea's 636,000-man army.

"The fact of the matter is we couldn't do Desert Storm again, so there is concern over whether we're prepared in South Korea," said the aide, referring to the buildup of 550,000 American troops in the Gulf between August 1990 and January 1991.

U.S. forces would fight one of the world's largest armies, a well-trained, disciplined force of over 1 million soldiers, two-thirds of whom are dug in within 50 miles of the border and within 100 miles of Seoul.

The capital itself is within range of the North's 10,000-plus artillery arsenal. Many pieces are protected by hardened shelters—able to pop out, fire and then roll back into hiding.

"The way they train, there is no way we can get a clear idea of whether they are planning an attack," said a senior U.S. official. "The key ingredient of their strategy is surprise."

Robert Gaskin, who while an analyst at the Pentagon, conducted a two-year study of conflict scenarios on the Korean Peninsula, said war could break out "with very little warning."

Now an analyst at Business Executives for National Security, Mr. Gaskin said a key problem of defending South Korea is that its army has a strategy of forward defense that "is not suited to the attack they are likely to receive."

"The ROKs [Republic of Korea] have to rethink their strategy," he said. "They have to face up to the question: Are they willing to let Seoul fall in order to preserve their army?"

The current South Korean strategy is to "stand and die" in defending Seoul, Mr. Gaskin said. "If they do that, they lose," he said.

Not only are the South and its American allies outnumbered, but it also would take months to get five U.S. divisions air- and sea-lifted to Korea while war raged.

Pentagon officials say resupplying U.S. and South Korean forces would be a major wartime problem. South Korea weapons stocks are dangerously low and could not sustain a major conflict.

Mr. Gaskin said he is convinced the North Koreans will not attack unless they can mount a lightning attack that would shatter South Korean forces strung out along the 150-mile demilitarized zone separating the two countries.

"They would cause a tremendous amount of confusion, chaos and loss of communications."

After artillery barrages, the North Koreans likely would mass their forces in one spot for an assault.

South Korean artillery would counter with heavy attacks and encircling movements by ground forces, Mr. Gaskin said.

The North Koreans would probably resort to unleashing deadly chemical weapons—including nerve agents—in artillery and missile attacks against the South, Mr. Gaskin said.

U.S. and South Korean forces do have an advantage in air power and could send hundreds of high-tech fighters and attack jets against the North's advancing forces. The North Koreans would reserve its most modern jets—Russian-designed MiG-29s—to defend Pyongyang. As a result, U.S. advanced fighters would quickly achieve air superiority, Mr. Gaskin said.

Pentagon spokeswoman Kathleen deLaski said yesterday that the Pentagon is trying to interest the South Koreans in counter-battery radar, which is used to locate and destroy enemy artillery.

Defense Secretary William Perry traveled to South Korea recently and sought, unsuccessfully, to have the South Korean government purchase more advanced U.S. weaponry.

[From the Washington Times, June 15, 1994]

UNITED STATES POISED FOR INVASION OF HAITI WITHIN 2 MONTHS

(By Bill Gertz)

Deputy Secretary of State Strobe Talbott has told the United Nations the United States is set to invade Haiti within the next two months to oust its military-installed government, according to confidential U.N. documents.

Mr. Talbott and other State Department officials said the action would be the best method of restoring democracy and returning to power the Caribbean country's elected president, Jean-Bertrand Aristide.

"The U.S. administration considers that an invasion of Haiti is its best option," Dante Caputo, the United Nations' point man on Haiti, said in a May 23 memorandum to Secretary-General Boutros Boutros-Ghali.

The Clinton administration favors military action as a way of countering domestic critics of President Clinton's wavering foreign policy on Haiti, according to the memorandum drawn up after meetings with Mr. Talbott and other State Department officials, who were not identified.

In a separate transcript of a May 24 meeting of top U.S. officials, Mr. Caputo said: "The Americans will not be able to stand for much longer, until August at the latest, the criticism of their foreign policy on the domestic front. They want to do something; they are going to try to intervene militarily."

Mr. Boutros-Ghali then "wonders if President Aristide could invoke Article 51 of the [U.N.] Charter in order to call for a military intervention," according to the transcript.

Mr. Caputo, special envoy of Mr. Boutros-Ghali and special representative of the Organization of American States, then asserts that military intervention will be a "disaster".

"With Aristide as president during two or three years, it will be hell," Mr. Caputo said during the meeting at U.N. headquarters in New York. "It is not so much armed intervention itself that we have to avoid. What we do not want is to inherit a 'baby'. For the Americans are fixing to leave quickly. They would not intervene if they had to remain."

Mr. Caputo said that U.S. forces would leave Haiti within a month of intervention and U.N. troops would replace them. He also notes that the United States has been "a brake" on diplomacy, "creating a situation where the intervention became nearly inevitable."

Joe Sills, a U.N. spokesman, declined to confirm the authenticity of the documents, citing a policy of not commenting on internal matters.

"The U.N. position is that Mr. Talbott and State Department officials did not discuss any plans for military intervention, only in very general terms about possible options," Mr. Sills said. He noted that the United States has not ruled out military options for dealing with Haiti in the future.

State Department spokesman Michael McCurry said Monday that the documents were "greatly overblown." In a carefully worded statement, he said that Mr. Talbott has had "no specific discussions of any plans for invasion with Mr. Caputo."

But the documents clearly refer to the "option" of military action by the United States.

According to another document, dated May 19, Mr. Caputo said that the United States and France are worried that existing sanctions—designed to depose the military without armed intervention—will not be effective unless Haiti's land border with the Dominican Republic is "hermetically sealed."

A final option of the United States, if sanctions do not succeed, is "using unilateral force, multilateral force or a combination of the two," Mr. Caputo said in the document. He attributed the U.S. position to Mr. Talbott.

Pentagon spokeswoman Kathleen deLaski said yesterday an assessment team would send a report on what equipment is needed to close the Dominican Republic borders with Haiti "any time."

"We expect that there will be some equipment provided to the Dominicans to ensure the embargo is adhered to along the border between the Dominican Republic and Haiti," she said. "But we have not decided on the specifics of what equipment that would be."

The Pentagon is expected to send helicopters and some troops to help seal the border as part of an international force.

Enforcement "would not be envisioned for their role," Defense Department spokesman Dennis Boxx said last Wednesday.

He said such troops would help maintain a small number of U.S. military helicopters, rubber "Zodiac" boats, trucks and communications gear being sought by the Dominican Republic since it agreed to back the embargo.

According to Mr. Caputo's May 23 memorandum, which was first reported by ABC News correspondent John McWethy, the Clinton administration's key concern about

armed military action is how to get U.S. forces out of Haiti once the military rulers are ousted and Mr. Aristide is returned to power.

"In order to resolve this dilemma, the U.S. administration will seek to act in the following manner," Mr. Caputo said in the memo. "Set up a unilateral action, a surgical action, with the eventual participation of several countries in the region as to give it a certain legitimacy. . . . Put President Aristide back in power."

The U.S. strategy then calls for "quick replacement" of U.S. forces with U.N. troops after the initial strike.

John R. Bolton, assistant secretary of state for international affairs in the Bush administration, said the documents appear to reflect accurately how the U.N. secretariat understands the U.S. position on Haiti.

Mr. Bolton, now an international affairs consultant, criticized the position of intervention as "a very foolish option."

William Gray III, the special White House adviser on Haiti, said Sunday that reports of the U.N. documents were "not accurate." But he said he planned to talk to Mr. Caputo about the reports and also did not rule out future military action in Haiti.

"We're hoping that these sanctions will work," Mr. Gray said of the new, tougher sanctions that Mr. Clinton imposed on Haiti last week.

Meanwhile, more than 60 U.S. immigration officers, bracing for a large-scale exodus from Haiti, have assembled in Jamaica to begin implementing the new policy of offering a haven to Haitians fleeing political persecution.

□ 2010

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HEFNER). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and under a previous order of the House, the following Members are recognized for 5 minutes each.

HEALTH CARE REFORM VOTES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, I submit for the RECORD the votes on health care reform which took place in full committee in the Education and Labor Committee on June 15 and in the Ways and Means Committee on June 16, 1994:

HEALTH CARE MARKUP JUNE 15, 1994

The following recorded votes were taken on June 15, 1994 in the Committee on Education and Labor during full Committee consideration of Chairman Ford's mark, H.R. 3600, Health Security Act of 1994:

1. An amendment by Mr. Miller (CA) to require that the Advisory Council on Prescription Drug Prices review the costs of all prescription drugs and that the Council determine whether such costs are reasonable. The amendment was agreed to 26-16.

DEMOCRATS

Mr. Ford, "yea."
Mr. Clay, "yea."
Mr. Miller (CA), "yea."
Mr. Murphy, "yea" by proxy.

Mr. Kildee, "yea" by proxy.
 Mr. Williams, "yea."
 Mr. Martinez, "yea" by proxy.
 Mr. Owens, "yea" by proxy.
 Mr. Sawyer, "yea" by proxy.
 Mr. Payne, "yea."
 Mrs. Unsoeld, "yea" by proxy.
 Mrs. Mink, "yea."
 Mr. Andrews, absent, not voting.
 Mr. Reed, "yea."
 Mr. Roemer, "nay."
 Mr. Engel, "yea" by proxy.
 Mr. Becerra, "yea" by proxy.
 Mr. Scott, "yea."
 Mr. Green, "yea."
 Ms. Woolsey, "yea."
 Mr. Romero-Barcelo, "yea."
 Mr. Klink, "nay" by proxy.
 Ms. English, "yea."
 Mr. Strickland, "yea."
 Mr. de Lugo, "yea."
 Mr. Faleomavaega, "yea" by proxy.
 Mr. Baesler, "yea."
 Mr. Underwood, "yea" by proxy.

REPUBLICANS

Mr. Goodling, "nay."
 Mr. Petri, "yea."
 Mrs. Roukema, "nay."
 Mr. Gunderson, "nay."
 Mr. Arney, "nay" by proxy.
 Mr. Fawell, "nay" by proxy.
 Mr. Ballenger, "nay."
 Ms. Molinari, "nay" by proxy.
 Mr. Barrett, "nay."
 Mr. Boehner, "nay."
 Mr. Cunningham, "nay."
 Mr. Hoekstra, "nay."
 Mr. McKeon, "nay."
 Mr. Miller (FL), "nay" by proxy.
 Mr. Castle, "nay."

2. An amendment by Mr. Castle to Ms. Mink's amendment permitting the State of Hawaii to be waived from the requirements of the Health Security Act. The Castle amendment would permit the other forty-nine states, in addition to the Mink amendment's specific reference to Hawaii, thereby allowing the Governor of any state to obtain a similar waiver from the requirements of the Act. The Castle amendment to the Mink amendment was defeated 16-27.

DEMOCRATS

Mr. Ford, "nay."
 Mr. Clay, "nay" by proxy.
 Mr. Miller (CA), "nay" by proxy.
 Mr. Murphy, "nay" by proxy.
 Mr. Kildee, "nay."
 Mr. Williams, "nay."
 Mr. Martinez, "nay" by proxy.
 Mr. Owens, "nay."
 Mr. Sawyer, "nay."
 Mr. Payne, "nay."
 Mrs. Unsoeld, "nay" by proxy.
 Mrs. Mink, "nay."
 Mr. Andrews, "yea."
 Mr. Reed, "nay."
 Mr. Roemer, "nay."
 Mr. Engel, "nay" by proxy.
 Mr. Becerra, "nay" by proxy.
 Mr. Scott, "nay."
 Mr. Green, "nay."
 Ms. Woolsey, "nay" by proxy.
 Mr. Romero-Barcelo, "nay."
 Mr. Klink, "nay" by proxy.
 Ms. English, "nay."
 Mr. Strickland, "nay" by proxy.
 Mr. de Lugo, "nay."
 Mr. Faleomavaega, "nay" by proxy.
 Mr. Baesler, "nay."
 Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea."
 Mr. Petri, "yea."

Mrs. Roukema, "yea" by proxy.
 Mr. Gunderson, "yea."
 Mr. Arney, "yea" by proxy.
 Mr. Fawell, "yea" by proxy.
 Mr. Ballenger, "yea."
 Ms. Molinari, "yea."
 Mr. Barrett, "yea."
 Mr. Boehner, "yea" by proxy.
 Mr. Cunningham, "yea."
 Mr. Hoekstra, "yea" by proxy.
 Mr. McKeon, "yea."
 Mr. Miller (FL), "yea" by proxy.
 Mr. Castle, "yea."

3. An amendment by Mr. Petri to repeal the fee schedule prescribed for fee-for-service plans in H.R. 3600 and substitute cost-sharing based on the average prices for health care services prevailing in the local market. The amendment was defeated 14-28.

DEMOCRATS

Mr. Ford, "nay."
 Mr. Clay, "nay" by proxy.
 Mr. Miller (CA), "nay" by proxy.
 Mr. Murphy, "nay" by proxy.
 Mr. Kildee, "nay" by proxy.
 Mr. Williams, "nay."
 Mr. Martinez, "nay."
 Mr. Owens, "nay."
 Mr. Sawyer, "nay."
 Mr. Payne, "nay" by proxy.
 Mrs. Unsoeld, "nay."
 Mrs. Mink, "nay."
 Mr. Andrews, "nay."
 Mr. Reed, "nay."
 Mr. Roemer, "nay."
 Mr. Engel, "nay" by proxy.
 Mr. Becerra, "nay" by proxy.
 Mr. Scott, "nay."
 Mr. Green, "nay."
 Ms. Woolsey, "nay" by proxy.
 Mr. Romero-Barcelo, "nay" by proxy.
 Mr. Klink, "nay."
 Ms. English, "nay."
 Mr. Strickland, "nay" by proxy.
 Mr. de Lugo, "nay."
 Mr. Faleomavaega, "nay" by proxy.
 Mr. Baesler, "nay."
 Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea" by proxy.
 Mr. Petri, "yea."
 Mrs. Roukema, not voting.
 Mr. Gunderson, "yea."
 Mr. Arney, "yea" by proxy.
 Mr. Fawell, "yea" by proxy.
 Mr. Ballenger, "yea" by proxy.
 Ms. Molinari, "yea."
 Mr. Barrett, "yea" by proxy.
 Mr. Boehner, "yea" by proxy.
 Mr. Cunningham, "yea."
 Mr. Hoekstra, "yea" by proxy.
 Mr. McKeon, "yea" by proxy.
 Mr. Miller (FL), "yea" by proxy.
 Mr. Castle, "yea" by proxy.

4. An amendment by Mr. Cunningham to provide that the premium rates charged to consumers will not include any health care costs attributable to individuals who are not eligible for coverage under the Clinton plan. Additionally, the amendment would require the Federal Government to make payments to States and health care providers for providing federally mandated services to non-eligible individuals. The amendment was defeated 15-27.

DEMOCRATS

Mr. Ford, "nay."
 Mr. Clay, "nay."
 Mr. Miller (CA), "nay" by proxy.
 Mr. Murphy, "nay" by proxy.
 Mr. Kildee, "nay" by proxy.
 Mr. Williams, "nay."
 Mr. Martinez, "nay."

Mr. Owens, "nay" by proxy.
 Mr. Sawyer, "nay."
 Mr. Payne, "nay" by proxy.
 Mrs. Unsoeld, "nay" by proxy.
 Mrs. Mink, "nay."
 Mr. Andrews, "nay."
 Mr. Reed, "nay."
 Mr. Roemer, "nay" by proxy.
 Mr. Engel, "nay" by proxy.
 Mr. Becerra, "present", not voting.
 Mr. Scott, "nay."
 Mr. Green, "nay."
 Ms. Woolsey, "nay" by proxy.
 Mr. Romero-Barcelo, "nay."
 Mr. Klink, "nay."
 Ms. English, "nay" by proxy.
 Mr. Strickland, "nay" by proxy.
 Mr. de Lugo, "nay" by proxy.
 Mr. Faleomavaega, "nay" by proxy.
 Mr. Baesler, "nay" by proxy.
 Mr. Underwood, "nay" by proxy.

REPUBLICANS

Mr. Goodling, "yea" by proxy.
 Mr. Petri, "yea" by proxy.
 Mrs. Roukema, "yea."
 Mr. Gunderson, "yea" by proxy.
 Mr. Arney, "yea" by proxy.
 Mr. Fawell, "yea" by proxy.
 Mr. Ballenger, "yea" by proxy.
 Ms. Molinari, "yea" by proxy.
 Mr. Barrett, "yea" by proxy.
 Mr. Boehner, "yea" by proxy.
 Mr. Cunningham, "yea."
 Mr. Hoekstra, "yea" by proxy.
 Mr. McKeon, "yea" by proxy.
 Mr. Miller (FL), "yea" by proxy.
 Mr. Castle, "yea" by proxy.

The following recorded votes were taken on June 16, 1994 in the Committee on Ways and Means during consideration of Acting Chairman Gibbons' substitute proposal for H.R. 3600, The Health Security Act of 1994:

An amendment by Mr. Jefferson containing five provisions: 1) Replace the small business tax credit with a two-tiered credit to offset a portion of the mandate that employers pay 80% of health care premiums; 2) Increase the tobacco tax by 45 cents in 1995 and 1996, 25 cents in 1997, 35 cents in 1998, and 45 cents in 1999 and thereafter; 3) Delete the additional 1 percent premium tax. A temporary one percent premium tax would remain to finance spending for academic health centers; 4) Delay the effective dates for the long-term care grant to fiscal year 2000. In fiscal year 2000, funds would total \$3 billion, \$4 billion in 2001, \$6 billion in 2002, \$8 billion in 2003, and \$10 billion in 2004; 5) Improve wrap-around benefits for low-income Medicare beneficiaries and prohibit Medicaid payments on behalf of those recipients for services covered under the guaranteed national benefit package and for the wrap-around benefits. Following a division of the question, recorded votes were taken on the first three provisions:

Tax Credit: Passed 24-14.

DEMOCRATS

Mr. Gibbons, "yea."
 Mr. Rostenkowski, "yea" by proxy.
 Mr. Pickle, "yea."
 Mr. Rangel, "yea."
 Mr. Stark, "yea."
 Mr. Jacobs, "yea."
 Mr. Ford (TN), "yea."
 Mr. Matsui, "yea."
 Mrs. Kennelly, "yea."
 Mr. Coyne, "yea."
 Mr. Andrews (TX), "yea."
 Mr. Levin, "yea."
 Mr. Cardin, "yea."
 Mr. McDermott, "yea."
 Mr. Kleczka, "yea."

Mr. Lewis (GA), "yea."
 Mr. Payne (VA), "yea."
 Mr. Neal (MA), "yea."
 Mr. Hoagland, "yea."
 Mr. McNulty, "yea."
 Mr. Kopetski, "yea."
 Mr. Jefferson, "yea."
 Mr. Brewster, "yea."
 Mr. Reynolds, "yea" by proxy.

REPUBLICANS

Mr. Archer, "nay."
 Mr. Crane, "nay."
 Mr. Thomas (CA), "nay."
 Mr. Shaw, "nay."
 Mr. Sundquist, "nay."
 Mrs. Johnson (CT), "nay."
 Mr. Bunning, "nay."
 Mr. Grandy, "nay."
 Mr. Houghton, "nay."
 Mr. Herger, "nay."
 Mr. McCrery, "nay."
 Mr. Hancock, "nay."
 Mr. Santorum, "nay."
 Mr. Camp, "nay."

Tobacco Tax: Passed 24-14.

DEMOCRATS

Mr. Gibbons, "yea."
 Mr. Rostenkowski, "yea" by proxy.
 Mr. Pickle, "yea."
 Mr. Rangel, "yea."
 Mr. Stark, "yea."
 Mr. Jacobs, "yea."
 Mr. Ford (TN), "yea."
 Mr. Matsui, "yea."
 Mrs. Kennelly, "yea."
 Mr. Coyne, "yea."
 Mr. Andrews (TX), "yea."
 Mr. Levin, "yea."
 Mr. Cardin, "yea."
 Mr. McDermott, "yea."
 Mr. Kleczka, "yea."
 Mr. Lewis (GA), "yea."
 Mr. Payne (VA), "yea."
 Mr. Neal (MA), "yea."
 Mr. Hoagland, "yea."
 Mr. McNulty, "yea."
 Mr. Kopetski, "yea."
 Mr. Jefferson, "yea."
 Mr. Brewster, "yea."
 Mr. Reynolds, "yea" by proxy.

REPUBLICANS

Mr. Archer, "nay."
 Mr. Crane, "nay."
 Mr. Thomas (CA), "nay."
 Mr. Shaw, "nay."
 Mr. Sundquist, "nay."
 Mrs. Johnson (CT), "nay."
 Mr. Bunning, "nay."
 Mr. Grandy, "nay."
 Mr. Houghton, "nay."
 Mr. Herger, "nay."
 Mr. McCrery, "nay."
 Mr. Hancock, "nay."
 Mr. Santorum, "nay."
 Mr. Camp, "nay."

Premium Tax: Passed 24-14.

DEMOCRATS

Mr. Gibbons, "yea."
 Mr. Rostenkowski, "yea" by proxy.
 Mr. Pickle, "yea."
 Mr. Rangel, "yea."
 Mr. Stark, "yea."
 Mr. Jacobs, "yea."
 Mr. Ford (TN), "yea."
 Mr. Matsui, "yea."
 Mrs. Kennelly, "yea."
 Mr. Coyne, "yea."
 Mr. Andrews (TX), "yea."
 Mr. Levin, "yea."
 Mr. Cardin, "yea."
 Mr. McDermott, "yea."
 Mr. Kleczka, "yea."

Mr. Lewis (GA), "yea."
 Mr. Payne (VA), "yea."
 Mr. Neal (MA), "yea."
 Mr. Hoagland, "yea."
 Mr. McNulty, "yea."
 Mr. Kopetski, "yea."
 Mr. Jefferson, "yea."
 Mr. Brewster, "yea."
 Mr. Reynolds, "yea" by proxy.

REPUBLICANS

Mr. Archer, "nay."
 Mr. Crane, "nay."
 Mr. Thomas (CA), "nay."
 Mr. Shaw, "nay."
 Mr. Sundquist, "nay."
 Mrs. Johnson (CT), "nay."
 Mr. Bunning, "nay."
 Mr. Grandy, "nay."
 Mr. Houghton, "nay."
 Mr. Herger, "nay."
 Mr. McCrery, "nay."
 Mr. Hancock, "nay."
 Mr. Santorum, "nay."
 Mr. Camp, "nay."

An amendment by Mr. Houghton to strike the requirement that employers continue to pay benefits that they were providing as of January 1, 1994 which were in excess of the national guaranteed package. Defeated 24-14.

DEMOCRATS

Mr. Gibbons, "nay."
 Mr. Rostenkowski, "nay" by proxy.
 Mr. Pickle, "nay."
 Mr. Rangel, "nay."
 Mr. Stark, "nay."
 Mr. Jacobs, "nay."
 Mr. Ford (TN), "nay."
 Mr. Matsui, "nay."
 Mrs. Kennelly, "nay."
 Mr. Coyne, "nay."
 Mr. Andrews (TX), "nay."
 Mr. Levin, "nay."
 Mr. Cardin, "nay."
 Mr. McDermott, "nay."
 Mr. Kleczka, "nay."
 Mr. Lewis (GA), "nay."
 Mr. Payne (VA), "nay" by proxy.
 Mr. Neal (MA), "nay."
 Mr. Hoagland, "nay."
 Mr. McNulty, "nay."
 Mr. Kopetski, "nay."
 Mr. Jefferson, "nay" by proxy.
 Mr. Brewster, "nay."
 Mr. Reynolds, "nay" by proxy.

REPUBLICANS

Mr. Archer, "yea."
 Mr. Crane, "yea."
 Mr. Thomas (CA), "yea."
 Mr. Shaw, "yea."
 Mr. Sundquist, "yea."
 Mrs. Johnson (CT), "yea."
 Mr. Bunning, "yea."
 Mr. Grandy, "yea."
 Mr. Houghton, "yea."
 Mr. Herger, "yea."
 Mr. McCrery, "yea."
 Mr. Hancock, "yea."
 Mr. Santorum, "yea."
 Mr. Camp, "yea."

IN SUPPORT OF THE \$250,000 THRESHOLD FOR LICENSED REAL ESTATE APPRAISALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mrs. UNSOELD] is recognized for 5 minutes.

Mrs. UNSOELD. Mr. Speaker, when the Housing and Community and Development Act of 1994 comes to the

floor, an amendment may be offered to require that licensed or certified appraisers be used for all real estate loans—no matter how small. I urge the House to oppose such a requirement.

In 1993 the Federal Deposit Insurance Corporation [FDIC] proposed a \$250,000 threshold for licensed real estate appraisals and took a year to review thousands of comments from parties on both sides of the issue. After careful scrutiny, they determined that such a threshold would streamline the loan process without jeopardizing the safety and soundness of financial institutions.

There are some in Congress who would reverse the FDIC's decision. I hope that the House will consider their arguments closely and skeptically.

The real estate appraisal process can delay a loan for weeks or even months and cost several hundred dollars—an expense that is passed directly on to buyers. Should low-to-moderate income borrowers and small businesses continue to shoulder this unnecessary burden? I for one don't think so. I hope that my colleagues will join me in opposing efforts to remove the \$250,000 threshold for licensed or certified appraisals.

IN OPPOSITION TO TERM LIMITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, Gerald Seib, a conservative columnist for the Wall Street Journal, wrote this a few days ago about the issue of term limits:

Their anger at seemingly permanent Democratic congressional rule aside, Republicans ought to think hard about whether they want to identify themselves with an idea that is at heart both undemocratic and disdainful of citizens' ability to make sensible decisions.

As most people here know, I am one of the most conservative Members of this body.

But one of the very few issues I go off the conservative reservation is on the issue of term limits.

I agree with Mr. Seib: They are undemocratic—with a small "d".

I believe they are unconstitutional, although I am sure it will be easy to find some judges who do not like politicians who will gleefully rule in their favor.

But one should keep in mind that our Founding Fathers did not put term limits in our Constitution.

Further, I believe that new talks of limits like three terms, or 6 years, in the House, and two terms, or 12 years in the Senate would be totally unfair and might possibly be in violation of the equal protection clause of the Constitution.

Why should a person have the right to be elected to 12 years in the Senate, but only 6 in the House?

But the main reason I am against term limits is not constitutional.

First and foremost, term limits correct a problem that does not exist.

Over 60 percent of the House was new between 1980 and 1992. Then 110 new members were elected on top of that in 1992.

I am told that well over half of the House will have been elected just since 1990, after the 1994 elections.

There is so much turnover going on here now that a lawyer from Knoxville got on an elevator with me here a few months ago, and the elevator operator said to him, "Hello, Congressman."

There is even greater turnover in the State legislatures around the Nation.

While there is tremendous turnover going on in elective offices all over the country, there is almost no turnover in the bureaucracy.

And Federal judges are given lifetime jobs without ever having to go before the voters.

Already, we have a Government that is more of, by and for the bureaucrats than it is of, by, and for the people.

If you want to strengthen the bureaucracy, then the best way would be through term limits, which would weaken elected officials, and strengthen or increase the power of unelected bureaucrats.

Actually, we already have term limits—they are called elections.

Members of this body get terms of only 2 years. We face the voters every other year.

If the people want to get rid of us, they can do so very easily.

That is why so many of us are out working nights, weekends, and holidays, seeing our people.

On the other hand, Federal bureaucrats are so protected by the Civil Service System, they can keep their jobs almost no matter how little they do or how they treat the people.

I know that term limits are very popular, but if the people establish term limits for their elected officials, the very people in Government over which they already have the most control, then they had better come in with term limits for everybody—bureaucrats, judges, and everyone else who works for the Government, or we will greatly weaken our balance of power which has served this Nation so well.

I certainly understand the peoples' anger at a big, bloated, wasteful, and arrogant Federal Government.

I feel this anger myself.

But you change nothing through an arbitrary gimmick like term limits, which by the way would be very harmful to our smaller, less-populous States.

You do not change anything by replacing a liberal with a liberal.

The only way to really change this Nation is by electing more conservatives to the Congress, and replacing the big Government liberals who are

slowly destroying our freedom, whether it is replacing a liberal who has been in for 2 years or 20 years.

I know it is very easy to demagogue an issue like this, but I repeat—term limits correct a problem that does not exist, because there already has been unbelievable record turnover going on in the Congress and other elected offices for the last several years.

I believe my fellow conservatives would be the most disappointed by term limits. A true conservative believes in the people, and not in the Government. And we should allow the people to elect whomever they want to public office.

Anyone who has worked at a job—any job—for more than 10 or 12 years and feels they are still doing a good job should be opposed to term limits. They certainly would not want them applied to their jobs.

I close by repeating the words of Gerald Seib:

Their anger at seemingly permanent Democratic congressional rule aside, Republicans ought to think hard about whether they want to identify themselves with an idea that is at heart both undemocratic and disdainful of citizens' ability to make sensible decisions.

Those who are true conservatives, and who believe deeply in our Constitution and in the American form of democracy, will strongly oppose a radical idea like term limits.

REAL WELFARE REFORM IS SELF-SUFFICIENCY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, while the President's rhetoric is in the right place in his desire to end problems with the present welfare system, his new welfare reform plan just will not accomplish that goal. Rather than ending welfare as we know it, President Clinton has chosen an approach that only perpetuates welfare as we know it.

Welfare's original intent was good—it was a temporary program to help people through difficult times. But as we all know, it has turned into a permanent way of life for all too many people. Therefore, welfare reform must include efforts that assist welfare recipients to become employed. And we must focus on reducing the number of out-of-wedlock births—no one should have a child in order to receive welfare benefits.

Any welfare reform will fail if it does not take strong measures to halt the rising number of illegitimate births. Unfortunately, President Clinton's plan does not address this root cause of welfare dependency.

And while the President recognizes the need for work in order to escape the welfare cycle, his bill would actu-

ally reduce the total number of welfare recipients required to work—at least in the short-term.

The President's bill just does not support putting welfare recipients to work on a permanent basis. The work requirement in the President's bill exempts mothers born before 1972. That means 80 percent of the welfare caseload will be exempt in the first year of the President's plan. That is not welfare reform. Other loopholes in the President's bill will result in less than 9 percent of the welfare caseload being required to work between now and the year 2000. Think of it, less than 9 percent of the welfare caseload will be required to work between now and the year 2000. According to the Washington Post, 5 years after the President's proposal is enacted, about half of the estimated 5.5 million adults on welfare would continue collecting checks with no new work requirement whatsoever. It is business as usual.

Finally, President Clinton's plan will cost American taxpayers the unbelievable amount of \$9.3 billion. This is not welfare reform.

Few people really want to stay on welfare. What they want is a chance to earn their own way and to provide for their families. We in Congress must enact welfare legislation that helps them achieve this goal of self-sufficiency.

Mr. Speaker, legislation which does not address the goal of self-sufficiency is simply a disguise for reform that is committing fraud on not only the American people who have hopes that change will finally come, but fraud on the people caught in the cycle of welfare dependency.

Mr. Speaker, we need real reform, not rhetoric reform.

A CHOICE FOR THE STATES IN HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, tonight I return to address the issue that I talked about briefly last night. That question was, why does not Hawaii have to participate in health care reform?

Yesterday in the Committee on Education and Labor markup of H.R. 3600, the health care reform bill, members of that committee voted to allow the State of Hawaii to be exempted from having to participate in the health care reform plan. I found this an intriguing idea, but I could not understand why the committee stopped at just exempting Hawaii.

Mr. Speaker, I know that people in my district in western Michigan believe they receive superior health care for a reasonable cost. They have developed a system that works for them.

Studies have shown that the average cost per hospital stay is much lower in western Michigan than many of the models used by the administration to develop its plan.

In essence, I agree and believe that different areas of the country should be allowed to be exempted from this health care reform plan if those areas do not believe that this plan will be beneficial to them. Statistics show that there are at least five or six other States that are delivering the same kinds of results that Hawaii is delivering, but are delivering them in methods that the people in those States have identified as being appropriate for that State.

Mr. Speaker, I believe that when we are talking about health care reform, each State should be given the opportunity to opt into the plan, but should not be required to do so. I did not feel that way at the beginning of the week. I only started feeling that way after we decided that we were going to start making some exemptions.

It is for that reason that today I proposed an amendment to H.R. 3600 in committee. That amendment would allow a State to hold a referendum vote if it wants to participate in the plan. If the voters in that State cast a majority of ballots in favor of joining the plan, very simply, they are in. If less than a majority choose to belong, then very simply, the State is not in the plan.

No State would be required to hold a referendum. Only those States that believe joining the plan is in their best interest would have to go to the voters to ask them if they could join.

Mr. Speaker, what happened in committee today when that amendment came to the floor? What happened when the request was made that said, "Since Hawaii has now been exempted, how about letting the other 49 States have an option?" It was voted down. The argument was made, that is not very Jeffersonian, and it was not what the founders of the country intended.

I go back to some statistics and why polls around the country are saying the people want more accountability from those of us in Congress, and one of those ways is by implementing a referendum process.

Thomas Jefferson never believed that he would see a day where 45 percent of the American people have hardly any confidence in Congress. Thomas Jefferson never envisioned the day where 82 percent of the American people would agree with this statement: Generally speaking, those we elect to Congress in Washington lose touch with the people pretty quickly.

Thomas Jefferson never envisioned the day where the greatest deliberative body in the world would have 79 percent of the bills that come to the floor come under a restrictive rule, which means there is no opportunity for

amendments. Thomas Jefferson never envisioned the day where there would be over 4,000 PAC's trying to buy their influence in this institution, and Thomas Jefferson never envisioned the day where Federal spending is approximately 22 percent of GDP.

We need change. We need to have the people involved in the process. People do not trust Congress to make good decisions. The health care reform movement is, I think, the first place and an excellent place to let the American people back into the process. If choice is good enough for the people of Hawaii, why can not choice be good enough for the Americans in the 49 other States around this country?

□ 2030

They know what is good for their State. Let us develop a plan here in Washington. Let us bring it to the American people, and then let us let people in each of the 49 States determine what works for them.

REMEMBRANCE OF THE LIBERATION OF THE NORTHERN MARIANAS

The SPEAKER pro tempore (Mr. HEFNER). Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, on June 15, 1944, the marines of the 2d and 4th Division stormed the shores of Saipan. From this violent encounter, the native people of the Northern Marianas with whom I share a common culture and language had their very first contact with the American Nation.

The result of this encounter, violent to the extreme and resulting in enormous personal tragedies both for the heroic Americans and the people of the Northern Marianas was the beginning of a new political relationship. And the result of this relationship was the creation of the Commonwealth of the Northern Marianas Islands in 1976. This represents the only acquisition of territory by the United States since World War II and it was done so solemnly and by an overwhelming majority vote of the natives of the Northern Marianas.

Yesterday represented the 50th anniversary of this encounter and there was no Federal commemoration here in Washington. Yesterday was the 50th anniversary of this momentous event not only for the people of these Islands, but the veterans for whom the words Saipan and Tinian can only mean sacrifice and valor and the commemoration in these Islands had no representation by the present administration.

As reported in yesterday's Washington Post, the highest ranking Federal presence were officers who are stationed on Guam.

On July 21, 1944, units of the 3rd Marine Division and 77th Infantry had

their own D-days as they stormed the shores of Guam. Unlike the battles of Saipan and Tinian, the people who were being liberated from the hands of the Japanese—the Chamorros of Guam, my people—had over 4 decades of experience with America. In fact, Guam was the only U.S. territory whose people were occupied by enemy forces during World War II.

On July 21, 1944, the marines stormed ashore to liberate a people who had suffered forced marches, starvation, beatings, torture and forced labor. My own parents lost children in this conflagration and they were among the people who rejoiced at the sight of the Americans and the deliverance from suffering which they represented. The sight of a truly grateful people brought tears to the faces of battle-hardened veterans as they bore witness to the sufferings of my people and the happiness and sincerity of little children who put together little homemade flags to honor the United States.

To date, Mr. Speaker, we have attempted to bring national attention to these momentous events which commemorate not only the heroism of those who fought in the Pacific theatre but the unique and special relationships of this country with these islanders—and we have not been successful in bringing the proper attention and respect to the Pacific theatre.

I have organized a national commemoration on June 25 at Arlington National Cemetery. The people of Guam will be joined at this national commemoration by the people of the Northern Mariana Islands. Together, our Pacific-American communities will honor all those who fought for freedom in the Pacific. Together, we will honor those who died on our beaches with a remembrance service that begins at 10:00 am and concludes with a solemn wreath laying ceremony at the site of the Tomb of the Unknown Soldier.

I have invited the President, Vice President and senior cabinet Members to join us at Arlington for this national commemoration. Unfortunately, the President will not be attending, nor will the Vice President or the Secretary of Defense. I do not know what else competes on their schedule with this commemoration of the war in the Pacific, but I am at a loss to explain the lack of understanding of their offices to these most important events. I am at a loss to explain to the people of Guam why the national leadership takes their remembrance of liberation so lightly. I am at a loss to explain to the veterans of the war in the Pacific why their battles do not deserve national recognition, equal to the attention heaped on those who fought in Europe.

When the liberated people gather in Arlington to honor the Liberators, it will be Americans honoring Americans. Nowhere else, except from the people of

Guam and the Northern Marianas, can this unique aspect of World War II be celebrated. The highest tributes of World War II will be the simple yet most profound words echoed by our people, from one American family member to another—thank you. We will fulfill our solemn duty to never forget the sacrifices of the blood spilled on our beaches and our islands. With or without our national leadership, we will meet at Arlington on June 25th to honor the heroism of those who died, to honor the valor of the veterans, and to Honor America.

HEALTH CARE: A BIPARTISAN DISCUSSION

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, and because there is no designee of the majority leader, the gentlewoman from Connecticut [Mrs. JOHNSON] is recognized for 60 minutes as the designee of the minority leader.

Mrs. JOHNSON of Connecticut. Mr. Speaker, my colleagues and I of both parties have gathered here tonight on the House floor to talk about an issue that will have profound consequences for the American people.

All of us are sponsors of various approaches to solving the health care problems that our society faces. We are absolutely capable of writing the law that will prevent insurance policies excluding people for preexisting conditions, we can solve joblock, we can stabilize premiums, we can make affordable insurance available to all Americans. We can solve all those problems that are out there and really threaten America's families access to health care, their sense of health care security, the predictability of health care premiums, and we can, with will, pass the kind of laws that will help control health care costs but at the same time assure in the future the quality of the system that has made American health care equal to excellence throughout the world.

However, to solve our health care problems in a way that fundamentally restructures our economy would be a terrible error. The impact of an employer mandate on the ability of businesses to hire and grow, we need to understand. The impact of an employer mandate on the ability of businesses to hire and grow, we need to understand. The impact of an employer mandate on the resilience of our economy in downturns, we need to understand. The impact of an employer mandate on our ability to control costs and assure quality care, we need to understand. Because if we make the wrong decisions in attacking the problems in our health care sector, we have the possibility of weakening our economy, compromising its extraordinary vitality and strength, and compromising the quality of health care in America.

I am very pleased tonight to have with me the gentleman from Texas [Mr. STENHOLM], the gentleman from Iowa [Mr. GRANDY], the gentleman from Minnesota [Mr. PENNY], the gentleman from Illinois [Mr. HASTERT], the gentleman from Texas [Mr. GEREN], and the gentleman from Florida [Mr. STEARNS]. Together we hope to help you see the systemic serious impact that an employer mandate would have not only on jobs and career opportunities for our people and the strength of our economy but on our ability to guarantee to the people of America a quality health care system in the future.

Mr. Speaker, I yield to my colleague, the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Speaker, I thank the gentlewoman for yielding, and I appreciate very much her calling for this special order. I am delighted to participate.

Mr. Speaker, the issue of employer mandates has been getting a lot of attention, a lot of controversy.

To some people they seem to have a difficult time understanding why 84 percent of the small businesses in the United States strongly oppose the concept of employer mandates. But I think if we take just a little bit of time and examine a small business, we will find out some of the reasons why. It is rather simple. A \$2,500 health insurance policy in a company that is just getting started in which the salary is \$10 to \$20,000 a year, opening salary, that becomes 12½ percent or 25 percent of the total payroll.

□ 2040

So often when we in the Congress talk in terms of mandates for trying to accomplish a greater good, we seem to ignore the bottom line of the individual business, and I think small businesses have every reason to be skeptical. Today when those suggest that, well, they are really not going to pay it, we are going to subsidize the small business man or woman, I think it is particularly fitting we do this special order tonight on the eve of the debate and the passage of the agriculture appropriation bill.

Farmers across the Nation are a little bit skeptical today of the promises of the payment of subsidization, because the Congress, in our wisdom, has seen fit to change the 1990 farm bill. We have constantly reduced the subsidy out of budget necessity. And what makes anyone think that health care will be any different? When circumstances change, as they have changed over and over again, Congress, in our wisdom, will have to change. No matter what we say today to a small business man or woman about what we are going to do tomorrow, we cannot deliver on that promise unequivocally. You only have to look at some of the

past examples of what we have done in our promises.

You know, the 1965 cost estimate of the current Medicaid expenditure was off by 7,600 percent. The estimated cost of Medicare expenditures was off by 1,178 percent. Social Security tax originally on payroll was 1 percent. Today on self-employed it is 15 percent.

So I think as we focus and we listen to the voices of the small business men and women, if we really and truly look at why they are opposed, it is not that they are not compassionate. It is not that they would not like to provide the insurance. In fact, I believe, as you have said, if we structure the health system reform bill correctly, most small businesses will want to participate, but they will need to participate up to the ability of what their own finances will allow them, not on what we here in Washington might believe that they ought to be doing.

Mr. GRANDY. Mr. Speaker, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I am happy to yield to the gentleman from Iowa.

Mr. GRANDY. Mr. Speaker, I did not mean to intrude upon the gentleman's time. I wanted to engage the gentleman in a conversation about this, because he and I and the gentleman from Minnesota have all served on the Agriculture Committee, and we have individually and collectively tried for years with public policy to legislate the risk out of farmers' lives.

My feeling is that the more Government we have intruded upon farmers' lives, the more farmers we have driven out of the business. What we have done now with the passage of an employer mandate in the health care bills in the Committee on Ways and Means and then the subsequent small business subsidy is to consign small business owners, mom-and-pop proprietorships and businesses, up to 50 employees, up to the same fate that I think we are consigning to agriculture. We will make them dependent upon Federal programs which will be cut. We are going to shackle them to regulations which will be enforced. We will make them dependent upon the Government and not the market for their livelihood.

And I can recall, because I worked with the gentleman on the 1990 farm bill, the effort in that legislation was to wean farmers from programs and into the marketplace either through trade or through flexible acre programs. This is a quantum leap backwards, doing to our mainstream businesses what we have done to our farmers.

Texas may be different from Iowa, but the cumulative effect on farm programs in Iowa is we have fewer farmers, fewer applicants for the business. One, it is hard work; and, two, it is terribly cost-ineffective, because it is,

one, an enormous hassle to comply with the Government regulations; and, two, there is no profit.

I guess all I would say is I intruded upon the gentleman's time only to make the case that we have only to look back into our attempt in Federal farm programs to legislate the risk out of one of the most noble groups in our economic sector, farmers and ranchers, to see what we have done wrong, and now we are blithely committing the same mistakes under the guise of assuring universal coverage for every man, woman, and child. I think what we will do is basically assure universal dislocation for most of our small business owners.

I apologize to the gentleman for intruding upon his time. But his remarks led into what I wanted to say, and I hope he will forgive me.

Mrs. JOHNSON of Connecticut. I think there are two interesting points that bear further attention.

It has often been said the employer mandate proposal is building on the current system. But the current system is voluntary, and to compete for good employees, employers offer health benefits if they can afford it.

So the current system takes into account the profitability of a small business. When you mandate costs on a small business that has no profit, that employer has two choices: He goes out of business altogether, and I cannot tell you how many little guys are coming up to me and saying, "I don't have 8 percent of payroll extra. I can't get it. I will have to close up." Or how many people are saying, "Well, I could lay off four or five of my people to get the cash flow to meet this."

And then there is the subsidy issue. You tell me about agriculture and our stepping back on farm subsidies; I can tell you that on Ways and Means we used to help the self-employed by letting them deduct 25 percent of their health care premium. We do not do that anymore. We do not do that because we cannot afford to do it. So we are back to your point, I say to the gentleman from Texas [Mr. STENHOLM], of a budget-driven system.

Do we really want our health care to be part of a budget-driven system?

I yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. I thank the gentleman for yielding. She is somebody who has done a great deal of work on health care and really led the charge and really being analytical in trying to find out what the real problems are and what the answers are. We salute you for the work you have done.

When you start to look at the employer mandate, I guess you have to look at the practical side. What is the problem? The problem is that, you know, there are a lot of people who have small businesses and are small business people, proprietors, partner-

ships. That interprets in my district to farmers, truck drivers, barbers, beauticians, who do not carry insurance on themselves, not because they do not want to insure themselves or their families, but they cannot afford it. It is a market problem. It is an insurance market problem.

When they go to market, and if you are a 50-year-old couple and you run the corner doughnut shop in a small crossroads town and you have to go down to the neighbor store and buy your insurance, you maybe are paying \$8,000 or \$9,000 for insurance. Your total salary might be \$18,000, \$19,000, \$20,000, \$25,000. The fact is you cannot afford insurance.

So what we have to do, in my view, instead of applying employer mandates on the very people who are the problems because they cannot afford to buy that insurance today, you have to find ways for them to come to the marketplace and get a good deal.

What is a good deal? Well, there are a lot of good deals out there today, because people have the ability to pool, to go into mass groups, and have mass purchasing or self-insured ability, to go out and buy insurance for themselves.

Mr. GRANDY. If the gentleman will yield further, self-insurance is a casualty of health care legislation in this Congress right now.

As the gentleman knows, self-insurance, the ability of employers to fund their own insurance, create their own benefit program and enjoy a risk of preemption, is going to be seriously challenged under this legislation, and mandates are essentially an admission that markets have failed when, indeed, they have succeeded in large businesses and in small.

Mr. HASTERT. When you get out in the hustings, and I am sure you have done so in Iowa recently and as I have been doing in Illinois and seeing what the problems are, seeing how people start to solve those problems, there are in the market responses, and there are companies out there that are very successfully putting small groups and small businesses together, giving the ability to self-insure and holding their insurance costs down.

What the real issue out there is, and I guess the fear that we all have, when you put down an employer mandate, whether it is the feed store, you know, at Chases Crossing out in Lee County in Illinois, or whether it is a little corner coffee shop in downtown Dixon, IL, or a restaurant in Geneva, IL, when you start to put that mandate on and people have to come up with a 7.8-percent or if the Government does start to fund and subsidize 4.4-, 5.5-, or 6-percent subsidy out there, that, you know, they do not have that margin. The alternative is you skinny down to a mom-and-pop organization where you let go of those people who you have to insure, or you would just close the

doors, and for a lot of people that is the solution; you close the doors. You do not take on that liability, because you cannot afford it. Your margin is not there to do it.

□ 2050

And some statistics show that CONSAD estimate impacts of health security in Illinois show that we would lose 42,000 jobs at a cost or a loss in salaries of almost \$1.5 billion. You know, that is catastrophic. That certainly is discouraging to a thriving economy, also to bring competitive not just within your State or nationally but internationally. That is where a lot of these small businesses are.

Again, I appreciate the gentleman from Connecticut bringing this issue up tonight.

Mrs. JOHNSON of Connecticut. I yield to my colleague, the gentleman from Minnesota.

Mr. PENNY. I thank the gentleman for bringing up this special order. I would like to follow up on the point just made on the impact upon the economy and on jobs, which is at the heart of the discussion over mandates.

We all remember the remainder posted in the Clinton campaign war room in the final weeks of the 1992 campaign. The reminder posted there on the wall was, "It's the economy, Stupid." They stressed the economy, they stressed there was going to be a change as to policies at the national level to stimulate the policy to create jobs, and here we have a health care plan that is hinged on an employer mandate, which is indisputably the most expensive mandate on private business that has ever been contemplated by the United States Congress. It is absurd on the face of it. Common sense dictates that you cannot create a job climate, a favorable job climate, by placing on businesses a huge mandate representing perhaps as much as 8 percent of payroll. Businesses now must contend with any number of mandates from both the Federal and State levels of government. We have OSHA requirements placed on every business large and small. We have the EPA now looking over the shoulders of virtually every business in America because almost every business uses or produces or disposes of some item that is categorized as hazardous. So, under the hazardous waste regulations of the EPA, you have very expensive requirements being placed on businesses as to their use and disposal of those materials.

Recently we passed the Americans with Disabilities Act, as well-intentioned law, but here again one that will require tremendous renovation costs for businesses all over America as they try to make their places of business more accessible to those with handicaps.

Also, fire code standards as well; the list goes on and on. This is just an

itemization of four expensive mandates that businesses have accepted and worked hard to adhere to.

Payroll taxes, though, are already hitting businesses hard, and it is regressive in the sense that lower-paid workers pay all these payroll taxes, and they cover only the first increment of income. But between social security and medical payroll taxes, and given the fact that businesses not only pay the employee's share but they match with the employer's share, it is a huge expense for businesses.

Then last year's tax bill. For all of the rhetoric of it only affecting 2 percent of all American taxpayers, we have to admit that an awful lot of folks affected by this were small-business people because of the way they structure their business.

So, what few tax increases were in that tax bill fall on people in the small-business category to a greater extent than anyone else.

So, now to be looking at the possibility of an 8 percent mandate is the height of absurdity. You cannot be focused on the economy if you are talking about burdening the job creators in our economy with another 8 percent hit. Because the administration realizes that this is an expensive proposition for the businesses in America, they say, without a smirk on their face, that they will just provide subsidies to the smallest and least profitable businesses. Businesses do not want to be related to the Federal Government in an entitlement relationship. They do not need nor want that kind of a subsidy from the Federal Government. Yet that is the way we are being told we can sell this mandate to the business sector. We have to get real, we have to get real; this is an expensive hoax. You do not need a mandate in order to cover the uninsured. The Cooper-Grandy bill, one of whose sponsors is with us here tonight, has been analyzed without a mandate on the business sector; the coverage of American workers under a health plan would reach about 91 percent.

In Hawaii, the only State with a mandate similar to the one we are talking about in the administration's health plan, they only have 92 percent coverage.

Now, you can get extensive coverage of the currently uninsured without a mandate. This is a very expensive way of approaching a problem, and it is an approach that is going to place tremendous burdens on the private sector and it will cripple the economy and fly in the face of the promise of the Clinton Presidency, which was to focus on the economy like a laser beam and to create meaningful jobs at decent wages for American workers.

You cannot do that with this sort of an expensive mandate. And I do not believe you can pass health care reform on a bipartisan basis with a mandate.

The tragedy of this whole issue is that because of this one distraction, the pretense that somehow a mandate has to be central to health care reform, because of this one distraction we have basically written off Republican support for health care reform when there is so much more we can agree on.

Mrs. JOHNSON of Connecticut. Absolutely. Health care reform is going to be such an important bill to implement. It is going to take bipartisan support, not just to pass it but it will take bipartisan support in the years ahead to implement a policy that will guarantee universal access to all Americans, to high-quality health care. The tragedy is an employer mandate is not only not necessary to achieve that goal but it will have devastating effects on our economy.

I was talking to one of the White House researchers who was central to proposing their initiative, and he said to me, he said there are two things an employer can do if he has to provide health benefits to his employees. He can cut wages or pass the cost on to the consumer. And I said to him, in my part of the country, where the economy has been terrible, I have seen companies grow orders in the last 9 months, 12 months, in a way that made my heart surge. Then when I say, "Isn't that wonderful," I see the sort of hound dog look creep over the faces of our employers when they say, "Yes, but prices are so soft the margin is the same as a year ago." You cannot raise price anymore, not on the international market, not on the domestic market. That leaves wages. If this is not going to kill wage growth, I do not know what is. It is good social policy to make sure everyone has access to health care and it should be dealt with as social policy and funded in that context, but not funded through a hidden tax on employers, who have no margin of profitability.

Mr. Speaker, I yield to my friend and colleague, the gentleman from Florida.

Mr. STEARNS. Mr. Speaker, I thank the gentlewoman from Connecticut for taking out this special order. I would like to follow up a little bit on what our colleague, the gentleman from Minnesota [Mr. PENNY] referred to when he referred to the bipartisan issue in terms of believing that mandates will hurt businesses.

Now, tonight we will be talking about this individually, but I want to quote some statistics so that this is not just Members of Congress talking but this is a leading health care consulting firm, Levin-VHI. They did a study on the Clinton health care plan. They analyzed the whole thing. They found and confirmed a lot of what we are talking about tonight, and let me talk to you about what their results are. They said a mandate on businesses would result in the elimination of between 155,000 to 350,000 jobs. Many of

these jobs would be lower-wage positions, affecting workers in the retail and service sectors. This analysis determined that once in effect, the Clinton plan would decrease wages by \$20 billion by 1998.

Now, the Citizens for a Sound Economy, in my home State of Florida, found that if the Clinton plan were to be adopted, the result would be a choice between health care rationing or the loss of 31,000 private sector jobs in the State by the year 2000.

Now, I want to read just a letter from a manager of a Dairy Queen in Ohio, what this woman said in relative quantity terms of how it affects her business.

And many small businesses are just about this size, 25 employees.

□ 2100

She says,

I am a small-business owner (25 employees) working very hard along side my husband to build a future for ourselves.

We do not have a profit margin to support the President's proposed 80% burden of health insurance costs. Even with the proposed subsidies, a 3.5% rise in payroll costs will seriously challenge our ability to stay in business. This is not an exaggeration. What options does a small business owner like myself have? We've considered cutting our staff, freezing all wage increases indefinitely and raising our prices. Also, we could not invest in new equipment, store upgrades and the hope of ever expanding our business—there would be no money left for these things. I haven't even mentioned the desire to eventually begin receiving an income from all of our hard work.

I hope tonight we can bring out more of these down-home statements from honest-to-goodness small business people and what they are saying. We have that. Bring out some of the myths that have been involved with the Clinton plan, and of course I think we can talk about what the polls have shown over the last year and a half.

I say to my colleagues, you go to the ABC poll, the CNN poll. The American people do not support mandates either, so it's hard to understand why the administration is making this the focal point of all of health care when here we have a bipartisan group saying this is wrong, and, as Mr. PENNY has pointed out, it is stymying our ability to come forward with meaningful health care reform.

Mrs. JOHNSON of Connecticut. It certainly is a matter of economic growth, and I would like to yield to the gentleman from Texas, Mr. PETE GEREN.

Mr. PETE GEREN of Texas. Mr. Speaker, I thank the gentlewoman from Connecticut [Mrs. JOHNSON] for yielding, and I also want to add my words to those who tonight thank her for having this special order to help us explore this issue in greater detail. It is an issue that is in front of us as Members of Congress, and it is the issue, I think, that has done more to

drive a wedge between where we are and the chances of accomplishing meaningful health reform than any other issue in front of us as a Congress, and the reason is because we, those of us here tonight, most of the Members of Congress and most of America, understands the importance of small business.

Small business, and I borrow from Chevrolet, but small business is the heartbeat of America. That is where our job growth comes from. That is where our innovation comes from. That is what keeps us on top of the world in so many areas, and that is in spite of this tremendous number of unfunded mandates that the Federal Government, and the State Government, has continued to lay on top of small business.

The gentleman from Minnesota [Mr. PENNY] went into some detail on that, but it amazes me what kind of resiliency our business sector has in spite of all we do to it. But it has got a strong heart, and it has got determination, but it cannot continue to take it, and it cannot continue to survive with the kind of burden that we continue to shovel on it. It is drowning in a sea of red tape.

Mr. Speaker, these small businesses do not have a room full of lawyers, a room full of accountants, to figure out this maze of regulations that would come with a mandate that had exceptions and offered all sorts of ways to either qualify or not qualify for the various subsidies associated with it, and to expect them to have to live with that kind of regulation and burden is unrealistic. People who ask that of them do not understand how hard it is just to keep the doors open and keep the business going, and that would be the most expensive mandate of all.

In Texas they have estimated we would lose 52,000 jobs if this mandate were put in place. The President's own estimates, his economic advisers have said, it would lose 600,000 jobs nationwide. That is a lot of families who would suffer if this were to be put in place. These cumbersome and expensive mandates, people wonder why the jobs are going elsewhere, why they are going overseas. Well, Mr. Speaker, I say, you don't have to look very far. With mandates such as these, folks just get tired of it and give up.

And want to make one point. Is there a particular group that would suffer in this? And there is. It is the first-time job seeker, the young men, the young women, right out of high school and college at the beginning of their career. They are at their lowest earning capacity that they will have in their entire career. They may start out at \$12,000, \$15,000, \$18,000 a year, and perhaps even lower, and add the cost of an employer mandate for health care premiums on top of that, and it makes them unemployable. That is who is

going to pay the price here, these young people who are struggling, who have it as tough as any group of young people have ever had it in the history of this country, and we are going to shovel another burden on their back and make it so much more difficult for them to get started. I do not think any of us have to be told how hard it is for them to get started today in the current climate without having this \$2,000, \$3,000, or \$4,000 cost associated with their first job. It is not fair to ask that of them.

Let me just close with a personal anecdote. I had a lady come up to me at a bakery that is in my neighborhood. It is a small bakery. They have got about 12 employees, some part time, some full time, and she said:

We are barely getting by right now. If this mandate were to be put upon us, I'd close my doors. My parents owned this before me. We have been a part of this neighborhood my whole life, and, if this mandate were to come about, and, when I look at what I'm able to pay my employees, and none of us gets rich, not the owners, not the ones who work here, but, if I'm forced to pay health insurance for these folks, we are gone. We're out of business. We'll be out of business the day that mandate takes hold and becomes a requirement for this little bakery.

Those are the kinds of bakeries and businesses that truly are the heart and soul of our country. They are the heartbeat of America. It is the American dream, and these kinds of mandates, without Congress considering the consequences, are really what is denying the American dream to so many people and putting the American dream further and further out of reach, and again I just want to thank the gentlewoman from Connecticut [Mrs. JOHNSON] for having this opportunity to discuss this issue, and I appreciate the leadership she has shown on it.

Mrs. JOHNSON of Connecticut. I thank the gentleman from Texas [Mr. PETE GEREN].

As my colleague knows, Americans, as a nation, do not often appreciate our own freedom and individuality. When I was elected to Congress in 1982, Mr. Speaker, we were in a state of a very serious recession. Many of the towns I represented had 16, 18, 20 percent unemployment. In fact, several of us here are the class of 1982, and times were terribly, terribly tough. In that first term I must have had two or three different groups come through my office. I guess it was the first year of the next term, and they were trying to determine why it was that America recovered from that recession 3 years ahead of Europe. So this must have happened in my office about 1985, 1986, and the answer that they came up with was our small business sector.

Mr. Speaker, we have a small business sector that is able to hire, able to grow. The minute there is a turnaround it gets going. Europe does not have that anymore because the burden

of mandates on Europe is so extraordinary on small businesses that they have not had any net job growth at all in the last decade. In America we have not had any net job growth in our corporate sector. All of our net growth has been in the small business sector, and that is why this issue matters so much.

There is no need to solve our health care problems by destroying the ability of our economy to grow, its vitality, its resilience, the people who have an idea to get into business and make it on their own, to destroy the concept of individual opportunity and the reality of individual opportunity in America. To solve our health care problem, we can do so in so many other ways. It would be a tragedy.

I just want to give an example of skinning down. My colleague, the gentleman from Illinois, talked about this. Believe you me, people are in my office every day showing me pictures of equipment, equipment they could buy in order to run their fast food restaurant with two people instead of seven. So, it is not just the jobs that we see that are low paying, and we think, "Oh, yes, they'll go." It is the restructuring of whole sectors of our businesses, substituting machines for men, because the cost of labor has increased. We saw it in manufacturing. Rising costs drove the mechanization of many industries. We have begun to see it in agriculture.

I have gone on too long. I yield to the gentleman from Iowa [Mr. GRANDY].

Mr. GRANDY. I just want to say one of the erroneous assumptions that we are working under is that somehow America has failed to provide health care to its workplace and to its citizens, and the only reason we have a successful voluntary, employer-provided work benefit system in this country is because markets have worked, not mandates.

After World War II, when veterans started coming home, and there was a tremendous surge in our economy, and the competition for qualified labor was intense, it was not wages that drove the workplace. It was benefits, principally health, and that has really fueled our desire to do more, and then obviously in the early 1960s we decided we would create a Federal program for the elderly and then for the indigent.

□ 2110

Yet, really now we have a successful voluntary work-based system, which we somehow now think we have to scrap and reconfigure with a mandatory employer-based system.

The problem that I have with that is that will unleash a surfeit of unintended consequences, which the gentlewoman knows has already begun to materialize in the Committee on Ways and Means. Just today we considered an amendment called the Jefferson amendment, based after our colleague

from Louisiana [Mr. JEFFERSON] which was designed to mitigate the adverse effects of the employer mandate which we had passed just 2 days before. So already we are offering the poison and the antidote in the same spoon.

But the purpose of the Jefferson amendment was to give back to small businesses that which we were already taking away, which was their ability to do business, their ability to meet cost, and we created a new subsidy program which was two-tiered.

For those businesses between 26 and 50 employees, there would be 37.5 percent replacement of their health care costs for those businesses. Under 25 there would be a 50-percent replacement. Very generous. But you have to ask yourself, why are we doing this in the first place? Because we have essentially acknowledged that the mandate is so detrimental to those businesses that the gentlewoman just talked about, that Mr. HASTERT referred to, the barber shops, the grain elevators, the seed and feed companies, that we feel obligated to give them something back.

Now, the problem is, and this goes back to what I said to my colleague from Texas, Mr. STENHOLM, is our compassion to kill the small business community with kindness, will force these businesses to become dependent annually on Federal subsidies and the budget process. I think my friend from Texas would agree with that.

What we know is that an 80-percent requirement on your benefits is a floor. It will not be any less. As a matter of fact, the gentleman's amendment to that effect was defeated in the committee today.

What we also know is the subsidy is a ceiling. It will not get any higher. It will go down. If we need the money, we will go and get it. But they will still have to pay 80 percent.

So what we will do is we will winnow away, confound, confuse, and under-subsidize, after promising small business we would fully subsidize them, to the point where Mr. GEREN's comments about backers saying, "I don't want to be a backer anymore," will apply to hair stylists, it will apply to people in the upholstery business. It already applies to farmers, as I mentioned earlier. And we will essentially drive an incentive out of that one engine in our economy that is robust.

That is the unintended consequence that I think the unemployment mandate perpetuates, and it is a pernicious incentive in our economy, because it will force employers that do stay to keep their wages low so their subsidy will be high. It will force employers not to expand, because their subsidy will be less if they stay small. Ultimately, and this goes back to what we learned from the farm programs, it will force honest people to game the system.

Mr. STENHOLM. I would make a couple of observations. Here, the three

of us on our side of the aisle tonight participating, are hoping we can set a little better tenor of the debate, to have more people understand that the employer mandate is in deep trouble, on our side of the aisle as well as the other side. The votes are not there to pass it, for the reasons, that we are articulating.

If you will permit me another analogy going back to agriculture, I often make the observation that aren't we blessed to live in a country that has the most abundant food supply, the best quality of food, the safest food supply, at the lowest cost of any other country in the world? No other country in the world feeds their people within 1½ percent of gross domestic product as we do in America. We hear all of the complaints about the farm programs, et cetera.

With health care, are we not blessed to live in a country with the best doctors, the best nurses, the best hospitals, the best medicine, the best technology, the best of everything? But not at the lowest cost of any other country in the world. At the highest cost. And it is that fact that brings us to even having a serious debate of health system reform, of which I believe all of us tonight agree we need to reform the system.

But to reform the system, we must do as we have done in agriculture: Put the market back into it, not take it from it, and recognize that some of the failures of our health system have been because we have somehow tried to remove the market, the cost of the individual from that which he or she is receiving. And I firmly believe, as long as we do things like, for years, as long as Medicare paid for it, or Medicaid paid for it, it was free. There was no cost. Use it and abuse it.

I like to use the example of a Medicaid mother in one of the towns in my district that went to Dr. A, and the doctor says your daughter, 9-years old, has an earache, and prescribed a medicine. The mother was not satisfied with that analysis.

She went to Dr. B, Dr. C, Dr. E, and Dr. F. It was free. Anything that we make as free is going to be used and abused. The same for years, if insurance paid for it, once you got through your deductible, use it and abuse it. And then we wonder why the cost went up. Now we are knowing the premiums are going up.

So one of the major reasons that I oppose employer mandates is that if you force the employer to do something on behalf of me, the employee, without giving me a chance to vote and to understand that this is my salary you are talking about, and as Mr. GEREN pointed out, my job you are going to take away from me, you are doomed to failure. If we in fact move away from individual responsibility by somehow superimposing that we can

mandate on businesses to do perhaps what our employees do not wish to be done for them in the way that we do it, I would submit to all of us, that we are going to be doomed to failure.

Mrs. JOHNSON of Connecticut. You know, Charlie, we have tried this mandate thing once. My State is a high mandate State. All States have mandated certain health benefits on any plan that was going to be offered to the public.

In Connecticut we kept saying if you are going to do health care, you have to offer X, you have to offer Z, you have to offer this and that. We piled so many mandates on our health benefit plan that finally the private sector said I cannot afford it.

But, they were able to escape. They did not have to drop their health benefit plan, because they could end-run the State government's mistakes and selfinsure.

So the great majority of companies selfinsure, and they are not governed by State mandates. They provide good health care for their employees, but they provide it out from under the State mandates.

Recently, in Connecticut we had a Texas company come up, provide benefits to our small businesses, and all of a sudden the insurance commissioner said hey, wait a minute, Bud, you are not complying with State mandates.

Well, there was technical reasons why the company did not think they had to. In the end the insurance commissioner ruled that they did have to. The company complied, and the premiums went up 30 percent.

So once government gets mandating, costs go up, and one of the things we have to all think about is not just what is the impact of the 8-percent payroll tax that we know is attached to this health care plan, and it is 9 or 10 percent now because every committee that has considered the bill has expanded the mandate. But in 10 years, what percent of payroll is that?

When Social Security was first introduced, it was 1 percent of payroll, or 3 percent of parole. Now it is 15 percent. One, okay? Now it is 15 percent of payroll.

One of the reasons why this employer mandate is not only death for those little companies who have no margin and cannot afford to provide health insurance at 8 percent of payroll when we mandate them, but it is death for those who are currently providing health care, because we will mandate an ever bigger package, drive their costs up, and they will not be competitive in the international or domestic market.

Mr. HASTERT. I think the gentlewoman from Connecticut makes a good point, as does the gentleman from Texas. I am reminded when I go back to my district, and 75 percent of all the jobs in my district in the Fox Valley of Illinois are small businesses. Most of

those are under 15 employees, a lot of them under five. But you know, 70 percent of all the new jobs that were created in the last year and a half in my area are small business jobs.

They tend to be people who retire or are forced out of the Fortune 500 companies, are entrepreneurs, start their own business with two or three people, providing new services. A lot of them are in software and other types of computer areas, but also some just hard work small businesses.

When we start to put that employer mandate out, those are the marginal businesses. They are gone. And we stifle, stop, that business growth, that economic growth, that spurt that we have enjoyed, that has really buoyed our economy for the last couple years.

It is interesting, I have a lot of agriculture in my district, but it is changing agriculture. Cornfields are turning into nurseries and sod farms as the city-suburbs move out. I have one employer that has a pretty good size nursery business, a mom and pop operation. But last year they had 250 employees that worked for them. Two-hundred and fifty. Not more than 18 at any one time. Because they are part time, they move in, they move out. Think of the bookwork, think of the absolute problem of trying to keep these people involved, trying to keep the books, trying to sort things out. It is amazing.

□ 2120

Mrs. JOHNSON of Connecticut. Then they get into the enrolling employer and the nonenrolling employer.

Mr. HASTERT. It is absolute chaos.

One thing I want to wind up with, it happened in our office today. I guess it is just the principle of economics. It really does not have a lot to do with health care.

We were having a hard time getting the White House tickets. Somebody is getting a lot of White House tickets. So we called the White House and said, what is the problem? She said, well, you are supposed to get 10 tickets a week. I said, we used to get six tickets a week, and we got tickets. We have not got any tickets for the last 8 weeks.

She said, the reason you have not got any tickets is because we upped the allotment, and we ran out of tickets.

When you start to look at the supplies, we can start to subsidize small business, but when the money runs out, there is not going to be any help for small business. When you up the allotment and there is not anything to take its place, people lose. Certainly, a Band-Aid on all business, I think, is a loser.

I thank the gentlewoman from Connecticut for having this special order tonight and including us.

Mr. PENNY. I, too, want to thank the gentlewoman from Connecticut for sponsoring this special order, because

of all the issues that are floating around, this issue of an employer mandate is the most divisive. And it represents the sort of wrong-headed approach to health care reform that has dominated the debate to date.

When we can point to bipartisan consensus on issues such as portability of health plans, coverage of pre-existing conditions, malpractice reform, some sort of subsidized premium for the working poor, reforming the Medicaid program so that it becomes a premium-based program with deductibles and co-payments, as would be required of any other individual under a normal health insurance plan, when we can find agreement on so many issues across the aisle, agreement between Democrats and Republicans, it seems to me an absolute waste of time for us to talk any longer about the need to place an employer mandate at the core of this health care reform bill.

It is a job killer at a time when we need to be about the business of creating more jobs in our economy. It is the most expensive mandate ever conceived by Federal policy makers. And this appeal tonight, and again, I thank you for your leadership in pulling us all together for this discussion, the appeal tonight is to those in positions of power within the Congress, the chairmen of the appropriate committees, and for those in the administration who have this wrong-headed notion that somehow mandates are the only way to universal coverage, get off this track. It is creating a wedge, it is creating a wedge here in Congress, and it is creating a wedge in the electorate.

We will not find our way to real and serious health care reform as long as we focus the debate on an unnecessary and expensive mandate.

Mr. GRANDY. I would just applaud everything the gentleman says. Let me just ask him a question.

The gentleman has been here for 10 years, a long gladiator in the fight for deficit reduction, usually a lonely combatant.

Does he really believe that we would even be considering an employer mandate as an option for health care reform financing if we had the money in our public Treasury to pay for it?

Clearly, what we are doing is shifting the cost, because we ain't got it. The public sector has no money. The private sector, so we think, is flush, an erroneous assumption. So why not make them pay for it, mask it under our CBO scoring and declare victory.

I just ask that of the gentleman because he has established his reputation in this House as a pork buster and a budget shiite, and many of us have followed him into battle. But is it not true that the only reason that we are seriously considering this option is because we are broke?

Mr. PENNY. Well, that is a big part of it. The administration, of course,

wants universal coverage. And the last increments of coverage, the last few people that we pull into the system are always the most expensive to bring into the system. Of course, one way of dealing with the cost of providing universal health care coverage is to mandate that the private sector absorb that obligation.

But I also want to add this caution: It may be a way of getting these costs off the Federal books, but the amount of money it will take to provide universal coverage through an employer mandate is many times more expensive than what it would cost for a modest voucher-type system through the Federal Treasury, many times more.

Mrs. JOHNSON of Connecticut. All the studies have shown that.

Mr. PENNY. Every study has made that perfectly clear.

Mr. GRANDY. But it is a great short-term fix to keep it off our ledger.

Mrs. JOHNSON of Connecticut. I think the other point about this, because I think this is an extraordinarily important point, there is only part of the Federal budget that is totally out of control. And that is the entitlement section.

We have actually been quite tough where we have to appropriate. It is in entitlements that we have not been able to gird our loins and adopt reforms. This is going to be an entitlement that we mandate on business to pay for. It has the potential to just get out of control in the decade ahead.

Mr. PENNY. And we have an example of that already on the books.

The workers' compensation program. It is required of every business across America. And States under this program are given some flexibility to design somewhat more generous benefit levels. In the State of Minnesota, we saw for a series of years throughout the 1980's, 20, 30 percent annual increases in workers' compensation costs to the private business sector.

I recall specifically sitting in a restaurant in Montgomery, MN, a town of a couple thousand people, not a large community, and talking to the owners and operators of that business. It was a family restaurant, and how difficult it was for them to absorb those costs.

Those cost increases were mandated upon their business, because through Federal and State policy we made that system so generous and so expensive and gave those businesses no alternative except to pay the bill. And it resulted in them cutting back on hours for their work force. It resulted in family members working ever longer weeks in order to put in the time to make that business stay afloat, because they had to fill in with their own overtime the time that would otherwise have been offered by paid employees of that business.

I could go down Main Street in almost every town in my district, and

bear in mind, with few exceptions, these are small towns and these businesses provide relatively few people, but that mandate has devastated the small business sector in Minnesota in recent years.

If we move toward a Federal mandate on health insurance premiums with the open-ended nature of that sort of program where we can add benefits year after year and then those costs just start to layer on, we are going to cripple the business sector for many, many years to come.

□ 2130

Mr. Speaker, I am just baffled that we seem to be focused on this mandate when the promise of this administration was to be a job creating administration, and now in their second year, their top priority is a health care reform plan that includes within it a job-killing initiative.

Mrs. JOHNSON of Connecticut. Mr. Speaker, before I yield to my colleague, the gentleman from Florida [Mr. STEARNS], I want to reiterate what a very, very important point the gentleman just made, because few people are really understanding that adopting an employer mandate will turn health care costs into a fixed cost, just like workmen's compensation is a fixed cost. That fixed cost gets driven by government, government mandates, government bureaucracies unable to effectively control costs, but it is you that pays and you that cannot hire and you that has to close up your shop.

The only folks in America right now who are controlling health care costs are people in the private sector. You read every day about companies that provide bonuses to their employees if they participate in a wellness program.

I just had a company in my office the other day. Last year they gave a 15-percent copayment break to those employees who participated in their wellness program, and this year, because it has affected their health care costs and brought them down so much, they are going to give everybody a 25-percent break.

It is in the private sector where employers and employees have worked together and thought, "What is causing our health care costs to go up? What can we do to control it," and working together, sometimes by having a doctor right in the plant so things get taken care of right away, sometimes by giving people the time they need to get that kid to the doctor right away, so it does not get really sick.

It is employers and employees working together that have brought medical inflation rates down to about 5 percent. What are they in the government sector? They are still right up there, 9 percent, 10 percent.

The gentleman's analogy to workmen's compensation is a very serious one, because while we talk about the

job loss of an employer mandate, we forget it will literally tie our hands in terms of addressing the cost spiral that Charlie talked about, and which is the real problem, which is what has caused the crisis in our health care system.

Mr. Speaker, I yield to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I think in our discussion today each of the Members on both sides, bipartisan, have talked about this increase, this mandate, what it will do to the loss of jobs in their district and in their district and in their State. The gentleman from Minnesota [Mr. PENNY] touched on the idea that this whole concept of pushing mandates is not something that is going to create jobs.

Mr. Speaker, I just want to say that if Members of Congress on both sides of the aisle are against mandates and we have Lewin VHI, which is an outside accounting firm, say it is going to lose jobs, and then we go and ask the American people in polls, which I am going to read three here today that are against it.

The USA Today-CNN-Gallop poll of November 1, 1993 said, "Sixty-four percent believe employers should be encouraged by tax breaks, not required to pay health care costs for their workers."

The USA Today-CNBC poll of 55 economists, 78 percent said the enactment of President Clinton's health care plan would slow employment growth.

The Wall Street Journal-NBC poll of September last year said 55 percent agree that the President's health care plan would force small businesses to close.

Mr. Speaker, if we have the American people believing that, we have the bipartisan group here in Congress believing that, and we have an outside accounting firm telling us, what more do we need? Why can not tonight, tomorrow, and from henceforth we start on a bipartisan group to get health care reform, to increase access and affordability, but still maintain a high quality? Why can we not do it? It is obvious.

Mr. Speaker, I think what we have tonight in this special order, in conclusion, is a feeling that we have to change the focus away from employer mandates and get back to what the people, what the outside accounting firm, what the economists, and what bipartisan people here in the Congress want is a new health care reform package without employer mandates.

Mrs. JOHNSON of Connecticut. Absolutely.

Mr. STENHOLM. If the gentleman will continue to yield, that is kind of along the lines of what I wanted to end up with, too. I made it very clear tonight, and we all have, what we are against. I think perhaps one of the an-

swers to the comments of my colleague, the gentleman from Florida [Mr. STEARNS], is do we have agreement on what we are for?

I want to reiterate again what the gentleman from Minnesota [Mr. PENNY] mentioned just a moment ago, because I believe, and I believe most Members of Congress believe, we should do something because of the cost spiral.

For us to do nothing, I think the American people will hold us accountable, as they should. It is my firm belief, however, that we can do it without mandates, for the reasons we have articulated.

I want to reiterate what I believe I know I am for. Mr. Speaker, I think we can use the market system in reforming purchasing groups, which we have talked about tonight. I think that insurance that is portable, that stays with the employees, is something we can agree to, that is renewable and accessible.

Certainly, I would hope we could agree that malpractice reform must be in any reform effort. An affordable health standards package or affordable standard benefit package that is capped. I know that is controversial, but I think that is the key to putting the market into our health system.

Other proposals: reform the health insurance market; subsidize individuals who cannot afford health insurance. A recent study by the Health Care Leadership Council reveals that 97 percent of all health care spending can be covered by insurance, and 91 percent of the population could be covered if three basic reforms are implemented: First, insurance market reform, second; premium subsidies; and, finally, 100 percent tax deductibility for the self-employed.

Surely somewhere in that market basket we can find something that not only we oppose tonight, but that we are for and achieve not just 218 votes, but perhaps 300 votes.

I thank the gentlewoman for yielding.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of universal health care coverage but in opposition to additional employer mandates as a means of achieving this goal. Health care for all is a noble—and I think achievable—cause.

Universal coverage does not require universal change. It doesn't make sense to completely overhaul the system and tell employers and employees that they have to take what the Government says they have to take. It doesn't make sense to risk loss of jobs, reduction in wages, and business foreclosures by embarking on uncharted territory.

According to the Congressional Research Service, in the past 5 years private employers' costs for legally required benefits rose by 30 percent. In contrast, wages and salaries rose by 18 percent. To place another financial burden on businesses—or to force them to alter current employer/employee contracts—is unfair, unrealistic, and unnecessary.

Instead, we should approach this noble cause with caution and concentrate our efforts on the uninsured who need to be brought into the health care system. We need to provide assistance to those up to 100 percent of poverty and to provide help on a sliding scale for those between 100 to 200 percent of poverty. For those uninsured who can afford health insurance but elect not to purchase it, there should be financial incentives to participate.

Market reforms should be implemented and given time to work. We need better reporting, improved consumer information to ensure responsible choices, and penalties for health care fraud. We need administrative simplification, antitrust reform, better access for underserved areas, and malpractice reform.

We need coverage of preexisting conditions, guaranteed issue and renewability of policies, portability of policies from job to job, and modified community rating that adjusts for age and family size. These reforms have been needed for some time and can easily be enacted.

We need to give these reforms time to work. In 3 to 5 years we will know what is working, what is not, and what else needs to be done. We need to build on the strengths of our current system—not dismantle it.

Mr. Speaker, my colleagues in the House and I believe these market reforms will help contain costs while maintaining the high quality of health care that sets America apart from the rest of the world. I am optimistic that common sense will prevail and the Congress will resist efforts to force additional taxes and penalties in the form of employer mandates on businesses.

HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. HEFNER). Under the Speaker's announced policy of February 11, 1994, the gentleman from Florida [Mr. STEARNS] is recognized for 5 minutes.

Mr. STEARNS. Mr. Speaker, I yield to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I am delighted that the gentleman ended on all the things that we can do and that we can do constructively, because there is not one of us standing here that do not agree with that list of things that you laid out.

However, Mr. Speaker, this special order would not be complete from my personal point of view if I did not lay out for you the particularly hostile impact a mandate would have on women in America. It is worth it, if the Members will indulge me just a couple of minutes, to look at the extraordinary and disparate impact that a mandate would have on women in America.

From 1979 to 1990, women started twice as many businesses as men did. In other words, women became owners and operators of twice as many businesses as men did.

Why? Because women are better educated than they have ever been in America, they have better access to credit than they have ever had in

America, they have more courage than they have ever had in America, and they are getting out there with their dreams.

However, to make a small business successful, you have to be able to plow back your profits. You have to be able to hire. You have to be able to grow. This mandate, because it is so costly, hits hardest at all those young businesses, 2 to 1, founded by women.

The second point, this business about subsidies sounds wonderful on paper. We are going to help that small business, we are going to subsidize his premiums.

Look what happens if you subsidize the premiums of low-wage workers 50 percent. You just tell that corporation, "Why, you spin off your low-wage jobs, put all your \$12,000 employees into one small business under 25, and we will pay half your health care premiums," so the company does that. Who are those \$12,000 workers? Nine out of 10 are women.

Now where do they work? In a company with no career ladder, no role models, and no opportunity. For women, this mandate will mean isolation, it will mean dead-end jobs, it will mean stagnation. For women, that bifurcated premium structure is terminal to their dreams.

Then there is another problem for women in this bill, and that is that if you mandate costs on the employer, Government ends up having to step in with price controls.

□ 2140

Bureaucracy. You step into our health care system with Government price controls and you will not get the research and the cures of the future that we have gotten in the past. But oddly enough, health research dollars in America went for decades to the diseases that were most prevalent among men. It was not malicious, it just happened that way. Most of the researchers were male. Most of the people looking at research were male. Nobody really thought about the fact that breast cancer killed as many women every year as the lost Americans in the Vietnam war over the whole course of that war. We just did not think about it. But in the 1980's, we here in the Congress, men and women together, thought about that and we are doing very good research now on women's diseases. But the costs are extraordinary.

A company in Connecticut has spent \$40 million developing just the material to do the trial run on what looks like a very promising breast cancer treatment. If it is proved to be good, it will cost them \$200 million to build the plant to produce the stuff.

Who is going to invest \$200 million if we have a system in which the Government is going to come in and say, the price is too high, you cannot sell it at

that, it will be off the market. It will be off the market and the research will not be done.

HEALTH CARE: A BIPARTISAN DEBATE

The SPEAKER pro tempore (Mr. HEFNER). Under a previous order of the House, the gentleman from Illinois [Mr. HASTERT] is recognized for 5 minutes.

Mr. HASTERT. Mr. Speaker, I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. For women, I just say, the employer mandate has to be off the table and we have to get together and pass health care reform that addresses the concerns of our people in a way that preserves the vitality of our economy and equality of our health care system.

Mr. HASTERT. I thank the gentlewoman from Connecticut.

Mr. Speaker, I just want to reiterate some of the things that were said on the other side of the aisle. I really believe that real health care reform has to be bipartisan. We have to work together, we have to be for something that is positive. Certainly, the gentleman from Texas laid out a very good parameter of how we can get started on health care and find the solution to the problems. I think it is time that we quit talking and start doing something about it. I would like to start tomorrow, incidentally.

Anyway, it has to be bipartisan. We have to pass something in this House that the American people can endorse, and that means it has to pass by 320 or 340 votes here, so it is a mainstream bill that mainstream America and main-street America can join hands in saying we are finding a solution to this problem and we can move forward.

Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GRANDY. Mr. Speaker, I thank the gentleman from Illinois.

Mr. Speaker, I just want to dovetail on his comments. Not only do we need bipartisan health care but I think we can conclude from this debate and from our actions in Congress the last 9 months that the employer mandate is the single greatest obstacle to bipartisan health care reform that faces us. There is nothing bipartisan about employer mandates. The proponents of the Cooper-Grandy bill, of which many are part of this special order tonight, joined together to find an alternative to employer mandates, to find an alternative to global budgets and price controls and we found it as the gentleman from Texas [Mr. STENHOLM] pointed out under a program of purchasing cooperatives and tax caps, albeit controversial. But certainly more bipartisan than the employer mandate that we have gotten up and bipartisanly criticized tonight.

I would just ask, if the employer mandate is so good, if this is the source

from whence all blessings flow, why prior to this special order tonight did the gentleman from Michigan [Mr. HOEKSTRA], take the floor and announce that the Committee on Education and Labor that is already considering health care reform had decided to exempt Hawaii from the national health care legislation because their employer mandate is only a 50-50 match, not an 80 percent-20 percent match as is mandated under the current Clinton program?

If an employer mandate of 80 percent to 20 percent is the source from which all blessings flow and the yellow brick road to universal coverage, why does the Federal Employee Health Benefit plan require us, Members of Congress, and you heard it from us, to pay 28 percent of our benefits, not 20 percent? Why are we asking people in Federal service to pay more, and then turning around to the private sector, to employers in the private sector and say, "You will have to pay more, the Federal Government will pay less, but you are going to have to pay more." There is no consistency in this whatsoever. It is arbitrary, it is a cost shift, it is pernicious, and it is wrong.

Mr. Speaker, I think the only answer to health care reform lies in defeating the employer mandate and starting again. I applaud the gentlewoman and all of my colleagues for participating tonight, and I hope this is the beginning rather than the end of our debate.

Mrs. JOHNSON of Connecticut. I thank you all for participating tonight.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TUCKER (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of official business.

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), after 4:30 p.m. today, on account of personal business.

Mr. RUSH (at the request of Mr. GEPHARDT), after 4:30 p.m. today and the balance of the week on account of official business.

Mr. BEREUTER (at the request of Mr. MICHEL), after 6:15 p.m. today, on account of attending his son's high school graduation.

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 Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. DUNCAN, for 5 minutes, today.
Mr. HORN, for 5 minutes, today.
Mr. HOEKSTRA, for 5 minutes, today.
Mr. DREIER, for 5 minutes, today.

(The following Members (at the request of Mr. PENNY) to revise and extend their remarks and include extraneous material:)

Mr. MCCLOSKEY, for 5 minutes, today.
Mrs. UNSOELD, for 5 minutes, today.
Mr. HALL of Texas, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.
Mrs. COLLINS of Illinois, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. STEARNS, for 5 minutes, today.
(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. HASTERT, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICA, immediately following the colloquy between Mrs. FOWLER and Mr. CARR of Michigan on H.R. 4556, in the Committee of the Whole, today.

(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. FAWELL.
Mr. KING.
Mr. BOEHLERT.
Mr. BURTON of Indiana.
Mr. QUINN.
Mr. CRANE.
Mr. CLINGER.
Mr. PORTER.
Mr. DORNAN.
Mr. BILIRAKIS.

(The following Members (at the request of Mr. PENNY) and to include extraneous matter:)

Mr. BONIOR.
Mr. UNDERWOOD.
Mr. FORD of Michigan in 2 instances.
Mr. KILDEE.
Mr. LEHMAN in 2 instances.
Mr. REED.
Mr. FINGERHUT.
Mr. RUSH in 2 instances.
Mr. PAYNE of New Jersey.
Mr. TRAFICANT.
Mr. BROWN of California.
Ms. WATERS.
Mr. HUGHES.
Mrs. LLOYD.
Mr. LaFALCE.
Mr. KENNEDY.
Mr. STENHOLM.

(The following Members (at the request of Mrs. JOHNSON of Connecticut) and to include extraneous matter:)

Mr. ANDREWS of Texas.
Mr. TRAFICANT.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the

Speaker's table and, under the rule, referred as follows:

S.J. Res. 175. Joint resolution to designate the week beginning June 13, 1994, as "National Parkinson's Disease Awareness Week"; to the Committee on Post Office and Civil Service.

ADJOURNMENT

Mr. HASTERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, June 17, 1994, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3385. A letter from the Secretary, Department of Energy, transmitting the Department's report on utilization of coal combustion byproducts, pursuant to Public Law 102-486, section 1334(b)(2) (106 Stat. 2984); to the Committee on Energy and Commerce.

3386. A letter from the Secretary of Energy, transmitting the quarterly report for the Strategic Petroleum Reserve covering the first quarter of the calendar year 1994, pursuant to 42 U.S.C. 6245(b); to the Committee on Energy and Commerce.

3387. A letter from the Director, Administrative Office of the United States Courts, transmitting the actuarial reports on the Judicial Retirement System, the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities System, and the Court of Federal Claims Judges' Retirement System for the plan year ending September 30, 1993, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3388. A letter from the Chairman, National Labor Relations Board, transmitting the semiannual report on the activities of the Inspector General for the period October 1, 1993 through March 31, 1994, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3389. A letter from the Secretary of Energy, transmitting the Department's report entitled, "Warren Station Externally Fired Combined Cycle Demonstration Project," pursuant to Public Law 102-154, title II (105 Stat. 1020); jointly, to the Committees on Appropriations, Energy and Commerce, and Science, Space, and Technology.

REPORTS OF COMMITTEES 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. GLICKMAN: Permanent Select Committee on Intelligence. H.R. 3937. A bill entitled: "The Export Administration Act of 1994"; with amendments (Rept. 103-531, Pt. 2), Ordered to be printed.

Mr. OBEY: Committee on Appropriations. Revised Subdivision of Budget Totals for Fiscal Year 1994 (Rept. 103-549). Referred to the Committee of the Whole House on the State of the Union.

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. ARMEY:

H.R. 4585. A bill to promote freedom, fairness, and economic opportunity for families by reducing the power and reach of the Federal establishment; jointly, to the Committee on Ways and Means, Government Operations, and Rules.

By Mr. BROWN of California (for himself and Mr. LAFALCE):

H.R. 4586. A bill to renew and improve the operation of title V of the Trade Act of 1974 (relating to the Generalized System of Preferences); to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts (for himself and Mr. BERETER):

H.R. 4587. A bill to authorize U.S. contributions to the Inter-American Development Bank, the Fund for Special Operations, the African Development Fund, the Global Environment Facility, and the Enhanced Structural Adjustment Facility of the International Monetary Fund, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HANCOCK (for himself, Mr. BREWSTER, Mr. ARCHER, Mr. MINETA, Mr. OBERSTAR, Mr. CLINGER, Mr. CARR, Mr. HERGER, Mr. PARKER, Mr. LIGHTFOOT, Mr. PETE GEREN of Texas, Mr. INHOFE, Mr. MINGE, Mr. PETRI, Mr. SANGMEISTER, Mr. LEWIS of Florida, Mr. COSTELLO, Mr. YOUNG of Alaska, Mr. BALLENGER, Mr. GENE GREEN of Texas, Mr. ZELIFF, Mr. VALENTINE, Mr. SENSENBRENNER, and Mr. DEFAZIO):

H.R. 4588. A bill to amend the Internal Revenue Code of 1986 to consolidate the retail level and refinery level taxes on aviation gasoline by imposing the entire tax at the refinery level; to the Committee on Ways and Means.

By Mr. MANZULLO (for himself, Mr. HASTERT, Mr. CRANE, Mr. FAWELL, Mr. HYDE, Mr. SANGMEISTER, Mr. EWING, Mr. FIELDS of Texas, Mr. ARCHER, Mr. WALKER, Mr. GREENWOOD, Mr. SANTORUM, Mr. DORNAN, Mr. CUNNINGHAM, Mr. HUNTER, Mr. ROHRABACHER, Mr. HUGHES, Mr. BARTLETT of Maryland, Mr. HOEKSTRA, Mr. DELAY, Mr. SAXTON, and Mr. GALLO):

H.R. 4589. A bill to amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles traveled in ozone nonattainment areas designated as severe, and for other purposes; to the Committee on Energy and Commerce.

By Ms. PELOSI (for herself, Mr. GEPHARDT, Mr. BONIOR, Mr. MOAKLEY, Mr. RANGEL, Mr. STARK, Mr. ROSE, Mr. GILMAN, Mr. WOLF, Mr. SOLOMON, Mr. GEJDENSON, Mr. EDWARDS of California, Mr. LANTOS, Mr. SYNAR, Mr. HOYER, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. BARTON of Texas, Mr. BERMAN, Mr. CARDIN, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. HAMBURG, Ms. KAPTUR, Ms. LOWEY, Mr. MARKEY, Ms. MCKINNEY, Mr. MFUME, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. OLVER, Mr. ROHRABACHER, Mr. SMITH of New Jersey, Mrs. UNSOELD, Ms. WOOLSEY, Mr. KENNEDY, Mr. HEFNER, and Mr. OBEY):

H.R. 4590. A bill to provide conditions for renewing nondiscriminatory (most-favored-nation) treatment for the People's Republic of China; jointly, to the Committees on Ways and Means and Rules.

By Mr. RUSH:

H.R. 4591. A bill to establish a system for regulating and licensing the distribution of firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:

H.R. 4592. A bill to appropriate 2 percent of Federal individual income tax revenues to the States to fight crime; jointly, to the Committees on the Judiciary, Government Operations, Rules, and Ways and Means.

By Mr. STENHOLM (for himself, Mr. PENNY, Mr. DEAL, Mr. LAROCO, and Mr. ORTON):

H.R. 4593. A bill entitled "Entitlement Control Act of 1994"; jointly, to the Committees on Government Operations and Rules.

By Mr. WISE (for himself and Mr. PETRI):

H.R. 4594. A bill to amend the Japan-United States Friendship Act to broaden investment authority and to strengthen criteria for membership on the Japan-United States Friendship Commission; to the Committee on Foreign Affairs.

By Mr. MONTGOMERY (for himself and Mr. STUMP):

H.J. Res. 377. Joint resolution designating June 27, 1994, as "Veterans Employment Day"; to the Committee on Post Office and Civil Service.

By Mr. ANDREWS of Texas (for himself, Mr. BRYANT, Mr. SLATTERY, Mr. TORRICELLI, Mr. GORDON, Mr. LEWIS of Georgia, Mr. ROEMER, Mr. BEILENSON, Mr. MONTGOMERY, Mr. STARK, Mr. LAUGHLIN, Mr. SMITH of Iowa, Mrs. UNSOELD, Mr. ANDREWS of Maine, Mr. DURBIN, Mr. DEFAZIO, Mr. EVANS, Mr. LEACH, Mr. HORN, and Mr. WILSON):

H. Con. Res. 255. Concurrent resolution expressing the sense of the Congress regarding the proposed Disney theme park in the historic Northern Piedmont area of Virginia; jointly, to the Committees on Natural Resources, Energy and Commerce, and Public Works and Transportation.

By Mr. MORAN:

H. Con. Res. 256. Concurrent resolution expressing the sense of Congress that any health care reform legislation should preserve the right of bona fide trade and professional associations to continue to offer group health insurance within the framework established to expand comprehensive and affordable health insurance and prevent discriminatory insurance practices; jointly, to the Committees on Energy and Commerce, Ways and Means, and Education and Labor.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 417: Mr. VOLKMER, Mr. FIELDS of Texas, Mr. ROBERTS, Mr. HANSEN, Mr. INGLIS of South Carolina, Mr. PORTMAN, Mr. REED, Mr. ALLARD, and Mr. MCCREARY.

H.R. 1099: Mr. SHAYS.

H.R. 1164: Mr. MARTINEZ.

H.R. 1182: Mr. BARRETT of Wisconsin, Ms. MOLINARI, and Mr. POMEROY.

H.R. 1295: Mr. LUCAS and Mr. ZIMMER.

H.R. 1671: Mr. OXLEY and Mr. FISH.

H.R. 1843: Mr. CUNNINGHAM.

H.R. 1863: Mr. HUFFINGTON.

H.R. 1906: Mr. LAFALCE.

H.R. 2600: Mr. MINGE.

H.R. 2727: Mrs. COLLINS of Illinois.

H.R. 2919: Mr. HILLIARD and Mr. EVANS.

H.R. 3293: Mr. HORN, Mr. UPTON, and Mr. ABERCROMBIE.

H.R. 3466: Mr. BARCA of Wisconsin.

H.R. 3596: Mr. LAFALCE, Mr. MCDERMOTT, Mr. OBERSTAR, Mr. CALVERT, Mr. PICKETT, Mr. HOBSON, Mr. DEFAZIO, Mr. MINGE, and Mr. THOMPSON.

H.R. 3725: Mr. HOEKSTRA, Mr. Sam JOHNSTON, and Mr. WELDON.

H.R. 3820: Mr. DUNCAN, Mrs. MINK of Hawaii, Mr. MENENDEZ, Mr. RAMSTAD, Mr. CALAHAN, Mr. MOLLOHAN, Mr. KREIDLER, and Mr. FILNER.

H.R. 3860: Mr. HERGER.

H.R. 3940: Mr. KLUG and Ms. SCHENK.

H.R. 3970: Mr. JACOBS.

H.R. 4019: Mr. FOGLIETTA, Mr. OWENS, and Mr. JOHNSTON of Florida.

H.R. 4050: Mrs. UNSOELD.

H.R. 4135: Mr. ANDREWS of Texas, Mr. ARCHER, Mr. BACCHUS of Florida, Mrs. BENTLEY, Mr. BONILLA, Mr. BROWN of California, Mr. CUNNINGHAM, Mr. DE LA GARZA, Mr. FIELDS of Texas, Mr. HAMILTON, Ms. LAMBERT, Mr. MANTON, Mr. MINETA, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. ROWLAND, Mr. SYNAR, Mr. TAUZIN, Mr. WILSON, Mr. WYDEN, Mr. BUCHER, Mr. BROWDER, Mr. DELAY, Ms. ESHOO, Mr. HOKE, Mr. MCCURDY, Mr. PACKARD, Mr. THORNTON and Mr. TOWNS.

H.R. 4244: Mr. LIPINSKI.

H.R. 4260: Ms. VELAZQUEZ and Ms. SCHENK.

H.R. 4271: Mr. MINETA.

H.R. 4289: Mr. SWIFT, Mr. PORTER, Ms. ROYBAL-ALLARD, Mr. YATES, and Mr. HINCHEY.

H.R. 4345: Mr. PASTOR, Mr. HORN, Mr. ACKERMAN, Mr. KLUG, Mr. BARRETT of Nebraska, Mr. MENENDEZ, and Mr. MCKEON.

H.R. 4346: Mr. ORTON.

H.R. 4375: Mr. FILNER, Mr. THOMPSON, and Mrs. SCHROEDER.

H.R. 4386: Mr. BURTON of Indiana, Mr. HANCOCK, Mr. RIDGE, Mr. KINGSTON, Mr. LANCASTER, Mr. BROWDER, Mr. HUTCHINSON, and Mr. BUYER.

H.R. 4404: Mr. KLUG, Mr. KNOLLENBERG, Mr. HOBSON, Mr. GUNDERSON, Mr. BLACKWELL, and Mr. GOODLING.

H.R. 4407: Mr. GEGAS and Mr. EHLERS.

H.R. 4411: Mr. TORRES.

H.R. 4434: Mr. COPPERSMITH, Mr. MANN, Mr. PALLONE, Mr. SWETT, Mrs. THURMAN, and Ms. DUNN.

H.R. 4464: Mr. KASICH, Mr. WELDON, Mr. MCKEON, Mr. MOORHEAD, Mr. DELAY, Mr. GOSS, Mr. BLILEY, Mr. LEACH, Mr. MINETA, Mr. LEWIS of California, Mr. HOKE, Mr. CLYBURN, Mr. GRANDY, Mr. WYDEN, Mr. TAUZIN, Mr. ABERCROMBIE, Mr. HOCHBRUECKNER, Mr. THOMPSON, Mr. ORTIZ, Mr. RUSH, Mr. BALLENGER, Ms. SLAUGHTER, Mr. SOLOMON, Mr. HORN, Mr. PENNY, Mr. COLEMAN, Mr. BROWN of California, Mr. WILSON, Mr. FISH, and Ms. ESHOO.

H.R. 4507: Mr. FROST and Mrs. MEEK of Florida.

H.R. 4535: Mr. RICHARDSON.

H.R. 4540: Ms. PELOSI and Mr. WILLIAMS.

H.R. 4550: Mr. SMITH of Michigan.

H.R. 4557: Mr. COX, Mr. SOLOMON, Mr. MILLER of Florida, and Mr. BEVILL.

H.J. Res. 209: Mr. CASTLE.

H.J. Res. 347: Mr. PASTOR, Mr. MARTINEZ, Mrs. THURMAN, Mr. KASICH, Mr. FROST, and Mr. EMERSON.

H.J. Res. 351: Mr. MARTINEZ.

H.J. Res. 356: Mr. KENNEDY.

H.J. Res. 369: Mr. SPENCE, Mr. GALLO, Mr. MCHUGH, Mr. RAMSTAD, Mr. BACHUS of Alabama, Mr. KING, Mr. KENNEDY, Mr. SHAYS,

Mr. ROHRBACHER, Mr. APPELEGATE, Mr. PACKARD, Mr. FISH, Mr. DIAZ-BALART, Mr. HUNTER, Mr. LEVY, Mr. YOUNG of Florida, Mr. HYDE, Mr. TOWNS, Mr. ZIMMER, Mr. TRAFICANT, Mr. MCCREERY, Mr. KILDEE, Mr. OBEY, Mr. BLILEY, Ms. SLAUGHTER, Mr. KLEIN, Mr. CONYERS, Mr. MINETA, Mr. DEUTSCH, Mr. MORAN, Mr. MCDADE, Mr. MACHTLEY, Mr. BISHOP, Mr. SMITH of New Jersey, Mr. DICKEY, Mr. LIPINSKI, Ms. DUNN, Mr. GILLMOR, Mr. HALL of Texas, Mr. KASICH, Mr. PRICE of North Carolina, Mr. EMERSON, Mr. CHAPMAN, Mr. CLEMENT, Mr. STUMP, Mr. COX, Mr. CRAMER, Mr. POSHARD, Mr. SAM JOHNSON, Mr. DORNAN, Mr. ROTH, Ms. PELOSI, Mr. WOLF, Mr. CRAPO, Mr. MARKEY, Ms. DELAURO, Mr. HORN, Mr. SCHIFF, Mr. COBLE, Mrs. UNSOELD, Mr. PETERSON of Florida, Mr. HUTTO, Mr. MCCOLLUM, and Mr. HERGER.

H. CON. RES. 233: Mr. EVANS, Mr. WAXMAN, Mr. MCCREERY, Mr. SWETT, Mr. OWENS, Mrs. Johnson of Connecticut, Mr. WYNN, Mr. FIELDS of Louisiana, Ms. WOOLSEY, Mr.

YATES, Mr. FLAKE, Mr. HINCHEY, Mr. WELDON, Mr. TORKILDSEN, Mr. BEILSON, Mr. HILLIARD, Mr. HYDE, Ms. FURSE, Mr. DINGELL, Mr. KLECZKA, Mr. COPPERSMITH, Mrs. MORELLA, Mr. RICHARDSON, Mr. TORRICELLI, Mr. JOHNSTON of Florida, Mr. MARKEY, and Mrs. SCHROEDER.

H. Con. Res. 235: Mr. McNULTY.
H. Con. Res. 245: Mr. PORTER.
H. Res. 446: Mr. CASTLE, Mr. BONILLA, Mr. QUINN, Mr. GOSS, Mr. LEVY, Mr. ROYCE, Mr. CONDIT, Mr. LEWIS of California, Mr. GILLMOR, and Mr. SPENCE.

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.R. 3698: Mr. SMITH of Michigan.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4554

By Mr. BEREUTER:

—Page 43, after line 2, insert the following:

In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under a demonstration program of loan guarantees for multifamily rental housing in rural areas, \$1,000,000, to be derived from the amount made available under this heading for the cost of low-income section 502 loans and to become available for obligation only upon the enactment of authorizing legislation.

By Mr. HOKE:

—Page 80, strike lines 3 through 10.