private and congressional tours of the White House and worked on arrangements for the President's trips within the United States and abroad, often traveling on such trips, including the famous trip to Ireland.

After the President's tragic assassination, she continued under President Johnson to serve at the White House during that administration. She worked in Senator Robert F. Kennedy's campaign for President, and after that Senator's tragic assassination, worked out of the New York office on his funeral arrangements at St. Patrick's Cathedral and the historic train ride bringing the Senator's body back to Washington.

Later she became Deputy Chief of the U.S. Capitol Guide Service, responsible for the orientation, supervision, and direction of all Capitol guides and tours. In 1985 she was appointed as Chief of Democratic Pages by Speaker O'Neill and has worked with over 2,000 young American Pages from all over the United States, responsible for their training, orientation, guidance, counseling, and familiarization with House procedures and conduct in this Chamber.

We wish her Godspeed, along with her husband, Ray Donnelly, who has been active in planning the Korean War Veterans Memorial being dedicated on July 27 on the Mall.

America could have had no finer daughter in service to this Nation. She has served millions and millions of our citizens as well as visitors from throughout the world.

Thank you, Mrs. Donnelly.

LENNY DONNELLY

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

Mr. DINGELL. Madam Speaker, I rise today to pay tribute to a fine lady and great friend, who is a shining example and reminder to us all, of the tremendous good a single person can perform in a career of public service.

Lenny Donnelly has served this country with distinction in a career that has spanned 36 years. Early in her career she worked on President Kennedy's White House staff, where one of her duties was scheduling all VIP and congressional tours of the White House. There are still a few left in this Chamber, including myself, who will always be indebted to Lenny for her help in graciously accommodating our scheduling needs.

Lenny has been Chief of Democratic Pages for 10 years and in that time she has become a friend to us all. She has trained, guided, counseled, and cared for over 2,000 pages from all over the United States. Lenny has helped equip a wonderful group of young people with the tools to become part of the next generation of American leaders. Perhaps we will best come to understand her contribution to this institution when in the future, a public leader is asked to name a major influence, and they respond, their time spent as a page under the tutelage of Lenny Donnelly.

Lenny has left her unmistakable mark of expertise on the Page program and she will be sorely missed. She has set a standard of excellence in the field of public service that we should all strive to meet. I wish Lenny the best in all of her future endeavors and am confident she will continue to positively influence the lives of many people in the future. On this, her last working day before retiring, I wish to give Lenny my profound thanks, gratitude, and respect for a job well done.

The SPEAKER pro tempore (Mrs. MORELLA). This entire body joins the gentlewoman from Ohio [Ms. KAPTUR] in thanking Mrs. Donnelly for the service she has performed. It is very special when you meet somebody who gives such a warm reception, sense of humor, sense of perspective, and sense of propriety, and we wish her well.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mrs. WALDHOLTZ. Madam Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: The Committee on Commerce, the Committee on Government Reform and Oversight, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mrs. MORELLA). Is there objection to the request of the gentlewoman from Utah?

Mr. DOGGETT. Reserving the right to object, Madam Speaker, the Democratic leadership of each of those committees has been consulted, and we have no objection.

Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Utah?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2002, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mrs. WALDHOLTZ. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 194 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 194

Resolved, That at any time after the adoption of this resolution, the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3 of rule XIII or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with the colon on page 4, line 17, through ''transportation'' on page 6, line 2; beginning with ''operations'' on page 11, line 23, through the comma on line 25; beginning with the figure on page 20, line 12, through the comma before ''and'' on line 13; beginning with the colon on page 20, line 14, through the citation on line 19; page 27, lines 22 through 25; page 28, lines 3 through 8; page 28, lines 21 through 24; page 29, lines 3 and 4; page 29, lines 7 through 10; page 29, lines 15 and 16; page 29, line 23, through page 30, line 6; page 48, lines 5 through 7; page 51, lines 14 through 22; page 53, lines 1 through 13; page 54, lines 3 through 24; and page 55, line 1, through page 63, line 6. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. It shall be in order at any time to consider the amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution. The amendment may be offered only by a Member designated in the report, shall be considered as read, shall not be subject to amendment, and not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part 2 of the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Utah [Mrs. WALDHOLTZ] is recognized for 1 hour.

Mrs. WALDHOLTZ. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purposes of debate only.

Madam Speaker, House Resolution 194 is an open rule, providing for consideration of H.R. 2002, the Transportation appropriations bill for fiscal year 1996 with 1 hour of general debate.

I will be offering an amendment to the rule that resolves concerns between the Transportation Committee and the Appropriations Committee. The

amendments is being offered because the appropriators and the authorizers were able to come to further agreement after the rule was passed out of our committee.

This rule provides for fair and open consideration of the Transportation appropriations bill while providing the necessary protections we need to be able to bring the bill up for consideration by the full House.

The rule waives clause 2 of rule XXI, prohibiting unauthorized and legislative provisions on an appropriations bill, except for provisions in the bill relating to the Safe Communities Program and the central artery project. The rule also provides that upon adoption of the resolution, appropriations for the national driver register and certain new start transit projects, as described in the rule, will be made available subject to House passage of an authorization bill. This provision preserves the working protocol that has applied for all appropriation bills this session calling for agreement between the authorization and the appropriation before including unauthorized expenditures in an appropriations bill.

Accordingly the rule ensures that funds would not be made available until the House deliberates and votes on whether or not to fund these new start transit projects and the national driver register as part of the normal authorizing process.

Further, the rule waives section 401(a) of the Budget Act that prohibits contract authority spending in excess of levels already authorized; waives clause 6 of rule XXI prohibiting reappropriations; waives clause 3 of rule XIII requiring that a committee bill report contain the text of a statute being repealed within that bill; and provides for one motion to recommit with or without instructions.

Finally, the rule makes in order an amendment consisting of the complete text of H.R. 2, the line-item veto bill as passed by the House on February 6, 1995. This gives us an opportunity to reaffirm our commitment to passage of a line-item veto.

□ 1040

Madam Speaker, I urge my colleagues to adopt this rule, and I reserve the balance of my time.

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

Madam Speaker, we are very concerned about this rule that provides for the consideration of H.R. 2002, the fiscal year 1996 Transportation appropriations bill. We regret that we must oppose it.

We supported the resolution as it was reported from the Committee on Rules, although we were aware of some problems with the original rule. For example, many of us were concerned that the majority on the Committee on Rules gave the line item veto provision protection under the rule. While we all agree that reducing the Federal deficit is one of the most important tasks facing us in the Congress, and the President must have tools to help accomplish that task, the text of H.R. 2002, which the rule makes in order, should not be part of this debate today.

It is yet another example of protection for a controversial and major change in law, and one that the House and the other body have already had the opportunity to work their will on. The process is working, Madam Speaker, even if it is a little slower than some Members would like.

Nonetheless, Madam Speaker, we felt that, overall, the rule as it was reported on Wednesday was proper and was fair. We have generally been supportive of the majority's stated intention to provide open, unrestricted rules for as many of the appropriations bills as possible, and for its policy of providing waivers of House rules only when the authorizing committees agree to those waivers.

This rule was in compliance with those goals. Unfortunately, whether because of oversights and errors or because of the opposition from some in the majority party to the rule as it was reported, or perhaps some combination of these reasons, we are now being asked to consider a controversial amendment that changes entirely the nature of the rule as reported. We do not believe that this is the fair or right thing to do, Madam Speaker.

We are especially concerned that the amendment to the rule will provide a waiver of rule 212 for a provision in H.R. 2002 that repeals section 13(c) of the Federal Transit Action Act, that section of law that provides labor protections for transit workers. Under section 13(c), the Department of Labor reviews all Federal grants to transit agencies to ensure that the Federal money would not be used to the detriment of transit employees.

As the gentleman from West Virginia [Mr. RAHALL] testified in the Committee on Rules, when Congress passed the Urban Mass Transportation Act, we entered into a contract with transit employees. Congress said that the use of Federal funds to be used to acquire private transit companies should not worsen the transit employees' position. Section 13(c) is thus, in effect, a contract made with the concurrence of the transit industry with transit employees.

Madam Speaker, in a show of bipartisan unity that is somewhat rare these days, the chairman and ranking member of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from California [Mr. MINETA], the chairman and ranking member of the Subcommittee on Surface Transportation of the Committee on Transportation and Infrastructure, the gentleman from Wisconsin [Mr. PETRI] and the gentleman from West Virginia [Mr. RAHALL] and the ranking member of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Texas [Mr. COLEMAN], all asked that the Committee on Rules not protect that section of the bill which includes the provision to repeal section 13(c), and to abrogate existing collective bargaining agreements.

We feel strongly that the bipartisan request of these Members, including those who represent the committee with legislative jurisdiction over the section, should have been honored.

Madam Speaker, whether or not one supports section 13(c) is not the point of our objection. The point is that we should not even be debating the complex issues presented by this section as an add-on to an appropriations bill. In fact, we should not consider the repeal of any major provision of any law in the context of an annual appropriations bill; but certainly we should not be asked to protect such a provision from a point of view when the leadership of the authorizing committees disagree unanimously with including the provision in an appropriations bill, and strenuously object to our doing so, as in fact they do.

This sweeping legislative change will have an enormous effect on transit workers and their families in many of our Nation's cities. An issue of this magnitude should go through the normal legislative process, with hearings, markup, and consideration on the floor that is handled by the authorizing committee. That is how Members should decide on the validity of section 13(c). Its repeal should not be part of an appropriation bill.

Madam Speaker, as I mentioned earlier, we have other concerns about the rule, but we have generally been supportive, as I have said, of the attempts by the majority on the Committee on Rules to report most of the appropriations bills with basically open rules.

We have, however, been critical of the committee's decisions to provide waivers of standing House rules for provisions in the bills as reported by the Committee on Appropriations when waivers have not been provided for amendments that Members are seeking to offer. We thought in this rule as reported that we had reached a fairly good balance in that respect, and we very much regret that objections to the rule as reported mean that the provision repealing section 13(c) will be protected from the rule by a point of order, while several Members were denied similar protection for amendments that they sought to offer to the bill.

In particular, Madam Speaker, we object to this waiver if the gentleman from Texas [Mr. COLEMAN] is not accorded the same protection for his amendment to reform, rather than to repeal, section 13(c), and we believe that serious oversight should be corrected.

Madam Speaker, H.R. 2002 is a very important piece of legislation, affecting, as it does, the transportation and

infrastructure decisions our communities will be making in the years to come. The bill affects all Americans. Many of us regret that the bill slights funding for mass transit and that it slights funding for central transportation safety programs. Many of us who support strong fuel economy standards, the corporate average fuel economy standards, so-called, for automobiles, are concerned that they are frozen in the bill. Nonetheless, we had hoped to be able to consider the bill and our objections to it under a fair and open rule.

We regret that apparently will not be the case. The only fair way to deal with this situation would be to allow the gentleman from Texas [Mr. COLEMAN] to offer his amendment that proposes reform of section 13(c). If the previous question is defeated, that is the amendment, in fact, that we will offer.

We cannot express strongly enough our opposition to the amendment to the rule, especially when the request of the gentleman from Texas [Mr. COLEMAN] to be given waivers to protect his amendment was denied. Again, Madam Speaker, we oppose the amendment to the rule. If we must be required to address the repeal of a major law in an appropriations bill, both sides should have the opportunity to present their case and Members should be permitted to consider a reasonable alternative to the repeal of that law.

Madam Speaker, I reserve the balance of my time.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me address the concerns that have been raised by the gentleman from California. First, with regard to the line-item veto, I want to stress that the inclusion of the language in this particular bill regarding line-item veto is designed to simply allow us an opportunity to reaffirm what this body has already done.

On February 6 of this year, this House passed the line-item veto provision. The language that is included in this rule is identical to the language that was previously passed on February 6, so we are not asking for the House to change its previous action. We simply included this as a means to reemphasize the commitment that this House has to a line-item veto. We chose to include it in an appropriations bill because there is nothing that the line-item veto is more pertinent to than appropriations.

The whole point of a line-item veto in the hands of the President is to allow the President the opportunity to veto specific line items included in appropriations bills passed by this House. We felt that it was appropriate in light of the delay that we feel is happening between trying to bring together the versions passed in the House and Senate that at this time in the appropriations process, we wanted to allow the House the opportunity to reemphasize its support for this measure that passed overwhelmingly earlier this year.

Let me also address the particular rule amendment that I will be offering at the close of this debate. Once again, Madam Speaker, I want to emphasize that these changes were made in accordance with the protocol that has been followed by the Committee on Rules and by the authorizers and the appropriators throughout this appropriations process in that these changes are made as a result of agreement between the chairman of the authorizing committee, the gentleman from Pennsylvania [Mr. SHUSTER], the gentleman from the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINGSTON], and the chairman of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Virginia [Mr. WOLF].

There were some concerns between these gentleman that had not been resolved as of the time the Committee on Rules considered and passed out this rule. After the rule was passed by our committee, they were able to resolve some of these differences, and the amendment that we are presenting today reflects the agreement that they were able to reach. There is absolutely nothing inconsistent with this procedure that we have followed with what we have done in previous appropriations bills. Once again, what is being included is a result of agreement worked out between the appropriators and the authorizers. We have had similar waivers for every other appropriations bill that has come before this House so far this year.

Let me say one other word. That is about the 13(c) provision. What we are attempting to do is simply allowing the House the opportunity to discuss this measure. We believe it is important that the House discuss this measure now, as the outcome of the debate on 13(c) will have a definite impact on funding requirements for transportation throughout our Nation. The waiver in the rule protects language in the bill that repeals section 13(c) of the Federal Transit Act regarding labor issues. Under this open rule, Members are allowed to offer amendments affecting the provision, allowing for consideration by this House and for vote by the entire membership.

Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Madam Speaker, I rise in support of the substitute rule being offered today. I had gone to the Committee on Rules and requested that several items that are legislative in nature and therefore would be violations of rule XXI, that they not be protected from points of order. The original rule acceded to my request on these items. Since that point we have had several discussions with the leadership on some of the items of concern and have reached an accommodation.

I am pleased to say in the report that I will be allowed to raise points of order against two legislative provisions, and I intend to do so: the central artery language, and appropriations for the Safe Communities Program, which is unauthorized.

In addition, unauthorized transit projects, as well as the national driver register, will be made subject to an authorization in a House-passed bill. This is essentially what I have been requesting, and this protects the integrity of the House rules, as well as the prerogatives and jurisdiction of the authorizing committee.

In addition, we have been able to reach accommodation on legislative language relating to the Hot Springs Airport. The substitute rule does not grant my request to leave unprotected the repeal of section 13(c) of the Federal Transit Act, as well as a related provision concerning arbitration of disputes in the National Capital region. I understand that these are leadership initiatives, and I support the leadership on protecting these provisions.

Madam Speaker, therefore, I urge support for the substitute rule.

Mr. BEILENSON. Madam Speaker, I yield 4 minutes to the gentleman from Texas [Mr. COLEMAN], a member of the Subcommittee on Transportation of the Committee on Appropriations.

Mr. COLEMAN. Madam Speaker, let me say at the outset, and I should say also to my colleague from Pennsylvania, we have problems certainly on this side of the aisle with this particular amendment to the rule being brought to the floor of the House. It is a break with tradition, certainly. Let me just say, I was handed 2 minutes ago this Waldholtz amendment. We have had days to go before the Committee on Rules, yet they cut some kind of deal behind closed doors.

I do not understand why we wanted the public not to take a part in the rules process. What happened in the negotiations? Who was in them? I do not know. Who said what? We do not know. I was told just a minute ago by the chairman of the Committee on Transportation and Infrastructure, the authorizing committee, that the chairman of the Committee on Appropriations was involved in negotiations. That is interesting. The public does not know that, do they, unless we just take their word for it? We do not know what was said in there. I think this is a terrible way to do business.

On their side of the aisle they started out this session of Congress by clamoring for openness, telling us how we are going to change all these kinds of things, and yet here we are, breaking with the tradition of the House and amending a rule on the floor. They could go back to the Committee on Rules in open public debate and discuss what they are doing, but they do not want to do that.

Last week we amended the Interior appropriations bill to limit debate. I

think there might have been some ability on the part of everyone to understand that process, but to do this this way is ridiculous. Let me tell the Members some of the things they protected and did not protect. That is why this rule ought to be defeated. Let me tell Members what this new amendment to the rule protects.

As Members may or may not know, there are 13 transit projects that we determined in our Subcommittee on Transportation, 13 transit projects that had not been authorized by the authorizing committee. Yet, the chairman, a Republican, the gentleman from Virginia, FRANK WOLF, decided nonetheless we should fund these. Our side of the aisle agreed that yes, many of these are ongoing, many of these are planned, and we should fund them, but in order to fund them, you have to protect them under the rule.

The chairman of the authorizing committee went to the Committee on Rules and said, ''Do not protect unauthorized legislation,'' we will get an authorization for these that we think are valid and ought to be authorized. Sure enough, the Committee on Rules, in open public debate, agreed. They said, ''You are right, we should not appropriate these unauthorized projects.'' We all accepted that.

Let me say to the Members, there were 15 or 20 Members of Congress that did not like that, but it was probably the right thing to do. I congratulate the Committee on Rules for doing it. However, hold the phone, wait a minute, we now have an amendment here on the floor that I got to see 2 minutes ago, not in front of the Committee on rules, not open to public debate, not written about, permitted to be written about by the media. Here it is, right here. I got to see it just 2 minutes ago. Wait a minute, have we had a public debate on the Committee on Rules on this issue? No.

Let me tell the Members what they do. Let me tell Members about these 13 projects. These are just an example of what they did. Let me tell about these 13 unauthorized projects, as we were told. They protected Canton-Akron-Cleveland Commuter, $6.5 million. We cannot strike it on a point of order. Wait a minute, we have got to go to the authorizing committee on DART North Central, DART Dallas-Fort Worth RAILTRAN, Miami-North 27th Avenue, Memphis Regional Rail, New Orleans Canal Street, Orange County Transit Way.

Hold it, wait a minute. We are going to protect St. Louis—St. Clair extension. No, the Puerto Rico issue is going to have to be authorized again. Tampa to Lakeland Whitehall Ferry Terminal, Wisconsin Central Commuter; hold it, we are going to protect Pittsburgh Airport, phase 1, $22.630 million.

We are picking and choosing in this amendment, already picking and choosing? Let us not make any mistake about it, when we vote, when we vote today in a few minutes, or whenever it is that the determination is made to vote on the previous question, a motion can be made by the author, the gentlewoman from Utah [Mrs. WALDHOLTZ], when we have the opportunity to vote on this particular motion, what happens is that we self-enact these.

Madam Speaker, it is my understanding that the Republicans are going to break with the tradition of this House and substantially amend a rule on the floor. I say it is my understanding, and not that I know, because I have not been consulted on this issue. It is not that I haven't been available. We were all here late into the night. I spent most of yesterday and this morning in committee with my colleagues on the other side. My staff has reached out to theirs and still not even a word to advise or counsel. That does not make for a family friendly schedule either for myself or my staff.

Last week, we amended the rule governing debate on the Interior appropriations bill to limit debate. This was done with the consultation of the ranking Democrat of the Appropriations Committee. I have consulted with many Members with more tenure than I and all agree that amending a rule is without precedent in modern times. Because it was for the good of the consideration of that bill and was limited to time restrictions, Democrats agreed.

I understand the frustration those on the other side must feel on the slow process of open rules. I too am frustrated. Long did Members across the aisle object when the Democratic majority wrote rules on appropriations bills limiting debate and in those instances where we felt an immediate need, protecting certain provisions from points of order. I do not wish to mislead anyone. When we were in charge, we tried to cultivate rules which allowed a reasonable amount of time for debate, but yet provided guidelines so that the appropriations process moved along at an efficient pace. However, the amendment that the majority is going to offer today does not limit debate. It substantially changes the rule. This is a dangerous precedent and frankly I am surprised that a leadership that prides itself on open rules and open debate would go behind closed doors after the legislative process had worked in the open, then cut a deal significantly changing the rule. You could have returned to the Rules Committee, pleaded your case again, and asked for a second rule, but that would have required a 1-day layover on the rule and we couldn't wait 1 day—even though it would serve to preserve the integrity of the House and of the legislative process. Also it would have been open to the public.

The frustration over the pace of the appropriations bill on the floor is no reason to set new precedent in this Chamber and move to substantially amend a rule on the floor, because a few, albeit influential members, did not get their way in the Rules Committee. The reason we have the Rules Committee is so that the competing interests of all Members may be heard when setting the parameters of debate. That is what we did on this bill. All the Members interested in shaping the rule went to the committee and pleaded its case.

No one got everything they asked for and a few Members were unhappy with the rule. So what did the leadership do? It went behind closed doors to draft an amendment changing the rule. In this case, the leadership not only blocks the constructive input of the minority, it suffocates the will of a significant portion of majority Members.

I am disappointed that the majority has chosen to do this on the transportation appropriations bill. This is one of the few appropriations bills both sides agreed would move through with little rancor. While not completely enamored with the bill, I had conceded several times in testimony and in conversation to Members that Chairman WOLF had dealt with the bill in a fairly evenhanded manner—until now.

What does the Republican amendment do? Well, that's a good question and until just a few minutes ago I didn't know for sure. This amendment that Republicans will offer at some unknown point, will reverse the decision of the Rules Committee and rewrite major labor laws. It does not strike the ability to attach the line-item veto to this bill—legislation which has already passed this House and which we are supposed to go to conference with the Senate on who does not agree with our approach. Again, that is why we have the deliberative process. The leadership has said that it did not want to bog down the appropriations process with authorizing legislation. That is what allowing this provision to remain does.

Adhering to the procedures of the House, I testified before the Rules Committee and asked that three legislative items not be protected in the rule. Two of those items repeal labor protection provisions—section 13(c) collective-bargaining rights and arbitration standards for the Washington Metropolitan Area Transit Authority, a matter never discussed in our subcommittee. I also asked the Rules Committee to make in order my amendment to reform instead of repeal one of the provisions, section 13(c) if they protected its repeal. The Rules Committee, which is comprised of nine Republicans and four Democrats, did not protect the two labor provisions as requested by the chairman of the subcommittee, allowing opponents to strike these ill-advised provisions. This amendment—crafted behind closed doors and without precedence on the House floor—reverses that decision.

We all agree that section 13(c) needs to be reformed. However, as demonstrated by the close 23-to-25 vote my reform amendment experienced in the Appropriations Committee, there is no consensus on this issue. I believe this issue is better left to the authorizing committees and the Department of Labor. Repealing section 13(c) is an attack on the collective-bargaining rights or our Nation's 200,000 transit workers. I understand that the chairman believes that repeal of section 13(c) will somehow help to compensate for the disproportionate reduction in funds that transit took in this bill.

Section 13(c) is intended to assure that the distribution of Federal grants to local transit systems does not harm transit workers and that employee issues arising out of Federal transit grants are properly addressed through collective bargaining. In its 30-year history, 13(c) has provided a remarkable measure of labor-management stability in an industry that has experienced unprecedented growth and change. In urban, suburban, and rural communities alike, 13(c) has provided an effective system for transit systems to manage significant changes without harming employees.

For those of us who are genuinely concerned about the delays attributed to the 13(c) program, striking the repeal or allowing my

amendment would have allowed the Department of Labor a reasonable amount of time to process the 13(c) applications. The Department of Labor has moved to address concerns about the time it takes to certify some labor agreements. On June 29, the Department published in the Federal Register substantive revisions to the 1978 guidelines which will leave in place the important employee protections, but will establish strict timeframes for the certification of protections in a more expeditious and predictable manner. Under these proposed rules, DOL certification permitting the release of funds will occur within 60 days.

I have heard from literally thousands of the transit workers who will be effected by this repeal. Workers from Dallas, TX; Orange County, NJ; La Mesa, CA, and elsewhere. They all share the same sentiment ''please don't take away the assurance of collective bargaining.'' Collective bargaining was created so that disruptions in labor caused by Federal grants could be dealt with in a manner fair for management and labor. This amendment to the rule protects the repeal of section 13(c) making it impossible for me to offer a reform amendment.

The third provision I requested not be protected, but the Rules Committee did protect from a point of order is a section in the bill forcing DOT employees receiving workers compensation who are eligible to retire should retire. Sounds good on the face of it. However, what the bill and report don't tell you is that substantial numbers of these retirees are disabled. They have been receiving workers compensation for several years. When you receive workers compensation, no money is credited toward the retirement system. Therefore, if you were an Air Traffic Controller who had 5 years of Federal service before becoming totally disabled for work in 1976, you would be eligible for the minimum retirement annuity—$130 month. This is drastically less than wage-loss benefit under the present system. How do you expect a disabled Federal employee to live on $130 a month?

Unfortunately when the doors were closed and member's projects were being protected, the disabled Federal employee was not.

We will probably not have a lot of time before the vote against the previous question. As demonstrated by the fact that we just received the amendment, the majority does not want these substantive changes to the amendment aired on the floor of the House. I urge my colleagues to vote ''no'' on the previous question so that we can restore reason and fairness to the process.

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

Mr. COLEMAN. I yield to the gentleman from Montana.

Mr. WILLIAMS. Madam Speaker, I just entered the Chamber. Did I hear the gentleman say that the list of projects that he was holding are unauthorized?

Did I understand correctly that that list that the gentleman is holding is of unauthorized projects, projects that this House or Senate have never authorized?

Mr. COLEMAN. That is right. The Republican Party said at the outset, the day we were swearing in our new Speaker, that we were not going to do those kinds of things.

Mr. WILLIAMS. If the gentleman will yield further, will the House have the opportunity to vote to accept these projects separately or collectively? Will we have a separate vote?

Mr. COLEMAN. Absolutely not. They have protected these projects. There is nothing Members can do about it, even if they are unauthorized. They made exceptions very specifically for certain of the projects that they wanted to accept. I just think this is doing something we should not do.

There is nothing wrong, let me say to my colleagues on the other side of the aisle, they know this, we know this, there is nothing wrong with going to the Committee on Rules and getting a rule they want, but can we not at least have a debate on these as a matter of fact? We do not have that. I do not understand all the rationale for the ones Members protected and did not protect. Is the public not entitled to know? It is taxpayer money, is it not? Of course it is. Do not tell us you cannot do that.

Madam Speaker, I think it is time that we understand what this amendment does, so I say to the Members, be careful when you vote. I am going to ask Members on both sides of the aisle to be absolutely careful when they vote on making the decision on making the previous question. The correct vote will be ''no.''

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

I think it is important that we let the public know exactly what happened and how this rule came about. On Wednesday, the Committee on Rules passed out a rule that failed to protect, deliberately, by design, a list of projects that are unauthorized, because the appropriators and the authorizers had been unable to agree that they should be included. Accordingly, these projects that the gentleman has referred to were not included for protection in the rule, meaning that they would be subject to a point of order on the floor; that therefore, it would be not in order to allow them to be discussed, and that Members of this House would not be able to have a vote.

□ 1100

On Thursday, Madam Speaker, the gentleman from Pennsylvania [Mr. SHUSTER] and others met and were able to reach further agreement. They agreed that these projects should be allowed to be discussed on the floor of the House. Amendments to knock these projects out are certainly in order, and such amendments have already been prefiled, but they agreed that the Members of this body ought to have the opportunity to discuss them.

Once again, Madam Speaker, let me stress that unauthorized projects have been included for discussion in every appropriations bill that we have considered this year. But it has only been done where there has been agreement between the authorizers and the appropriators, and such agreement was reached on these projects yesterday.

There has been some intimation that somehow this was a secret. In fact, Madam Speaker, I explained this rule in great detail to the Legislative Digest late yesterday afternoon. I explained to them exactly what we had done on these mass transit projects. I explained to them exactly what we had done on the 13(c) requirement. There is nothing that has been kept secret in any way here.

This has been discussed with the news media. I assume they published their reports. If not, that is something over which we have no control.

Again, let me stress at the time the rule was passed out of the committee there was disagreement between the authorizers and the appropriators as to whether they should be considered. After the rule was passed out, they were able to come to an additional agreement.

It is interesting, I think, to note that the two projects about which the gentleman has raised the most objection are included for Members on his side of the aisle. The St. Louis metrolink project is a project in the district of the gentleman from Missouri [Mr. GEPHARDT]. The Pittsburgh Airport phase 1 is in the district of the gentleman from Pennsylvania [Mr. MASCARA].

We are not picking and choosing, Madam Speaker. We are not favoring one party over another or members of one committee over members of another. We are treating all similarly situated projects the same.

The projects on this list have not been authorized. There was disagreement. The agreement was reached that we could consider them, but, as this rule reflects, these projects will be subject to authorization by the House.

We have two opportunities to review these projects, one in the appropriations process and one in the authorization process. We are not picking and choosing, Madam Speaker. We are allowing the Members of this House the opportunity to discuss these items, to make amendments to determine whether we want to fund them or not, all in accordance with the protocol that has been followed throughout this appropriations process.

Madam Speaker, I reserve the balance of my time.

Mr. BEILENSON. Madam Speaker, I yield 3 additional minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Madam Speaker, the gentlewoman is talking about last Thursday. That was last night. We were in session last night until about 11. The amendment I have got is dated July 21, 10 a.m. That is today. That is about an hour ago. I think that that is not the way we ought to legislate.

She says it is not done in secret. I guess not. America has had 62 minutes to find out what is in your amendment.

Let me just also say to the gentlewoman that last week, in dealing with another amendment to a rule, we did it for limiting debate. This is different. I hope the Members will recognize that

it is different in casting their vote today.

Adhering to the procedures of the House, I testified as a Member of the minority before the Committee on Rules and asked that three legislative items not be protected in the rule. Two of those repeal labor protection provisions, section 13(c) of the collective bargaining rights and arbitration standards for the Washington Metropolitan Area Transit Authority, a matter never discussed in our subcommittee.

I also asked the Committee on Rules to make in order an amendment if they decided, like your amendment has decided this, to not protect the repeal of 13(c) since it is legislation. Your decision is, no, no, you are not going to be able to reform it.

I asked the Committee on Rules, please, if you are going to protect it, at least let me have an amendment that would reform it and not completely repeal it. But your amendment does not allow me to do that because you are not the Committee on Rules.

I hope you understand that what you are doing with this amendment is cutting off our rights in the minority. A lot of us think that that is not the way that we ought to be legislating.

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

Mr. COLEMAN. I yield to the gentleman from Montana.

Mr. WILLIAMS. I appreciate the gentleman yielding.

Madam Speaker, the gentleman and I have been here for a number of years. I have been here for 17 years. I have listened during all of those years to a Republican marketing effort to try to convince the American people that the former Democratic leadership, whether it was Tip O'Neill, Tom Foley, Jim Wright, or whoever was corrupt, corrupt in part because they would not allow Republicans an up-and-down vote on major issues. They constantly repeated the misrepresentation that we had gag rules. Since I have been here, not one time, count them, not once have the Democrats used this kind of a stealth process to protect pork. Not once.

Mr. COLEMAN. Reclaiming my time, if I might, just in closing, I would urge all Members to understand that on the motion to recommit that is going to be made by the gentlewoman from Utah, we need to be together, those of us who believe on both sides of the aisle that this procedure and this procedure is wrong, we should vote no. Let us permit the Committee on Rules to write a rule that the Committee on Rules is charged with writing.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

Let me simply point out that, under the rules, the gentleman will have an opportunity to move to strike the provision on 13(c). So the gentleman will get an up-or-down vote on whether or not to repeal this particular provision. If the motion to strike is successful, then we will go back and be able to review this for the authorizing process. So there is an opportunity for the gentleman to strike this provision under the rules.

Madam Speaker, I yield 4 minutes to the gentleman from Florida [Mr. GOSS], my colleague on the Committee on Rules.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Madam Speaker, I thank the gentlewoman from Utah for yielding me this time. I want to commend her for the excellent job she is doing handling this rule. As a veteran on the Committee on Rules with some very good battle scars of my own from managing the transportation appropriations bill the last couple of years, I very well know the challenges posed by this particular bill and the difficulty coming up with a fair formula that keeps everybody happy and addresses every Member's concern. It is a virtual impossibility.

Traditionally, this bill, perhaps more than others, has highlighted the tension that exists between the appropriators and the authorizers; and, frankly, that is what we are seeing played out here, some of that tension, and I know it is a frustrating process.

The budget process is supposed to work so that the authorizers set the policy decisions which are supposed to be agreed upon by the Congress before the money is spent. That makes sense.

The reality is that we seldom complete our authorizing work before the appropriations cycle begins and, as a result, we end up with spending bills that are filled with programs that have not been authorized and legislative provisions that in a perfect world probably should not be there but nevertheless are important in the Nation's business, which seems to have a higher priority, I think, and most do, than the exactness of our rules as long as our rules are free and fair, which is what we are trying to do.

Let me be clear. This is not the fault of any one committee or any one chairman. This is the fault of a budget process that has gotten, in my view, much too complex, somewhat unworkable and probably not up to the task in our current fiscal and political environment that we have.

The Subcommittee on Legislative and Budget Process of the Committee on Rules, working with our counterpart, the Subcommittee on Rules and Organization of the House, both these subcommittees together have begun holding hearings on the larger question of reforming the budget process. Of course, the Committee on Government Reform and Oversight and the Government Resources and the Committee on the Budget are involved in this as well.

Perhaps next time we have a transportation appropriations rule on the floor we will actually have some of these systemic problems resolved and reduce some of the tensions.

With regard to this specific rule, I think the gentlewoman from Utah has spoken terribly well to the issues that are out there and what has happened. I think we are up to date, and I think she is absolutely right. There will be a fair chance to deal with these issues.

I think the Committee on Rules has tried to develop a fair product that respects the wishes of the authorizers to the greatest extent possible, which is a guiding principle because of the situation between the appropriations cycle and the authorizing cycle. But we also want to assure that the hard work that the Committee on Appropriations has done in making the very tough spending decisions they have got to make as we get on the balanced budget glide path, we have got to preserve that work, too.

This is an attempt to balance that, and I think it does pretty well. It contains necessary waivers in order to allow the process to move forward to the point it has been negotiated as we get to this part of our calendar.

Madam Speaker, to my colleagues still concerned about our commitment to bringing forward a deficit lockbox that works, and I mention this because there has been a great deal of interest in it specifically, I remind the folks that are interested in a deficit lockbox that works that our Rules Committee in fact yesterday marked up a bill and we are hoping to keep it on track and bring it up to the floor for next week.

We think we have got a pretty good device that is going to work pretty well. It is simple and it is flexible.

Finally, I think this particular rule is written to send a strong signal to the other body that we are serious about our version of the line-item veto which we think very much is the version that will work.

Madam Speaker, I urge support of the rule. Once again, I want to congratulate the gentlewoman from Utah for her professional way of handling this. She has described it exactly correctly, and there is ample opportunity for everybody to get a vote on these issues as we go through the total cycle.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the gentleman from Utah [Mr. ORTON].

(Mr. ORTON asked and was given permission to revise and extend his remarks.)

Mr. ORTON. I thank the gentleman for yielding me the time.

Madam Speaker, I rise in opposition to the rule for the reasons stated, that it is protecting many pork projects.

This simply shows the additional need for the line-item veto. I am concerned, however, that the Speaker has stated ''line-item veto bites the dust,'' or ''we won't get to it this year,'' as quoted in the Washington Times. The gentleman from New York [Mr. SOLOMON] is even quoted in the Times saying, ''Perhaps the best thing is to wait until fall when the budget is finished. There's no sense in going through with it now.''

I rise to commend the Committee on Rules for allowing either the gentleman from New York [Mr. SOLOMON] or the gentleman for Pennsylvania [Mr. CLINGER] to offer what is in effect my amendment, to attach the line-item veto to the transportation appropriation bill.

On Wednesday the gentleman from South Carolina [Mr. SPRATT] and I came before the House Committee on Rules with an amendment to apply the provisions of H.R. 2 to this bill. H.R. 2 was the line-item veto bill which passed the House in February with an overwhelming margin of 294 to 134.

I also announced my intention to offer an amendment to apply the line-item veto to each and every appropriation bill remaining.

I am both pleased and amused to see that the Committee on Rules in direct response to my proposal has taken my idea and adopted it as their own. After all, imitation is the sincerest form of flattery.

During debate on this bill, I will be supporting the Solomon-Clinger line-item veto amendment, which is in reality the Orton-Spratt amendment. However, pride of authorship is not what is important here. Getting line-item veto back on track is the issue.

Enactment of this amendment is not an empty exercise. We have embarked on this campaign because I am disturbed by the previous statements of the Speaker reported in the press. Some have speculated the demise of line-item veto is due to a reluctance of the Republican Congress to give this power to a Democrat President. Others ascribe this to an honest disagreement between the House and Senate.

Either way, it is my strong belief that there is no reason not to apply line-item veto to additional spending bills this year.

Madam Speaker, I strongly support the line-item veto. Last year I led the fight to get this bill on the floor. This year I voted for it. It is my belief the taxpayers should not suffer from congressional inaction on this issue. Every bill we pass that is not subject to line-item veto means millions and potentially billions of dollars of unnecessary spending that we will not cut.

Madam Speaker, I rise in strong opposition to the resolution for the reasons stated by my colleague from California. This rule protects specific pork barrel projects from points of order. These are spending projects which have not been considered, debated, or authorized by the Transportation Committee and this body will not have the opportunity to eliminate them from this appropriation bill.

Does it seem hypocritical to anyone to adopt a rule which protects specific pork barrel projects and in the same rule allow an amendment to provide the President with line-item veto authority to veto those same pork barrel projects? Where is the reponsibility in such a rule? Wo unto the credibility of the Congress if we adopt this rule to protect our pork and then rely on the President to make us responsible by vetoing line items of pork from this legislation.

While I oppose this rule, I do support the amendment to apply line-item veto to this legislation. In past weeks I have become very concerned over the delay in adoption of the line-item veto. On June 7, 1995, in a Washington Times article entitled ''GOP Puts Line-Item Veto on Slow Track,'' Chairman SOLOMON is quoted as saying, ''Perhaps the best thing is to wait until fall when the budget is finished. There is no sense in going through with it now.'' Then on July 13, 1995, in the Washington Times article entitled, ''Line Item Veto, Product Liability Issues Bite the Dust:'' Speaker GINGRICH is quoted as saying, ''My sense is that we won't get to it this year.''

Madam Speaker, I commend the Rules Committee for allowing either Representative SOLOMON or CLINGER to offer what is in effect my amendment to attach line-item veto to the Transportation appropriations bill, H.R. 2002.

On Wednesday, Representative JOHN SPRATT and I came before the House Rules Committee with an amendment to apply the provisions of H.R. 2 to this bill. H.R. 2 was the line-item veto bill which passed the House in February by an overwhelming vote of 294 to 134. I also announced my intention to offer an amendment to apply line-item veto to each and every appropriations bill remaining for consideration this fiscal year.

I am both pleased and amused to see that the Rules Committee, in direct response to my proposal has taken my idea and adopted it as its own. After all, imitation is the sincerest form of flattery. During debate on this bill, I will be supporting the Solomon-Clinger line-item veto amendment, which is in reality the Orton-Spratt amendment. However, pride of authorship is not what is important here, getting line-item veto back on track is the issue.

The enactment of this amendment is not an empty exercise. I have embarked on this campaign because I am very disturbed by recent statements by the Speaker and others reported in the press that line-item veto may be dead for this year. Some have speculated that the demise of line-item veto is due to a reluctance of a Republican Congress to give this power to a Democrat President. Others ascribe this to an honest disagreement between the House and Senate. Either way, it is my strong belief that there is no reason not to apply line-item veto to individual spending bills this year.

Madam Speaker, I am a strong support of line-item veto. Last year, I led the fight to get this bill to the floor of the House. This year, I voted for final passage. It is my belief that the American taxpayer should not suffer from congressional inaction on this issue. Every bill we pass that is not subject to line-item veto means millions and potentially even billions of dollars of unnecessary spending that will not be cut.

Finally, while I am pleased that the Solomon-Clinger amendment has been made in order, I hope that this will not be merely a one-time symbolic effort to express the importance of line-item veto.

While Speaker GINGRICH and Majority Leader DOLE may have given up, I have not. And this House cannot abandon our strong bipartisan effort to enact line-item veto for the President of the United States, regardless of his or her party affiliation.

If we are to succeed in that effort, we must put maximum pressure on both Houses of Congress to come to agreement. We should apply line-item veto individually to each and every bill we send over to the other House. I pledge to continue the struggle to do so, and ask for the support of every Member of the House in this effort.

Mr. BEILENSON. Madam Speaker, I yield 4½ minutes to the distinguished gentleman from California [Mr. MINETA], the ranking member of the authorizing committee.

(Mr. MINETA asked and was given permission to revise and extend his remarks.)

Mr. MINETA. Madam Speaker, I rise in very, very, very strong opposition to this rule and urge a ''no'' vote on the previous question.

There are two reasons for my opposition. First is the substance of the legislation that we are dealing with. Second, because of the process.

□ 1115

Now, there are many areas of concern in this rule and in this legislation. One of the areas I would like to point out is the area of my concern about section 13(c) of the Federal Transit Act.

As Members know, at the request of the authorizers, the Committee on Rules reported out a rule that did not, did not, protect points of order with respect to the repeal of section 13(c) in the Department of Transportation appropriations bill.

As part of that request, we had also asked that if the section 13(c) repealer were protected, that the rule make in order an amendment to be offered by the gentleman from Texas [Mr. COLEMAN] on 13(c).

What we have in this rule is the worst of both worlds; the 13(c) repealer is protected from a point of order and a reform amendment is not made in order.

Madam Speaker, this rule is not fair. As Members know, a repeal of section 13(c) could adversely affect the jobs and lives of hundreds of thousands of transit workers across the country.

As the ranking Democratic member of the Committee on Transportation and Infrastructure with jurisdiction over this issue, I am particularly opposed to the use of an appropriations bill to make such sweeping legislative changes affecting so many transit employees and their families in so many cities.

An issue of this magnitude should move through the normal legislative process with hearing, markup, and consequent floor action spearheaded by the authorizing committee and not tucked away in the deep recesses of an appropriations bill.

This problem is further compounded by failing to make in order a reform amendment that could have been offered and should have been offered by my colleague from Texas, Mr. COLEMAN, relative to 13(c).

Mr. COLEMAN. Madam Speaker, will the gentleman yield?

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

Mr. COLEMAN. Madam Speaker, that is just the one point I wanted to

make. When the gentlewoman from Utah [Mrs. WALDHOLTZ] stood up and said they can offer a motion to strike it, there are a lot of Members on both sides of the aisle that think there is a middle ground, that we do not have to do an either/or; we either have the 13(c) or we do not.

A lot of us, including the Secretary of Labor, including, by the way, the promulgation of rules that was announced on June 30th, agree that there ought to be a middle ground by which we can get reform of 13(c); not an either/or, take-it-or-leave-it like the gentlewoman's amendment to the rule causes us to do.

Madam Speaker, I am just going to say, the amendment of the gentlewoman from Utah precludes us from that middle ground. We cannot offer it.

Mr. MINETA. Madam Speaker, reclaiming my time, it is only fair that if a provision repealing a program is protected, that we be given an opportunity to offer an amendment which would reform the program, as our colleague from Texas has just indicated, and make its repeal unnecessary, especially when such a reform amendment almost prevailed, almost prevailed, at the Committee on Appropriations by a 2-vote margin.

Now, the second reason I am in opposition, the process is outrageous, because what we have is the ability to file a rule, let it lay overnight so that Members are able to see what the rule is. But in this instance, they filed a rule and now by stealth have an amendment coming to us to amend the rules.

Now, which amendment are we going to talk about? The 1 a.m. Waldholtz amendment of July 21, or are we talking about the 10 a.m. July 21 amendment? To me, this is outrageous that this kind of process is taking place with the use of the Committee on Rules to abrogate the legislative process.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me respond to the concerns expressed first on the line-item veto amendment. When the gentleman from Utah [Mr. ORTON] and the gentleman from South Carolina [Mr. SPRATT] came to the Committee on Rules, we agreed that this was an appropriate time for this House to reaffirm publicly its support of the line-item veto that was passed by this House on February 6.

But I need to point out that the amendment offered by the gentleman from Utah [Mr. ORTON] was not the same text as passed by the House on February 6. The Orton amendment did not include authority for the President to veto targeted tax benefits. Those are special tax provisions intended to benefit 100 people or less.

The amendment in order under the bill, however, consisting of the text of H.R. 2 itself, was already agreed upon and voted on and supported by this House in February. Making the amendment in order under the rule allows the House the opportunity to once again express our support, with the identical text, including line-item veto for these targeted tax benefits.

Addressing once again the 13(c), let me stress, Madam Speaker, that the way the rule is now constructed allows us to vote on repeal of 13(c) and allows those who want to continue this program to move to strike. We will have an opportunity to vote on whether or not this program should continue. If there is sufficient sentiment in this House that this program should continue, then we can go through a process of debate and consideration of necessary reforms through the authorization process. But we believe it is appropriate first to find out whether there is enough support in this House for the continuation of this program.

With that, Madam Speaker, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Madam Speaker, I thank the gentlewoman from Utah [Mrs. WALDHOLTZ] for yielding, especially since she knows I rise in opposition to this rule.

The reason I am opposed is because once again the lockbox is not included. However, I would like to say to the gentlewoman, and to the other Republican and Democratic members of the Committee on Rules, how pleased I was that yesterday, finally, a lockbox bill was reported with bipartisan support. Now the question is when will the House consider it?

This is the lockbox. It is still empty. We have disposed of five appropriations bills. We will dispose of the agriculture bill later today. That is six. Now we are considering a rule for the transportation bill that excludes a lockbox amendment.

We have made over $200 million in cuts so far this year; cuts which will not go to deficit reduction. I know the gentlewoman from Utah joins me, as do many of our other colleagues, in feeling that it is far past time to have the lockbox enacted into law. Let us do it quickly and let us get on with reducing the deficit, which the American people demand.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. BONIOR], the Democratic whip.

Mr. BONIOR. Madam Speaker, let me if I could put this debate, as it revolves around 13(c), into some perspective. The radical, extreme leadership on the Republican side of the aisle has decided, once again, that it will engage in class warfare against working people in this country.

Since 1979, 98 percent of all new income in America was generated by the top 20 percent of America. The other 80 percent stayed even or fell below what they were receiving. The largest employer in America today is not IBM or GM; it is temporary manpower services. The difference between what the average CEO in America makes and the average worker is 150 times more in salary; the average CEO makes 150 times more.

What we have here in this rule is an attempt to shut out literally tens of thousands of transit workers across this country from engaging in collective bargaining, a further erosion of the right of working people in this country to bargain for a fair day's work.

Madam Speaker, we may think that we are in a third wave. I think we have missed a wave, quite frankly, Madam Speaker. But the work of this country is still done by people who pack a lunch, who punch a clock, and who pour their heart and soul into work every single day and these transit workers are a part of what makes America go and work.

We, on our side of the aisle, feel aggrieved by the fact that we are not getting a chance to engage in this debate. I encourage my colleagues, in conclusion, Madam Speaker, to vote against the previous question so we could have a chance for the gentleman from Texas [Mr. COLEMAN] to offer his reforms and we can protect working people in this country.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the distinguished gentleman from West Virginia [Mr. RAHALL], the ranking member of the subcommittee.

Mr. RAHALL. Madam Speaker, I thank the distinguished gentleman from California [Mr. BEILENSON], a member of the Committee on Rules, for yielding time to me.

Madam Speaker, I rise to urge a ''no'' vote when the previous question is ordered.

On Wednesday, correctly recognizing that it is not appropriate under House rules to allow legislation on an appropriations bill, the Rules Committee issued a rule to govern the Transportation appropriations bill that would not have protected from a point-of-order a provision repealing section 13(c) of the Transit Act.

This provision of law basically insures the collective bargaining rights of over 200,000 transit workers in this country.

On Thursday, however, the same Rules Committee issued an amendment to that rule, an amendment which now protects the section 13(c) repeal language from a point of order.

Now, Madam Speaker, this business of issuing amendments to rules is a relatively new tactic under which all kinds of mischief can be employed. Indeed, even now, most Members probably have only an inkling as to what this amendment includes.

Be that as it may, today I am urging a ''no'' vote on the previous question so that we will be in the position to offer an alternative rule that would make in order a compromise on the section 13(c) issue.

Indeed, during the Rules Committee hearing, RON COLEMAN, NORM MINETA, and I urged that the section 13(c) repealer not be protected from a point of order. Short of that, however, in the event the rule protected this provision, we asked that a compromise amendment to be offered by RON COLEMAN be made in order.

As I already noted, the original rule accommodated our initial request. The subsequent amendment completely closes us out.

And so, it is only by defeating the previous question that we will have a chance to offer our amendment.

Make no mistake about it. This is an extremely important matter, both substantively and procedurally.

Substantively, the provision repealing section 13(c) included in the bill would sell transit workers across this Nation into slavery.

In one fell swoop, this provision not only repeals a major item in transit law, but runs roughshod over existing collective bargaining agreements.

And this should not be allowed to happen as an amendment to an appropriation bill.

Procedurally, the issue involves fairness, and whether we are now going to allow debate governing major legislation to be dictated by amendments to rules issued in the middle of the night.

Again, vote ''no'' on the previous question.

Mr. BEILENSON. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. MENENDEZ].

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENDENDEZ. Madam Speaker, it is said the devil is in the details and the Transportation appropriations bill has the handiwork of the devil all over it. Today we see the majority's vision for America in its devilish detail. It has a single theme, take from the needy and give to the greedy.

This is a singularly bad bill. The Rules Committee knows this, but the majority leadership is so intent on union busting that they have to amend their own rules. Talk to the Parliamentarians. See how rarely this procedure has been done in the last 60 years. The legislating on this appropriations bill cannot withstand the scrutiny of the normal legislative process so the Republican leadership has to resort to stunts to pass their hidden agendas.

Why are the Republicans so afraid to step forward and say what they intend to do? Tell America the Republicans want to break up unions and drive down wages. Level with the American people that labor is not as important as capital to the Republican Party. That the contributions from road builders and developers are more important for Republicans than the average Joe being able to take the bus or subway to work in the morning. This is a bad bill. Reject the stunts to stifle debate. Vote no on moving the previous question on the rule. Send this horrible bill back and tell the Rules Committee to start over.

Vote against the previous question on the Transportation appropriation bill, and return control of the rule to those who would:

First, allow the Department of Labor and the authorizing committees to determine major labor laws—this includes section 13(c) collective bargaining rights.

Second, as a member of the Committee on Transportation and Infrastructure, preserve mass transit projects in Ohio, Kentucky, Texas, Florida, Tennessee, Louisiana, California, Missouri, Puerto Rico, New York, Wisconsin, and Pennsylvania.

Third, preserve the integrity of the deliberative process of the House of Representatives.

Vote against the previous question on H.R. 2002.

□ 1130

Mrs. WALDHOLTZ. Madam Speaker, I yield 6½ minutes to the gentleman from Virginia [Mr. WOLF], the chairman of the Transportation Subcommittee of the Committee on Appropriations.

Mr. WOLF. Madam Speaker, I rise in support of the rule. I am not an expert on drafting rules. Frankly, if I were on the Committee on Rules, I would have limited every amendment to 10 minutes on each side.

I think the schedule of this place is totally and completely out of control. All of us are going to be successful in the House, and we are going to fail in our own homes. So I have problems with the Committee on Rules. I think you all are too lenient and you ought to get control of the process so men and women who serve in this body can go home.

Let me talk about the two issues, though, that have come up. The last gentleman spoke. He talked about, and I see him sitting back here, about there is antilabor. It really is not antilabor.

I come from a labor background. My dad helped start the Fraternal Order of Police in Philadelphia. I come from blue-collar background. It is not that way.

Let me tell what we are trying to do—13(c) has basically driven up the cost of transit riding. We are trying to get control.

Let me give you an example for Washington, DC. I hope everyone will listen to this. In Washington, DC, the bus drivers make $46,000 a year after 3 years. They make more money than the teachers in the inner city. My daughter, Virginia, taught in the District of Columbia and made about $26,000 a year teaching and as you drive up those costs, what you fundamentally do is you make riding to work more expensive.

Let me give you another example here in the Washington metro area. A single parent living in Vienna drives his or her car to Vienna, pays $2-something to park, had to drop their children at a day care center, then spends $3.25 to come into this inner city, $3.25 to go out. That is $8 or $9 a day. A single parent just cannot do that.

And so this is a protransit rider thing, and I have told the bus drivers in my area, many of whom I represent, that I want to save their jobs because what has actually happened in 7 years, if something like this is not done, there will not be any Metro bus drivers in the Washington, DC, area because in Virginia and Maryland, where the gentlewoman chairing this and I come from, they are doing away with Metro drivers. They are going to DART and Ride On. You have buses crossing in the morning, one making $27,000, $28,000, $29,000, $30,000, the other making $46,000.

We also have bus drivers that are making in the range of $50,000 and $60,000.

So I want moms and dads and people to be able to use mass transit.

Second, I say to gentleman, I am pro mass transit. I want to keep the operating subsidies up. I do not necessarily agree with everybody in my party. I hope over the years we can keep operating subsidies up.

Third, what we did, and nobody has talked about it, I was in the committee and we were voting, is we allow for the first time under this for transits to be using their operating subsidy, their capital subsidies, to have bus overhauls.

Who is for this 13(c) repeal? Everybody can get up and offer an amendment. What was going to happen, it was going to be basically cheap grace. It could have been knocked out on a point of order.

Now we can have a battle. We may lose or we may win, but who are the people that are for the repeal? The Birmingham Metro Express, the Little Rock, AR, Central Transit, Los Angeles County Metro Transportation Authority, Los Angeles County Board of Supervisors, the Oceanside North County transit district, the Orange County Transportation Authority, there are more, Greater Bridgeport Transit District, Greater New Haven Transit District, Metro in Washington, DC, in Clearwater, Sun Coast Transit Authority, in Illinois the Chicago Regional Transit Authority, in Indianapolis, the city of Indianapolis, South Bend Public Transit Authority, in Nevada, the Regional Transportation Commission, in New Jersey, the Department of Transportation, in Newark, New Jersey Transit, in New York City, the Department of Transportation, in New York City, the Metropolitan Transit Protection Authority, in Buffalo, Niagara Frontier Transportation Authority, in Ohio, the Department of Transportation, in Pennsylvania, Lehigh and Northampton Transportation Authority, Pennsylvania Association of Municipal Transportation, and SEPTA, where I come from, SEPTA in Philadelphia, I used to ride

the 36 trolley car in the old PTC to work every day.

This is honest to goodness, and I know there are differences, but this is honestly a protransit vote, and I am not out to hurt the other issue.

When the two things were not protected, the one for the two transits, I would have like to have seen them treated the same way as the other transits. I would have felt, quite frankly, guilty on the floor except for the fact one is the gentleman from Illinois [Mr. DURBIN], and the gentleman from Missouri [Mr. GEPHARDT], and the other is the gentleman from Pennsylvania [Mr. MASCARA].

Since they are both Democratic Members, I do not feel so bad. We try to do something for a Republican Member: Had it been a Republican Member, quite frankly, I would have felt guilty about the rule.

Mr. MENENDEZ. Madam Speaker, will he yield?

Mr. WOLF. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Let me just say in some respects we are together, in some respects we are apart. My point is simply this: I say the reform of 13(c), and I think even the transit unions recognize that the way to do it is not through this process. It is through the authorizing committee. I think that is where the determination should be made, not unilaterally striking down the rights of collective bargaining for these people.

Second, I believe the gentleman when he says he is protransit, and I want to have a transit vote, too, very important to my district, but we are cutting already $310 million for mass transit subsidies. That is not protransit.

Mr. WOLF. We have done others. I have told transit people, go see Senator HATFIELD. I will be glad to work; if you get more in the Senate, I will be very, very sympathetic.

Third, you have a chance to go to your committee. This is what APTA said about the reform bill; APTA said on July 29, after the Department of Labor issued the first proposed rule in more than a decade. The DOL guidelines have now been reviewed by APTA's working group with lawyers who regularly deal with 13(c) issues on behalf of transits. They have concluded the Department of Labor's proposal would bring no substantive changes to the existing 13(c) process. Proposed procedural changes have significant loopholes as to render them meaningless.

I would hope, after we do this, the authorizers would take it and go reform it or repeal it. This is their chance. This is their chance, honestly, I believe, to have a vote on this. There will be a vote for lower transit costs for working people and anyone else who uses transit.

Mrs. WALDHOLTZ. Madam Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Madam Speaker, I thank the gentlewoman, and I certainly thank the folks in the Committee on Rules for giving me a little time.

This is a commonsense approach I think we ought to take. There are reasons why we try make these changes.

Let me relate to you a conversation I had with the mayor of Chicago. The mayor of Chicago, a large city, very much dependent on mass transit, was telling me that the city created an industrial park in the middle of the city. They have cleared out some of the old industrial buildings, built new-type industrial buildings that would fit the needs of the city, but the only thing is the shift change comes in at 2 o'clock in the morning. Now, all of a sudden, there are 40, 50, 60 people that need a ride at 2 o'clock in the morning. The contract with the union bus system says, as to the drivers, they have to keep those drivers on a set schedule all night long. They could not afford to do it, but they were prohibited from going out and contracting with a bus company to pick those people up and take them home at 2 o'clock in the morning.

Now, there are some neighborhoods in Chicago I would not want to be stranded in at 2 o'clock in the morning, but yet because of the rigidity of this piece of legislation, there is no way out. There is no flexibility.

What we are doing, whether it is the authorizing committee or here in the Committee on Appropriations, is trying to find a solution to a problem that exists, a commonsense solution. It is time to do it, and I would ask for the support of the rule and the support of the amendment.

Mr. BEILENSON. Madam Speaker, I yield such time as she may consume to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Madam Speaker, I rise in strong opposition to this particular rule, because it is not reform. It is not. They are repealing instead of reforming. I am opposed.

Madam Speaker, I rise in strong opposition to the rule.

This effort to repeal the 13(c) labor protection program is being sold as a reform, but it is not reform in any sense.

It is—plain and simple—an all-out attack: an attack on collective bargaining—the most basic right of working men and women; an attack on this Nation's 200,000 transit workers, without whom our cities would be gridlocked; and an attack on the procedures of Congress itself.

This deal is an attempt to manipulate and to twist the rules of the House to sneak this change, though the House, under cover and without public input.

Why are they doing this?

They say they are doing it to save money and increase efficiency.

The fact is, the people pushing this amendment are listening to only one side: big transit authorities. The committee listened only to transit managers. They did not even bother to consider the views of transit workers.

Madam Speaker, transit workers are dedicated to their jobs and to the service of the public. They serve people in our society who have few transportation options—poor people who don't have cars and who need public transportation to get to work.

Madam Speaker, the 13(c) program has worked well for over 30 years. It has protected the collective bargaining and job rights for middle-class working people. Under 13(c), the transit industry has greatly expanded and improved efficiency and service. We should support this Nation's transit workers. We should protect collective bargaining rights. We should reform, not repeal section 13(c).

Mr. BEILENSON. Madam Speaker, I yield myself the remainder of our time.

Let me say there was a nice discussion of 13(c) by the gentleman from Virginia. I am afraid it is indicative of what seems to happen to appropriation chairmen around this place. These legislative issues are supposed to be debated and decided by the legislative committees and not by the appropriations committees. They are not supposed to be stuck in the middle of appropriations bills, as this particular one has.

In closing, Madam Speaker, I urge a ''no'' vote on the rule and the previous question. If the previous question is defeated, we will offer an amendment to the rule which self-executes the Coleman amendment regarding section 13(c) of the Federal Transit Act.

Defeating the previous question will allow us to protect certain provisions of the bill but also allow full and fair debate of the provision protecting the collective bargaining rights of transit workers. That is the only fair and proper thing to do.

Madam Speaker, I am including at this point in the RECORD the amendment which we shall offer. The amendment referred to follows:

AMENDMENT OFFERED BY MR. BEILENSON TO THE AMENDMENT OFFERED BY MRS. WALDHOLTZ OF UTAH TO H. RES. 194

At the end of the amendment add the following new instruction:

At the end of the resolution, as proposed to be amended, add the following new section:

SEC. 3. (a) The amendment printed in subsection (b) shall be considered as adopted in the House and in the Committee of the Whole and shall be considered as original text for the purpose of further amendment under the five-minute rule. Points of order against provisions thereby inserted in the bill for failure to comply with clause 2 or 6 of rule XXI are waived.

Page 53, strike line 1 through 13 and insert the following:

SEC. 343. Subsection (b) of section 5333 of title 49, United States Code, is amended by adding at the end the following:

''(4) The Secretary of Labor shall undertake all actions necessary to certify promptly employee protective arrangements under this section for the purpose of expediting the release of Federal assistance under this

chapter. The Secretary of Labor, working with the Secretary of Transportation, is directed to issue in final form by September 30, 1995, guidelines which ensure that protective arrangements with respect to a qualified application for Federal assistance under this chapter are certified within 60 days after receipt of such application from the Department of Transportation''.

Madam Speaker, I yield back the balance of my time.

Mrs. WALDHOLTZ. Madam Speaker, I yield myself the balance of my time.

(Mrs. WALDHOLTZ asked and was given permission to revise and extend her remarks.)

Mrs. WALDHOLTZ. Madam Speaker, to close this debate, let me simply say the Committee on Rules has tried very hard to open up the amendment process for all Members regardless of party affiliation in this Congress.

Madam Speaker, I am inserting in the RECORD at this point a chart that will show in this Congress as of this date 72 percent of the rules that have been offered were open or modified open rules, whereas in the last Congress as of this date only 44 percent of the rules were open or modified.

Madam Speaker, we are trying to keep this amendment process open, and this rule accomplishes that. The Committee on Rules is trying to facilitate discussion of as many issues on the floor of this House as possible, and so this rule reflects the use of the guideline that provides customary necessary waivers where agreement has been reached between the responsible authorizers and appropriators.

This rule is no different in that regard. This rule does not guarantee the outcome of any particular process in this bill, but it does guarantee discussion on items that, without these waivers, would not be able to be brought to the floor of this House.

On 13(c), there is a motion to strike in order, and so if those who want to reform rather than repeal the program have sufficient strength to carry the day on this particular item, then we can go through the reform process in the authorizing process.

The point is, Madam Speaker, this is a rule that will allow us to consider critical funding issues for the transportation and infrastructure needs of our Nation.

I urge my colleagues to support this rule.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of July 20, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	36	72
Modified Closed [3]	49	47	12	24
Closed [4]	9	9	2	4
Totals:	104	100	50	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of July 20, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95)
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95)
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95)
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95)
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps.	A: 242–190 (3/15/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95)
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95)
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95)
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95)
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95)
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95)
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95)
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95)
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps.	PQ: 236–194 A: 234–192 (6/29/95)
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95)
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95)
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95)
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95)
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95)
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. FOGLIETTA. Mr. Chairman, I join with my colleague in opposing the rule which protects a provision of the bill that repeals 13(c). For over 30 years, 13(c) has guaranteed collective bargaining rights to over 200,000 transit employees throughout the Nation. Changing course now would simply paralyze collective bargaining in transit. What that means in real terms is that bus drivers, trolley operators, and other transit workers face cuts in their wages and diminished job security. If you listened to opponents of 13(c) you would think we were talking about Donald Trump's wage and benefit demands. We are not. We are talking about a bus driver who may make $30,000 a year. Or a trolley operator fighting for a full package of health benefits.

These workers should have the protection of the collective bargaining process.

The Department of Labor, transit labor unions, and the Department of Transportation are taking real steps to address the issues. The administrative burdens and the costs of 13(c). They are working to reform 13(c). Let's let that process continue. I can report to you that the back and forth lobbying about this very issue has soured labor relations in Philadelphia which had been positive and productive. Let's defeat this rule.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MRS. WALDHOLTZ

Mrs. WALDHOLTZ. Madam Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mrs. WALDHOLTZ:

Strike all after ''Resolved,'' and insert the following:

''That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 3 of rule XIII or section 401(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in section 2 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amendment, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered by title rather than by paragraph. Each title shall be considered as read. 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 with the colon on page 20, line 14, through the citation on line 19; and page 54, lines 3 through 24. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. It shall be in order at any time to consider the amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution, if offered by a Member designated in the report. That amendment shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 2. The amendment considered as adopted in the House and in the Committee of the Whole is as follows:

Page 20, line 13, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the first comma.

Page 27, line 23, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 27, line 25, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 4, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 6, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 8, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 22, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 28, line 24, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 29, line 4, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 29, line 8, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 29, line 24, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 30, line 2, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 30, line 4, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amounts provided therein)'' before the semicolon.

Page 30, line 6, insert ''(subject to passage hereafter by the House of a bill authorizing appropriations therefor, and only in amount provided therein)'' before the period.

Page 48, strike lines 5 through 7.

Page 51, strike line 14 and all that follows through line 22, and insert the following:

''Sec. 339. None of the funds in this Act may be used to enforce the requirement that airport charges make the airport as self-sustaining as possible or the prohibition against revenue diversion in the Airport and Airway Improvement Act of 1982 (49 USC 47107) against Hot Springs Memorial Field in Hot Springs, Arkansas on the grounds of such airport's failure to collect fair market rental value for the facilities known as Kimery Park and Family Park: Provided, That any fees collected by any person for the use of such parks above those required for the operation and maintenance of such parks shall be remitted to such airport: Provided Further, That the Federal Aviation Administration does not find that any use of, or structures on, Kimery Park and Family Park are in compatible with the safe and efficient use of the airport.''.

☐ 1145

Madam Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on ordering the previous question on the amendment and on the resolution.

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

Mr. BEILENSON. Madam 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.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that she 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 vote was taken by electronic device, and there were—yeas 217, nays 202, not voting 15, as follows:

[Roll No. 546]

YEAS—217

Allard	Bunning	Davis
Archer	Burr	Deal
Armey	Burton	DeLay
Bachus	Buyer	Diaz-Balart
Baker (CA)	Callahan	Dickey
Baker (LA)	Calvert	Doolittle
Ballenger	Camp	Dornan
Barr	Canady	Duncan
Barrett (NE)	Castle	Ehlers
Bartlett	Chabot	Ehrlich
Barton	Chambliss	Emerson
Bass	Chenoweth	English
Bereuter	Christensen	Ensign
Bilbray	Chrysler	Everett
Bilirakis	Clinger	Ewing
Bliley	Coble	Fawell
Blute	Coburn	Fields (TX)
Boehlert	Collins (GA)	Flanagan
Boehner	Combest	Foley
Bonilla	Cooley	Forbes
Bono	Crapo	Fowler
Brownback	Cremeans	Fox
Bryant (TN)	Cubin	Franks (CT)
Bunn	Cunningham	Frelinghuysen

Frisa
Funderburk
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
McCollum
McCrery
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—202

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDade
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Quinn
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—15

Bateman
Brown (CA)
Collins (MI)
Cox
Crane
Dreier
Dunn
Gallegly
Goodling
Jefferson
Moakley
Reynolds
Torricelli
Volkmer
Watts (OK)

☐ 1211

The Clerk announced the following pair:

On this vote:

Mr. Dreier for, with Mr. Moakley against.

Mr. MCNULTY and Mr. MCHUGH changed their vote from ''yea'' to ''nay.''

Mr. METCALF changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

☐ 1215

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 70, EXPORTS OF ALASKAN NORTH SLOPE OIL

Mrs. WALDHOLTZ, from the Committee on Rules submitted a privileged report (Rept. No. 104–198) on the resolution (H. Res. 197) providing for the consideration of the bill (H.R. 70) to permit exports of certain domestically produced crude oil, and for other purposes, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. WOLF. Madam 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. 2002) making appropriations for the Department of Transportation and related agencies for fiscal year ending September 30, 1996, and for other purposes, and that I may be permitted to include tables, charts, and extraneous matter.

The SPEAKER pro tempore (Mrs. MORELLA). Is there objection to the request of the gentleman from Virginia?

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 193 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2002.

☐ 1217

IN THE COMMITTED 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. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Virginia [Mr. WOLF] will be recognized for 30 minutes, and the gentleman from Texas [Mr. COLEMAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. WOLF].

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

Mr. Chairman, the gentle from Texas [Mr. COLEMAN] had made an excellent suggestion where, by using the whole hour, we limit it to half an hours, 15 minutes on each side.

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

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

Mr. COLEMAN. I have no objection to that.

Mr. WOLF. We will do that and Members can get home earlier.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, I will summarize very quickly. The transportation bill we bring to the floor is a good bill. It is balanced. I thank all the members of the committee, and I will not mention their names but they know who they are.

Let me take a few minutes to summarize the bill. It is within the subcommittee's 602(b) allocation in domestic budget authority and outlays. In total, the bill provides $12.6 billion in budget authority and $36.9 billion in outlays.

I would add at this point the budget authority is reduced from fiscal year 1995 levels by $1 billion, and it is fair and balanced.

In order to meet the 602(b) allocation, we have to cut a number of programs. We set priorities. One was in the area of safety and, therefore, we made a special effort there.