Accordingly the Committee rose, and the Speaker pro tempore, Mr. LAHOOD, having assumed the chair, Mr. LINDER, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 70) to permit exports of certain domestically produced crude oil, and for other purposes, pursuant to House Resolution 197, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 324, noes 77, not voting 33, as follows:

[Roll No. 557]

AYES—324

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dixon
Doggett
Dooley
Doolittle
Dornan
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Farr
Fawell
Fazio
Fields (LA)
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Hilleary
Hobson
Hoekstra
Hoke
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kasich
Kennedy (MA)
Kennedy (RI)
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Martinez
Martini
Matsui
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Neumann
Ney
Norwood
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Reed
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Traficant
Tucker
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—77

Baldacci
Barrett (WI)
Becerra
Bishop
Bonior
Clay
Clyburn
Conyers
Costello
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doyle
Dunn
Durbin
Eshoo
Evans
Fattah
Filner
Furse
Gejdenson
Gephardt
Gutierrez
Harman
Herger
Hinchey
Holden
Jacobs
Johnson (CT)
Johnson (SD)
Kanjorski
Kelly
Kennelly
Kildee
Kleczka
Klink
Lantos
Lewis (GA)
Lofgren
Maloney
Markey
Mascara
McDermott
McHale
Metcalf
Miller (CA)
Mineta
Minge
Mink
Nadler
Oberstar
Obey
Olver
Pelosi
Peterson (MN)
Rahall
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Slaughter
Smith (WA)
Stark
Tate
Taylor (MS)
Thompson
Vento
Volkmer
White
Williams
Woolsey
Wyden
Yates

NOT VOTING—33

Baesler
Baker (LA)
Barcia
Bateman
Bilbray
Brown (CA)
Burr
Clement
Collins (IL)
Collins (MI)
Ewing
Fields (TX)
Ford
Gillmor
Hansen
Hilliard
Hostettler
Jefferson
Kaptur
McKinney
Moakley
Nethercutt
Nussle
Owens
Porter
Ramstad
Rangel
Reynolds
Seastrand
Torres
Torricelli
Towns
Velazquez

□ 1754

The Clerk announced the following pairs:

On this vote:

Mr. Burr of North Carolina for, with Mrs. Collins of Illinois against.

Mr. Hostettler for, with Ms. Kaptur against.

Mr. Bilbray for, with Ms. McKinney against.

Mrs. MALONEY changed her vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CLEMENT. Mr. Chairman, due to a delay in my flight from Nashville, I was unable to cast a vote on rollcall vote 557. Had I been present I would have voted ''yea'' on final passage of H.R. 70.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The CHAIRMAN. Pursuant to House Resolution 194 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for further 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. When the Committee of the Whole rose on Friday, July 21, 1995, amendment No. 10 offered by the gentleman from Michigan [Mr. SMITH] had been disposed of, and title I was open for amendment at any point.

Are there further amendments to title I?

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on any amendment to title I and any amendments thereto be limited to 15 minutes each, and that the time be equally divided, with the exception of any amendment offered by the gentleman from Pennsylvania [Mr. FOGLIETTA] and the gentleman from New York [Mr. SOLOMON].

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. DEFAZIO. Reserving the right to object, Mr. Chairman, there are a number of vital amendments, and particularly the one relating to the Coast Guard, where we have quite a few speakers. If we could get 10 minutes per

side for that one, or if the Chairman would want to accept the amendment, of course we would not have to debate it, or if the Chairman would want to cede some of his time, so we could get at least 10 minutes on our side, I would not object.

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

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

Mr. WOLF. Mr. Chairman, I asked unanimous consent that all debate on any amendments to title I and any amendments thereto be limited to 15 minutes each and that the time be equally divided, with the exception of any amendment offered by the Coast Guard, one for the gentleman from Oregon [Mr. DEFAZIO] and the gentleman from Ohio [Mr. LATOURETTE] and the gentleman from Pennsylvania [Mr. FOGLIETTA] and the gentleman from New York [Mr. SOLOMON], and that the Coast Guard amendment be limited to 20 minutes, 10 minutes on each side.

Mr. DEFAZIO. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENTS OFFERED BY MR. LATOURETTEN

Mr. LATOURETTE. Mr. Chairman, I offer two amendments, amendments numbered 24 and 25, and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. COLEMAN. Reserving the right to object, Mr. Chairman, the only amendment I have in front of me is one that dealt with $6 million and an additional $6 million at one place in the bill. Is the gentleman offering a second amendment at the same time?

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

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

Mr. LATOURETTE. That is correct, Mr. Chairman. Number 25 has restrictive language. The reason for the en bloc request is it should be considered at the end of the bill as restrictive language indicating that the Coast Guard cannot spend the funds within the bill for the purpose of closing or downsizing small boat stations.

Mr. COLEMAN. Mr. Chairman, I object, and I will give the reason why, if I could continue to speak under my reservation of objection.

Mr. Chairman, the problem with the second amendment is that it therefore totally eliminates any funds being made available to close, consolidate, realign, or reduce any Coast Guard small boat station, as I understand it.

Mr. LATOURETTE. That is correct.

□ 1800

Mr. COLEMAN. The first amendment, on the other hand, deals with a reduction from the Secretary's office, I believe, of $6 million and adding that amount to the Coast Guard; is that right?

Mr. LATOURETTE. That would be correct.

Mr. COLEMAN. Let me just say to the gentleman, I think his second amendment may indeed affect some of the other pending amendments with respect to the Coast Guard closure of stations. For that reason, I would ask the gentleman to not offer them en bloc but, rather, go ahead and offer them separately.

Mr. LATOURETTE. If the gentleman would yield further under his reservation, if the gentleman is referring to the potential DeFazio amendment, I believe, which deals with the same issue, I believe that his amendment will not be forthcoming and he is as a matter of fact the principal cosponsor of this particular block of amendments.

Mr. COLEMAN. Let me again, however, suggest that it is for that reason that I think and because we may need some additional time on debate for that second amendment, that I would object to their being considered en bloc and would ask the gentleman to offer his first amendment first, we dispose of that, and then to go to the second one, again operating under the time limits to which the House has now agreed, time to be divided equally. I would ask the gentleman to do that.

Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

AMENDMENT NO. 24 OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. LATOURETTE: Page 2, line 8, after the first dollar amount, insert the following: ''(reduced by $6,000,000)''.

Page 7, line 20, after the dollar amount, insert the following: ''(increased by $6,000,000)''.

The CHAIRMAN. Under the previous order of the House, the gentleman from Ohio [Mr. LATOURETTE] will be recognized for 10 minutes, and a member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Ohio [Mr. LATOURETTE].

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

This amendment when considered with the amendment that will be offered later in the bill deals with and revisits the question of the multimission small boat unit streamlining plan developed by the U.S. Coast Guard.

Members may recall that during the markup and also floor consideration of the Coast Guard Authorization Act, a similar amendment at that time offered by the gentleman from Ohio [Mr. TRAFICANT] was considered. While there were in fact many sympathetic Members on the floor, the theme of fiscal restraint and where the heck is the money going to come from heavily weighted on some votes.

This amendment, together with the amendment to be offered later in the bill, transfers $6 million from the Secretary's O&M account to the Coast Guard. The second amendment would then add restrictive language that would protect funds in the bill to be used to close or downsize small boat stations.

This is a bipartisan amendment whose principal sponsors include the gentleman from Oregon [Mr. DEFAZIO], the gentleman from New Jersey [Mr. PALLONE], and the gentleman from Ohio [Mr. BROWN]. I am offering this amendment because it is an amendment that just makes sense.

The U.S. Coast Guard's small boat stations save lives and greatly contribute to safety. They ensure a rapid response to emergency calls. When a small boat station is closed, safety is placed at risk.

Like many people on the floor, I consider myself to be fiscally responsible and conservative and I am as committed as anyone to making our Government smaller, less intrusive and more accountable. I am also strongly in favor of balancing the budget.

While I understand and appreciate that the Coast Guard is taking its streamlining program so seriously, the $6 million in savings that will be achieved from shutting down these stations is minuscule when you consider the big picture, which is overall savings of $400 million. What price tag do we put on maritime safety?

We have all been told that the Coast Guard is making some remarkable advances in search and rescue due to new technology. Boats that used to travel 12 knots now travel 27. Helicopters can reach the highest of speeds. However, who wants to explain to the mother whose child is drowning that, ''Ma'am, the boat that we sent to rescue your boy was the fastest that we could find but it just had to travel too far to get there''?

Advanced technology will not sell to the grief-stricken. Fast boats and fast helicopters are no consolation.

I have the highest praise for the U.S. Coast Guard. Its service is second to none. In fact, just this past week the Coast Guard valiantly rescued a couple from Lorain, OH whose boat went vertical in a matter of seconds in one of Lake Erie's famous storms. For over 8 hours this couple clung to what was left of their boat in 66-degree water. Finally the storm passed, the sun came out, and a rainbow formed. The gentleman saw the rainbow and said to this financee, ''That is God's covenant with us.'' I would argue that the arrival of the Coast Guard was also God's covenant as the Coast Guard so often performs miracles.

This amendment saves the stations and finds the dollars to do it. I ask support for the amendment.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] is recognized for 10 minutes.

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

Its Members are listening, they should know that the House has already voted on this issue. It was soundly defeated 2 months ago by a vote of 272–146. The House has already expressed its will on this issue. I do not believe any significant new information has been received over the last 2 months to make a difference.

If Members care about the deficit, the Coast Guard needs the flexibility to close the facilities they no longer need. They have determined that these stations are no longer needed. We should not be requiring the Coast Guard to keep open facilities they say they do not need and they do not want, especially in a time when we are cutting their budget and asking them to become more efficient.

The amendment would result in a situation quite frankly unfair to Coast Guardsmen and their families. At some of the current units which the Coast Guard wants to close, Coast Guard staff are required to work more than 90 hours. It is kind of like being in the House of Representatives. Ninety hours a week these Coast Guardsmen are working. This jeopardizes the safety of those being rescued, and diminishes the quality of life of the Coast Guardsmen and their families.

In addition, I say to the gentlemen on that side—and I do not know how many on this side care—the amendment would reduce the funding to the Office of the Secretary, which happens to be the Secretary of Transportation.

In closing, Mr. Chairman, we have already made deep cuts in the Office of the Secretary. This bill would provide $215 million, which is 62 percent below the administration's request. Salaries and expenses are reduced by 12 percent. These are severe reductions and would be made even worse.

The amendment is opposed again by the Coast Guard. It is opposed by the Secretary of Transportation. It is opposed by the chairman of the Coast Guard authorizing subcommittee. We have already voted against this issue overwhelmingly by a vote of 272–146. It will be interesting to see if anyone switches their vote. Mr. Chairman, because there have been no issues that have changed at all.

Mr. Chairman, I strongly oppose the amendment.

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

Mr. LATOURETTE. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. I thank the gentleman for yielding me the time.

Mr. Chairman, I rise today with the gentleman from Ohio [Mr. LATOURETTE] to support his amendment. The amendment transfers $6 million from the Office of the Secretary of Transportation to the Coast Guard.

It is budget neutral. Those of us that are budget-cutters on this floor, that have been willing to vote to kill the super collider, kill the space station or make budget cuts across the board, understand that this is budget neutral, takes money from one part of the Department of Transportation and puts money in the Coast Guard.

This amendment is about public safety. As we talk about police on the streets, we talk about making sure that the Coast Guard is there to provide the kind of public safety and public service that people that live on lakes and oceans and waterways in this country have come to expect.

The Coast Guard, because it is about public safety, has rescued people that are drowning. It has rescued people in fires. It has rescued children that fall through the ice in places like the Great Lakes.

The Coast Guard does drug interdiction, it enforces environmental and fishing laws, and the Coast Guard enforces and looks out for boat safety. Whether it is speeding through a harbor in Lorain or in Ashtabula, whether it is alcohol problems from boat operators, the Coast Guard is there to enforce those kind of safety regulations.

There is nothing more important than public safety. It is important that we recognize that in the Coast Guard, that this funding, budget neutral, be transferred so that the money is there to keep the Coast Guard operating at full force.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. FOWLER].

Mrs. FOWLER. Mr. Chairman, I rise in opposition to the amendment.

This amendment prevents the closure, consolidation, realignment, or reduction of any Coast Guard search and rescue station in fiscal year 1996. A similar amendment was defeated in the Transportation and Infrastructure Committee and on the House floor during debate of the Coast Guard authorizing bill. All of those who voted to defeat this amendment before should do so again today.

The Coast Guard must have the management flexibility to respond to changing search and rescue needs. The population needs and demographics which led to the initial placement of these Coast Guard stations has changed. Further, the technology regarding search and rescue missions has changed to allow a single station to cover greater areas than before.

Many search and rescue stations were established over 100 years ago when rowboats were used to conduct rescues. Certainly, we must allow the Coast Guard the necessary flexibility to change their operations to reflect both the changes in population needs and technological advances.

The GAO has endorsed the process used by the Coast Guard to evaluate these changes. Further, the authorizing legislation passed by the House requires the Secretary of Transportation to determine that safety will not be diminished before any station can be closed.

While I realize it may seem difficult to those living near and under the close protection of a search and rescue station to watch that station be closed and for that same protection to come from a station of greater distance. But I am confident that all the necessary safety considerations have been taken.

I urge my colleagues to oppose this amendment.

Mr. LATOURETTE. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. DEFAZIO].

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

Mr. Chairman, this is not the same amendment that we voted on during the authorization. This deals both with small boat closures, small boat lifesaving closures, and the consolidation issues. It is paid for. It is budget neutral, which the Traficant amendment during the consideration of the authorization was not.

This whole attempt on the part of the Coast Guard to jam through these closures is going to cost lives around the country. It is not well thought out. They told us they took into account the cold water conditions of the Pacific Northwest. All those things were in the parameters.

No, they were not. When I asked for the data, in fact there were strangely some stations that met the parameters for closure but somehow fell off the final list. But mine were still on, as were others around the country. It is some politics going on here, folks. Politics are going to cost lives.

They said, ''Well, don't worry. Whenever we downsize or close something, we'll put people at adjacent stations.'' I have a 200-mile section of coast where every Coast Guard station is being reduced or closed. Oregonians are going to drown.

It happened in 1988 when the Bush administration closed those small boat stations. We had three deaths within a month. People are going to drown. You cannot tread water for 40 minutes in the North Pacific and live to wait for the rescue helicopter. We will pick up corpses with the rescue helicopters, not living citizens.

Vote ''yes'' on this amendment. Save lives and cut bureaucracy.

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. COLEMAN], the ranking member.

Mr. CHAIRMAN. I thank the gentleman for yielding me the time. I really may not need that much time, and I will be happy to yield it back to the gentleman from Virginia if I do not use it all.

Mr. Chairman, first of all let me say the issue itself that the Coast Guard brought before the committee concerning downsizing and efficiency of operation, I think they made their case in front of the committee, the Subcommittee on Transportation of the

Committee on Appropriations, that indeed this was a cost-cutting, appropriate thing to do. That is the reason that my colleague got the 10 minutes in order to be opposed to this particular amendment.

Let me give one of the problems that I have with the amendment and the reason I asked for it to be divided. It was not only the fact which I thought we can make and still believe we can make into a very valid debate—and maybe we can write legislation here on the floor, which many of us think is not a good idea—that indeed some of us believe the authorizing committee should certainly have something to say about whether or not the Coast Guard keeps these open or not.

I am not an expert in this area at all, and will readily admit that. The testimony I heard indicated that it was appropriate, but we did not hear from many people who live along these coastlines. I think it would have been appropriate to us to have done so.

Let me also say that the problem with offering an amendment in this fashion also is that they had to find $6 million from somewhere. Well, where? Everyone says, ''Let's go to the Office of the Secretary because there's some money there.''

Well, we have done that, by the way, in this bill, over and over and over again. It is not the first time that that has happened. In fact, the committee itself pretty well decimates the Office of Secretary.

I hope all of the people understand that when you go to these places for money, when you call over there and expect some response to your congressional office, you do not plan on getting it anytime soon. Ultimately, when you keep making these kinds of cuts, and you demand information for your constituents from DOT, about the FAA or about an airport in your district, you are not going to necessarily get a call real quick back. Do not expect that as long as you continue to make these kinds of cuts.

Let me point out that we cut, in this subcommittee, the Office of the Secretary by $2.5 million already. We are $3 million or 5.3 percent below the fiscal year 1995 level. The substantial reduction that is being proposed here of an additional $6 million once again would put us 15 percent below the 1995 level.

□ 1815

Well, they can eat that; right? With no harm? Well, I begin to question that, ultimately, if my colleagues do not listen to the testimony that we listened to.

I know many of my colleagues who are not on Appropriations think that we just have these numbers and they are nebulous and do not count. We find out how many people they actually have working in these offices. How far-flung is the Secretary of Transportation's office? Well, pretty good size. It has within it the Coast Guard. It has within it the Federal Highway Administration. It has within it the Federal Aviation Administration.

So I simply say to my colleagues that before we start making these kinds of cuts, if we really want to take this amount of money, let us find it someplace where we can all have a serious debate about the proper location for finding these dollars.

Those of us who represent districts that have a good deal of concern with mass transit or with buses, certainly with highways, we intend to get responses from the Department. We have questions and things change, conditions change where we intend to lay down future transit operations, we expect the Department of Transportation to respond; do we not?

Well, they are not going to be able to if we continue to make these kinds of cuts, and it is for that reason I asked that the question be divided or that the gentleman not be permitted to offer the amendments en bloc.

Do not take the $6 million out of here. Even if we pass the second amendment, I would say to my colleagues in the House, we can then determine where we find the dollars so that the Coast Guard would have the amount of money to keep open the stations.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I just want to stress that my colleagues and I have spent a lot of time over the last 6 months looking into this issue and our concern is over human lives. We know and we can document that people's lives can be lost if this amendment is not passed.

What is happening, by closing small boat stations, we are creating great distances between the stations and increasing the Coast Guard's response time and basically making it impossible for the Coast Guard to be successful in responding to life-threatening situations.

Mr. Chairman, we are talking about $6 million for something like 23 stations and even more that are going to be downsized. It seems to me that $6 million is simply so small an amount of money to talk about a few lives that are going to be saved by passing this amendment, that it really is almost unconscionable for us to worry about that $6 million when we are talking about human lives.

Mr. LATOURETTE. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, if any Member of Congress is interested in boating safety, this is the amendment for them.

Mr. Chairman, I can tell my colleagues from personal experience in Dorr County, WI, that our Coast Guard has saved many a life. Washington Island Station is located in an extremely popular tourist area of Dorr County. This scenic peninsula juts out into Lake Michigan and attracts a very high level of boat traffic. It has over 80 miles of coastline, more coastline than any county in the United States, and that is why the Coast Guard has just renovated the Washington Island Station at a cost of some half a million dollars.

Now they come along and they say they want to close it. Well, in the last year, the Coast Guard rescued four injured people. The Coast Guard says, well, the other stations can respond in an emergency within 30 minutes.

Mr. Chairman, waiting for 30 minutes for a pizza may be all right, but it certainly is not all right if you are on a stranded boat or in a capsized boat, and that is why I think this amendment is so important.

I have people from all over the area who have written me. Here is a person who knows what is going on, Doc Randley. He says, ''Emergencies and disasters happen; without the Coast Guard, people will be in peril.''

Here is another person that writes, R. J. Hartman, and he said, ''Will you please explain to me why the U.S. Coast Guard was allowed to spend $400,000 to $500,000 of taxpayers' money, only to terminate the facility 4 months later.''

Mr. Chairman, this is not good planning. The amendment before us corrects the situation, and I ask my colleagues to vote for this amendment.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, I rise in passionate support of this amendment. While I regret the possibility of a delay in information from the Secretary of the Interior, I even more deeply regret the delay in the arrival of the Coast Guard in response to an SOS.

We are told not to worry, that there is going to be 2 hours response time uniformly around the country. Let me just suggest that if one of us has the misfortune of being in the water in the winter, we damn well better be in Florida and not in the northwest Atlantic off New England, because 2 hours is absolutely academic; it is long.

We will be able to put a dollar value on human life, Mr. Chairman, if this amendment is rejected, because 2 or 3 years from now we will be able to tell exactly how many lives were lost that otherwise would have been saved, divide by $6 million, and at long last we will have an answer to the question: What is a human life worth? For God's sake, support this amendment.

Mr. LATOURETTE. Mr. Chairman, I yield the balance of my time to the gentleman from Maine [Mr. BALDACCI].

Mr. BALDACCI. Mr. Chairman, there were tragedies in Maine when, in 1990, the Coast Guard station temporarily closed down in Eastport, ME. It closed down for approximately 14 months and during that time, two people drowned. This tragedy was a terrible blow to the community. If the station had been operational, there is a possibility that those lives could have been saved.

Mr. Chairman, I know the appropriations and the budget process have to come together, but when we are talking about human lives, and in Eastport, ME, there were two lives that were drowned because of the lack of that station. This is the documentation for me.

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

Mr. Chairman, this amendment ought to be defeated, because if Members remember how they voted last time, just 2 months ago, they voted to defeat the amendment then.

Second, if we cannot do this, then frankly we have to fold up our tents and say we are never going to deal with our deficit, because this is a closure that is supported by the Coast Guard. It is also supported by the authorizing committee, which has looked into this.

The gentleman from Texas [Mr. COLEMAN] says the Secretary of Transportation's office has already been decimated. So as we vote, I think it is a good clear vote. The Coast Guard needs the flexibility. They oppose the amendment. It is opposed by the Coast Guard authorizing committee. It would destroy the whole deficit reduction program.

Mr. Chairman, I strongly urge a ''no'' vote on the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. LATOURETTE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. LATOURETTE. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Ohio [Mr. LATOURETTE] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MR. FOGLIETTA

Mr. FOGLIETTA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOGLIETTA: Page 14, line 7, strike ''$60,000,000'' and insert ''$195,000,000''.

Page 25, line 24, insert after the dollar amount the following: ''(increased by $135,000,000)''.

Page 25, line 25, insert after the dollar amount the following: ''(increased by $135,000,000)''.

Page 26, line 3, insert after the dollar amount the following: ''(increased by $135,000,000)''.

Mr. FOGLIETTA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 20 minutes for each side. I was thinking 20 minutes total. But if the gentleman from Texas [Mr. COLEMAN] would like, 15 minutes each side for a total of 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. COLEMAN. Mr. Chairman, reserving the right to object, just so the majority and the minority can, in fact, do this on the amendments that may take a bit of time, I would ask the gentleman from Virginia [Mr. WOLF] if he would consider amending his unanimous-consent request so that it be divided for 10 minutes for the author, 10 minutes for the minority side, and 10 minutes for the majority side on the issue.

Mr. WOLF. Mr. Chairman, is the gentleman opposed to the amendment?

Mr. COLEMAN. Yes, I am.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the author be given 10 minutes, 10 minutes for the ranking minority member and 10 minutes for the majority.

Mr. COLEMAN. Mr. Chairman, did the gentleman ask if I supported the amendment?

Mr. WOLF. Mr. Chairman, I asked if the gentleman opposed the amendment.

Mr. COLEMAN. No, I support the amendment.

Mr. WOLF. Mr. Chairman, then I do not think that would be fair. I think we ought to go 20 and 20.

Mr. COLEMAN. Mr. Chairman, that would be fine.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FOGLIETTA] will be recognized for 20 minutes and the gentleman from Virginia [Mr. WOLF] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. FOGLIETTA].

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

Mr. Chairman, I rise with my colleague, the gentleman from Pennsylvania [Mr. FOX], to offer a bipartisan amendment to keep our Nation's buses, trolleys, and subways on track. I ask my colleagues this: What does a pipefitter in South Philadelphia have in common with an elderly couple in Davenport, IA, or with a mother trying to get off welfare in Parkersburg, WV?

Mr. Chairman, what they have in common is that they all depend on mass transportation. A subway takes the pipefitter to his job in the Philadelphia Navy Yard. A Dial-a-Van takes the elderly couple in Iowa to visit the doctor and a bus gets the welfare mother to her first job in Parkersburg. Mass transit is more than just metal and rubber on buses; it is more than just subway cars and vans; it is an investment in people and in self-sufficiency.

Mr. Chairman, it is shortsighted and wrongheaded policy to back away from Federal support of mass transportation, because what will happen if the committee cut in transit assistance happens? In Philadelphia, the transit fare, the second most costly fare in America, may increase by 3 percent or service will be drastically cut.

The van fare in Davenport will increase by 150 percent. A ride on one of Parkersburg's seven buses will increase by 135 percent. Transit is a priority all across America; in big cities, small towns and suburbs, and farm country.

I recognize the difficulties my chairman, the gentleman from Virginia [Mr. WOLF], faced in putting together this bill. These are tough budget times. We are all trying to do more with much less. Transportation is no different, but unfortunately, equity was not achieved. The Federal highway program gained an $800 million windfall, while mass transit took 60 percent of the reductions in this bill. Transit operating assistance was slashed by 44 percent. Across the country, fares will go up and services will be cut.

With the reduction in operating assistance contained in this bill, it is estimated that in 43 small cities and towns across the country transit service will cease to exist. Transit services could end in Mansfield, OH; Greeley, CO; Nashua, NH; Yakima, WA; Muskegon, MI; Amarillo, TX; and Iowa City, IA. The list goes on and on.

Mr. Chairman, who will be the victims? In many smaller towns, the victims will be senior citizens; the same senior citizens who will receive dramatic increases in their Medicare. Our amendment restores a modest $135 million for transit operating assistance. It rescinds $135 million from the FAA's facility and equipment unobligated balances. The FAA has $178 billion unobligated in this account.

□ 1830

My chairman has already taken back $60 million from this balance in the bill. Some funds have been idle since 1991.

We need to make a small proportion of this money work for us right now. It still will be, if we take this money out, $1.58 billion in this account, and in fiscal year 1996, we will be adding an additional $2 billion.

Later today we will also be offering a second amendment to provide the outlay authority to fully offset this increase in transit assistance.

The second amendment would limit the obligations in highway demonstrations to $200 million in fiscal year 1966. We wanted to be true to the principles of budget discipline. That is why pork-busting Citizens Against Government Waste have endorsed our amendment.

The administration requested elimination of highway demonstration project obligations in their budget request for the Department of Transportation. There are billions of dollars' worth of projects that our authorizing committee included in their bills.

These projects are 5 to 12 years old. This is a rational way to control spending. But let me make one thing clear: The amendment does not rescind or cancel a single highway demonstration project. I repeat, the amendment does not kill a single highway project or reduce funding for these projects.

This battle always comes down to a fight between highways and mass transit, but this is wrong. Transit and highways should not compete. They should complement each other.

I guarantee you the drivers in your district support this amendment. They want people who take transit to work today to be in their cars tomorrow? I do not think so. Drivers and transit riders share a common interest.

We have to support this shared goal by investing in transit.

Support the Fox-Foglietta amendment.

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

The CHAIRMAN. Is the gentleman from Virginia [Mr. WOLF] opposed to the amendment?

Mr. WOLF. I am opposed to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOLF] for 20 minutes in opposition.

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

Mr. Chairman, I strongly oppose the amendment. I think when people come over here to vote on this, they ought to think in terms of airline safety.

There are major problems with this amendment. It takes away funds from ongoing projects approved by Congress and a need to revitalize the air traffic control system across the country. Every time Pena comes up here, they talk about the air traffic control system over and over and over. This would hurt that very, very badly. Any Member thinking in terms of flying has been concerned about it. It is one thing to rescind funds that are no longer needed for pork-barrel projects. It is another thing to disrupt needed, ongoing programs. That is exactly what the gentleman's amendment does. It cuts programs needed for radar and communications systems all across the country.

The air traffic control system is falling apart. The bill before us today adds $90 million above, $90 million above the administration's request to put the system back in a good state of repair.

The gentleman's amendment would allow the FAA to take most of the money we added in the bill for safety-related equipment away. Many of you know the disaster safety records we have seen over the past year in aviation. This has been one of the worst years in aviation.

We need additional funding for safety systems, the terminal Doppler radar. You recall what happened down in Charlotte, the wind sheer alert system. So for that one reason alone, as many others, and I know the gentleman from Pennsylvania [Mr. SHUSTER] will cover it.

I am strongly opposed to the amendment.

The gentleman wanted to put more money into mass transit. We were sympathetic. Quite frankly, if you really want to help mass transit, when we have a vote tonight on 13(c), if you really want to help mass transit and lower the fares, you will also vote to eliminate the 13(c).

This amendment is not the approach.

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

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

Mr. FOGLIETTA. Mr. Chairman, first of all, I believe we want to help mass transit. We want to help mass transit by using funds which are not going to be obligated this year; second, not by aiding mass transit by putting the aid on the backs of the working people of this country who work for mass transit.

The gentleman, and I am sure rightfully, declares that he is concerned about traffic safety, air traffic safety. Well, the fact remains the chairman himself rescinded $60 million from this account.

Now, even with your withdrawal and my withdrawal, our rescissions, we still have $1.58 billion in the account, and this year we are putting in $2 billion more.

Mr. WOLF. Reclaiming my time, the committee, on page 62, strongly, strongly talks in terms of safety. It says—

> the Committee has placed the strongest emphasis on maintaining, and improving wherever possible, transportation safety around the nation. Because of significant concerns over the past year regarding the state of aviation safety, the Committee feels strongly that additional funding emphasis should be placed on new safety-related equipment. Among other things, this equipment will provide controllers, pilots, and airline dispatchers a more accurate and up-to-date understanding of dangerous weather conditions and provide a clearer picture and automated alerting of potential conflicts between aircraft maneuvering on airport surfaces.

This amendment would not be good for aviation safety. This amendment would allow many of these programs to be cut, and you could talk about helping mass transit, which is fine, but you do not want to do it by taking money away from aviation safety.

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

Mr. FOGLIETTA. Mr. Chairman, I yield 5 minutes to my colleague, the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, the amendment my distinguished colleague, TOM FOGLIETTA, and I are offering today is one of importance to me and to those who represent urban, suburban, and rural districts alike.

One component of the Nation's transportation system, mass transit, will take a dramatic cut in funding as part of our overall effort to move toward a balanced budget. The current fiscal year 1996 Transportation appropriations bill reduces funding for mass transit operating assistance from $710 million in fiscal year 1995 to $400 million in fiscal year 1996. That's a 40 percent reduction, which will be devastating to the Nation's bus, subway, and light rail systems.

This blow to mass transit comes at the same time highway funding is being increased by $800 million. This is unfair and wrongheaded policy. Highways and transit should complement each other, not compete against each other. Mass transit is more than metal and rubber, more than buses, subways and trains. It is critical to our cities, vital to the suburbs and a godsend to rural communities.

For example, my constituents from Montgomery County, PA, a suburban district outside Philadelphia, depend on buses, subways, and light rail systems to carry them to work, to school, to health care providers, and to recreational opportunities. In fiscal year 1995, Philadelphia received $28 million in operating assistance. Under the proposed Transportation appropriations bill, funding would take a dramatic and unfair decrease to $15 million.

This amendment is also about opportunity. Opportunity is a word and a concept that has gained great momentum on this side of the aisle and I know my colleagues on the other side of the aisle also appreciate our need to increase opportunities for all Americans. However, opportunities require access to be realized and mass transit provides that access.

As strong proponents of mass transit, Congressman FOGLIETTA and I have joined forces to restore a modest $135 million for operating assistance for mass transit in the fiscal year 1996 Transportation Appropriations bill.

It rescinds $135 million from the FAA's facility and equipment unobligated balances. The FAA has $1.78 billion unobligated in this account and some of the funds have been idle since 1991. No one is looking to interrupt any safety projects, nor would this funding do so.

Our proposed increase in the recission will still allocate $1.45 billion to the FAA. We need to take a small portion of this money work for us now. Later today, we will also be offering a second amendment to provide the outlay authority to fully offset this increase in transit assistance.

Our amendment demonstrates budget discipline. That is why we have received endorsement by the Citizens Against Government Waste.

Mass transit is of vital importance across America—in big cities, small towns, the suburbs, and farm country. However, the funding in this bill would be devastating.

Fares would go up, services would be cut. My colleague, the gentleman from Pennsylvania [Mr. FOGLIETTA] stated he has estimated 43 small cities and towns across the country, their transit service would cease, and in my hand, I could go into statistics about many other areas in the country severely impacted.

I know my colleagues are well aware of these numbers and facts. We all know the value in mass transit. We need only to step forward now and restore fairness to overall transportation policy.

I ask for a favorable vote for the Foglietta-Fox amendment.

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

On page 66, Members ought to look, particularly Members from the Philadelphia area, Philadelphia National Airport,

Airport movement areas safety system (AMASS).—Given this program's importance to aviation safety, the strong support of the National Transportation Safety Board, and recent calls for accelerated fielding by the FAA Safety Summit, the Committee recommendation includes an additional $20,000,000 for AMASS systems. The reommended level includes AMASS systems for airports in the following locations: Philadelphia, PA; Seattle, WA; Denver, CO (2 systems); Anchorage, AK; Miami, FL; Cleveland, OH; Dallas/Ft. Worth, TX; San Francisco, CA; Kansas City, MO; and Memphis, TN.

People want to ride transit. They want to ride airplanes safely. It would be wrong to take aviation safety money out to do this.

Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

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

Mr. SHUSTER. Mr. Chairman, I join with the chairman of the Transportation Appropriation Subcommittee in strongly opposing this amendment.

This amendment would cut FAA capital funding to offset transit subsidies. This would rescind approximately $130 million from the FAA's facilities and equipment account.

What do these accounts include? These are safety accounts, safety-crucial equipment, such as aviation radars, air traffic control equipment, and weather detection equipment.

This amendment would significantly delay or even cancel the delivery of aviation safety equipment at hundreds of U.S. airports. This amendment would put the safety of air travelers at risk.

FAA has been criticized repeatedly about its inability to develop equipment more quickly. Now, if this amendment passes, equipment delays will no longer be the FAA's fault but the fault of the Congress. If this amendment passes, we will not know what safety-related aviation equipment is going to be delayed or canceled.

This amendment simply cuts $130 million. But it does not specify which safety program. It gives Congress' power over the purse away and hands it over to the bureaucrats down at FAA who will be the ones to decide whether it is your safety radar that is going to be eliminated and which cities should have a safety cut because of this amendment.

Last year's aircraft accidents north of Indianapolis and in North Carolina tragically emphasized how important weather information is to aviation. This amendment could cut weather detection programs.

The point is if this amendment passes, we will not know what programs will be cut. It is a blind cut. Since the majority of projects in the FAA's facilities and equipment account are for safety, this amendment will cut safety projects.

Finally, the amendment would cut FAA facilities and equipment funds which are supported 100 percent by the aviation trust fund. Aviation users pay into this trust fund, and they expect the taxes to support aviation capital projects.

The aviation taxes are not being spent now as intended, but if this amendment were to pass, it would further mask and distort the size of the deficit in that trust fund. If this amendment passes, it will reduce the aviation trust fund spending even further.

I strongly oppose this amendment and join with my colleague, the chairman of the Transportation Appropriations Subcommittee, the gentleman from Virginia [Mr. WOLF], in strongly urging a ''no'' vote on this antisafety aviation amendment.

Mr. FOGLIETTA. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, the fact of the matter is we are dealing with unobligated funds, not safety projects as has been stated, and the fact also is the Department of Transportation did not ask for the $1.78 billion that is going to FAA.

No safety product will be cut. The fact is, $135 million needs to go to save our cities, our suburbs, our rural communities, so mass transit can live on, be well and be safe, as well as cars and as well as our airways for our planes and helicopters and the air transportation.

I think we need to talk about how all systems must work together.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Mr. Chairman, I rise in opposition to this amendment.

This amendment would rescind approximately $130 million from FAA's facilities and equipment prior year accounts.

I oppose this amendment for three reasons.

First, crucial safety equipment is funded by the facilities and equipment account such as aviation radars, air traffic control equipment and weather detection equipment. This reduction would keep FAA from delivering aviation safety equipment to hundreds of U.S. airports. If airports don't have the necessary safety equipment, the traveling public will not be properly protected.

Second, this amendment fails to identify what projects will be reduced. We have no idea if radars in Missouri or landing aids in New York City will be cut. Under this amendment, FAA staff decides what programs to cut.

Finally, this amendment would cut FAA facilities and equipment funds which are supported 100 percent by the aviation trust fund. Aviation users pay into this trust fund and expect the taxes to support aviation capital projects.

I strongly oppose the Foglietta amendment and urge you to vote ''no.''

□ 1845

Mr. FOGLIETTA. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. COLEMAN], the ranking member of the subcommittee.

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

Mr. COLEMAN. Mr. Chairman, I rise in support of this amendment which would soften what everyone here understands and knows, or should know, has been a severe blow to the mass transit programs. One of the deepest cuts in this bill is the cut recommended for transit operating subsidy, a reduction of $310 million or 44 percent below the current level that we spent in 1995. Now 44 percent cuts are pretty drastic. His amendment only softens the blow; it does not restore it. The cuts included will require deep reductions in transit services and steep increases in transit fares all across this country. To cut that will have a devastating impact on transit users throughout the Nation, but particularly in small urban areas and in rural communities.

I know when we say mass transit some people think, well, a mass transit worker must be in a big city. Well, that is just not the case. Those of us in west Texas understand the importance of this section of the bill. According to the Federal Transit Administration, if States and localities do not step in and make up the difference, and my colleagues and I know many of them will not or cannot, 43 smaller communities will face fare increases of more than 100 percent, and their transit systems are on a precipice of folding. Fifty other communities will face fare increase from 50 to 100 percent, and 61 communities could see their fare increased from 30 to 50 percent. Now those are data that we, the committee, has. It was made available to us, and yet this subcommittee went ahead and made what I consider to be improper and overly huge cuts.

Well, I will just say to my colleagues that I think what we need to understand is what the Foglietta amendment does. I hear all the objections coming from the other side about where he goes and gets the money on this section of the amendment. Where he is going of course is he is going to capital funding accounts in the FAA, and that is correct, unexpended balances. How many times have we heard we cannot keep money out there in agencies if we are not going to spend it? Well, they are keeping it. This is unexpended balances. In fact, $130 million is a lot of money, but taken with a total unobligated—balances that are out there; do my colleagues know what that total is? It is $1.7 billion, and this bill adds another $2 billion. So the $130 million out of the $3.7 billion in moneys to be expended is not that big a hit on that capital account.

Now the reality is we all know that with this self-imposed national emergency that we now have on our hands in the appropriations process we have got to look hard to find dollars. But my colleagues and I know that the Foglietta amendment does not do devastation to anything.

It is interesting to note my chairman, the gentleman from Virginia [Mr. WOLF], correctly said we were not going to do highway demonstration projects, and he kept his word, we did not, but that does not mean this Congress is not doing them. This Congress is doing them, and that is where we ought to get to also, some facts. The bill itself, this bill, will permit continued spending on the 539 highway demo projects authorized under ISTEA which are completely exempt from any spending controls.

I say to my colleagues, ''The next time you talk to a conservative in this place, I want you to ask him how he voted on this particular amendment.'' That is the issue.

Let us all admit what we are doing here: 539 continuing highway demonstration projects. All the Foglietta amendment does is limit it, limit obligations to anything in excess of $200 million. He does not even cut those out. He was correct in his opening statement in telling everybody in this House that he was not cutting projects that are ongoing, he is not going to do that, it does not happen. It does not kill my colleagues' highway projects. What it simply says is that we have some spending controls with this amendment on 539 highway demonstration projects that this bill funds.

Mr. WOLF. Mr. Chairman, before I yield to the gentleman from California [Mr. MINETA] I yield myself such time as I may consume.

Let me say the ranking member in the committee talked a lot about aviation safety, and then all of a sudden he is not interested in it.

This deals with a terminal weather doppler system that, if it had been in effect in Charlotte, NC, the people probably would still be alive, and the money he is talking about taking is the money in this bill. It is unobligated because the bill has not passed. Once the bill is passed, they will obligate it; that is he way the process goes. The FAA cannot obligate money until we pass it, and that is what we are doing today. We are trying to pass the bill.

So my colleague was interested in the committee and talking about our cuts with regard to the FAA. We have made cuts, but my colleague wants deeper cuts.

Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MINETA].

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

Mr. MINETA. Mr. Chairman, I oppose the amendment offered by the gentleman from Pennsylvania, the proposed rescission of $130 million from the facilities and equipment account of the FAA. F&E is the important program which provides the funds needed to develop and purchase the capital equipment used in the air traffic control system. Much of this equipment development will enhance the safety of the system and save lives. I have in mind such projects as Terminal Doppler Weather Radar, which will improve our ability to detect hazardous windshear, and airport surface detection equipment which will help avoid collisions while aircraft are moving around the airport. The F&E account also supports FAA's extensive program to modernize the air traffic control system, which now relies on equipment which is several generations behind the current state-of-the-art in technology, and which is becoming increasingly difficult to maintain.

All of the funds for the FAA's F&E program are taken from the Airport and Airway Trust Fund, which is wholly supported by taxes paid by the users of the aviation system. The users are entitled to have us respect the promises made when these taxes were imposed, that the funds will be fully used for aviation programs and not diverted to other modes of transportation, however worthy.

The Appropriations Committee has been strict with the F&E program. Under the committee bill, funding for fiscal year 1996 is almost $100 million, or 5 percent below the funding for fiscal year 1995. There is no indication that the needs of the program are any lower this year. In addition, the committee has rescinded $60 million of prior year appropriations; this represents funds which were made available for several years, and which FAA has not yet committed.

The amendment proposes rescission of an additional $130 million from the F&E program. This will have serious adverse effects on FAA's ability to improve the safety and efficiency of the air traffic control system. There is no indication that the rescinded money is no longer needed. When this money was appropriated in prior years it was not expected that all of it would be spent in the first year; the money was made available for 3 years or more. The supporters of the amendment have not shown that any of the prior years' funding is no longer needed. Although some F&E projects have gone more slowly than anticipated they are going forward. If the money appropriated to support these programs is rescinded it will have to be reappropriated when the FAA is ready to spend it. In the difficult budget climate we will face, it is not realistic to expect that future year funding will be increased to make up for funds which were rescinded. Much or all of the rescinded funding will be lost forever.

In short, the pending amendment threatens the safety and efficiency of the air traffic control system. I urge defeat of the Foglietta amendment.

Mr. FOGLIETTA. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Chairman, let me say to the gentleman from Virginia $1.7 billion is unobligated. It has already been appropriated, and the gentleman himself cut $60 million under facilities and equipment, page 71 of the report, Mr. Chairman. In airport and highway trust rescission he has already cut $60 million out of it. The $130 million down to the $1.7 billion that has already been appropriated, that is how it does work, Mr. Chairman. Do not get worried about how it does, in fact, work. The gentleman has already rescinded that money. When I talked about highway safety, I am talking about the next section, research, engineering, and development, where he zeroed out a number of programs that he should not have.

Mr. FOGLIETTA. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. FLANAGAN].

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

Mr. FLANAGAN. Mr. Chairman, I rise in strong support of the amendment offered by the gentlemen from Pennsylvania, Messrs. FOX and FOGLIETTA. They have brought forward a well-crafted amendment, and urge my colleagues to support it.

Mr. Chairman, we all recognize that a sound national transportation system is critical to a robust economy. Without the ability to move goods and people efficiently, our economic engine would soon deteriorate and eventually stall.

Today, Americans spend nearly $1 trillion on transportation and related services, which represents nearly 17 percent of our gross domestic product. Each $1 billion spent on highways and transit generates approximately 60,000 direct and indirect jobs. Mass transit does not only produce economic benefits, it also helps to reduce congestion, energy consumption, and pollution.

With all this said, let us look at the appropriations legislation before us today. H.R. 2002 cuts mass transit operating assistance by $310 million. That's

a 40-percent reduction. Combine this with the fact that there is also a 20-percent reduction in capital funding, and we're talking about huge reduction in Federal support for mass transit. But while Federal funding for public transportation is sharply reduced, unfunded Federal mandates and regulations which burden our regional transit systems by driving up the costs of doing business are not being cut in the same expedient fashion.

I believe that we will get there but not this fast and not in this fashion.

Today, many of our regional transportation authorities are fighting for financial life. In order to survive, they're constantly trying to do more with less. But, they can do only so much until they reach the breaking point. Unless we first substantially reduce the amount of unfunded Federal regulations, we cannot, in good conscience, reduce a major source of income that keeps many of our transit systems afloat.

Mr. Chairman, while these reductions in mass transit are proposed, our highways are receiving a $600 million increase from fiscal year 1996 and the Federal Aviation Administration is funded nearly $1½ billion more than what the President requested in his budget. While I certainly support the concept of improved highways and airports, I cannot help but point out that there is something out of balance here. Highways, airports, and mass transit should complement each other, not compete against each other. I'm afraid with this kind of inequity in funding, highways, airports, and mass transit are being forced to become competitors. With all due respect to Mr. WOLF, this does not strike me as the best way to achieve an integrated, efficient national transportation system that serves as the lifeblood of our national economy.

Millions of Americans are utilizing mass transit today. Most of these riders are going to work; many are going to the shops or to the doctor or to school. For these people, mass transit is a wise commuter alternative; for some, it is the only alternative.

So, let us be fair to all of those people who rely on buses, subways, and light rail. We are not suggesting that Congress spend extravagantly. We are simply proposing to restore just some of the vital operating assistance our transit systems so desperately need. Congressmen FOX and FOGLIETTA have steered a responsible course in bringing their amendment to the floor. Restoring $135 million in operating assistance is a good compromise.

In the end, Mr. Chairman, passage of this amendment is the fair thing to do.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. DUNCAN].

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

Mr. DUNCAN. Mr. Chairman, I rise in opposition to this amendment.

The amendment would cut approximately $130 million from the FAA's facilities and equipment prior-year accounts.

The facilities and equipment account funds crucial safety equipment such as aviation radars, air traffic control equipment, and weather detection equipment.

This amendment reaches back to prior-year funds and blindly grabs money—the the amendment doesn't state where the funding cuts are coming from. Will a radar get cut? Will a terminal Doppler Radar be cut?

This amendment gives away Congress' power to determine where American tax dollars are to be spent and hands it over to bureaucrats who decide what radar in what city should be cut.

This amendment would significantly delay or even cancel the delivery of aviation safety equipment at hundreds of U.S. airports all across the country.

FAA has been criticized repeatedly about its inability to develop and delivery aviation equipment quickly.

I am currently working with Congressman LIGHTFOOT and Congressman OBERSTAR on a bill to reform FAA which would improve the way FAA acquires equipment. This amendment undermines that effort.

It is important to remember that this amendment would cut FAA facilities and equipment funds which are supported 100 percent by the aviation trust fund.

In other words, the gentleman's amendment would take away the opportunity to spend aviation taxes on aviation programs and instead spends funds on inner-city transit subsidies.

This is wrong. These aviation taxes are placed in a trust fund, over $5 billion each year, for the sole purpose of aviation improvements at airports all over this Nation.

Aviation users expect the taxes to support aviation projects which are badly needed.

The fact is that this amendment does not save any money. It merely shifts money from important aviation safety projects to transit subsidies.

I strongly oppose the Foglietta amendment and urge my colleagues to vote ''no.''

□ 1900

Mr. FOGLIETTA. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman.

Mr. Chairman, the gentleman said on two occasions that we are not concerned about air safety, but rather inner-city subsidy mass transportation. Nothing could be further from the truth. The fact is, sir, we are concerned about air safety, and the fact is that we will have remaining in this account $1.58 billion after this reduction is made, and we are putting an additional $2 billion in this year. The fact is that this money will not be used only for inner-cities, but for every small town throughout the United States of America to provide some sort of mass transportation.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. SABO].

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

Mr. SABO. Mr. Chairman, I rise in strong support of the Foglietta amendment.

Mr. Chairman, operating subsidy is crucial for the operation of our transit systems, both in rural and urban America. I represent urban America. I represent an area with bus systems. The reality is that for thousands of people who live in our urban centers, the only way they have mobility is through the bus system. In other areas it may be rail, but in mine it is all bus.

There is a significant number of people, I believe today the number I heard was over half the people, in poverty have no cars. Most of them are working. The only way they get to their job is by riding a bus.

Buses are labor intensive. You have to have somebody operating them. You cut this operating subsidy, States are cutting back, the only thing that is going to happen is that the rate structure is going to go up, or they are going to cut routes in our urban areas, and what it means is fewer and fewer people can get to work.

Mr. Chairman, we are talking about welfare reform, of requiring people to go from welfare to work. I think we all agree with that. But the reality for thousands of people who live in our urban centers today is the only way they are going to be able to get to a job is to ride transit. We are either going to eliminate the service or make it more expensive.

The amendment makes sense. My only problem is I wish it were more generous. It is a very moderate reinstatement of funds for operating purposes. It makes good sense, and the House should adopt it.

Mr. FOGLIETTA. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. ANDREWS].

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

Mr. ANDREWS. Mr. Chairman, I rise in support of this amendment offered by my friends and neighbors, the gentlemen from Pennsylvania, Mr. FOGLIETTA and Mr. FOX. In rhetoric, we talk a lot about protecting the environment, in encouraging mass transit, and in encouraging people to use more cost-effective ways to go to work.

In New Jersey as well as other States in the Union people are being forced to endure higher cost car inspections costs and put new emission controls on their vehicles, all in the name of environmental protection. The best thing we can do in the name of environmental protection is to encourage people to use mass transit. Dramatic cuts in name work in the opposite direction. The gentlemen from Pennsylvania, Mr.

FOGLIETTA and Mr. FOX, have offered a modest, sensible way to reallocate funds from one part of this bill to another to encourage more people to use more mass transit.

This is good economically, it is good environmentally, and I want to urge my colleagues to support this well-thought-out amendment.

Mr. FOGLIETTA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me say that I respect greatly the chairman of my subcommittee, and sometimes when he speaks against mass transportation, I think he is speaking with his head and not with his heart, because he was a resident of Philadelphia who rode the mass transportation daily on his way to work and on his way to school, so I know he has a great sympathy for what we are trying to accomplish

But let me say, Mr. Chairman, that, No. 1, we are concerned about air transportation safety. We are desperately concerned about that on this side of the aisle.

However, we want Members to understand that even if we make this rescission, there will remain $1.58 billion unobligated, and this year we are adding $2 billion more for air traffic safety. So we are concerned about safety.

But let me just say also that, No. 2, this is not a subsidy only for inner-city mass transportation. This is helping mass transportation throughout the United States of America. Senior citizens in small villages need to get to the doctors, they need to get to their bank. This is provided for them by mass transportation.

In urban areas, people have to get to work. We are concerned so much about taking people off of welfare and putting them in jobs. We have to understand, Mr. Chairman, that there are many people throughout this Nation who cannot afford automobiles, who depend on mass transportation for their livelihood and their very existence.

I ask Members to please support the Foglietta-Fox amendment.

Mr. WOLF. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Virginia is recognized for 4½ minutes.

Mr. WOLF. Mr. Chairman, I rise in strong opposition. The gentleman is right, I took the 36 trolley car and went downtown; and, to the gentleman from New Jersey [Mr. ANDREWS], I used to take the trolley car when I was a mailboy for Curtis Publishing Co. over to Campbell Soup. So I am a big fan of mass transit, but this is not the way to do what the gentleman is doing. Let me read from the hearings.

In the hearings, this is what was said:

> Virtually all of the 2,300 radar displays in our en route center are over 23 years old.

This is the Secretary of Transportation.

> We have more than 500 landing systems that are between 15 and 30 years old. We have close to 400 radars that are between 15 and 30 years old, all of the largest communications switches in our en route center.

Then the Secretary goes on to say:

> All the largest communications switches in our en route centers are over 29 years old. In an age where generations of computer technology are measured in months, the FAA spends $7 million a year on vacuum tubes, a technology invented at the time of the Wright Brothers' first flight. This would be a mistake.

In the hearings, the Secretary made it clear.

Second, the minority Members, the gentleman from Texas [Mr. COLEMAN], my good friend, signed the minority views, and this is what the minority said:

> Moreover, we believe that many important transportation technology and safety enhancing activities are cut too deeply in this bill.

Now, you thought it was cut too deeply in the bill; now you want to cut it deeper. The minority said:

> We had hope for a better vision, bolder ideas and a more balanced approach to the critical transportation infrastructure and safety issues financed in the bill.

Well, that is what we are doing. The gentleman is going the other way.

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

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

Mr. COLEMAN. Mr. Chairman, I appreciate the gentleman yielding. The Foglietta amendment does not touch a dime of that. Just so the gentleman knows and so our colleagues are aware of the facts, it does not cut a dime of that.

Mr. WOLF. Mr. Chairman, reclaiming my time, it does. It cuts the money here that the Secretary says he needs. It cuts the facilities and equipment accounts, it cuts safety, and if Members will recall the North Carolina situation in Charlotte where the airplane crashed because the terminal Doppler radar system in Charlotte was not there, it would deal with wind shear alert system and many of the things the gentleman from California [Mr. MINETA] and the gentleman from Tennessee [Mr. DUNCAN] said.

In closing, we put in the report so Members could see, although I know very few people read these things, it said:

> In setting priorities for this bill, the committee has placed the strongest emphasis on maintaining and improving wherever possible transportation safety around the nation. Because of significant concerns over the past year regarding the state of aviation safety, the committee feels strongly that additional funding emphasis should be placed on new safety related equipment. Among other things, this equipment will provide controllers, pilots and airline dispatchers, a more accurate and up-to-date understanding of dangerous weather conditions and provide a clear picture and automated alerting of potential conflicts between aircraft maneuvering on airport surfaces.

If you vote for the gentleman's amendment from Pennsylvania, you will be basically negating this page from the report, because it will be basically meaningless. We put money in for safety because safety is important. Quite frankly, you could probably abolish the Department of Transportation, if it were not for the safety role. This is a fundamental major safety issue, and I strongly urge my colleagues, whether you are for mass transit or against, it, and I happen to be for it, the way to solve it is not to take safety money from the FAA.

So I strongly urge and plead on behalf of the flying public, a ''no'' vote on the Foglietta amendment.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FOGLIETTA].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. FOGLIETTA. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on this amendment will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment, marked No. 12.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Amendment offered by Mr. SMITH of Michigan: Page 27, line 9, strike ''$1,665,000,000'' and insert ''999,000,000''.
>
> Page 27, line 12, insert ''and'' after the semicolon.
>
> Page 27, line 15, strike the semicolon and all that follows through ''project'' on page 30, line 6.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent that debate on this amendment be extended to 20 minutes, 10 minutes on each side.

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

Mr. COLEMAN. Mr. Chairman, reserving the right to object, I would ask if I could have one-half the time reserved for those in opposition for the minority side?

Mr. WOLF. Mr. Chairman, if the gentleman would yield, I would yield 5 minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. Mr. Chairman, I withdraw my reservation of objection.

Mr. MENENDEZ. Mr. Chairman, reserving the right to object, I would ask the gentleman, is this the amendment with reference to the 40 percent under ISTEA available for construction of new fixed guideway systems?

Mr. SMITH of Michigan. Mr. Chairman, if the gentleman will yield, this is the new start, taking out the $666 million for 1 year.

Mr. MENENDEZ. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

POINT OF ORDER

Mr. MENENDEZ. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MENENDEZ. Mr. Chairman, the new starts fiscal year 1996 appropriations, as well as the entire section 3 obligation limitations, is consistent, to the chairman's credit, with section 3006 of the Intermodal Surface Transportation Efficiency Act of 1991. This section provides that section 3 of Federal transit administration discretionary grants shall, shall be available as follows: ''Forty percent shall be available for construction of new fixed guideway systems and extensions to fixed guideway systems.''

The amendment of the gentleman from Michigan [Mr. SMITH] would lower the ISTEA authorization percentages by virtue of the reduction in funds, in which the gentleman does that specifically on letter B on page 172 of ISTEA, specifically reducing this 40 percent available for construction of new fixed guideway systems and extensions to fixed guideway systems, and, in doing so, takes away the authorizing language of the 40 percent that shall be available for construction of such guideway systems. This would alter the authorized percentages, and thus would constitute an authorizing change on an appropriations bill, violating rule XXI.

The CHAIRMAN. Does the gentleman from Michigan [Mr. SMITH] desire to be heard on the point of order?

Mr. SMITH of Michigan. Mr. Chairman, this amendment simply deletes an amount appropriated in the bill and is consistent with the rules of the House.

Mr. MENENDEZ. Mr. Chairman, in furtherance of the point of order, I would have the Chair note that the reality is that last year's bill, which also tried to reduce the authorization, needed special language in order to accomplish that, because it could not be done strictly by reducing the amount.

□ 1915

So, therefore, while it is the amount that it is being reduced, it, in fact, goes against the grain of the authorizing mandatory language in ISTEA which suggests that 40 percent shall be available for such construction.

The CHAIRMAN. Does the gentleman from Michigan [Mr. SMITH] wish to be heard further on the point of order?

Mr. SMITH of Michigan. Mr. Chairman, I would also like to comment that almost one-half of these projects are unauthorized. They have been appropriated, but they have been unauthorized projects. It is not consistent with the rules of this House to do that except when those unauthorized projects are protected by a decision of the Committee on Rules. In this case, they have. The only recourse Members have is to consider a reduction in the amount appropriated, and I would suggest to the Chair that that is consistent with the rules of the House.

The CHAIRMAN. Are there other Members who wish to be heard on the point of order?

The CHAIR is prepared to rule.

The amendment of the gentleman from Michigan is a reduction in an amount of appropriation. There are no textual changes in the distribution formula.

Therefore, the point of order is overruled.

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

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 3 minutes.

It is very difficult to proceed with an amendment that reduces 666 million out of a budget and just simply give an argument of 10 minutes. Four of us will attempt to do that.

When I was director of energy for the U.S. Department of Agriculture, in the early 1970's, we met every morning at 6:30 at the White House to decide how we were going to conserve energy, how we were going to reduce pollution, and how we were going to serve people that needed to move to the inner cities.

We decided to give extra support for mass transit at that time for those reasons. In every case for the pollution question, for the environmental question, for the conservation of energy question, for helping people move to the inner city, those efforts in these fixed guideway systems have failed.

This bill has $660 million which is an incredible increase of $19 million over last year's appropriation. The point is that many new starts are losing local support because of the inefficiency, because of the high cost, so we see local units pulling back while willy nilly we continue to say we will use Federal taxpayer dollars to continue to support these projects.

I name a couple, the Tasman project in California, which was approved and funded. They pulled out because of lack of local support. The Chicago circulator project pulled out. The Salt Lake City and the Los Angeles and the Portland project are now under scrutiny because even with the maximum 80 percent cost share by the Federal Government and only 20 percent cost share by locals, they think their 20 percent is a waste of money. So this amendment simply says, let us set back for one year, let us have a moratorium of 1 year and have an examination of what is helpful and realistic.

We have sent a letter to GAO, signed by myself, the gentleman from Ohio [Mr. CHABOT], the gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, and said, evaluate these projects to see if it is reasonable to have this cost and if they will be helpful.

This amendment is what was recommended by the House budget resolution passed by this body just weeks ago. It is supported by the Citizens for a Sound Economy. It is supported by the American Legislative Exchange Council. It is supported by the Americans for Tax Reform. The National Taxpayers Union is scoring it. It was actually suggested by the Heritage Association.

This, my colleagues, is an important amendment. Consider where you want to borrow the money and spend that money in future years. By building these projects, we are also committing ourselves to subsidizing these projects in future years, because they cannot operate by themselves.

Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. LARGENT].

Mr. LARGENT. Mr. Chairman, I rise today in support of the Smith-Chabot amendment to terminated new starts for mass transit. Mr. Chairman, we just passed, then just failed by voice vote here on the floor to offer additional moneys for mass transit operating expenses. At a time of budgetary constraints that we are in at this time, it makes no sense at all to be appropriating money for new starts for mass transit.

I do so also support this amendment because the current Federal transit funding system relative to mass transit, each time a gallon of gasoline is purchased in the United States, 1½ cents goes into the mass transit account of the highway trust fund.

The State of Oklahoma is a generous donor State in public transit. In fiscal year 1993, Oklahomans paid an estimated $30 million into the Federal mass transit account and received less than $2 million in return. Oklahoma ranks 42nd in return on Federal mass transit dollars.

I ask why should Oklahomans and other donor States pay for mass transit systems in Washington, New York, Philadelphia, Boston, when my own hometown of Tulsa is in dire need of mass transit funding. It is not only not fair, it is ridiculous. The Federal Government has been subsidizing mass transit with the well-intentioned hope that it would become an efficient self-supporting method of transportation. Unfortunately, it has not worked out.

I believe that in this era of returning responsibility and authority back to localities, which have to deal with the everyday problems that towns and cities face, funds for mass transit which are generated at the local level should remain at the local level.

I support this commonsense amendment which puts an end for new rail starts for mass transit. I urge all of my colleagues and especially those from donor States to vote ''aye'' on the Smith-Chabot amendment.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Virginia [Mr. WOLF] will be recognized for 5 minutes, and the gentleman from Texas [Mr. COLEMAN] will be recognized for 5 minutes.

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

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA].

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

Mr. MINETA. Mr. Chairman, I rise in strong opposition to the Smith-Chabot amendment.

Mr. Chairman, I rise in opposition to the Smith-Chabot amendment and urge my colleagues to join both the authorizing committee and the appropriations committee in opposing this short-sighted amendment.

I say short-sighted because this amendment ignores the lessons we have learned about reducing traffic congestion and cleaning up our polluted air. In some of our cities building new highways is not enough. Traffic congestion has brought us acres of new parking lots where once commerce and commuters traveled freely. We learned that our mobility solutions must involve both highway and transit alternatives.

In some heavily congested corridors, such as those listed in this bill, the appropriate new transportation investment is a transit fixed guideway system which we call a ''New Start.'' These new starts include busways in Texas and California, light rail lines in Maryland and Oregon, commuter rail lines in fast-growing Florida, a downtown circulation system in Memphis, TN, and a ferry boat terminal in New York City.

In other words, striking New Start funds, as this amendment would do, would hurt tens of millions of American commuters who depend on transit solutions to meet their local mobility needs. We should support, not undercut, our national transportation policy which allows our cities at the State and local level to select the transportation solutions, highway or transit, which are right for them. Let's not micromanage our local folks out of business or pit one city against another.

Mr. Chairman, my colleagues know that the authorizing and appropriating committees have not always agreed on every issue on this floor. Well, today we stand united in opposing the Smith amendment.

I urge my colleagues to reject the ''us against them'' philosophy embodied in this amendment and vote against the Smith-Chabot amendment.

Mr. WOLF. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, none of these projects are new starts. None. There is not a new start in the projects. It is the name that has been given, and we should probably change the name. All of the projects here have been funded in the past after extensive hearings. Some of them are the very best in the country. Let me give you one example.

The San Juan Tren Urbano project, the local government is paying two-thirds of the project and the cost effectiveness is $4, well below the $7 threshold recommended by the FDA. Another one involved here for Members from Texas is the Dallas project. The local match is 80 percent, if we could get local government to match 80 percent.

So really, there are no new starts in the project. Every single project that will be cut has had a continued funding, some for many, many years. In fact there is one or two, this will be the last amount of money that they will get. The one with regard to, up in Chicago, the commuter rail, 14.4. This would be the last time they will get it.

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

Mr. COLEMAN. Mr. Chairman, I yield myself 1 minute.

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

Mr. COLEMAN. Mr. Chairman, we did the budget constraints. We provide only $513 million for these 11 projects, even though the president recommended $677 million.

All of the projects recommended in the bill will require significant State and local financial commitments. I think that the chairman just spoke to that issue. I will go down them: Dallas, TX, South Oak Cliff project, Los Angeles CA, New York, Houston, TX, Orange County Transitway, San Francisco, CA, airport project, Trem Urbano project in Puerto Rico. We all understand that commitment.

I cannot support an amendment that further cuts Federal support for transit infrastructure when this bill already cuts it, capital assistance 20 percent below the 1995 level. We talk about cutting transit assistance. We are really talking about ordinary people who depend on the bus, subway or train every day. We are talking about working Americans, 6 million people who use transit to get to work every day.

We need to oppose this amendment.

Mr. SMITH of Michigan. Mr. Chairman, I yield 2½ minutes to the gentleman from Ohio [Mr. CHABOT], cosponsor of this amendment.

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

Mr. CHABOT. Mr. Chairman, relative to the term new starts, many of these projects, nothing has actually happened on the ground. There are some environmental studies or they are in some sort of study. Nothing has really happened. So many of them are in the very early stages.

I believe it is absolutely critical for the future of this Nation that we finally balance the budget, not by raising taxes but by cutting spending. We are looking for places to cut spending. This is clearly a place to cut spending.

The Federal Government has financed a number of fixed guideway mass transit projects over the past three decades. This year the House Committee on the Budget at last decided that new light rail systems cannot be economically justified and recommended that we end the practice of funding these new projects. Despite huge amounts of Federal spending to build and then to subsidize the operating expenses of local light rail systems, many of these projects are proving to be expensive boondoggles.

The Smith-Chabot amendment would accelerate the savings to the taxpayers by eliminating from next year's spending $66 million for new starts. Now, that is a huge amount of money. But the implications of this initial spending go far beyond that. We are talking about long-term commitment that would cost American taxpayers billions of dollars if these things go through.

Once these projects are started, cities and States look to the Federal Government to pay future construction costs. In fact, the Committee on Appropriations reported that the Federal cost for completing new projects has surged $20 billion, a 150-percent increase over 4 years ago.

I have been told by people back in my district, which is Cincinnati, that our No. 1 priority should be achieving a balanced budget. I strongly agree with those sentiments. Many of the people at the State and local level do not believe that light rail makes economic sense but will nonetheless proceed with such projects if the Federal Government will foot the bill. We can no longer afford to foot the bill. We are broke.

At a time when our No. 1 priority is achieving a balanced budget, Federal funding for new light rail projects just does not make sense. A Department of Transportation study has found that subsidies for building and operating mass transit rail programs costs between $5,000 and over $17,000 per rider. New mass transit rail systems are so incredibly expensive to build that it might actually be cheaper if we just bought people cars.

It is absurd. We should pass this amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. BUNNING].

(Mr. BUNNING of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. BUNNING of Kentucky. Mr. Chairman, I rise in strong opposition to the Smith-Chabot amendment.

No one wants to be a pork barrel politician these days. It isn't the politically correct thing to do. But we cannot afford to run every time we see a needed infrastructure project come along.

We cannot afford to make the mistake of sticking our heads in the sand—no matter how badly we want to balance the budget—and pretend that we aren't going to need improvements in our Nation's infrastructure in the next several decades.

This amendment basically does just that. It says ''We can save a few dollars today by pretending our transportation system won't be overloaded to the point of breakdown in the next 10 years.

We can do that—but it is very foolish to do so. What do we do in 10 years? Park our cars and walk?

I am not familiar with every project on this list. There might be some clinkers in there—there might be some projects that go oink in the night.

But I am familiar with one project in particular—the I–71/I–75 corridor study to determine

the best way to meet our transportation needs in the future on a heavily traveled corridor through Cincinnati, OH and northern Kentucky.

This project is not pork. This project is a vital infrastructure necessity, if our area is going to continue growing without gridlock.

We can't just stick our heads in the sand, in northern Kentucky and southern Ohio. We know that traffic through this corridor is going to increase to between 100,000 and 160,000 vehicles a day over the next 10 years—if we can keep them moving.

We know that emplanements at the Cincinnati/northern Kentucky airport are going to more than double over the next 10 years—if the people can get there.

We know that the air quality problems which have already plagued the area periodically are going to get worse—unless we find new ways to move people through the corridor.

We know that northern Kentucky is growing like wildfire and that major downtown and waterfront developments are taking place on both sides of the Ohio river and we know that the existing transportation system is not going to be able to handle this expansion.

And we have responded to these facts—reasonably, rationally and cautiously. We have followed the blueprint laid out in ISTEA.

The Ohio-Kentucky-Indiana Regional Council of Governments—which serves as the designated metropolitan planning organization for the area, supports this project. It has the support of the Governors of Ohio and Kentucky and the local officials on both sides of the river.

The Federal Government has already invested $2½ million in this ongoing study. State and local sponsors have already spent over $600,000. This project was included in the highway authorization bill that passed this body last year. It is not something new that we dreamed up on the spur of the moment.

This project has followed all the rules.

This bill provides $2 million to continue the process and provide for an environmental impact study and preliminary engineering—so that we can determine the best way to proceed.

It would be ridiculous, at this point, to throw out everything we have done—ignoring the investment of $2½ million—to save $2 million today.

The Smith-Chabot amendment is penny wise and pound foolish, Mr. Chairman and we simply can't afford it.

I urge my colleagues to reject this amendment. We can save a few bucks today by sticking our heads in the sand but if we do so, sometime down the road, we are going to find out that not only do we have sand in our ears but we also have one terrible traffic jam.

Reject Smith-Chabot.

□ 1930

Mr. COLEMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. MENENDEZ], whose State is adversely affected by this amendment.

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

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

Mr. Chairman, I rise in opposition to this amendment. We have heard about pork barrel. Let me say, this amendment is sound bite politics. Virtually every program the gentleman wishes to strike has broad bipartisan support. I think my colleague, the gentleman from New Jersey, will be saying the same thing.

I received a call from the office of Republican Governor Christine Whitman saying, ''Look, you need to speak against this ill-advised amendment.'' In my State, this amendment would destroy more than a dozen years of hard work and bipartisanship that created universal support for an essential transportation program that has been a model for the Nation.

The discretionary grant section of this bill includes New Jersey's urban core project, which is of major importance to New Jersey, both in terms of jobs created and for the improvement in our mass transit system. By linking several of New Jersey Transit's existing rail lines and modernizing equipment and facilities, the New Jersey urban core project is designed to make travel on the State rail network quicker, safer, and more convenient for thousands of current and potential riders.

The passage of the Smith amendment, as Governor Whitman's office says, would be devastating to New Jersey, and for that fact, other forward-looking States' transportation systems, and to the employment of hundreds of thousands of workers nationwide who depend on public transportation.

We talk about empowering people, Mr. Chairman, but the fact of the matter is that one of the major ways we do this is to create a transportation system that can get people to where there is work, or to shopping centers that create economic opportunities for the host communities to realize rateables and create jobs. This is knee-jerk, uninformed, and I would suggest it is posturing at its worst. Mr. Chairman, I urge the House to reject the amendment.

Mr. SMITH of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. SCARBOROUGH].

Mr. SCARBOROUGH. Mr. Chairman, I suppose I speak now for the knee-jerk uninformed types, because I believe an old Yiddish proverb that says no matter how long and how far you go down a path, if it is the wrong path, it is time to turn around. We have been going down this path and this railway for a long time. The fact of the matter is it still does not pay for itself.

For more than two decades the Federal Government has subsidized mass transit in hopes that it would become an efficient, self-supporting method of transportation. Unfortunately, it just has not worked out. Most people have chosen not to ride, and we have had to continually subsidize the existing systems. In 1970, public transportation carried 9 percent of commuters nationwide. Over the past 20 years, we have been pumping in federally subsidized dollars, and still the number continues to plummet. It has now fallen to 5 percent, yet the fares that are being charged do not even cover current operating costs in any system. That is true in every mass transit system in this country. Mass transit is clearly not cost effective.

This amendment makes sense, and it says that rail systems are using resources that could be better used elsewhere. That is why the National Taxpayers Union and other groups are coming out front and saying a very basic truth that Americans want us to say in this Government: If it does not make economic sense, if you could not find anybody in the private sector to engage in this type of business, then we do not need to throw more good money at bad money. We need to freeze new spending for these types of projects, say no to this waste and this pork, and move forward and be cost efficient and probusiness.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. LEWIS], a member of the committee.

Mr. LEWIS of California. Mr. Chairman, I appreciate very much my colleague yielding time to me. I would like to extend my congratulations to the gentleman from Virginia, Mr. WOLF, the chairman, as well as to the ranking member, Mr. COLEMAN, for the fantastic job they have done on a very, very difficult subject area.

Mr. Chairman, this bill appropriates $1.4 billion less than the 1995 transportation bill. Furthermore, this bill even falls $384 million below the subcommittee's 602(b) allocation. This is a very, very tough bill and a very, very difficult circumstance. This amendment before us has the potential of costing State and local governments millions of dollars to close down projects, settle lawsuits, and pay termination costs to contractors. Beyond that, if we cut this funding, we are eliminating jobs.

Unfortunately, the amendment will not reduce the deficit or even reduce Federal spending. The $666 million the amendment proposes to cut will be put back into the Highway Trust Fund to be allocated at some future date. The amendment cuts funding for important projects in Atlanta, Boston, Cleveland, Dallas, Houston, Los Angeles, and the list goes on. I urge my colleagues to vote ''no'' on the amendment.

Mr. COLEMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DIXON].

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

Mr. DIXON. Mr. Chairman, I rise in strong opposition to the Smith-Chabot amendment. This amendment unfairly penalizes communities across this Nation by eliminating their fair share of transit funding.

The Federal Government has recognized the importance of balancing the transit needs of older and newer communities by dividing mass transit funding into three parts:

Forty percent of funding goes to rail modernization designed to assist older communities with previously developed transit systems—such as New York, Boston, and Philadelphia.

Forty percent is allocated to so-called new starts to develop transit in newer cities in the West, Southwest, and Southeast, such as Los Angeles, Portland, Houston, and Dallas.

And the remaining 20 percent is to be allocated for bus projects nationwide. The Smith-Chabot amendment would eliminate essential transit projects designed to assist communities and transit riders in newer and still burgeoning urban and suburban areas. While older communities would continue to receive funding for transit, newer areas would be unfairly penalized.

I also want to address specific issues raised by the sponsors of the amendment with respect to the Los Angles metro rail project. Contrary to the Dear Colleague circulated by the sponsors, support among locally elected officials, Los Angeles County communities, and the business community remains nearly unanimous.

The sponsors of the amendment cite a commentary by State senator Tom Hayden, criticizing ridership figures on the Los Angeles subway. But those ridership figures are based on only 4.4 miles of subway currently operating out of a total of 23 miles to be constructed.

When complete, red line ridership will be fed by another 56 miles of light rail. The subway is the spine of a comprehensive transit system, the object of which is to make mass transit in Los Angeles accessible and convenient—changing a culture that relies on the automobile. That reliance must end if the region is to address problems of mobility, economic efficiency, and worsening air quality.

The need for the Los Angeles system is clear. Los Angeles County's population will increase by 3 million to almost 12 million by 2015. This is comparable to adding the current city of Los Angeles to the county's population.

Finally, I want to point out that the Federal Government has a contract with the citizens of Los Angeles County to fulfill its commitment on this project. Los Angeles is more than pulling its weight in investing in transit.

Over the years, we have continued to seek only a 50-percent Federal share out of a possible 80 percent. Twice, we have voted to tax ourselves to increase mass transit investments. And 70 percent of our total rail system is being built with no Federal involvement.

I strongly oppose the Smith-Chabot amendment and urge its defeat.

Mr. COLEMAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California, [Ms. PELOSI].

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

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to the Smith-Chabot amendment to the Department of Transportation Appropriations bill. This amendment would transfer money allocated for needed mass transit projects back into the Highway Trust Fund.

These Section 3 New Rail Starts and Extensions projects are strategic transportation investments in our cities which act as a magnet for economic development and productivity. These projects will provide our urban and suburban areas with effective and diverse transportation options.

In the San Francisco Bay Area, we are committed to a $3.5 billion rail extension program capital program. Seventy percent of these projects are being financed with voter approved sales taxes and State bonds. The largest rail extension, the Bay Area Rapid Transit system, would link the San Francisco International Airport to San Francisco and the rest of the Bay Area.

The airport is under a major expansion program. The projected increase in traffic to the San Francisco Airport would overwhelm the existing highway system. A rail link is vital for air travelers arriving in the Bay area, for airport workers, and for commuters.

Federal funding for new rail starts addresses many important issues for our communities and cities. Mass transit can significantly improve air quality. Rail provides transportation services to the elderly and the disabled. Mass transit reduces the congestion on our highways which are being stretched the limit in many parts of the country. In the San Francisco Bay Area we have virtually exhausted our ability to build new highways or widen existing highways.

Mr. Chairman, this amendment saves no money, since the funds would revert back to the Highway Trust Fund. I urge the defeat of this attack on mass transit. These new rail starts are forward-looking, sound, transportation investments in our cities. Let us make these needed investments.

Mr. COLEMAN. I yield such time as he may consume to the gentleman from California [Mr. BECERRA].

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

Mr. BECERRA. Mr. Chairman, I, too, rise in strong opposition to this amendment.

Mr. COLEMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Mrs. MEEK], who is also from a State which will be adversely affected by this amendment.

Mrs. MEEK of Florida. Mr. Chairman, I strongly oppose the Smith amendment, and I urge my colleagues to do the same. There is no deficit reduction in the Smith amendment, but there is a reduction in the quality of human lives that reside in all of our communities.

If Members look at where transportation needs are, my State of Florida is growing by over 700 people a day. They need to have a chance to get to work. We talk about jobs; this is a way to get jobs in our community.

I could speak from a personal experience about how good doing these new starts are. Dade County, FL, is one of the fastest growing areas. Our roads are gridlocked. There is no land for more growth. All of the super highways have been built. There is simply no more room to build new ones. We do not want this bill to be a relief act for the big transportation highway builders, we want to get a way for our people to get to work. Mr. Chairman, I strongly oppose this amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a member of the committee.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the Smith amendment. I believe it is shortsighted and it goes against the very principles of the ISTEA act of 1991. When Congress passed ISTEA, the goal was to give flexibility to the States, so that they could best meet their own transportation needs. The Smith amendment denies this right.

Mass transportation has already been cut substantially in this bill. This Congress has said time and time again that one-size-fits-all approach does not work. If a State chooses mass transit over highways, then they should be afforded that option, and not be forced into one type of transportation.

The Smith amendment is sending the wrong message. Mass transportation is a vital link to the economic and social well-being of the citizens of New Jersey and of the Northeast, the entire United States. I urge my colleagues to reject this amendment.

Mr. SMITH of Michigan. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from Michigan [Mr. SMITH] has one-half minute remaining, each of the other two gentlemen have 1 minute remaining, and the gentleman from Virginia [Mr. WOLF] has the right to close.

Mr. COLEMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to this amendment, and not to attempt to repeat everything that has been said, but this amendment will interfere with a number of projects already started. In Dallas alone, it will interfere with 64,000 jobs, with the capacity to increase the worth and the amount of revenue into the billions of dollars.

Mr. Chairman, this amendment will stop transportation routes that have already begun, that would get people to work, to their homes, and then provide jobs. I would ask all of my colleagues to vote against this amendment.

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

Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Chairman, I would ask the gentlewoman in the time remaining, it is true, is it not, that the local government of Dallas, TX, is paying for 55 percent of the Dallas, TX, south Cliff project, as it is?

Ms. EDDIE BERNICE JOHNSON of Texas. That is right, Mr. Chairman.

Mr. COLEMAN. Mr. Chairman, if the gentlewoman will continue to yield, I would just say that this is the kind of amendment that does a lot of damage to a lot of projects that are in varying stages of development all across the United States. It should be defeated.

The CHAIRMAN. The gentleman from Michigan [Mr. SMITH] has a final one-half minute remaining.

Mr. SMITH of Michigan. Mr. Chairman, these are local projects. We are asking for a 1-year moratorium. The gentleman from Ohio, JOHN KASICH, chairman of the Committee on the Budget, and several of us have requested that GAO evaluate these projects. Mr. Chairman, I would like to mention that we have the Committee on the Budget resolution that we passed, the National Taxpayers Union, the Citizens for a Sound Economy, Americans for Tax Reform, and Heritage support this amendment. We have to take time to move back and decide the best way to spend available funds.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment, and yield the balance of my time to the gentleman from Pennsylvania [Mr. COYNE] for closing.

Mr. COYNE. Mr. Chairman, I rise in opposition to the amendment before the House which would eliminate all funding for mass transit projects and shift these funds to highway projects.

I am very concerned about the impact of this proposed amendment on the people I represent. Pittsburgh and the Port Authority of Allegheny County are depending on the Airport Busway project to provide a cost-effective answer to the traffic congestion now common between downtown and the airport.

The Airport Busway used former railroad rights of ways as dedicated roadways for transit buses that travel free from local traffic congestion. This project is ranked as one of the most cost-effective in the country and the Port Authority of Allegheny County has already completed a full funding grant agreement with the Federal Government.

The Pennsylvania Department of Transportation is also depending on the Airport Busway to provide an alternative to the Ft. Pitt Tunnel and Bridge which is the main Interstate 279 link between the city of Pittsburgh and the suburban area south of Pittsburgh. The tunnel is scheduled to be closed for renovation and PennDOT is depending on the Airport Busway to provide an alternative to this bridge which is one of the busiest traffic points in the city.

The Airport Busway began construction last year and is scheduled to be completed by 1997. Stopping this project at this point would be catastrophic for the city of Pittsburgh and the port authority. It would result in the waste of over $184 million in previously approved Federal funds. This is hardly the way to safeguard the Federal taxpayer's money.

Mr. Chairman, I urge my colleagues to oppose the Smith-Chabot amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. SMITH].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SMITH of Michigan. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Michigan [Mr. SMITH] will be postponed.

Are there further amendments to title I?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the rule, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment No. 24 offered by the gentleman from Ohio [Mr. LATOURETTE]; the unnumbered amendment offered by the gentleman from Pennsylvania [Mr. FOGLIETTA]; finally, amendment No. 12, offered by the gentleman from Michigan [Mr. SMITH].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LA TOURETTE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. LATOURETTE] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Ohio [Mr. LATOURETTE] for a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 234, not voting 17, as follows:

[Roll No. 558]

AYES—183

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Barton
Beilenson
Bereuter
Bishop
Blute
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Burr
Callahan
Camp
Canady
Cardin
Clay
Clayton
Clyburn
Collins (IL)
Conyers
Cooley
Costello
Cremeans
Cunningham
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Forbes
Fox
Frank (MA)
Frisa
Furse
Gejdenson
Gilchrest
Gonzalez
Gutierrez
Hall (OH)
Hamilton
Harman
Hastert
Hastings (FL)
Hayworth
Heineman
Hinchey
Hobson
Hoekstra
Horn
Hostettler
Jackson-Lee
Jacobs
Jefferson
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennelly
Kildee
Kleczka
Klink
Lantos
LaTourette
Lazio
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Maloney
Manton
Manzullo
Markey
Mascara
Matsui
McCollum
McDermott
McHale
McHugh
McIntosh
McNulty
Meehan
Meek
Menendez
Metcalf
Mfume
Mink
Mollohan
Nadler
Neal
Neumann
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pastor
Payne (NJ)
Peterson (FL)
Petri
Poshard
Pryce
Quillen
Rahall
Rangel
Reed
Regula
Rivers
Rohrabacher
Roth
Roukema
Roybal-Allard
Rush
Sanders
Sawyer
Scarborough
Schumer
Seastrand
Sensenbrenner
Serrano
Shadegg
Shays
Smith (NJ)
Smith (WA)
Solomon
Souder
Stokes
Studds
Stupak
Tate
Tauzin
Taylor (MS)
Thompson
Torkildsen
Torricelli
Traficant
Velazquez
Vento
Visclosky
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
Weller
Williams
Wise
Wyden
Yates
Young (AK)
Young (FL)

NOES—234

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Becerra
Bentsen
Berman
Bevill
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunning
Burton
Buyer
Calvert
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dixon
Doggett
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Emerson
Ensign
Everett
Ewing
Fazio
Fields (TX)
Foley
Fowler
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Funderburk
Gallegly
Ganske
Gekas
Gephardt
Geren
Gibbons
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hastings (WA)
Hayes
Hefley
Hefner
Herger
Hilleary
Hoke
Holden
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kennedy (RI)
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Lucas
Luther
Martinez
Martini
McCarthy
McCrery
McDade
McInnis
McKeon
Meyers
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nethercutt
Norwood
Orton
Packard
Parker
Paxon
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pombo
Pomeroy
Porter
Portman
Quinn
Radanovich
Richardson
Riggs
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Royce
Sabo
Salmon
Sanford
Saxton
Schaefer
Schiff
Scott
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Taylor (NC)
Tejeda
Thomas
Thornberry

Thornton
Thurman
Tiahrt
Torres
Tucker
Upton
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (PA)
White
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Zeliff
Zimmer

NOT VOTING—17

Baker (LA)
Bateman
Bilbray
Collins (MI)
Ford
Gillmor
Hansen
Hilliard
McKinney
Moakley
Nussle
Ramstad
Reynolds
Schroeder
Stark
Towns
Volkmer

□ 2003

The Clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Bilbray against.
Ms. McKinney for, with Mr. Nussle against.

Messrs. GENE GREEN of Texas, KENNEDY of Rhode Island, WELDON of Pennsylvania, BENTSEN, WHITE, BOEHLERT, MARTINEZ, and HEFLEY changed their vote from ''aye'' to ''no.''

Messrs. MANZULLO, PETRI, QUILLEN, JEFFERSON, GONZALEZ, DEUTSCH, and WARD changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the rule, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. FOGLIETTA

The CHAIRMAN. The pending business is the demand for a recorded vote on the unnumbered amendment offered by the gentleman from Pennsylvania [Mr. FOGLIETTA], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 122, noes 295, not voting 17, as follows:

[Roll No. 559]

AYES—122

Andrews
Barrett (WI)
Becerra
Beilenson
Berman
Bishop
Blute
Bonior
Bono
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Clay
Coleman
Collins (IL)
Conyers
DeFazio
DeLauro
Dellums
Dooley
Ehlers
Engel
English
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Fox
Frank (MA)
Furse
Gilman
Gonzalez
Goodling
Greenwood
Hall (OH)
Harman
Hastings (FL)
Hinchey
Horn
Houghton
Hoyer
Jefferson
Johnson (SD)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
King
LaFalce
Lazio
Leach
Lewis (GA)
Linder
Lowey
Luther
Markey
Martinez
Matsui
McHale
McNulty
Meehan
Meek
Menendez
Mfume
Mica
Miller (CA)
Minge
Morella
Nadler
Neal
Ney
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Reed
Rivers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schumer
Serrano
Shays
Skaggs
Spratt
Stokes
Studds
Thompson
Thornton
Thurman
Torkildsen
Torricelli
Traficant
Tucker
Velazquez
Vento
Ward
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wyden
Wynn
Yates
Zimmer

NOES—295

Abercrombie
Ackerman
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Bevill
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Borski
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehrlich
Emerson
Ensign
Eshoo
Everett
Ewing
Fields (TX)
Foley
Forbes
Fowler
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Goodlatte
Gordon
Goss
Graham
Green
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson, Sam
Johnston
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Maloney
Manton
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McDermott
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Miller (FL)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Norwood
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Rangel
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torres
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Young (AK)
Young (FL)
Zeliff

NOT VOTING—17

Baker (LA)
Bateman
Bilbray
Collins (MI)
Ford
Gillmor
Hansen
Hilliard
McKinney
Moakley
Nussle
Ramstad
Reynolds
Schroeder
Stark
Towns
Volkmer

□ 2012

The Clerk announced the following pairs:

On this vote:

Mr. Moakley for with Mr. Bilbray against.
Ms. McKinney for with Mr. Nussle against.

Messrs. GEJDENSON, JOHNSTON of Florida, CONDIT, ZELIFF, and HEFNER changed their vote from ''aye'' to ''no.''

Ms. ROYBAL-ALLARD and Mr. FARR changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the rule, the Chair announces he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 12 OFFERED BY MR. SMITH OF MICHIGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 12 offered by the gentleman from Michigan [Mr. SMITH], on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 114, noes 302, not voting 18, as follows:

[Roll No. 560]

AYES—114

Allard
Andrews
Archer
Armey
Bachus
Barcia
Barrett (WI)
Barton
Bass
Bereuter
Boehner
Brownback
Bryant (TN)
Burr
Burton
Buyer
Camp
Chabot
Chambliss
Chenoweth
Christensen
Coburn
Cooley
Cox
Crapo
Cremeans
Cubin
Doolittle
Duncan
Dunn

Ensign
Everett
Fields (TX)
Funderburk
Goodlatte
Gordon
Goss
Graham
Hall (TX)
Hamilton
Hancock
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Holden
Hostettler
Inglis
Istook
Jacobs
Johnson (SD)
Jones
Kasich
Klug
Kolbe
Largent
Latham
Leach
Lincoln
Longley
Luther
McHale
McInnis
McIntosh
McNulty
Metcalf
Meyers
Miller (FL)
Minge
Myrick
Nethercutt
Neumann
Ney
Norwood
Obey
Parker
Paxon
Peterson (MN)
Petri
Portman
Riggs
Roberts
Rohrabacher
Roth
Royce
Salmon
Sanford
Scarborough
Seastrand
Sensenbrenner
Shadegg
Shays
Smith (MI)
Smith (WA)
Souder
Stockman
Stump
Tate
Taylor (MS)
Taylor (NC)
Thornberry
Thornton
Tiahrt
Upton
Walker
Wamp
Ward
Watts (OK)
White
Whitfield
Wicker
Zeliff

NOES—302

Abercrombie
Ackerman
Baesler
Baker (CA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilirakis
Bishop
Bliley
Blute
Boehlert
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Bunning
Callahan
Calvert
Canady
Cardin
Castle
Chapman
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Dornan
Doyle
Dreier
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodling
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastert
Hastings (FL)
Hayes
Hefner
Heineman
Hinchey
Hobson
Hoke
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
LaFalce
LaHood
Lantos
LaTourette
Laughlin
Lazio
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHugh
McKeon
Meehan
Meek
Menendez
Mfume
Mica
Miller (CA)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Rangel
Reed
Regula
Richardson
Rivers
Roemer
Rogers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schumer
Scott
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Spence
Spratt
Stearns
Stenholm
Stokes
Studds
Stupak
Talent
Tanner
Tauzin
Tejeda
Thomas
Thompson
Thurman
Torkildsen
Torres
Torricelli
Traficant
Tucker
Velazquez
Vento
Visclosky
Vucanovich
Waldholtz
Walsh
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NOT VOTING—18

Baker (LA)
Bateman
Bilbray
Collins (MI)
Ford
Gillmor
Hansen
Hilliard
McKinney
Moakley
Nussle
Ramstad
Reynolds
Schroeder
Solomon
Stark
Towns
Volkmer

□ 2020

The Clerk announced the following pair:

On this vote:

Mr. Nussle for with Ms. Mckinney against.

Mr. WATTS of Oklahoma and Mr. TAYLOR of Mississippi changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MS. DANNER

Ms. DANNER. Mr. Chairman, I offer an amendment, amendment No. 21.

Mr. WOLF. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] reserves a point of order.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. DANNER: Page 25, line 25, strike ''$2,000,000,000'' and insert ''$1,974,000,000''.

Page 26, line 1, before the colon insert ''and $26,000,000 of budget authority shall be available solely for purposes of 49 U.S.C. 5311''.

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

The CHAIRMAN. Does the gentleman from Virginia reserve his point of order or insist upon his point of order?

Mr. WOLF. Mr. Chairman, I reserve the point of order and will allow the gentlewoman an opportunity to discuss her amendment.

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

Mr. Chairman, my amendment is designed to restore funding for rural transit assistance programs to fiscal year 1995 levels. This can be done in a deficit-neutral way, which will have a minimal effect on other transit funding.

Under this proposal, Congress would reduce the $2 billion transit formula grant by $26 million, which would be added to the section 18 allocation. The remaining funds would then be distributed according to the bill's formula.

Today, there are roughly 1,200 rural transit agencies that would benefit from this amendment. These agencies operate in 316 Congressional districts across our Nation and their service area encompasses 53 million people.

While rural transit programs receive Federal funds, the money is distributed to the States, which are then given the authority to design and manage their own programs. This allows rural transit providers, many of whom are independent contractors, to administer their programs without the large bureaucracies many transit agencies develop.

In my home state of Missouri, there are 30 rural transit providers, who operate in 98 percent of the States' counties. These providers include, among others, the OATS system—formerly known as the Older Adult Transportation System. Last year, in the State of Missouri, OATS provided more than 1 million one-way trips in their vans and busses, transporting 21 thousand people more than 5 million miles. This was achieved with only $11,140 in section 18 Federal operating assistance.

To me, this is an example of the true role of government—finding cost-efficient ways to improve the standard of living and freedom of our Nation's citizens.

Some of those in Congress may question why rural transit should be singled out. It is important to do so because rural transit is far more dependent on Federal subsidies than other transit programs. Rural transit depends on Federal funding for 24 percent of the operating budget. While many larger transit agencies can absorb the large cuts proposed in this bill, rural transit is in a far more precarious position.

In addition, section 18 programs are given far less Federal Transit Administration assistance. On a per-capita basis, FTA assistance in rural areas is the equivalent of $1.50 per user, as compared with more than $35 per user in our largest cities. Yet, for those in rural areas who are unable to drive, public transportation is often their only opportunity to perform vital tasks most of us take for granted, such as grocery shopping or visiting the doctor.

It is also important that we look at who depends upon rural transit.

The people who use rural transit are older Americans, people with disabilities and the rural poor who cannot afford a car of their own. In a rural setting, these people simply have no alternative except to rely on rural transportation programs. Transit systems exist

to serve people such as those I have just mentioned. It is unwise and unfair to exclude citizens from transportation services simply because of where they live.

Although this amendment is subject to a point of order, I hope that my colleagues will remember and consider the importance of rural transportation to millions of our citizens.

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

Mr. BEREUTER. Mr. Chairman, this Member rises in support of the amendment offered by the distinguished gentlewoman from Missouri [Ms. DANNER].

This amendment would restore funding to fiscal year 1995 levels and help correct some of the current funding inequities which disadvantage rural transit programs. Without the funding called for in this amendment, many rural transit agencies would be forced to deal with steep reductions in service and face enormous financial obstacles just to survive. Relief is clearly needed to ensure that residents in rural areas are not isolated due to a lack of access to transit.

Rural residents currently receive a disproportionately small share of transit funding, despite the significant need for such assistance. The amendment helps close this substantial gap and ensures that rural residents receive a more fair share of the transit dollars.

Clearly, rural transit agencies are much more dependent on Federal assistance than those in urban areas. Unfortunately, the proposed reductions would have an immediate and detrimental effect on many of these rural transit agencies which often provide vital transit service for many individuals, including the elderly and the disabled.

This Member urges support for this important amendment which would offer some much needed assistance to America's rural residents.

POINT OF ORDER

Mr. WOLF. Mr. Chairman, I believe that the amendment offered by the gentlewoman from Missouri is subject to a point of order as it violates clause 2, rule XXI of the House.

The effect of the Danner amendment would be to set aside $26 million for transit assistance in contradiction to ISTEA. The authorizing legislation stipulates certain amounts derived by percentage of the total amount provided for transit formula grants are to be made available for urbanized areas, elderly, and the handicapped and rural transit assistance. Under ISTEA, 5.5 percent of the funds made available for transit formula grants are for rural transit assistance. The effect of the Danner amendment would be to provide $26 million solely for rural transit systems right off the top before any set-asides were derived.

This amendment would thereby negate the discretion afforded the Secretary of the Department of Transportation under the authorizing legislation.

Mr. Chairman, the Danner amendment amends, goes beyond, perfecting legislative provisos permitted to remain and constitutes legislating on an appropriations bill, and for this reason we raise the point of order.

The CHAIRMAN. The gentleman raises the point of order.

Does the gentlewoman from Missouri wish to be heard on the point of order?

Ms. DANNER. No. I will accede to the ruling of the Chair, Mr. Chairman.

The CHAIRMAN. Does the gentlewoman wish to have a ruling of the Chair?

Ms. DANNER. Yes, Mr. Chairman.

The CHAIRMAN. The Chair is prepared to rule.

The amendment fences $26 million within an aggregate limit of $2 billion in budget authority to be available solely for a specified object. Because no authorization in law supports such a mandatory earmarking and because the funds affected are distributed under formula in law contrary to that earmarking, the point of order is sustained.

Are there further amendments to title I?

AMENDMENT OFFERED BY MRS. MORELLA

Mrs. MORELLA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MORELLA: On line 14 of page 14 of the bill, strike ''$143,000,000'' and insert in lieu thereof ''$147,000,000.'';

On line 19 of page 13 of the bill, strike ''$2,000,000,000'' and insert in lieu thereof ''$1,990,000,000''; and

On line 20 of page 13 of the bill, strike ''$1,784,000,000'' and insert in lieu thereof ''$1,774,000,000''.

The CHAIRMAN. The Chair recognizes the gentlewoman from Maryland [Mrs. MORELLA] for 7½ minutes in support of her amendment.

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

My amendment would increase funding for environment and energy research at the FAA by $4 million, and it would reduce the Federal Aviation Administration funding for the terminal Doppler weather radar by $10 million to offset the increase.

Now, the reason the figures are different—$4 million versus $10 million—they are different in order to make the amendment outlay neutral. My amendment would restore funds for vitally needed area research at the FAA, one which the reported bill cuts by 80 percent.

As chairwoman of the authorization subcommittee over this research, I would hope that a higher level of funding could be accommodated, so my offset would reduce funds for a system that was not requested by the FAA.

□ 2030

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

Mrs. MORELLA. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I agree with the gentlewoman that the FAA's environmental and energy-related research has been hit hard in this bill. We had to make some very difficult choices, and this was one of them. The gentlewoman from Maryland has discussed her amendment with me. I would hope that if she would consider withdrawing her amendment, I will commit to her that I will attempt to find $1 to $1.5 million in additional funding for these research activities in conference with the Senate later this year.

I am concerned that a proposed offset to terminal doppler weather radar, which is the big issue that we discussed on the Foglietta amendment, would undermine safety since it is a safety-related system and no one in the body wants to undermine safety.

Therefore, I pledge to the gentlewoman that I will work with her to increase funding for this research in the conference.

Mrs. MORELLA. Mr. Chairman, the words of the chairman of the subcommittee have always been very truthful and so I thank him for his pledge and the comments of the gentleman from Virginia.

With those assurances, I will withdraw my amendment. Before I do, I want to also thank others who have supported this amendment, the gentleman from Virginia [Mr. MORAN], the gentleman from New York [Mr. SCHUMER], and the gentleman from New York [Mr. MANTON].

Mr. MORAN. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Virginia.

Mr. MORAN. Mr. Chairman, the amendment is a very good one. As the chairman of the Appropriations Subcommittee knows, and I think it is supported by the ranking member of the subcommittee as well, it is fiscal constraints that is the only reason why it cannot be through, but I know that when the gentleman from Virginia [Mr. WOLF] says he is going to do something, he comes through. We are confident that he will in this case as well.

Again, we encourage him to find money in the conference for this activity. I very much applaud and appreciate the fact that my good friend from Maryland has raised the amendment.

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

Mrs. MORELLA. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Chairman, let me just say to the gentlewoman, I agree with the chairman that we should attempt to find the funds for this kind of activity. As a matter of fact, I think the gentlewoman's amendment, as originally crafted, you got it from exactly the right place so the chairman himself took $60 million out of that F&E account of unobligated dollars. It was not incorrect for you to do it. I am sure that the chairman's commitment perhaps to find the $4 million somewhere else would be well spent or from that very same account. I would agree with the chairman, if he were to do that.

I thank the gentlewoman for her well-thought-out amendment.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman, the ranking

member, for his comments on that. The authorization was like $8.5 million and only $1 million was funded. I will rely on the pledge made by the distinguished chairman of the committee. I thank him very much for that.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the reason I asked to do that, Mr. Chairman, is that I want to engage the chairman of the subcommittee, the gentleman from Virginia, in a colloquy.

Mr. Chairman, the Montgomery County Airpark is Maryland's fourth busiest airport. The airpark is a reliever airport with 108,000 annual landings and takeoffs. It is also a center for medical and humanitarian services.

I think the gentleman is probably aware of that.

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

Mrs. MORELLA. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I am. And I am aware of the many commuter flights. Quite frankly, I know that it takes a lot of flights in there, that if it was not in operation, they would all go into National and create many, many noise problems. I am aware of the use of the Montgomery airport.

Mrs. MORELLA. Mr. Chairman, the runway at the airpark is deteriorating. In fact, the airport has been ordered to reconstruct rather than resurface the runway. It only has one runway. The soil underneath the runway is eroding and deep large holes dot the landing strip, creating a safety risk.

The airpark is self-supporting, does not depend on taxpayers dollars for its daily operations.

However, like small airports across the country that cannot raise funds from user fees, the Montgomery Airpark must rely on the Federal Aviation Administration's airport improvement project to fund major construction projects.

Unfortunately, for 3 consecutive years, the much-needed funding, a very small amount, for the runway has been denied by the FAA because for the past 2 program years, the legislative level of AIP funding has been reduced considerably, at least that is what was sent to me in a letter.

The FAA says that all AIP funds for fiscal year 1995 have been assigned.

Mr. WOLF. Mr. Chairman, if the gentlewoman will continue to yield, in the transportation appropriations bill for fiscal year 1996, funding for the AIP has been increased by 10 percent, from 1.4 to 1.6 billion. The question is, how much does the airpark need to restructure the runway?

Mrs. MORELLA. I thank the gentleman for clarifying that statement. The runway reconstruction will cost $1.6 million and the project is ready to proceed immediately. The gentleman said $1.6 billion has been appropriated. This airport would require $1.6 million. It is my understanding that the runway project could still be funded, as a matter of fact, out of fiscal year 1995 AIP funds.

Mr. WOLF. Mr. Chairman, I agree that this is a necessary and worthwhile project. I will encourage the FAA to consider funding it. We can have a meeting next week. Quite frankly, if they cannot take it out of this year, which I think they may actually be able to find the money from this year, certainly I see no reason why they could not take it out of next year. I would be glad to meet with them and with the gentlewoman.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman. I urge my colleagues to support the Transportation Appropriations Act.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FILNER: Page 17, line 8, strike ''$18,000,000,000'' and insert ''$17,990,000,000''.

Page 23, line 14, strike the colon and all that follows through ''1996'' on line 15.

Page 23, after line 15, insert the following:

In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of new loan guarantee commitments under section 511 of such Act, $10,000,000.

The CHAIRMAN. The gentleman from California [Mr. FILNER] is recognized for 7½ minutes.

Mr. FILNER. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, I intend to ask unanimous consent for withdrawing my amendment but I want to engage the chairman of the Committee on Appropriations Subcommittee on Transportation in a brief colloquy about a critical component of our Nation's infrastructure—our regional and short line railroads.

I am joined in this effort to highlight the importance of the section 511 Loan Guarantee Program by colleagues in various regions of our Nation.

We believe that the section 511 Railroad Loan Guarantee Program is a wise investment in our infrastructure. This loan guarantee program is authorized under section 511 of the Railroad Revitalization Act of 1976.

Historically, our investment in road and highways, airports, seaports, and railroads has been responsible for creating the most advanced and efficient economy in the history of the world. The 511 program can help an important segment of our transportation system that has been largely left out of infrastructure investment programs.

A very modest investment of about 5 percent of a total loan amount is all that is required of the Government to guarantee these loans. An appropriation of $10 million will, therefore, generate a $200 million investment in our railroads.

The program also contains no earmarks. Small rail lines throughout America—lines such as the San Diego and Arizona Eastern Railroad—will be able to apply for these loans to rebuild important infrastructure.

These section 511 loan guarantees represent the type of public/private partnership this Congress should encourage.

For a small investment, we can rehabilitate important rail lines, ease congestion, and provide jobs. Best of all, these are not grants—they are loans which will be repaid. The repayment history on this program is excellent.

Mr. Chairman, I would hope that the gentleman from Virginia would join me in a colloquy.

Mr. Chairman, as you may know, many of our regional and short line railroad lines—which are still a vital element of our commercial infrastructure—often find it difficult to obtain private financing for rail line improvements. These private loans are either short-term or their interest rates are too high to make this type of investment prohibitive. I believe that the Section 511 program—because it is a loan program that must be repaid, and because it is leveraged at 20-to-1—is precisely the type of infrastructure investment program that this Congress should promote.

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

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

Mr. WOLF. Mr. Chairman, I concur that these loan guarantees have proven to be reliable and can be a cost-effective and wise use of Federal transportation dollars.

Mr. FILNER. Mr. Chairman, I would hope that the gentleman would favorably consider appropriating funds for this program, if the Senate includes funding for Section 511 railroad loan guarantees in their bill.

Mr. WOLF. Mr. Chairman, if the gentleman will continue to yield, I thank the gentleman from California and our other colleagues for bringing this important transportation investment program to the attention of the House.

As the gentleman knows, the proposal to revitalize the loan guarantee program was not ready in time to be included in the committee markup. However, I can assure the gentleman that I am sensitive to the needs of our regional and short line rail lines. I will certainly consider funding the 511 loan guarantee program, if it is brought before a House-Senate conference.

Mr. FILNER. Mr. Chairman, I thank the gentleman for those comments.

Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I thank the gentleman for the opportunity to

speak about a program vitally important to the railroads in the Second District of Oregon—the Section 511 Railroad Loan Guarantee Program.

Railroad operators have difficulty securing private sector loans for construction because half of the construction costs go to labor, and the resulting railroad is not attractive collateral for banking interests.

However, I represent an area dependent on agriculture and natural resources and we rely on efficient transportation of our goods. For many businesses, this means shipping along the Siskiyou Summit rail line running north to south in southern Oregon.

The Section 511 Loan Guarantee Program would allow this railroad to construct much-needed repair to its track and tunnels.

In an age of fiscal responsibility, it is important to note that these loans will be paid back to the Federal Government. In fact, the Congressional Budget Office has reported that $10 million for the section 511 program will result in $200 million in available loans for needy railroads.

I urge the chairman to fight for this worthy program when this bill goes to the conference committee.

Mr. FILNER. Mr. Chairman, I yield 2 minutes the gentleman from Illinois [Mr. LAHOOD].

Mr. LAHOOD. Mr. Chairman, I also support the gentleman's efforts to continue funding for the Section 511 Loan Guarantee Program. Currently, the Toledo, Peoria and Western Railroad provides much needed rail freight transportation service from Fort Madison, IA, across central Illinois and into Indiana. In Peoria and central Illinois it provides our shippers with important connections to Illinois Central, Burlington Northern/Santa Fe, CSX, Union Pacific, Conrail, and several regional rail carriers. Unfortunately the TP&W is in financial distress. It is my understanding that a successful New York operator of small railroads is attempting to purchase the TP&W. The railroad needs modern locomotive power and track rehabilitation. The buyer is having difficulty convincing private financial institutions to back the total project. It would be a tragedy for this railroad's distress caused a domino effect on its customers and other regional rail carriers in the area. A loan guarantee under the proposal being put forward by Congressman FILNER and Chairwoman MOLINARI, of $11 million would allow an acquisition and rehabilitation of the TP&W.

Mr. FILNER. Mr. Chairman, I thank the gentlemen for their participation. I look forward to working with them to make this happen.

I would like to just point out to the Chair that for the $10 million appropriations that would leverage $200 million worth of loan guarantees, we can open a $7 million rail line, with $7 million we can open a rail line from Campo to El Centro in California. As Mr. LAHOOD stated, for $11 million we can guarantee to preserve and improve rural freight service on the Toledo, Peoria and Western. We can, for $3 million, guarantee a project for rehabilitation of a bridge over the Ohio River. For $13 million, we can make capital improvements and debt restructuring for projects in Maine and New Hampshire; $10 million will guarantee a project to improve service in the Upper Peninsula of Michigan; $30 million beyond will make sure that the State of Missouri gets short line railroad improvements. We heard about what $5 million can do for the Siskiyou Summit rail line in Oregon, and finally $10 million would guarantee track rehabilitation in western South Dakota.

Mr. Chairman, I think these are worthwhile projects. I know the chairman will be looking at possible funding of this.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Michigan: Page 27, line 9, strike ''$1,665,000,000'' and insert ''$1,572,100,000''.

Page 27, line 16, strike ''$666,000,000'' and insert ''$573,100,000''.

Page 27, strike lines 22 through 25.
Page 28, strike lines 3 through 6.
Page 28, strike lines 15 and 16.
Page 28, strike lines 21 through 24.
Page 29, strike lines 3 and 4.
Page 29, strike lines 7 and 8.
Page 29, strike lines 13 and 14.
Page 29, strike lines 21 through 24.
Page 30, strike lines 1 through 6.

Mr. SMITH of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD?

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

There was no objection.

□ 2045

The CHAIRMAN. The gentleman from Michigan [Mr. SMITH] will be recognized for 7½ minutes on behalf of his amendment, and the gentleman from Virginia [Mr. WOLF] will be recognized for 7½ minutes.

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

Mr. SMITH of Michigan. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, we could call this a revised Smith-Chabot amendment. It is an amendment that negates every person that got up an spoke against the first amendment, because this places a 1-year moratorium on funding for only those fixed guideway mass transit projects, the subways and the el's, that do not have a full funding grant agreement, an FFGA, or have not reached a final design phase. It saves 92.9 million.

The Department of Transportation says that mass transit costs for existing systems range from $4,800 to $17,000 per rider. Our goal is to conserve energy. Our goal is to help people move into where they want to move. The fact is that these fixed guideways, these fixed rail systems, are not used by the poor people, they are not used by the elderly, because they have chosen, according to the Congressional Research Service, to use automobiles because it places them at a disadvantage in the beginning point, the fixed beginning point, and the fixed ending point.

According to DOT, a new mass transit is not cost-justified unless it costs less than $6 per rider per trip. The average cost per rider per trip for the 15 projects that this amendment would put on hold is $10.50. The fares are expected to make up no more than $2 of the cost. That means some taxpayer someplace, either paying taxes to the Federal Government or paying taxes to local government, is going to have to make up the difference between the $10.50 and the $2.

The President requested in this budget funding for just 12 new starts, yet the Committee on Appropriations proposes funding for 30 new starts. The revised amendment would allow further study of these projects before committing Federal funding. Mr. Chairman, I would like to commend the members of this subcommittee of the Committee on Appropriations because they have done wonderful things with this proposal that they have brought to the floor. There are no longer the pork barrel projects for demonstration projects. I am delighted, the American taxpayers are delighted.

I am simply offering amendments that hopefully will fine tune this bill and save taxpayers even more money, or instead, maybe put this money to improve some of the highway systems, some of the local bridge needs, in the United States, as opposed to starting new mass transit subway systems that are going to be so inefficient and cost so many American dollars, not only to build but to subsidize in the future.

Mr. DEFAZIO. Mr. Chairman, the Central Oregon and Pacific operates in my Oregon congressional district. The railroad also has informed me that it would seek a $10 million loan guarantee to rehabilitate the Coos Bay Railroad Bridge, if this program were continued. The Coos Bay Railroad Bridge is the line between Coos Bay and Eugene—including all points east, north, and south—and at present, the railroad hauls over 10,000 cars per year over the bridge. During the Southern Pacific's ownership of the bridge, it threatened to abandon service over this line due to the condition of the bridge. The Central Oregon and Pacific would like to continue service to and from Coos Bay, but to do so, the Coos Bay Bridge needs major rehabilitation. The railroad has pledged $600,000 to the project, if Federal loans money is available, and the State of Oregon plans to assist in the funding.

If the railroad bridge were to fail, all of the traffic to and from Coos Bay would be diverted to the highway. This would put the existing highway bridge under enormous pressure. A lone guarantee to a private company is preferable to tens of millions of dollars in highway grants funds to rebuild highway infrastructure.

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

Mr. Chairman, I rise in opposition to the amendment, but let me just say I do appreciate the gentleman from Michigan [Mr. SMITH] mentioning something that has not been mentioned. The fact is, I am going to just take a second, this bill has no highway demo projects. Had the gentleman not mentioned it, I was not going to say it, and it maybe would not even have been mentioned. It used to be, and it is the old thing in politics, ''What have you done for me lately''; we took them out, and nobody mentioned it, and I thank the gentleman for mentioning it.

Mr. Chairman, it is like what goes on in the Committee on Appropriations almost is irrelevant and does not count, and then we start when we come out with these bills. It used to be that we did not get a highway demo project unless someone was a certain powerful Member, or they did not get a project unless they served in a certain committee, or if they happened to be powerful and served in a certain committee and voted wrong, they did not get it.

So I appreciate the gentleman mentioning that, Mr. Chairman, because this has been a fairly significant reform. We have to not only look at what we are doing on the floor, but what we did in the committee.

Mr. Chairman, with regard to the gentleman's amendment, and I understand what he is doing, I rise in opposition. The amendment really, and this will be a revote, really seeks to reduce funds for transit new start projects by $93 million, eliminating 15 projects.

The gentleman from Michigan suggested that these projects are new projects early in the planning and design phases of development. Mr. Chairman, all the projects proposed for deletion have received appropriations in the past. In addition, funds of each of the projects in the amendment are made subject to authorization. The authorizing committee will review these projects, just as the Committee on Appropriations has done, but in the context of the national highway systems bill.

Mr. Chairman, I urge my colleagues to vote no on the Smith amendment, which deletes the following projects: Canton-Akron, Cincinnati-Northern Kentucky, DART, the Dallas North Rail, which is really an 80 percent local match, the Dallas Railtran, Los Angeles, San Diego, Memphis, New Orleans, Orange County, Sacramento, San Francisco BART, San Juan Treno Bano, Tampa-Whitehall, Wisconsin Central. We have already had a vote on a similar amendment, but it was defeated.

Mr. Chairman, I would urge a ''no'' vote on this. I want to thank the gentleman again for what he is trying to do, and also for mentioning the fact there are no highway demos in this bill. As long as blood pumps through my heart, I will do everything to make sure that when the bill comes back from conference, that there are no highway demos in, so that the Senators do not put it in, because I think we have done a good thing by removing them.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. COLEMAN].

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

Mr. Chairman, let me only say again, as I understand it, the gentleman understands that this amendment would eliminate $93 million in funding for again, transit projects, what we just voted on a little bit ago, so I also rise in opposition to the amendment. I think it is important for everyone to understand that this amendment would negatively impact 15 mass transit projects in varying stages of development across the country.

Mr. Chairman, let me just give the Members the States in which this amendment would have an adverse effect: Ohio, Texas, Florida, Tennessee, Louisiana, New York, California, Illinois, and Wisconsin. Some of the projects, by the way, are authorized, so it is interesting also that we are now just going willy nilly about those that are authorized or not.

Let me only say in response to the comment by the gentleman from Virginia [Mr. WOLF], the comment about the highway demo projects, I pointed out a couple hours ago, Mr. Chairman, that he had indeed not included any highway demo projects in the appropriations bill, but I think it would be wrong for anyone to lead anybody astray on the issue of highway demonstration projects.

This appropriations bill, as we know, leaves intact so far, because of the amendments that have been adopted or defeated, leaves intact 539 highway demonstration projects, so I would say to the chairman, it is still true, I guess, that those highway demonstration projects belong to who the people are. The gentleman chastised the previous Congress for suggesting or saying somewhere in the process that depending on if Members were on the right committee or who they were, Members were able to get a highway demo project. How did these 539 highway demo projects get in the authorization bill? Do Members have to be a member of the Committee on Transportation and infrastructure? Do Members have to be somebody special or important to that committee?

Mr. Chairman, I think what we need to do is not criticize the past as much as some do, and maybe not hold up on pedestals the present as much as we sometimes do, because I am not at all proud of the fact that this House, in defeating the Foglietta amendment, refused, refused to say that 539 highway demo projects are bad. I think, by the way, a lot of people in the United States would disagree with that vote.

I understand the reasoning and the rationale for it, and there are Members that are very fearful that they will not be able to get projects in their congressional districts had they voted the other way on that particular amendment; but I would only suggest that once again, in closing, on this amendment, that we truthfully are doing just what we did before, they just reduced the number of projects that he seeks to delete. As a famous former President used to say, ''There you go again.''

Mr. WOLF. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Chairman, I thank my colleague, the gentleman from Virginia, for yielding me this time.

Mr. Chairman, I rise in opposition to this second amendment offered by the gentleman from Michigan [Mr. SMITH] and urge our colleagues to join both the authorizing committee and the Committee on Appropriations in opposing this amendment.

The first amendment offered by the gentleman from Michigan [Mr. SMITH] lost by a margin of 3 to 1, so I urge my colleagues to reject this essentially identical amendment by an equally wide margin. In some heavily congested corridors, such as those listed in this bill, the appropriate new transportation investment is a new start transit investment. We should not favor one new start project over another, as this amendment would do, but treat all projects equitably.

Mr. Chairman, our colleagues know that the authorizing and appropriations committees have not always agreed on every issue on this floor. Today we stand united in opposing this second Smith amendment, just as we opposed the first amendment. Therefore, Mr. Chairman, we have already had this vote, and I urge our colleagues once again to reject this ''us against them'' philosophy embodied in the Smith amendment and vote against it.

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

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

Mr. PACKARD. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, all I can say, these are very, very important. One of the projects will save several lives, and if we strike it, lives will be lost.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. SMITH].

The amendment was rejected.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word.

Mr. Chairman, inasmuch as our last amendment lost at a three to one rate, I will not call for a record rollcall on this, and hope that the committee, both the authorizing and the Committee on Appropriations, will consider it.

The CHAIRMAN. Are there further amendments to title I?

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of Michigan: Page 24, strike lines 1 through 19.

The CHAIRMAN. The gentleman from Michigan [Mr. SMITH] will be recognized for 7½ minutes in support of his amendment, and the gentleman from Virginia [Mr. WOLF] will be recognized for 7½ minutes.

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

Mr. SMITH of Michigan. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I rise to offer an amendment to eliminate funding for the high speed rail project. While the amount in this budget is $15 million, this is a foot in the door for projects which, according to a GAO report, could cost as much as $12 billion. Three copies of the executive summary are available at the desk for your review. The taxpayers would end up providing operating subsidies in the future in order to keep the projects solvent. Of the $15 million in this bill, $3 million goes to Michigan for developing a radio system for train traffic control in the Detroit-Chicago corridor. This corridor goes right through the heart of my district. I think it is important that with a debt approaching $5 trillion that we be willing to cut nonessential programs in our own districts. While it would be nice to have this technology, the freight operators are working on a similar technology on their own in the Pacific Northwest. In fact, another $1 million in this bill is to have the State of Washington ensure that the system being developed by the private sector is compatible with what the Government-subsidized experiment is doing.

Another $5 million in this bill goes to develop, in the Chicago-St. Louis corridor, a more advanced system of locating trains by global positioning and feeding that information to a central system. Again, the freight operators are already experimenting in this area on their own.

The budget committee recommended elimination of this project. The Heritage Foundation made elimination of this project one of its priorities in its rolling back Government analysis. Citizens for a Sound Economy supports its elimination. The reasoning behind these calls for elimination is threefold:

First, these projects will be exceedingly expensive. To upgrade the infrastructure along the Detroit-Chicago corridor just to get to a 3-hour travel time between Chicago and Detroit will cost more than $700 million. Upgrading trains and track to achieve the lowest of the high speed range will cost, for a typical 200-mile corridor, more than $11 million per mile.

Second, freight traffic in these corridors will be disrupted. To quote the GAO report mentioned earlier, ''freight railroads believe that these improvements will generally provide few benefits for their freight operations.'' Freight companies do not want to be liable for collisions between 100 plus miles per hour passenger trains and slower moving freight trains. The GAO report states that freight companies want total endemnification from liability for passenger train accidents. In my district, Conrail has said that, if a high-speed rail corridor were built on the lines it runs between Detroit and Kalamazoo, it would sell that line, move traffic out of the corridor, and reserve a freight easement for some of the less-traveled time on the line. This would reduce the availability of freight service for some of Michigan's largest companies. The problems of 125 miles per hour passenger trains traveling with 60 miles per hour freight trains are evident. The fact that the freight operators will go so far as to turn over their lines in order to avoid the liability problems says that they feel the problems are not surmountable.

Third, the private sector has shown that these systems would not be able to compete with existing air, bus, and auto travel. Several GAO reports note that the private sector is unwilling to invest in any system without huge Government subsidy. What this means is that the resources that would be consumed in producing such a system are valued more in the production of other goods and services than they are in the production of a high-speed rail system. We need to look at the opportunity cost of these systems; $12 billion would provide a lot of services which are clearly more highly valued than a high-speed train, as witnessed by the fact that no one will put their own money into high-speed rail unless the Government guarantees the return.

Fourth, these systems are clearly regional, they are not a role for the Federal Government. There is no reason that taxpayers in Montgomery, AL should pay for someone in Michigan to ride a 125 miles per hour train instead of flying in an airplane or driving their car to get to their destination. In a time when we have a $5 trillion Federal deficit, and unfunded liabilities in Social Security and Medicare of additional trillions, there is no good reason for the Federal Government to be involved in taxing the vast majority of Americans so that a few can travel by train instead of plane or car.

□ 2100

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] is recognized for 7½ minutes.

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

Mr. Chairman, I rise in strong opposition to the amendment which would strike all funding for high-speed rail. Again, try to go back and think what did these men and women do in the committee?

Well, the request was for $35 million. We knocked it down to $15 million, so we are not just starting with this as the beginning figure.

Second, the committee scrubbed the Federal Railroad Administration's high-speed rail budget. The recommended funding for this program is 133 percent below the administration's request, 40 percent less than the 1995 enactment level.

The program is designed to significantly improve, and I use the big S word, safety, if high-speed rail becomes a reality in the United States. Deleting all remaining funding for this program would be detrimental to a number of safety programs, such as removing highway rail grade crossing hazards, that the committee continued for funding albeit at a lower level.

Programs funded in fiscal 1995 have just begun. However, the full benefits of these programs such as train control demonstrations in Michigan—is anybody from Michigan other than Mr. SMITH opposed to it? I do not think so—and Illinois relies on fiscal year 1996 funding.

Not providing further appropriations will effectively end these programs before there are any achievable benefits. This will basically throw away funding both States and the Federal Government have contributed, as well as the private investors.

Other States such as Florida, California, Oregon, Washington, and New York have also invested in high-speed rail. This amendment fails to consider these investments. High-speed rail service could alleviate the need for additional highway and airport safety which are increasing in difficulty and expensive to build. We have not built a new airport for a long while, and the one we built in Denver I think has been a big mistake, and one frankly the Congress probably should have reversed.

This program will make use of existing rail lines and does not require the expense of major new construction. Abolishing the program will add to the public cost of transportation as well as potentially increase traffic casualties.

There was a ''Dear Colleague'' letter that went around with regard to this. Just to answer that, first, funding of the high-speed rail program for corridor development will not be used to lay new track. The three corridor programs under way, which will run between Detroit and Chicago, Chicago and St. Louis, and Portland and Seattle, will operate over existing rail lines and rights-of-ways. No money will be used to lay new track.

Secondly, these corridors do not plan on operating at 150 miles per hour or higher. The trains will run at 110 and 125 miles per hour, which is significantly higher than the average 79 miles per hour that they currently operate.

As such, the Government will not need to buy new land or lay new track to run at 150 miles per hour.

Third, the private sector is already investing in these programs. For example, on the Portland to Seattle corridor, Burlington Northern and Union Pacific are solely financing the upgrading of safety and signaling technology along the corridor. This program will cost $20 million, and the Federal Government's role to evaluate and test will be $3 million.

Fourth, State governments are participating in the development of these high-speed rail corridors. I would say that rail is important. The program has been cut dramatically from $35 million down to $15 million. I urge the Members to consider these points and vote against the amendment of the gentleman from Michigan [Mr. SMITH] to zero out high-speed rail programs.

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

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 15 seconds for a response.

Mr. Chairman, I would just like to say that the cost to finalize this project in the Detroit to Chicago would be $700 million. Department of Transportation says no. The Federal Government will not pay for it. The taxpayers of the particular States that it does through are going to have to end up paying for it out of tax money or out of ISTEA money.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. COLEMAN], the ranking member of the committee.

Mr. COLEMAN. Mr. Chairman, I rise in opposition to the amendment.

Let me just say that what it does, this amendment, is cut out all funding for any kind of research in the high-speed rail research and development program.

Let me say why that is really a bad idea. First of all, the GAO report was cited. I know exactly what the gentleman said. The problem with what the gentleman said was he did not read all of the report. I wanted to be sure we put into the record the rest of what the General Accounting Office said. I will quote from them.

The GAO recommends that the Secretary of Transportation, in addition to following through on research on low-cost grade crossing systems and on a high-speed non-electric locomotive, one, focus available Federal funds on a limited number of projects to ensure that combined Federal, State, and private funding is sufficient to move these projects to completion and, two, ensure that FRA, the Federal Railroad Administration, has the expertise to evaluate corridor development proposals to select those that could provide the most benefits.

What we are saying is, and I recognize all Americans say, ''We can't afford it.'' America can no longer afford research and development. We cannot get on the cutting edge of any technologies. We cannot afford it. We are too poor as a country.

Well, that is just not so. A lot of us understand that by the proper utilization of our national resources, that we can indeed as a country continue to make progress, continue to move forward, continue to say something about new technologies. We are not going to have anything to say about that technology if we let only foreign countries get into the arena. Maybe that is what we say we have to do now, that America can't cut it anymore.

My side of the aisle does not believe that. My side of the aisle believes that we can do it, that we have got the men and women in the work force in the United States of America to do the job. That this country is not being punched around and kicked back on her heels simply because some people say we cannot afford research and development. We know we can.

I suggest a ''no'' vote on this amendment.

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

Mr. Chairman, it was part of the budget resolution that this body passed just a few weeks ago. The Heritage Foundation made elimination of this project one of its priorities in its rolling back government analysis. Citizens for a Sound Economy support this amendment. The National Taxpayers Union is scoring this amendment. The problem is if we push through this body funding for high-speed rail and jeopardize the freight systems that are now operating in these areas, then I think we are giving a great disadvantage to our constituents in the long run.

These projects will be exceedingly expensive. To upgrade the infrastructure along the Detroit-Chicago corridor, for example, is going to cost over $11 million per mile. That money is not going to come from the Federal Government according to the Department of Transportation. It is going to come from taxpayers, by the citizens, or it is going to come from funding out of their ISTEA money that they are allocated.

Conrail, when I talked to them this afternoon, says that if high-speed rail goes in on the track they own, they want to sell that track and they will start transporting their freight from the Detroit area through Toledo to their main east-west corridor.

Freight traffic in these corridors will be disrupted. To quote the GAO report mentioned earlier, ''Freight railroads believe that these improvements will generally provide few benefits for their freight operations, and freight companies do not want the liability for the collisions, even if it is only 120 or 125 miles an hour compared to their average 62 miles an hour.''

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

Mr. WOLF. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I rise in strong opposition to this amendment. This is the amendment which would eliminate expenditures which are important to the future transportation needs of the country. It would essentially cripple, or hurt, an attempt to run a high-speed rail system from Detroit to Chicago to Milwaukee to St. Louis.

It is a program which affords great advantages to this country. It is a program which is supported by our Governor, a friend of my dear friend the gentleman from Michigan [Mr. SMITH]. It is a program which is geared at enabling this country to finally begin to move towards getting a good high-speed rail system for this country. It is not one which is going to add to the bureaucracy or the number of government employees. It is one that is going to be run by the people using this as seed money only.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Michigan is recognized for 30 seconds.

Mr. SMITH of Michigan. Mr. Chairman, in summary, we have got to start someplace. Three hundred million dollars is not going to cripple the system. The system is going to end up costing $700 million. The Federal Government is not going to pay for it.

I would just ask everybody in mass transportation, with the recommendation of the Committee on the Budget, that we phase out subsidies for all mass transportation, that we eliminate funding for high-speed rail. Localities and States better think very carefully before they start digging themselves a hole to obligate their future and their taxpayers' future.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. WALSH], a member of the committee.

The CHAIRMAN. The gentleman from New York is recognized for 1 minute.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Virginia [Mr. WOLF], the chairman, and the gentleman from Texas [Mr. COLEMAN], the ranking member, for their strong leadership in this area.

Mr. Chairman, this vote is critically important to New York State and the northeast corridor, I strongly urge a ''no'' vote on this amendment.

We have overcrowded airports in New York and in the northeast corridor. This is the best way to get people moved around. This has already been reduced from $35 million to $15 million. There is demonstrated support for high-speed rail in New York and in the rest of the northeast corridor. This is Governor Pataki's top appropriations legislative priority at the Federal level. I urge a strong vote in opposition to this amendment and a strong vote in support of high-speed rail.

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment by my fellow colleague

from Michigan [Mr. SMITH]. I have been interested in high speed rail for many years because I believe wise investments in technology and transportation infrastructure pay off in economic development, job creation, and higher productivity.

I recognize the motive of the Smith amendment. In an era with record Federal deficits, we need to be fiscally prudent. However, by building on what we have, high speed rail is within reach. We need to encourage incremental improvements that will increase train speed: things like improving grade crossings, signal systems, tracks, and cost-efficient equipment and locomotion. We should target limited federal resources to a few deserving projects.

Improvements related to the high speed rail concept are already being implemented. Earlier this year in fact, the U.S. Department of Transportation awarded a $6 million grant to the Michigan Department of Transportation [MDOT] for further safety and grade crossing improvements on a 71 mile stretch of rail in Michigan. These improvements will allow for an increase in speed along the route and will reduce the amount of travel time. I strongly supported the State's application and have had many discussions with the Director of MDOT about this issue since Michigan has been a leader in this area.

High speed rail means more and better options for the travelling public, both business and pleasure, in the areas surrounding the station. High speed rail also provides a more balanced transportation network that reflects growing environmental and energy concerns.

Being from Michigan and thereby impacted by the Detroit and Chicago rail corridor, linking the third and fifth largest metropolitan areas, I have examined many reports regarding the feasibility and cost of high speed rail.

Many independent studies have shown that the Detroit-Chicago rail corridor is an excellent candidate for high speed rail. Significant economic and employment opportunities are expected to sprout along the route. Just last month, a group in Chicago—Environmental Law and Policy Center—released a study concluding that high speed rail is financially feasible and will create jobs throughout the Midwest.

As this country proceeds with high speed rail development, we need to move cautiously. We need to know what we are buying, who is paying for it, and what the benefits are. We also need to examine potential downsides and legitimate concerns about high speed, particularly safety and take the steps necessary to address those concerns.

Most people agree that it is more prudent to move in small, incremental steps as we develop the high speed rail system. I believe the committee's recommendation of $15 million is a very prudent and appropriate level which will keep the effort moving forward to the benefit of our nation's infrastructure and the travelling public.

Therefore, I urge my colleagues to vote ''no'' on the Smith amendment.

Mr. MINETA. Mr. Chairman, I rise in opposition to the gentleman's amendment which strikes $15 million from the High-Speed Rail Program.

Mr. Chairman, this practical program will reduce the cost and improve the safety and performance of high speed rail projects in the United States. It is specifically targeted at safe, economical, and environmentally-friendly all weather service by the year 2000 in selected corridors, in all areas of the Nation. Such service alleviates the need for additional highway and airport capacity which all Members know is increasingly difficult to obtain and very expensive.

Specifically, this program is targeted at supporting future and relatively modest upgrades for existing rail lines. These upgrades have been proposed by a number of States with congested intercity transportation corridors. In fact, there is a project now underway in Michigan, that is partially funded by the $15 million, which will use new technology to provide high speed train control and significantly enhanced grade crossing safety at about half the cost of conventional methods beginning as early as 1996.

Mr. Chairman, the Federal role proposed here is to simply provide a technology base. It is unreasonable and uneconomical to expect 15 or 20 States to each undertake technology development programs. Moreover, efforts are well coordinated with freight railroads to assure both practicality and ultimate ability to implement. Finally, an incremental approach minimizes risk to taxpayers and maximizes value.

Mr. Chairman, I oppose this amendment. In terms of technology advancement, it is a step backward and I urge a ''no'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. SMITH].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SMITH of Michigan. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Michigan [Mr. SMITH] will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments to title I?

□ 2115

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $3,656,000: *Provided,* That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $38,774,000, of which not to exceed $1,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $160,802 to remain available until expended.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), $13,379,000, of which $4,984,000 shall be for severance and closing costs: *Provided,* That of the fees collected in fiscal year 1996 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701, one-twelfth of $8,300,000 of those fees collected shall be made available for each month the Commission remains in existence during fiscal year 1996.

PAYMENTS FOR DIRECTED RAIL SERVICE

(LIMITATION ON OBLIGATIONS)

None of the funds provided in this Act shall be available for the execution of programs the obligations for which can reasonably be expected to exceed $475,000 for directed rail service authorized under 49 U.S.C. 11125 or any other Act.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For administrative expenses of the Panama Canal Commission, including not to exceed $11,000 for official reception and representation expenses of the Board; not to exceed $5,000 for official reception and representation expenses of the Secretary; and not to exceed $30,000 for official reception and representation expenses of the Administrator, $50,741,000, to be derived from the Panama Canal Revolving Fund: *Provided,* That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed 38 passenger motor vehicles for replacement only (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama), the purchase price of which shall not exceed $19,500 per vehicle.

Are there amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Funds for the Panama Canal Commission may be apportioned notwithstanding 31 U.S.C. 1341 to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by

administrative action pursuant to law that are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236–244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1996 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1995, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 12 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned to a State;

(2) after August 1, 1996, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104, and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102–240;

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a), title 23 U.S.C., the Federal lands highway program, the intelligent vehicle highway systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024 of Public Law 102–240, and 49 U.S.C. 5316, 5317, and 5338: *Provided*, That amounts made available under section 6005 of Public Law 102–240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs under the head ''Federal-Aid Highways'' in this Act;

(d) During the period October 1 through December 31, 1995, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97–424, sections 1061, 1103 through 1108, 4008, and 6023(b)(8) and 6023(b)(10) of Public Law 102–240, and for projects authorized by Public Law 99–500 and Public Law 100–17, shall not exceed $277,431,840.

(e) During the period August 2 through September 30, 1996, the aggregate amount which may be obligated by all States pursuant to paragraph (d) shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104 and 144 of title 23, United States Code, and 1013(c) and 1015 of Public Law 102–240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which would not be obligated in fiscal year 1996 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1996, has the amount distributed to such State under paragraph (a) for fiscal year 1996 reduced under paragraph (c)(2).

SEC. 311. None of the funds in this Act shall be available for salaries and expenses of more than one hundred and ten political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 312. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program.

SEC. 313. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 314. Such sums as may be necessary for fiscal year 1996 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 315. Funds received by the Research and Special Programs Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training and for reports' publication and dissemination may be credited to the Research and Special Programs account.

SEC. 316. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 317. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 318. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 319. None of the funds provided in this Act shall be made available for planning and executing a passenger manifest program by the Department of Transportation that only applies to United States flag carriers.

SEC. 320. None of the funds made available in this Act may be used to implement, administer, or enforce the provisions of section 1038(d) of Public Law 102–240.

SEC. 321. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under ''Federal Transit Administration, Discretionary grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 1998, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 322. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of chapter 53 of title 49 U.S.C., that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 323. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that

air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 324. None of the funds made available by this Act may be obligated or expended to design, construct, erect, modify or otherwise place any sign in any State relating to any speed limit, distance, or other measurement on any highway if such sign establishes such speed limit, distance, or other measurement using the metric system.

SEC. 325. Notwithstanding any other provisions of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.

SEC. 326. None of the funds in this Act may be used to compensate in excess of 335 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1996.

SEC. 327. Funds provided in this Act for the Department of Transportation working capital fund (WCF) shall be reduced by $10,000,000, which limits fiscal year 1996 WCF obligational authority for elements of the Department of Transportation funded in this Act to no more than $92,231,000: *Provided,* That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the working capital fund.

SEC. 328. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Limitation on General Operating Expenses'' account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Railroad Safety'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 329. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 330. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing corporate average fuel economy standards for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 332. Notwithstanding 15 U.S.C. 631 et seq. and 10 U.S.C. 2301 et seq. as amended, the United States Coast Guard acquisition of 47-foot Motor Life Boats for fiscal years 1995 through 2000 shall be subject to full and open competition for all U.S. shipyards. Accordingly, the Federal Acquisition Regulations (FAR) (including but not limited to FAR Part 19), shall not apply to the extent they are inconsistent with a full and open competition.

SEC. 333. None of the funds in this Act may be used for planning, engineering, design, or construction of a sixth runway at the new Denver International Airport, Denver, Colorado: *Provided,* That this provision shall not apply in any case where the Administrator of the Federal Aviation Administration determines, in writing, that safety conditions warrant obligation of such funds.

SEC. 334. (a) Section 5302(a)(1) of title 49, United States Code, is amended by striking—

(1) in subparagraph (B), ''that extends the economic life of the bus for at least 5 years''; and

(2) in subparagraph (C), ''that extends the economic life of the bus for at least 8 years''.

(b) The amendments made by this section shall not take effect before March 31, 1996.

SEC. 335. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to the provisions of section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided,* That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 336. Of the budgetary resources provided to the Department of Transportation (excluding the Maritime Administration) during fiscal year 1996, $25,000,000 are permanently canceled: *Provided,* That the Secretary of Transportation shall reduce the existing field office structure, and to the extent practicable collocate the Department's surface transportation field offices: *Provided further,* That the Secretary may for the purpose of consolidation of offices and facilities other than those at Headquarters, after notification to and approval of the House and Senate Committees on Appropriations, transfer the funds made available by this Act for civilian and military personnel compensation and benefits and other administrative expenses to other appropriations made available to the Department of Transportation as the Secretary may designate, to be merged with and to be available for the same purposes and for the same time period as the appropriations of funds to which transferred: *Provided further,* That no appropriation shall be increased or decreased by more than ten per centum by all such transfers.

SEC. 337. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to ''Rental payments'' for any expense authorized by that appropriation in excess of the amounts provided in this Act: *Provided,* That prior to any such transfer, notification shall be provided to the House and Senate Committees on Appropriations.

SEC. 338. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

''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 U.S.C. 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 incompatible with the safe and efficient use of the airport.''.

SEC. 340. (a) Except as provided in subsection (b) of this section, 180 days after attaining eligibility for an immediate retirement annuity under 5 U.S.C. 8336 or 5 U.S.C. 8412, an individual shall not be eligible to receive compensation under 5 U.S.C. 8105–8106 resulting from work injuries associated with employment with the Department of Transportation (excluding the Maritime Administration).

(b) An individual who, on the date of enactment of this Act, is eligible to receive an immediate annuity described in subsection (a) may continue to receive such compensation under 5 U.S.C. 8105–8106 until March 31, 1996.

SEC. 341. None of the funds in this Act shall be available to pay the salaries and expenses of any individual to arrange tours of scientists or engineers employed by or working for the People's Republic of China, to hire citizens of the People's Republic of China to participate in research fellowships sponsored by the Federal Highway Administration or other modal administrations of the Department of Transportation, or to provide training or any form of technology transfer to scientists or engineers employed by or working for the People's Republic of China.

SEC. 342. None of the funds in this Act may be used to support Federal Transit Administration's field operations and oversight of the Washington Metropolitan Area Transit Authority in any location other than from the Washington, D.C. metropolitan area.

SEC. 343. (a) Subsection (b) of section 5333 of title 49, United States Code, is hereby repealed.

(b) The repeal made by this section shall take effect on the date of enactment of this Act. Any labor protection agreement or arrangement entered into or imposed pursuant to the subsection repealed by this subsection, or section 13(c) of the Federal Transit Act, prior to such date of enactment shall be terminated, as of such date, and shall have no further force or effect, and no rights or duties shall exist on the basis of any such labor protection agreement or arrangement entered into or imposed pursuant to such subsection or such section 13(c) notwithstanding the provisions of any law.

SEC. 344. In addition to the sums made available to the Department of Transportation, $8,421,000 shall be available on the effective date of legislation transferring certain rail and motor carrier functions from the Interstate Commerce Commission to the Department of Transportation: *Provided,* That such amount shall be available only to the extent authorized by law: *Provided further,* That of the fees collected pursuant to 31 U.S.C. 9701 in fiscal year 1996 by the successors of the Interstate Commerce Commission, one-twelfth of $8,300,000 of those fees

shall be made available for each month during fiscal year 1996 that the successors of the Interstate Commerce Commission carry out the transferred rail and motor carrier functions.

SEC. 345. The Secretary of Transportation shall not authorize funding of additional Federal-aid projects for the Central Artery/Third Harbor Tunnel Project in Boston, Massachusetts, unless a financial plan is submitted by the Commonwealth of Massachusetts by October 30, 1995, and approved by the Secretary: *Provided,* That for each fiscal year thereafter until the project is complete, the financial plan shall be updated bi-annually and submitted to the Secretary by February 1 and August 1 of each fiscal year and further funding shall not be approved by the Secretary until the Secretary approves such updated plans: *Provided further,* That each such financial plan shall be based on a detailed annual estimate of the cost to complete the remaining elements of the project including all commitments contained in the approved project environmental documents, regardless of whether these elements are to be federally funded: *Provided further,* That the financial plan shall be based on reasonable assumptions of future cost increases, as determined by the Secretary, and shall identify the sources of available and proposed funding necessary to finance completion of the project while considering other State transportation needs.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise to make a point of order against page 54, line 3 through line 24.

The CHAIRMAN. The gentleman from Pennsylvania will state his point of order.

Mr. SHUSTER. Mr. Chairman, this provision violates rule XXI, clause 2(b) of the rules of the House because it changes existing law by imposing additional legislative requirements regarding funding.

The CHAIRMAN. Does any Member wish to be heard on the point of order stated by the gentleman from Pennsylvania?

Mr. WOLF. Mr. Chairman, I guess the gentleman does think it says that, because I think the parliamentarian read it carefully. It is my understanding that this language will be carried in another provision some other time?

Mr. SHUSTER. Mr. Chairman, we have committed for the Committee on Transportation and Infrastructure to deal with the issue. We have not agreed to this precise language.

Mr. WOLF. Mr. Chairman, that is fine. I take the word of the gentleman from Pennsylvania. I have no objection, and if the gentleman says that it violates a point of order, I believe him and that is it. I concede it.

The CHAIRMAN. Does the gentleman concede the point of order?

Mr. WOLF. Yes, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Are there amendments to title III?

AMENDMENT NO. 17 OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER: Page 46, lines 3 through 7.

Redesignate subsequent sections of title III of the bill accordingly.

Mr. NADLER. Mr. Chairman, I am seeking to strike from this bill an unfunded Federal mandate which singles out New York City from the rest of the country. This is not the first time I have gotten up with this amendment; the gentlewoman from New York [Ms. MOLINARI] and I have had a colloquy on this amendment for several years now. She has been on the other side of this issue.

This legislation prohibits New York City from charging two-way tolls on the Verrazano Narrows Bridge between Staten Island and Brooklyn. This is the only provision of its kind in Federal law in the entire United States.

Mr. Chairman, currently having a one-way toll on the Verrazano Narrows Bridges creates a pathway into the central business district of New York City by going through Staten Island and Brooklyn into the city, and going out of the city through the Holland Tunnel to New Jersey from Manhattan.

Mr. Chairman, commuters and commercial vehicles which use this pathway can avoid paying any tolls at all, because the Verrazano Narrows Bridge tolls are turned around in the opposite direction from the other tolls on the bridges and tunnels across the Hudson River. This loophole has cost our transportation agencies that support mass transit between $7 million and $8.2 million annually.

Since we are discussing transportation appropriations, let me turn my attention for a moment from this legislative issue to one of actual transportation funding. Do any of my colleagues feel so strongly that they would be willing to make up those lost dollars out of their State's appropriation or to increase the appropriation to New York in this bill by that amount of money?

We are not talking about money being paid by my colleagues' constituents or by Federal taxpayers; we are talking about money New Yorkers pay to our local transportation agencies for our local transportation system. By what right does Congress tell us how to raise money locally and which way, and how, to charge tolls on a local bridge?

In addition to costing us between $7 million and $8.2 million a year in mass transit funds at a time when Federal mass transit subsidies as the gentleman from Michigan noted are being greatly reduced, this unfunded mandate diverts vehicles into lower Manhattan because of the traffic pathway it opens up in which vehicles going to Brooklyn go through Manhattan to get out in order to avoid the toll, thus greatly increasing air pollution and creating two hot spots. That is to say, particular concentrations of air pollution which creates large pockets of carbon monoxide concentration.

Mr. Chairman, we cannot afford this kind of increased air pollution in New York City. We are already a nonattainment area under the Federal Clean Air Act and are subject to penalties by the Federal Government, the EPA, if we do not comply and attain ambient air quality standards within the time limit set. But without this amendment, Congress will not permit us to take action to reduce the congestion and to clean up our problem.

In addition to being a cause of increased air pollution, in addition to being an inconvenience for local residents in Brooklyn and Manhattan, lower Manhattan especially, this congestion is choking off maritime commerce from the Red Hook and South Brooklyn marine terminals in Brooklyn, as well as from numerous small commercial light manufacturing businesses on the Brooklyn waterfront and in Industrial Sunset Park in Brooklyn. We are losing jobs and it will only get worse.

A small minority in our city want to use the Federal Government to circumvent the popular will of the majority in our city. The sponsors of this provision, which my amendment seeks to eliminate from the Federal law, know that left alone, New Yorkers will do what is in our own best interest and eliminate the one-way tolls.

Mr. Chairman, I urge support of my amendment which simply removes the Federal mandate to have one-way tolls on this particular bridge and allows local government to make its own decision. This unfunded mandate has clogged our streets, killed local businesses, and destroyed the quality of life in our cities.

Unless we repeal this provision, Congress will continue to mandate the continued deterioration of these areas. Do not help them do it. I urge my colleagues to support this amendment and remove this detrimental provision from the law.

Mr. WOLF. Mr. Chairman, I rise in very strong opposition to the amendment offered by the gentleman from New York [Mr. NADLER].

Mr. Chairman, one-way toll collection on the Verrazona Bridge is necessary for a number of reasons. If this language were stricken as proposed, traffic from New York City to Staten Island would increase dramatically. Traffic in Staten Island would become more entangled as traffic emanating in New Jersey would cross the bridge into Staten Island.

Ths system has been in place since fiscal year 1994 and has been included in each appropriation bill since that time. The issue has been debated time and again, and frankly nothing has changed to warrant the deletion of the language except for the fact that the language has been successful; therefore, there has been no change; therefore, there is no need to delete.

Mr. Chairman, the system is proven to work and an environmental impact analysis has been conducted to support the one-way toll collection on this bridge. Mr. Chairman, I oppose the

amendment to strike the committee language. We have had it for a number of years. I strongly urge a no vote.

Mr. COLEMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, just very quickly, I sympathize with my colleague from New York, Mr. NADLER, for a very simple reason. A number of our colleagues in the House over the years have had problems of this type that we have tried very hard in the committee to work with. I would hope that the authorizing committee will be able to work with the gentleman, although from time to time it has been necessary for our own Committee on Appropriations to deal with these issues.

Mr. Chairman, because this language is in the appropriations bill, the gentleman correctly approaches the other Members on the floor of the House with respect to this particular language in the appropriations, because I do not think he has anywhere else to go.

For that reason, Mr. Chairman, I certainly support his effort. I would only say to the chairman, the gentleman from Virginia [Mr. WOLF], I recall, indeed, some problems that the chairman has had a Route 66 and other areas around the regions that he represents with respect to traffic problems.

The one that is cited by our colleague may indeed be the case. While we have not personally held hearings, while I have not heard of any hearings on this issue before the Committee on Appropriations, it is exactly the reason that many of these issues should have been addressed by the authorizing committee. But I will say to my colleague from New York that I think a lot of Members will have an understanding about the problem.

I hope that those going in the other direction, which would occur should his amendment prevail, we also will be able to hear from them.

Ms. MOLINARI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to this amendment which would have severe and obviously outrageous negative impacts on my constituents by ending the current one-way westbound collection of tolls on the Verrazano Narrows Bridge and instead adopt an eastbound collection of the tolls.

I should remind Members, as the gentleman from Virginia [Mr. WOLF], the chairman, did, that this attempt to reverse the toll collection has been turned back by Congress every year since it was first brought to the House floor in 1986. And with good reason, because there are clearly increased congestion and environmental concerns brought on by creating an eastbound toll collection.

Mr. Chairman, my colleagues from New York contends that the current traffic pattern encourages traffic congestion in Manhattan. Let us be honest. This will not change the traffic nightmare in Manhattan or Brooklyn. Traffic in New York City has increased from 3 percent to 10 percent since 1984. For anyone familiar with New York City traffic, one needs to look no further than the reconstruction on the Gowanus and Brooklyn-Queens Expressways to determine whether the Verrazano Narrows toll is ultimately responsible.

To try to blame the Verrazano Narrows toll for increased traffic in Brooklyn, I would suggest, is like trying to blame the prolonged period of the OJ trial on the jurors. There is a good problem there, but the solution that you have advanced and the culprit you have identified has absolutely nothing to do with it.

Also, Mr. Chairman, should the Nadler amendment be made in order, traffic in New Jersey would increase dramatically. Perhaps the Triborough Bridge and Tunnel Authority's own statement of 2 years ago puts it best when it stated that ''one-way eastbound toll collection, eastbound traffic diverted away from the Verrazano Narrows Bridge would add to existing congestion at the eastbound Holland Tunnel toll plaza.''

But perhaps the single most important issue in this debate is the air quality and environmental health concerns in which past studies have all concluded the same thing: Staten Islanders who pay a disproportionate share of their toll on the Verrazano Narrows Bridge to subsidize mass transit and subways in the Borough of Manhattan will suffer from significantly increased levels of carbon monoxide.

In closing, this is an issue which is critically important to my constituents and to tens of thousands of commuters who use the Verrazano Narrows Bridge to get to and from work every day, while subsidizing the subways in Manhattan. In my mind the only acceptable change to the westbound toll, and maybe my friend, the gentleman from New York [Mr. NADLER] will agree with me, is no toll at all.

Mrs. MALONEY. Mr. Chairman, I rise in support of my colleague's amendment.

The gentleman from New York and I represent several neighborhoods in Lower Manhattan and Brooklyn that bear the brunt of the curren0,t wrong-headed toll policy on the Verrazano Bridge.

First, our colleagues from around the country should ask themselves—why Congress is meddling in a local traffic dispute.

That's a good question—especially when you consider that year after year, the mandate of the one-way toll from Brooklyn to Staten Island was put in place over the objections of our city and State governments, and all but one of our city's congressional representatives.

Here's why the one-way toll continues to be a terrible idea:

First, it wastes money. Because of toll evaders, New York is losing $7 million in revenues. Revenues which are desperately needed elsewhere.

Second, it's an environmental disaster. The diverted traffic into my district has caused air pollution hot spots.

Third, the quality of life in these neighborhoods continues to deteriorate. Heavy trucks are rattling through residential neighborhoods on roads not designed for this traffic.

The damage caused by the one-way toll over the Verrazano Bridge could be ended with passage of the Nadler amendment.

Mr. TOWNS. Mr. Chairman, I rise in strong support of this amendment introduced by my distinguished colleague, Mr. NADLER, to change the one-way toll collection system for the Varrazano Bridge crossing between Brooklyn and Staten Island in New York City back to a two-way collection. This is a matter of utmost importance to the residential and business communities that I represent. The one-way toll was established in 1986 as a temporary experimental program to study any decrease of air pollution impacting the Staten Island communities located near the then existing east-bound toll booths. Since 1986, several thousand Staten Island residents may have benefited from less air pollution but the half million people of western Brooklyn and Lower Manhattan have been choking from the hot spots created by the gridlock. For the past 9 years, these Brooklyn and Manhattan neighborhoods have suffered from a monumental increase in car and truck traffic through our historic neighborhoods due to the implementation of one-way westbound tolls at the Verrazano-Narrows Bridge. We have experienced a dramatic escalation in congestion, noise, pollution, and damage to our aging infrastructure as a result of the daily car and truck traffic that spills onto our local streets. This Federal intrusion in local traffic management imposing one-way toll collection has cost my constituents and my colleagues nearly $1 billion over the last 6 years in losses associated with increased traffic congestion, air pollution, and noise. Because of this toll, motorists are turning western Brooklyn, Lower Manhattan, and Jersey City into a pollution-filled parking lot. Equally serious are the vibrations on our nearby residential and commercial buildings and the costly water and gas main breaks. The Metropolitan Transportation Authority has lost an estimated $8 million a year in lost toll revenue since 1986. This has meant higher public transportation fares for everyone in New York, New Jersey, and Connecticut. One-way tolls have made it more difficult for the New York region to come into compliance with the Federal Clean Air Act.

Mr. Chairman, it is unconscionable that this action was ever permitted to happen, let alone continue for 9 years. Impassioned appeals to the Congress by leaders of Brooklyn and Manhattan to strip previous Transportation appropriations acts of this language have been ignored. Congress should not be in the business of imposing on local transportation officials toll collection schemes which bankrupt municipal budgets and clog our streets with metal elephants shaking everything as they motor by.

I implore my colleagues to support Mr. NADLER'S amendment that addresses this major quality of life issue for some of New York's thriving neighborhoods.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. NADLER].

The amendment was rejected.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HEFLEY: Page 53, line 15, strike ''$8,421,000'' and insert $5,421,000''.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 10 minutes; 5 minutes for those favoring the amendment and 5 minutes for those opposing the amendment, 2½ minutes to the ranking member, Mr. COLEMAN, and 2½ minutes to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, on June 16, 1994, Congress voted 234 to 192 to eliminate funding for the Interstate Commerce Commission. The task of the 104th Congress is to transfer any remaining necessary functions to the Department of Transportation.

Mr. Chairman, my amendment will cut $3 million in operating expenses for carrying out these few functions. Some would have us believe that this would cripple the Committee on Transportation and Infrastructure's ability to legislate how these functions would be carried out by DOT.

Mr. Chairman, the simple fact is that in 1995, we spent about $31 million on the ICC. Let us remember that figure, $31 million in 1995. This year we are going to spend over $22 million to carry out far fewer regulations without the cost of operating a large independent agency; a 27 percent cut for something that is being eliminated.

Mr. Chairman, my amendment still only brings the cut to 36 percent. It does not appear we have eliminated the idea of an ICC at all; we have only renamed it.

□ 2130

I understand that the ICC will still exist for about 3 months into the new fiscal year. I am not touching any of that money.

I also understand that closing the ICC will cost money. I am not touching any of that money either. But what I am going after is the $8.4 million for three-quarters of a fiscal year for carrying out functions that even many industry experts say should not cost $5 million for the full year, and this is just for three-quarters, $8 million, just three-quarters.

Let us take a closer look at these numbers. The $8.4 million for 9 months comes out to over $11 million for the full year. The rail industry suggests a strong regulatory structure within DOT may cost $5 million to $7 million for the year. That is at least $4 million too much for a full fiscal year, or about $3 million for three-quarters of a year funding.

I believe I left enough money in the appropriation for the Committee on Transportation and Infrastructure to decide what sort of structure is necessary.

There are some who say my amendment does not go far enough, but I would like to believe that when all is said and done, when deregulation is complete, we will not have a successor to the ICC as the appropriation language indicates. We will have very few people carrying out very few functions.

The 104th Congress is about change. It is about reform and less government. We say we are eliminating the ICC, but are we simply changing its name?

Mr. Chairman, a vote for my amendment is not only a vote for fiscal responsibility and common sense, it is also about the new relationship Congress has with the American people. We say we want our Government to make do for less. So let us really do for less. It is called telling the truth to the American people.

I would encourage an ''aye'' on the Hefley amendment.

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

Mr. WOLF. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the amendment would gut the ICC's ability to shut down, and the ICC will be shutting down. It would be disruptive and bring about bigger RIF's quicker than they have to do it, and they are shutting down.

The authorizing committee, who you will soon be hearing from, is drafting legislation that will sunset the ICC when it identifies which regulatory matters need to be considered, such as rail mergers.

Lastly, the committee heard from a large number of groups the ICC currently regulates. They have all asked for sufficient funding to continue ICC functions, such as undercharge claims, rail abandonment, rail mergers, and captive shipping rates and strongly oppose the Hefley amendment to reduce by $3 billion.

The ICC, though, with this bill, will shut down and will be seen never more.

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

Mr. COLEMAN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, let me only say to my colleague from Colorado the thing that he has not paid a lot of attention to is the fact that we have a lot of organizations out there that still need the facilities of the ICC at some point, whether or not it is an independent board of DOT, which is now proposed.

Look, the bottom line, the ICC is out of business by the end of the year.

Let me give you a number of those organizations who wrote a letter to the Speaker of the House, dated July 20. They said they wanted a sufficiently funded independent board within DOT. This letter was from the American Public Power Association, Western Coal Traffic League, Western Fuels Association, National Rural Electrical Cooperative Association, National Mining Institute, National Grain and Feed Association, Edison Electric Institute.

Why the money away from even being able to set up an independent board within DOT?

The Chairman is exactly right, you are to RIF a lot of people a lot sooner than you are going to have to otherwise. That is all this amendment does.

I think it is pretty shortsighted. I hope Members will oppose the amendment.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the authorizing committee.

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

I am very surprised by this amendment. We are going to eliminate the ICC. We have scheduled it. In September, when we come back, we will move to eliminate the ICC, and there is no doubt in my mind that the votes will be there to do it.

Now, we must shut it down in an orderly fashion. The appropriation which the Committee on Appropriations has provided comes in under the budget resolution. It is not above the budget resolution. It is under the budget resolution, so that we have an orderly shutdown.

I have a whole page of functions which are going to be eliminated for motor carriers, trucks, and for railroads. Now, there are a few functions which must be transferred, probably over to the Department of Transportation, a review of rail mergers and acquisitions, the common carrier obligation. We have still got to be concerned with these issues. We have got to be concerned with safety issues.

But we are going to eliminate the ICC. But we are going to do it in a orderly way. We are going to do it with a very significantly reduced budget, indeed, a budget that is under the budget provided for in the budget resolution.

So for all of those reasons, I say let us not let this amendment pass. Defeat this amendment and let us eliminate the ICC in an orderly, efficient fashion.

Mr. HEFLEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I hate to be in opposition to my good friends here on this. We are all in agreement that the ICC needs to be eliminated.

When I, years ago, started this, I could not get enough votes to fill a phone booth in here. On this last year, we passed the idea of elimination. Now, everyone is in favor of elimination, but the talk is that I am trying to devastate it so it cannot be done in an orderly fashion.

We are still putting $22 million in it, and many of the groups that are against this amendment are concerned about the motor carrier regulations. But the Committee on Appropriations assumes the fees collected will cover the expenses to administer any carrier function which remains.

The ICC wants to keep 60 people for this and transfer them to the office of

motor carriers within the DOT. Even the appropriations concede this is excessive, arguing the need for only perhaps a handful of motor carrier experts for the ICC need be retained. For the rail functions, the ICC wants to transfer 180 people for a commerce board. Again, the appropriations agreed this is excessive, contending that only 140 are needed. The administration believes only 100 people are needed. The rail industry believes, say maybe 50 or 60 will be enough for the board.

So, in my opinion, we are trying to do this in an orderly way. We are not trying to devastate their ability to function until it is time for them to phase out. The idea is, though, when they do phase out, we want them to phase out. We do not want just a name change.

So, again, I would encourage support for this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. COLEMAN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MINETA].

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

Mr. MINETA. Mr. Chairman, I rise in strong opposition to the Hefley amendment. The bill appropriates $8.4 million for the necessary functions remaining after the ICC's elimination. I support that amount.

As most Members know, the Committee on Transportation and Infrastructure has been working diligently to produce legislation to close down the ICC. While we recognize the need to streamline Government and eliminate unnecessary regulation, the funds appropriated in this bill represents the barebones to support a more efficient and substantially deregulated independent successor to the ICC.

Additionally, because of our committee's effort to further deregulate the railroad and motor carrier industry, many of the ICC's functions will be eliminated yet some crucial functions would remain the responsibility the Department of Transportation or the ICC's successor, including jurisdiction over railroad mergers, intercarrier transactions, and rail rate regulation. Moreover, many functions would be eliminated including, the repeal of tariff filing, special provisions for recyclables, and minimum rate jurisdiction, just to name a few.

These functions that we seek to retain are important to the railroads, industry, shippers, and ultimately consumers. Therefore, it is crucial that we have the necessary funding to terminate the ICC in an orderly manner and more importantly, to provide enough funding for the ICC's successor.

We should not be shortsighted. It is simply impossible for a skeletal staffing level, which this amendment would result in, to support this extremely critical workload.

Mr. Chairman, there are 300 motor carrier undercharge cases currently pending before the ICC. Members of this body are familiar with the undercharge crisis and recognize that millions of dollars of disputes are still pending in courts across the country—many of which will eventually be referred to the ICC or its successor. As I mentioned before, even though we are substantially deregulating the rail and motor carrier industry, there are many important functions that must be retained and any reduction in funding could prove to throw the transition process into chaos.

Mr. Chairman, the Hefley amendment, while perhaps well-intended, will seriously jeopardize the House's effort to reform the ICC. Therefore, I oppose this amendment, and I urge a ''no'' vote.

Mr. COLEMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. OBERSTAR].

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

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the Hefley amendment.

Mr. Chairman, I strongly oppose the Hefley amendment. To my colleagues on both sides of the aisle. I say: if you believe in fairness in transportation policy, you should vote "no." I'm for reform of the ICC, but I am adamantly opposed to this senseless gutting of the ability of the ICC to carry out its duties under the law to enforce the captive shipper protections which Congress wisely wrote into the Rail Act years ago, and which are the responsibility of the FCC. The Hefley amendment would slash the funding and eliminate the staff of the ICC, with the result that the authority to protect captive shippers would remain, but there would be no means, no staff to enforce those protections, it would be a hollow law.

Bulk commodities such as taconite—a processed, high-grade form of iron ore—coal, phosphate, limestone are products that uniquely move mine mouth to consumer by rail—and, often, on a single railroad company's line. Without the oversight of the ICC, communities dependent on mining for their livelihood, would be at the mercy of these powerful rail shipping interests for their economic future. We should not take so drastic an action within the inflexible context of an appropriation bill, which does not allow us leeway to protect the legitimate interests of mining communities and the industries and their workers, to whom these bulk commodities are shipped. Vote "no" on Hefley.

Mr. COLEMAN. Mr. Chairman, I yield myself the balance of my time.

Just in closing, let me only say I think it has been said, but that what, indeed, all of the groups that wrote to the Speaker and were concerned about was very similar; they said;

We strongly encourage Congress to transfer those necessary functions out of the ICC to an independent board within the Department of Transportation. We want Congress to ensure that the new board is in place before appropriations for the ICC are exhausted, to ensure smooth transition.

That is all this is.

I think common sense would dictate that this Congress not do anything that radical, and I would hope we would defeat the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] will be postponed.

The point of order of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the rule, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from Michigan [Mr. SMITH] and the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The Chair will reduce to 5 minutes the time for any electronic vote after the first in this series.

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan [Mr. SMITH] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 101, noes 313, not voting 20, as follows:

[Roll No. 561]

AYES—101

Allard	Crane	Hostettler
Archer	Crapo	Inglis
Armey	Cubin	Jacobs
Bachus	Deal	Jones
Barcia	Doolittle	Kasich
Bass	Dreier	Kleczka
Bentsen	Duncan	Klug
Boehner	Edwards	Kolbe
Bono	Ensign	Largent
Brewster	Fields (TX)	Lincoln
Brownback	Frisa	LoBiondo
Bryant (TN)	Funderburk	McInnis
Bryant (TX)	Gillmor	McIntosh
Burr	Gordon	Metcalf
Burton	Graham	Meyers
Buyer	Gunderson	Miller (FL)
Chabot	Hall (TX)	Minge
Chambliss	Hamilton	Moorhead
Chenoweth	Hancock	Myrick
Christensen	Hastings (WA)	Neumann
Chrysler	Hayworth	Norwood
Coble	Hefley	Parker
Coburn	Herger	Paxon
Collins (GA)	Hilleary	Peterson (MN)
Cooley	Horn	Portman

Radanovich
Riggs
Rohrabacher
Roth
Royce
Salmon
Sanford
Scarborough
Seastrand
Sensenbrenner
Shadegg
Smith (MI)
Souder
Stockman
Stump
Talent
Taylor (NC)
Thornberry
Tiahrt
Wamp
Watts (OK)
Weller
White
Wicker
Wilson
Zimmer

NOES—313

Abercrombie
Ackerman
Andrews
Baesler
Baker (CA)
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Becerra
Beilenson
Bereuter
Berman
Bevill
Bilirakis
Bishop
Bliley
Blute
Boehlert
Bonilla
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bunn
Bunning
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Cremeans
Cunningham
Danner
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Dornan
Doyle
Dunn
Durbin
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Harman
Hastert
Hastings (FL)
Hayes
Hefner
Heineman
Hinchey
Hobson
Hoekstra
Hoke
Holden
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
LaFalce
LaHood
Lantos
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McKeon
McNulty
Meehan
Meek
Menendez
Mfume
Mica
Miller (CA)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moran
Morella
Myers
Nadler
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Porter
Poshard
Pryce
Quillen
Quinn
Rahall
Rangel
Reed
Regula
Richardson
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Studds
Stupak
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Ward
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Whitfield
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—20

Baker (LA)
Bateman
Bilbray
Collins (MI)
Flake
Ford
Hansen
Hilliard
McKinney
Moakley
Murtha
Nussle
Ramstad
Reynolds
Rose
Solomon
Tucker
Volkmer
Williams
Yates

□ 2159

The Clerk announced the following pair:

On this vote:

Mr. Nussle for, with Ms. McKinney against.

Messrs. MENDENDEZ, TATE, CREMEANS, and LONGLEY changed their vote from ''aye'' to ''no.''

Messrs. JACOBS, HORN, BRYANT of Texas, MOORHEAD, WILSON, and RIGGS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 2200

AMENDMENT OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded a vote on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] on which further proceedings were postponed, and on which the noes prevailed by a voice vote.

PARLIAMENTARY INQUIRY

Mr. COLEMAN. I have parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas will state his parliamentary inquiry.

Mr. COLEMAN. Mr. Chairman, this may not be in the proper form of a parliamentary inquiry, but I think it could be, so I wanted to ask whether or not this would be the last vote of the evening, in the event that the Committee were to decide to rise following this last vote.

The CHAIRMAN. It is the understanding of the Chair that this will be the last vote in the Committee of the Whole.

Mr. COLEMAN. I think the chairman.

The CHAIRMAN. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 144, noes 270, not voting 20, as follows:

[Roll No. 562]

AYES—144

Archer
Armey
Baker (CA)
Barcia
Barr
Barrett (WI)
Barton
Bass
Bereuter
Bevill
Bilirakis
Bonilla
Bryant (TN)
Burton
Camp
Cardin
Chabot
Chapman
Chenoweth
Christensen
Coble
Coburn
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Deal
Dickey
Doolittle
Dornan
Dreier
Duncan
Ehrlich
Ensign
Eshoo
Ewing
Fields (TX)
Forbes
Fox
Frank (MA)
Frisa
Funderburk
Gallegly
Geren
Gillmor
Graham
Gutknecht
Hall (TX)
Hancock
Harman
Hastert
Hastings (WA)
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hunter
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kennedy (MA)
King
Klug
Largent
LoBiondo
Longley
Luther
Manzullo
McCarthy
McCollum
McHugh
McInnis
McKeon
McNulty
Meehan
Metcalf
Mfume
Miller (CA)
Miller (FL)
Minge
Montgomery
Moorhead
Myrick
Neumann
Ney
Obey
Oxley
Packard
Paxon
Peterson (MN)
Pombo
Porter
Portman
Poshard
Pryce
Radanovich
Rivers
Roemer
Rohrabacher
Royce
Salmon
Sanford
Scarborough
Schaefer
Schroeder
Schumer
Seastrand
Sensenbrenner
Shadegg
Shays
Skelton
Slaughter
Smith (MI)
Solomon
Souder
Spence
Stark
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Taylor (MS)
Thornberry
Torkildsen
Upton
Waldholtz
Wamp
Weldon (PA)
White
Young (FL)
Zeliff
Zimmer

NOES—270

Abercrombie
Ackerman
Allard
Bachus
Baesler
Baldacci
Ballenger
Barrett (NE)
Bartlett
Becerra
Beilenson
Bentsen
Berman
Bishop
Bliley
Blute
Boehlert
Boehner
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TX)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Canady
Castle
Chambliss
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (IL)
Combest
Conyers
Costello
Coyne
Cubin
Danner
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doyle
Dunn
Durbin
Edwards
Ehlers
Emerson
Engel
English
Evans
Everett
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Foglietta
Foley
Fowler
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hayes
Hayworth
Hefner
Heineman
Hinchey
Holden
Houghton
Hoyer
Hutchinson
Hyde
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Knollenberg
Kolbe

LaFalce	Neal	Skeen
LaHood	Nethercutt	Smith (NJ)
Lantos	Norwood	Smith (TX)
Latham	Oberstar	Smith (WA)
LaTourette	Olver	Spratt
Laughlin	Ortiz	Stokes
Lazio	Orton	Studds
Leach	Owens	Tanner
Levin	Pallone	Tate
Lewis (CA)	Parker	Tauzin
Lewis (GA)	Pastor	Taylor (NC)
Lewis (KY)	Payne (NJ)	Tejeda
Lightfoot	Payne (VA)	Thomas
Lincoln	Pelosi	Thompson
Linder	Peterson (FL)	Thornton
Lipinski	Petri	Thurman
Livingston	Pickett	Tiahrt
Lofgren	Pomeroy	Torres
Lowey	Quillen	Torricelli
Lucas	Quinn	Towns
Maloney	Rahall	Traficant
Manton	Rangel	Tucker
Markey	Reed	Velazquez
Martinez	Regula	Vento
Martini	Richardson	Visclosky
Mascara	Riggs	Vucanovich
Matsui	Roberts	Walker
McCrery	Rogers	Walsh
McDade	Ros-Lehtinen	Ward
McDermott	Roth	Waters
McHale	Roukema	Watt (NC)
McIntosh	Roybal-Allard	Watts (OK)
Meek	Rush	Waxman
Menendez	Sabo	Weldon (FL)
Meyers	Sanders	Weller
Mica	Sawyer	Whitfield
Mineta	Saxton	Wicker
Mink	Schiff	Wilson
Molinari	Scott	Wise
Mollohan	Serrano	Wolf
Moran	Shaw	Woolsey
Morella	Shuster	Wyden
Myers	Sisisky	Wynn
Nadler	Skaggs	Young (AK)

NOT VOTING—20

Andrews	Ford	Ramstad
Baker (LA)	Hansen	Reynolds
Bateman	Hilliard	Rose
Bilbray	McKinney	Volkmer
Collins (MI)	Moakley	Williams
Dingell	Murtha	Yates
Flake	Nussle	

□ 2207

The Clerk announced the following pair:

On this vote:

Mr. Nussle for, with Ms. McKinney against.

Mr. KOLBE changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. MFUME. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have a parliamentary inquiry about tomorrow's schedule, and was wondering if someone on the other side could perhaps enlighten me with respect to the order of the schedule, the chronological order. I assume that there will be a limited number of one-minutes, and I am trying to find out whether or not we will proceed from that point into consideration of the corrections bill, or will we resume where we are tonight dealing with the matter before us?

The CHAIRMAN. The Chair is unaware of the program. perhaps we can entertain that parliamentary inquiry in the House.

Mr. MFUME. Mr. Chairman, would there be a Member on the other side of the aisle who might be able to inform me?

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

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

Mr. WOLF. Mr. Chairman, I was told we are doing limited one-minutes and then correction day earlier, and then after that, go to conference, and then after that, come back to the transportation bill.

Mr. MFUME. There is a 1-hour debate then on the corrections bill?

Mr. WOLF. Yes.

Mr. MFUME. I thank the gentleman, Mr. Chairman.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on the amendment to be offered by the gentleman from Texas [Mr. COLEMAN] to strike section 343 be limited to 40 minutes, equally divided between the gentleman from Texas [Mr. COLEMAN] and a Member opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GUTKNECHT) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 2002), making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

Mr. BILBRAY. Mr. Chairman, I am pleased to join my colleagues in support of funding for the 511 Loan Guarantee Program. As a former city councilman, mayor, and county supervisor, I have long had an interest in the development of transportation infrastructure in San Diego County, CA.

During the last two decades, San Diego has developed a truly innovative public-private partnership in the area of transportation. In 1979, the Metropolitan Transit Development Board [MTDB] purchased the San Diego and Arizona Eastern Railway Railroad line. The San Diego Trolley Board which I had previously chaired, initiated transit service over the western portion of this line immediately surrounding San Diego.

In 1984, a Texas firm which operates Short Line Railroads established the San Diego and Imperial Valley Railroad which provides freight service over the line at night when the trolleys are not operating. This small railroad has provided good service and has been consistently profitable.

Unfortunately, in 1976, major sections of track were destroyed on the desert line which connects the National Railroad System. It has long been a major objective of the San Diego Association of Governments [SANDAG] to reconnect the railroad to the national rail network in the Imperial Valley. This will have major benefits for shippers in the San Diego area, and will provide relief for the transit lines which currently carry both freight and passengers into Los Angeles. Even though the track itself is owned by the transit district, management of the San Diego and Imperial Valley Railroad have informed us that they will finance the reconnection if section 511 loan guarantees are made available.

I would like to commend my colleague from San Diego, Representative FILNER, who has been the leader on this issue, and I look forward to the reopening of this important freight connection.

Ms. BROWN of Florida. Mr. Chairman, I rise in opposition to the Smith amendment. One of the many transit projects that would be affected by this amendment is Jacksonville, FL's Automated Skyway Express—home of the new NFL team, Jacksonville Jaguars. The bill includes $12.5 million which will complete the last segment of this mass transit system and allow easy, convenient access into our downtown area.

This project began in 1984, before I was elected to this office, when the Federal Government asked the city of Jacksonville to participate in a transit demonstration project along with the cities of Miami and Detroit. During the last 11 years, the city of Jacksonville and State of Florida has invested $76,700,000, or 49 percent, in funding, while the Federal Government has invested $81,644,911, or 51 percent, in this project. The significant local overmatch by the city of Jacksonville and the State of Florida indicates our high level of commitment to the completion of the system. The $12.5 million from the Federal Government will fulfill its commitment to my constituents.

These funds are significant because we will be able to link the Southbank and the Northbank business districts, giving access to employment centers and Skyway parking facilities on either side of the St. Johns River. The duPont station, which is the terminal station on this segment, will accommodate a parking facility for almost 3,000 vehicles giving us a total of almost 5,000 peripheral parking spaces for Skyway patrons.

The total economic short-term impact, including the construction of both segments, north leg and river crossing, is significant. They will result in 4,693 new project-related jobs with a payroll of $91.3 million, a local economic impact of $274.8 million, a regional economic impact of $284.3 million, and a national economic impact of $429.8 million.

I would urge my colleagues to reject this amendment.

Mr. SCHAEFER. Mr. Chairman, I rise in support of the overall transportation appropriation bill but would like to note a concern I have regarding the funding levels for the Office of Pipeline Safety.

The Commerce Committee and the Transportation and Infrastructure Committee have both reported a bill (H.R. 1323) to reauthorize the Office of Pipeline Safety in the Department of Transportation for 4 years.

The authorized level in this legislation is $20.7 million which would be collected through pipeline user fees. This level is 6 percent over the fiscal year 1995 authorized level and continues to increase in each of the subsequent 3 years by 6 percent.

However, H.R. 2002 appropriates $27.2 million to the Office of Pipeline Safety. This is nearly $7 million more than the anticipated authorized levels. At a hearing before the Commerce Committee's Subcommittee on Energy and Power, the Department of Transportation was questioned extensively about their proposed budget. The Subcommittee found that the Department's proposed budget was filled

with duplication and waste. Consequently the $20.7 million authorization level was adopted.

The interstate natural gas pipeline industry spends over $800 million per year on pipeline safety. This reflects the fact that primary responsibility for overseeing pipeline safety rests with the pipelines themselves, not the Department of Transportation. The Department should not be funded at levels sufficient for it to duplicate the safety activities of the pipelines; instead, its role is to ensure that pipeline safety laws and regulations are being enforced.

I do not believe more money will make the Office of Pipeline Safety run better or more efficiently. Thus, although I do not plan to offer an amendment to reduce the appropriated level to the Committee-approved authorized level, when H.R. 1323 comes to the floor I do not intend to raise its authorization levels.

Mr. VENTO. Mr. Chairman, I rise in opposition to the bill.

There are many areas of concern in this bill and I would like to point out some that I find particularly troubling.

Originally, I had considered offering an amendment to restore some funding to the pipeline safety fund. However, I will not offer an amendment. I feel compelled to take this opportunity to impress upon this body the absolute necessity to continue pipeline safety as a priority within the Department of Transportation.

Minnesotans unfortunately know first-hand the loss and destruction that can occur when a pipeline fails. In the district I represent, several people have lost their lives and there has been millions of dollars in property damage due to pipeline failures resulting in explosions and/or massive spills. Nationwide the numbers are staggering. In 1994 alone, the Department of Transportation reports that there were 465 accidents involving liquid and gas pipelines resulting in 22 deaths, over 1,000 injuries, and over $130 million in property damage. Our Federal role with interstate pipelines is absolutely essential for safety, health, and environmental reasons.

We cannot prevent every accident, but with many caused by third party damage, we certainly can prevent some through a comprehensive one-call notification system that can alert an excavator to the location of a pipeline before an accident occurs. I commend the committee for acknowledging the importance of developing a one-call system in this bill's report language, and including some funding for such a system. However, this bill only earmarked $1 million of the State Pipeline Safety Grant Program for developing and implementing a comprehensive one-call program; a program with the proven potential of saving lives and millions of dollars.

Unfortunately, once again in this Congress the new Republican majority has responded to the oil and gas carries rather than consumers; industry over the individual. The administrations budget sought an additional $1.2 million for the State Grant Program. This measure denies such funding and instead in essence provides a $7.5 million tax break to the pipeline industry.

The total appropriations for pipeline safety in the bill is within the proposed authorization. However, I would quickly point out that the authorization bill has not even been considered by the House or Senate, and yet the committee feels constrained by such a tentative measure. It is my hope that the Senate, when considering pipeline safety, gives it the priority and funding it deserves.

Review of other aspects of this transportation appropriation points up other problems with this legislation which undercut important and basic worker protections by repealing section 13(c) of the Federal Transit Act. This section of Federal law, which maintains basic worker collective bargaining rights, has been in existence for over 30 years. During that time these protections have worked and have ensured a fair and livable wage for transit workers.

Today, we are asked to sacrifice the standards of living for middle class working families at the altar of cost reductions and local flexibility. It is ironic that the supporters of repeal includes major transit authorities. While those managers continue to collect their compensation, they are seeking to cut the wages of the workers who make these systems function. Such a duplicitous policy is wrong and should be rejected outright.

I am displeased that the House Rules Committee has not left the section 13(c) repeal subject to a point of order and that the rights of the workers can not be protected. It is another bad example of re-writing policy in an appropriation measure in violation with the rules of this House.

Another egregious provision in this bill is the proposal to cut mass transit operating assistance by $310 million. That is a 40 percent reduction—representing 60 percent of the cuts in transportation funding. These cuts directly affect those in our society who can least afford them: The low income senior citizen who relies on mass transit to remain independent; the disabled person whose only means of transportation is mass transit; the welfare recipient whose only way to get to a new job is mass transit; the college student who uses mass transit to get to class; the middle income worker who depends on mass transit to get to their job. These are the people who will suffer from this cut, and these people will not be able to afford the 120 percent increase in their fares that the majority in this Chamber would like to impose upon them. This funding helps hold our urban areas together, we must not abandon commitments to our cities.

Mr. Chairman, once again we are faced with tough decisions on reducing Federal spending. As the majority party has done time and again, when the issue of cutting spending is raised, the first victims are safety, the poor and the rights of working families as graphically illustrated in this measure today. I urge the Members to reject this legislation and to enact a Transportation Appropriations bill that is fair and does not cripple our transportation and pipeline safety programs.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2002, and that I may include tabular and extraneous material.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

[Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

PERSONAL EXPLANATION

Mr. FOX of Pennsylvania. Mr. Chairman, on rollcall vote 554 from July 21, 1995, on final passage on the agriculture appropriations bill, my card did not work. Had it worked, I would have voted in the affirmative.

THE OVERALL TRANSPORTATION BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise to address an important issue on which we started the dialog tonight. Mr. Speaker, that involves the overall transportation budget. No matter what part of the country you are from, Mr. Speaker, it seems to me it is very important we look at an integrated system and not only make sure we improve our roadways in this country, but also make sure we improve mass transit. That is why tonight I support the Foglietta-Fox amendment, which would have increased $135 million for an operating subsidy.

Our mass transit system is the logical other half of our transportation network here in this country. While we need to improve roadways in certain areas and build new ones in still others, for those in areas that are suburban, urban, and rural, that depend on buses, trains, and subways to either be created or to be operated, we need to make sure we properly fund those kinds of programs.

□ 2215

It gives us the proper balance for our transportation system. Furthermore, it reduces gridlock and pollution, increases mobility. Many of our citizens across this country, Mr. Speaker, do not drive or do not have a vehicle at their disposal and therefore can take advantage of van pooling, transit systems, whether they are jitneys or buses, trains or subways.