

Heineman
Herger
Jefferson
Johnston
Livingston

Matsui
Peterson (FL)
Pryce
Skelton
Solomon

Torkildsen
Watts (OK)
White

□ 1230

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

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Ms. GREENE of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 522 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 522

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. BE-REUTER). The gentlewoman from Utah [Ms. GREENE] is recognized for 1 hour.

Ms. GREENE of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, H.R. 522 provides for consideration of the conference report for H.R. 3675, the fiscal year 1997 Transportation appropriation bill. The rule waives all points of order against the conference report. The waiver covers provisions relating to legislation and unauthorized items on a general appropriations bill.

Waivers under the rule are in accordance with previous tradition on appropriations conference reports, and the rule was reported out of committee on a voice vote with no controversy or opposition.

On the bill itself, I would like to commend the gentleman from Virginia, Chairman WOLF, and Ranking Member COLEMAN for putting together an excellent bill that funds this nation's most critical transportation needs.

As my colleagues know, transportation plays a crucial role toward promoting our current and future economic growth and prosperity. This bill plays an important role in improving America's transportation infrastructure, thereby helping to secure our role in the global marketplace and, at the

same time, improving our quality of life.

Mr. Speaker, I would like to emphasize that this rule was unanimously reported out of committee without any controversy and that it is in keeping with tradition on conference reports for appropriations bill. I urge my colleagues to support both the rule and the bill.

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

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

Mr. Speaker, I am pleased to join my Democratic and my Republican colleagues in supporting the rule for this Transportation appropriations conference report this morning.

I would like to commend Chairman Wolf and Ranking Member COLEMAN for all of their hard work in getting this bill to the floor today. This Transportation bill addresses some of the very real transportation issues facing our country today.

It allocates \$4.9 billion to the Federal Aviation Administration to help make airline travel in the United States even safer than it already is. Thanks to this bill, American airports will be able to hire 500 new air traffic controllers and 367 new safety inspectors.

In light of the recent tragedy in New York and the increasing danger of both international and domestic terrorism, I can not think of anyone who would object to our doing everything we can to make flying safer.

This bill also allocates \$35 million for boat safety and \$2.3 billion for the operation of the Coast Guard. As a Massachusetts Representative, I can tell you that these funds will mean a great deal to the safety of our Nation's boaters, vacationers, and maritime workers.

The conferees also allocated \$115 million for the Northeast corridor improvement project. The Northeast corridor is the most traveled passenger rail route in the country stretching from Boston to Washington. It carries 100 million passengers each year.

Although I still believe this country has a very long way to go in terms of improving its passenger rail system, these funds will certainly help.

So, Mr. Speaker, this bill will improve our air travel, our water travel, and our rail travel.

It is a strong package of investments in our infrastructure and as such it will prove to be a strong economic catalyst.

I urge my colleagues to support this rule and to support this bill.

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

Ms. GREENE of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER] of the Committee on the Judiciary.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to this rule, not because the rule protects a good bill, but because there is a provision in this bill that does not belong in there. It is

a provision that is certainly a poster child of why the line-item veto is long overdue.

Section 351 of this legislation turns Congress into a domestic relations court, and a domestic relations court involving one very famous case in the District of Columbia involving Dr. Elizabeth Morgan and her former husband, Dr. Eric Foretich.

By protecting section 351 against the point of order, the Committee on Rules has, in effect, legislated the outcome of a child custody case when the Congress does not have any of the facts, and that is outrageous and it should not be allowed to stand without someone standing up here to object to it.

Let us look at the facts. Drs. Foretich and Morgan were involved in a very messy divorce case. That is not unusual. There are a lot of messy divorce cases that come up in the courts around our country. The divorce was granted.

Dr. Morgan was given custody of her daughter. Dr. Foretich was given visitation rights. Dr. Morgan objected to the visitation rights and went to court, alleging that Dr. Foretich was involved in child molestation. The court did not sustain Dr. Morgan's assertions and continued Dr. Foretich's right to visit. Dr. Morgan then hid the child and prevented visitation, and was jailed for civil contempt.

The gentleman from Virginia [Mr. WOLF] who has put the present provision in the bill, came to Congress, the 101st Congress, and asked us to pass a private bill for the relief of Dr. Morgan, to let her out of jail. When he testified before the subcommittee in the earlier bill, he said, "The legislation written with input from academic and legal communities took great care to protect the ability of the court to enforce its rulings. While the jury trial provision in my legislation protects the individual from indefinite incarceration, the court can pursue additional remedies. Individuals cannot simply wait out the year-long period and expect to walk away from their obligation to obey the court."

Under Public Law 101-97, Dr. Elizabeth Morgan technically could still be charged with criminal contempt of court and brought before a jury. The gentleman from Virginia, Mr. WOLF, said that some years ago. The legislation which he has introduced in this appropriation bill, without consideration by a subcommittee in either House, without a vote in either House, negates that provision.

Second, this is a direct assault on the independence of the judiciary, and is bad public policy. Dr. Morgan has access to a judicial body. If she thinks the judicial body has erred, she can either appeal, or if she thinks that the judge is biased, there are provisions in the D.C. civil procedure court to get a new judge. Instead, she has come to Congress to legislate the outcome.

Finally, Dr. Morgan and her daughter are in New Zealand. The New Zealand

courts have ruled that it is not in the best interests of the child to be brought back to the United States. The New Zealand court has possession of the child's passport. If this legislation is passed, our country will be in violation of the Hague Convention relative to child custody, and if the child is brought back to the United States without valid papers, both New Zealand and American law will be violated. Let us prevent this by voting down this rule.

Mr. Speaker, I include for the RECORD an op-ed piece by Paul Kolker in today's Washington Post.

The material referred to is as follows:

[From the Washington Post, Sept. 18, 1996]

CONGRESS AS A DOMESTIC-RELATIONS COURT
(By Peter R. Kolker)

The legislative branch of the federal government is about to become embroiled in a child-custody dispute. Congress would take one case out of the hands of the judiciary and decide it for itself. This unprecedented move has only two problems: It is bad public policy, and it is clearly unconstitutional.

As reported in The Post's Sept. 13 news story, this imminent legislation—a replay of previous efforts by Rep. Frank Wolf (R-Va)—would strip the District's court system of jurisdiction in the bitterly fought dispute between Elizabeth Morgan and Eric Foretich over the custody of 13-year-old Hillary Foretich, (now Ellen Morgan), and it would prevent the D.C. Superior Court from exercising its authority throughout Ellen's minority. Similarly, it would also prevent her father from seeking visitation through the courts, as is the right of every parent.

The Morgans have been in New Zealand since 1990 but now want to return home—but like all other citizens, they would be subject to the courts upon arrival. Morgan has asked Congress to remove her case from the courts and deal with it on the Hill. This would make her the only American parent whose child-custody case was put beyond judicial reach. It would not be the first time Congress did so for her.

When Morgan refused to comply with a D.C. Superior Court order in the custody battle, she was held in contempt of court, and—in a standoff with the trial judge—she spent more than two years locked up at the D.C. Jail. But with well-connected friends, she secured the backing of Wolf, who engineered special legislation to trump the court's ace and thereby gain her freedom. No one else was affected by that legislation. Once out of jail, she headed for New Zealand, where the courts were more accommodating to her. Now, she wishes to return home, but she needs something even more extraordinary to keep the courts from treating her like others, and she has enlisted the aid of Rep. Wolf again to further her exemption from the process of the law.

But this time, bill would affect someone else—Eric Foretich—by effectively stripping him of his parental rights and denying him access to the Superior Court, which is allowed to everyone else whose child resides in the District.

The Framers of the Constitution thought something like this could happen. And they prohibited it. The Constitution forbids "Bills of Attainder"—laws punishing a specific person or a very narrow class of individuals, constructed to deprive them of the due-process protections available to others.

Not that this subject wasn't raised when Wolf's subcommittee first took up the legislation. George Washington law professor Jonathan Turley appeared at a hearing a

year ago and explained to the subcommittee the three hallmarks of the prohibited Bill of Attainder: specificity, punishment and elimination of judicial due process. Turley pointed to the introduction to that early bill, which proudly states that it applies only to the Morgan/Foretich case. Elimination of the father's visitation rights certainly is a punishment (whether deserved or not is another question), and it does so without the protections found in court. Presto! A Bill of Attainder. So why has minimal-government proponent Wolf persisted?

The dramatic Morgan battle has had much media coverage, and one can feel passionately about the story. Who knows the truth of this case: whether or not Ellen, when a very young child, was sexually abused by her father, as Morgan alleged and Foretich denied? If he did, then serious restrictions on visitation, perhaps even prohibitions, are in order.

But what if he didn't? In our legal system, figuring out what happened in a private dispute is for the courthouse, not the Capitol. Our Constitution separates the judicial from the legislative functions for good reason. A political forum is hardly the place to take the testimony of witnesses in a custody case, or to find facts or to fashion custody orders.

Just consider how this remedy was crafted: as a last-minute add-on to a transportation appropriations bill having nothing to do with child custody. If Congress becomes the court of appeals for the Morgan case, will the federal legislature and Wolf be available to every District litigant who feels wronged by the trial court? Or do only the well-connected get to have their cases adjudicated on Capitol Hill?

The judicial process was, and continues to be, fully available to Ellen and both her parents. Whatever the decision may have been years ago, the trial judge is bound to consider the changed circumstances of the intervening years. Ellen, now a teenager, certainly can articulate her views to the judge, who undoubtedly would pay close attention. If there were reason to think the original judge was biased, a mechanism exists to replace him.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. BEILENSEN].

Mr. BEILENSEN. Mr. Speaker, I thank my friend and ranking member for yielding time to me.

Mr. Speaker, I rise in opposition to the bill and to the conference report on H.R. 3675, transportation appropriations for fiscal year 1997, that it would make in order. Three of the bill's provisions that the rule protects are especially objectionable.

First, the rule provides waivers for the legislative provision in H.R. 3675 that freezes fuel economy or CAFE standards for the second year in a row. That is an unwarranted protection of a controversial and major provision that should not be in an appropriations bill in the first place. This legislative rider weakens an important successful environmental effort that has served us well.

The fuel economy standards freeze weakens our efforts to reduce pollution, to improve our Nation's energy security, and to lower the cost of gasoline for consumers. By reducing oil consumption, CAFE standards have been enormously successful in cutting pollution in this country. By prevent-

ing the emission of millions of tons of carcinogenic hydrocarbons into the air, the standards have improved air quality greatly, including those obviously in heavily populated cities like my own of Los Angeles.

In addition, CAFE standards have proved to be successful in saving an estimated 3 million barrels of oil a day, thereby reducing U.S. dependence on imported oil. There is no doubt that without these standards we would be importing far more oil than we already do. We now import about 52 percent of all the oil we use in the United States, which contributes \$60 billion annually to our trade deficit.

□ 1245

Of direct importance to consumers, CAFE standards result in savings when these consumers purchase gasoline. Because fuel economy standards doubled between 1975 and the late 1980's, a new car purchaser now saves an average of about \$3,300 at the gas pump over the lifetime of his or her car. CAFE standards mean over \$40 billion in consumer savings annually.

By continuing this freeze, Congress is preventing full implementation of the law that was enacted back in 1975 that, as I said, has served us so well since.

Specifically, the freeze is blocking improvements in the CAFE standards for light trucks. This means that our constituents who purchase the very popular minivans, sport utility vehicles, jeeps, and pickups are denied the benefits of existing fuel savings technologies.

These vehicles have become the most prevalent example of the gas guzzlers we have sought to do away with. They now comprise over 40 percent of the new vehicle market, expanding the demand for oil and of course increasing pollution.

Second, Mr. Speaker, many of us regret that the bill makes reductions in funding for Amtrak. Compared to the House bill, the conference report is certainly preferable and the conferees are to be commended for restoring much of Amtrak's funding. Still, the legislation before us appropriates \$70 million, or 11 percent less than current funding, and 11 percent less than requested. This is, Mr. Speaker, a bad transportation policy.

Instead of reducing funds for Amtrak, we ought to be providing more to improve and expand rail service in the United States. We are now making an investment that is totally inadequate. Our rail system is nowhere near so cost effective or consumer oriented as it should be, but instead of providing the funds to overcome those deficiencies, the action we are taking today represents a big step backwards.

An effective, efficient rail system is essential to the quality of life and the economic vitality of our Nation, and improving rail service should be a top priority. Instead, it has been sadly and badly neglected.

Trains run infrequently; the most popular ones are overcrowded; and passengers have well-founded fears about

safety and the lack of good reliable service. But rather than trying to meet the demands of consumers and would-be customers by improving our rail program, we have relegated rail service to the bottom of our list of priorities, where it takes a back seat to the enormous amount of funding we continue to pour into our multibillion dollar highway system.

Lastly, Mr. Speaker, and here I agree strongly with the gentleman from Wisconsin [Mr. SENSENBRENNER], those of us who believe that the procedural integrity of the House should be maintained are very troubled about the provision added in conference to strip the D.C. Superior Court of jurisdiction over the Elizabeth Morgan child custody case. This legislative rider is an egregious violation of several House rules, including the rule prohibiting legislation in an appropriations bill. It is certainly not germane to the bill and is definitely outside the scope of the conference's jurisdiction, since it was in neither the House nor the Senate version of the bill that was sent to conference.

The provision itself, as we have heard, is very controversial. It is unconstitutional, since the Constitution forbids bills of attainder, or laws that punish a specific person or deprive that person of the due process protections available to everyone else and is bad public policy for Congress to make this move, which is clearly unprecedented. The legislative branch should not interject itself in a domestic family dispute that is in the hands of the Judiciary, where it belongs.

Further, by agreeing to this provision, Congress would be putting itself in the position of passing legislation that encourages a violation of the Hague Convention, which both New Zealand, which has recently issued a ruling in this case, and the United States have signed.

Mr. Speaker, we all agree that there are times when exemptions to House rules are necessary to keep the legislative process moving along. They should not be provided, however, for provisions that represent such egregious violations of those rules as appear in at least, I think, these 3 instances in this particular rule.

Ms. GREENE of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. Mr. Speaker, I thank the gentlewoman for yielding me this time. I rise to support the position that we have heard articulated both by the gentleman from California [Mr. BEIL-ENSON] as well as the gentleman from Wisconsin [Mr. SENSENBRENNER]. It is unfortunate when we allow matters which are not germane to a bill to become a part of the bill. It makes it doubly unfortunate when it is not only not germane, it is totally extraneous, and when it is in violation of the rules of the House that it be legislating in an appropriations bill.

All of this would not shock my conscience given my years of service in

the House of Representatives. But indeed it does shock my conscience that we put in this bill or allow to be put in this bill and for the rule to come to the floor making it not subject to a point of order, when it is a flagrant act of unconstitutional interposition of the legislative branch and an abuse of legislative power. There are very strong feelings and emotions about the merits of the Morgan-Forstich child custody case. I am not here to argue those merits. I am here simply to say that it is an abuse of the legislative process and shocks the conscience of this Member that this is being done, to deny to one party who is entitled to access to the courts that access as a narrow and specific legislative act. It is a bill of attainder, it is clearly and flagrantly unconstitutional, and it is an abuse of our processes that it be in this bill or in this conference report without an opportunity to raise the numerous points of objection which lie against it.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. I appreciate the gentleman's yielding me this time.

Mr. Speaker, there are several provisions in this bill of particular concern to the area I represent in Colorado, and I wanted to speak to those very briefly.

First of all since I am going to be tied up in a conference committee meeting during debate on the adoption of the conference report itself, I wanted to express my appreciation to the gentleman from Virginia [Mr. WOLF], the chairman of the subcommittee, and the gentleman from Texas [Mr. COLEMAN] for their work on this bill and their efforts to accommodate many, many competing demands for limited funds.

In particular on the positive side, the conference report anticipates substantial funding for further research into aviation-weather safety issues, much of which will be conducted by very skilled scientists and researchers in the area that I represent in Colorado, and I am grateful for the funding for those important public safety activities.

The conference report also includes initial Federal funding toward the construction of a light rail system to handle the transportation needs of the people of metropolitan Denver under the authority of the Regional Transportation District.

This is an absolutely critical need for this major metropolitan area. As with so many places, we cannot continue to handle our commuter traffic merely by building additional lanes of highways, and getting this assistance on a light rail system for this fast-growing area is very important. I want to thank the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN] for their assistance there.

The bill also includes some provisions having to do with Denver International Airport. I respect and have had many conversations with the gentleman from Virginia about his concerns about the airport and the future

construction of a sixth runway at the airport. I believe that over time we will be able to have a successful dialog about the various concerns that, at this point, anyway, cause there to be some restrictions about that item in the bill. Among those concerns are a widespread feeling in the Denver area about noise violations emanating from airport operations. The FAA and the city and county of Denver have been working, I think, very hard on resolving those problems. We still have a way to go, and I think until those noise issues have been successfully addressed, it would probably be premature to worry about expansion of the airport with a sixth runway. But inevitably that will be needed. I hope that we can proceed in parallel with the resolution both of some very serious noise issues as well as the need ultimately for the sixth runway to be built so that the new Denver International Airport can reach its full potential, including handling trans-Pacific international flights for which that runway will be necessary.

Mr. Speaker, I look forward to supporting adoption of the conference report. I again state my appreciation for the work of the gentleman from Virginia and the gentleman from Texas in dealing with the needs of the State of Colorado.

Ms. GREENE of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOLF].

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

Mr. WOLF. Mr. Speaker, I would like to insert and read a letter at the outset from Congressman CLINGER and Congressman DAVIS. It says:

"Dear Frank, this is to respectfully request that H.R. 1855," which is the bill with regard to Dr. Morgan, "be added to legislation now pending in the conference committee appointed to consider the appropriations bill for the Department of Transportation. As you know, H.R. 1855 was the subject of a hearing in the District of Columbia Subcommittee of the Government Reform and Oversight Committee on August 4, 1995. Subsequently, on February 1, 1996," and I will insert that letter in the RECORD, "a written request was made to Majority Leader RICHARD K. ARMEY that the bill be discharged from the Committee. A copy of this letter is attached for your examination, along with a copy of the bill.

"Thank you for your consideration of this request."

Signed "BILL CLINGER, Chairman, Committee on Government Reform and Oversight," and "TOM DAVIS, Chairman, District of Columbia Subcommittee."

Second, this Congress in the past had voted after Dr. Morgan was incarcerated in prison for over 2 years for not testifying in a case. Many people who are arrested in the District of Columbia for drug use and felonies get out faster than Dr. Morgan got out. And

this Congress has been on record overwhelmingly on this case.

Third, I would also say that I think, and I will submit the full statement in the RECORD, Members should know Dr. Morgan is extremely sick, she has had her rectum removed, she has a colostomy which is on a bag on her side. Her father died several months ago and she was not able to attend her father's funeral. Her mother is 80-some years old. Her mother is living with her in New Zealand, taking care of Dr. Morgan and also taking care of Dr. Morgan's young daughter. Dr. Morgan's young daughter desperately wants to return to the United States. This court has had the case for 9 years. Nine years.

Last, Dr. Morgan is very sick, and I would ask any Member of this body who has either been sick or has a husband or a wife or a son or a daughter, whether or not they would not have wanted them to have the very best health treatment they possibly could, and I know from this body, made up of good and decent people, the answer would be "yes." And Dr. Morgan would like to be able to return, so she could have first-class health treatment.

On January 25 of this year, at a press conference, attended by the gentleman from Virginia, TOM DAVIS, and the gentlewoman from Maryland, CONNIE MORELLA, I promised that if the legislation I cosponsored allowing Ellen to return to America had not been signed into law at this time, I would include it in the fiscal year 1997 Department of Transportation appropriations bill. I said, and I quote:

I am here to tell you that it is my intention to search for an appropriate vehicle for this legislation and I won't rest until it is passed. I will even attach this legislation to our fiscal year 1997 transportation appropriations bill as a last resort.

I did what I promised to do. The legislation passes no judgment on any of the parties involved. It does not take sides. It does not say anyone is right or anyone is wrong.

I was not elected to Congress to harm people. I was elected to Congress to help people, and I have done what I believe is right. It is unconscionable to me that an American girl has been forced to live in exile away from her family and friends, where the courts have failed for 9 years to find a solution to this situation. Quite frankly, they have failed miserably.

Mr. Speaker, I strongly support the rule.

HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,

Washington, DC, July 24, 1996.

Hon. FRANK R. WOLF,
Member of Congress, House of Representatives,
Cannon House Office Building, Washington, DC.

DEAR FRANK: This is to respectfully request that H.R. 1855 be added to legislation now pending in the conference committee appointed to consider the Appropriations Bill for the Department of Transportation. As you know, H.R. 1855 was the subject of a hearing in the District of Columbia Subcommittee of the Government Reform and

Oversight Committee on August 4, 1995. Subsequently, on February 1, 1996 a written request was made to Majority Leader Richard K. Armey that the bill be discharged from the Committee. A copy of this letter is attached for your examination, along with a copy of the bill.

Thank you for your consideration of this request.

Sincerely,

WILLIAM F. CLINGER, Jr.,
Chairman, Government Reform and Oversight Committee.

TOM DAVIS,
Chairman, District of Columbia Subcommittee.

HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,

Washington, DC, February 1, 1996.

Hon. RICHARD K. ARMEY,
Majority Leader, House of Representatives,
Washington, DC.

DEAR MR. LEADER: This letter is to request that H.R. 1855, a bill to amend title 11, District of Columbia Code, to restrict the authority of the Superior Court of the District of Columbia over certain pending cases involving child custody and visitation rights, be discharged from the Committee on Government Reform and Oversight. I have consulted with Ranking Minority Member Cardiss Collins and she concurs with this request.

Thank you for your consideration of this matter.

Sincerely,

WILLIAM F. CLINGER, Jr.,
Chairman.

H.R. 1855

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

SECTION 1. TREATMENT OF CERTAIN PENDING CHILD CUSTODY CASES IN SUPERIOR COURT OF DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Subchapter II of chapter 9 of title 11, District of Columbia Code, is amended by adding at the end the following new section:

"§ 11-925. Rules regarding certain pending child custody cases

"(a) In any pending case involving custody over a minor child or the visitation rights of a parent of a minor child in the Superior Court which is described in subsection (b)—

"(1) at any time after the child attains 13 years of age, the party to the case who is described in subsection (b)(1) may not have custody over, or visitation rights with, the child without the child's consent; and

"(2) if any person had actual or legal custody over the child or offered safe refuge to the child while the case (or other actions relating to the case) was pending, the court may not deprive the person of custody or visitation rights over the child or otherwise impose sanctions on the person on the grounds that the person had such custody or offered such refuge.

"(b) A case described in this subsection is a case in which—

"(1) the child asserts that a party to the case has been sexually abusive with the child;

"(2) the child has resided outside of the United States for not less than 24 consecutive months;

"(3) any of the parties to the case has denied custody or visitation to another party in violation of an order of the court for not less than 24 consecutive months; and

"(4) any of the parties to the case has lived outside of the District of Columbia during such period of denial of custody or visitation."

(b) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 9 of title 11, D.C. Code, is amended by adding at the end the following new item:

"11-925. Rules regarding certain pending child custody cases."

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to cases brought in the Superior Court of the District of Columbia before, on, or after the date of the enactment of this Act.

(2) CONTINUATION OF PROVISIONS UNTIL TERMINATION.—The provisions of section 11-925, District of Columbia Code (as added by subsection (a)), shall apply to any case described in paragraph (1) until the termination of the case.

In August 1987, Dr. Elizabeth Morgan, a northern Virginia plastic surgeon, was jailed in Washington, DC, for contempt of court for failing to disclose the whereabouts of her daughter Ellen in a child custody case. Dr. Morgan was never charged with any crime yet languished in prison for over 2 years. Hardened criminals convicted of drug dealing and other crimes often spend less time in District of Columbia prisons. On September 23, 1989, President George Bush signed legislation I introduced prohibiting the District of Columbia courts from incarcerating anyone for more than 12 months in a child custody case unless they are charged with criminal contempt and given a jury trial to determine their innocence or guilt. Because of my legislation, Elizabeth Morgan was released.

Dr. Morgan later joined Ellen who had been living in exile in New Zealand since 1987. On June 15, 1995, I cosponsored legislation, H.R. 1855, permitting Ellen and Dr. Morgan to return home. At that time, Ellen's grandparents were very ill as was her mother. Since that time Ellen's grandfather has passed away and her grandmother's health is rapidly deteriorating. In addition, her mother has undergone emergency colectomy surgery, was forced to live with a bag resulting from an ileostomy, and suffers from a severe intestinal ulceration. Dr. Morgan needs the medical attention she can only receive here at home and Ellen longs to return to America.

Because of the failure of the court system in the District of Columbia, Ellen was prohibited from attending her grandfather's funeral this year. I promised that I would do everything in my power to make sure that she could still live the life of an American teenager that she so desperately yearns for. On January 25 this year, at a press conference attended by Representatives TOM DAVIS and CONNIE MORELLA, I promised that if the legislation I cosponsored allowing Ellen to return to America had not been signed into law by this time, I would include it in the fiscal year 1997 Department of Transportation appropriations bill. I said, "I am here to tell you that it is my intention to search for an appropriate vehicle for this legislation and won't rest until it is passed. I will even attach this legislation to our fiscal year 1997 transportation appropriations bill as a last resort." That is what I have done and it should come as no surprise to anyone. Yesterday, the House and Senate conferees met to resolve the differences between the two Chambers' transportation spending bills and the

agreed-upon conference report includes a provision changing District of Columbia law permitting Ellen, now age 13, and Elizabeth to come home.

The legislation passes no judgment on any of the parties involved. It does not take sides. And it does not say anyone is right or anyone is wrong. I was not elected to Congress to harm people. I was elected to Congress to help people and I have done what I think is right. It is unconscionable to me that an American girl has been forced to live in exile away from family and friends while the courts have failed for 9 years to find a solution to this situation. And quite frankly, they have failed miserably.

The legislation changes District of Columbia law, in this case only, by transferring visitation decisions from the court to Ellen and prohibits the court from enforcing any outstanding civil contempt order on Dr. Morgan resulting from this custody case.

This is the right thing to do and it is the compassionate thing to do.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. GREENE of Utah. Mr. Speaker, I yield myself such time as I may consume.

At this time I would simply say that while there are some particular controversies that have been aired on the floor today, this is a good bill. It is a bill that provides for the transportation needs of every State in the Union, and it is a bill that should pass. I urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1300

Mr. WOLF. Mr. Speaker, pursuant to House Resolution 522, I call up the conference report on the bill (H.R. 3675), making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BE-REUTER). Pursuant to House Resolution 522, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Monday, September 16, 1996, at page H10387.)

The SPEAKER pro tempore. The gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN] will each be recognized for 30 minutes.

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

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise

and extend their remarks on the conference report to accompany H.R. 3675 and that I may include tabular and extraneous material.

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

There was no objection.

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

I am pleased to present to the House this morning a conference report accompanying the bill H.R. 3675, making appropriations for the Department of Transportation and related agencies ending September 30, 1997. This conference report is the 6th of 13 appropriations bills in the House that need to be completed before the beginning of the fiscal year just 12 days from today.

Let me first take a few minutes to summarize the conference report that we bring before you today. The bill appropriates \$12 billion from the general fund of the treasury and \$23.3 billion from the highway and aviation trust funds. The conference report is just \$50 million over the House passed version of the bill which passed by an overwhelming vote of 403 to 2.

A few of the high points include, Mr. Speaker, first, \$18 billion for the Federal aid highway program, \$450 million over the House level and \$350 million over the Senate level. This level represents the highest obligation ceiling in the history of the program.

Second, a total of \$4.98 billion for the operation of the Federal Aviation Administration. This appropriation represents an increase of 5 percent over the 1996 appropriation and provides funds for 500 new air traffic controllers, 367 new aviation safety inspectors and other regulatory oversight personnel, and an increase of 9 percent for field maintenance of air traffic control equipment.

Third, \$1.46 billion for the airport improvement program, an increase of over \$110 million over the budget request.

Fourth, \$3.5 billion for the Coast Guard with an additional \$300 million provided in the defense bill. In total, resources for the operations of the Coast Guard, which does an outstanding job, will increase \$41 million over the 1996 appropriation and \$100 million over the President's request.

Fifth, \$300 million for the National Highway Traffic Safety Administration, an increase of \$20 million over the 1996 appropriations.

Sixth, a total of \$565 million for Amtrak, an increase of \$103 million over the House-passed level. In addition, Amtrak will receive \$195 million for the Northeast Corridor Improvement Program, an increase of \$80 million over the last year.

Seventh, \$2.15 billion for transit formula programs, an increase of nearly \$100 million over the 1996 appropriation. In addition, the conference report includes \$1.9 billion for transit discretionary programs, an increase of \$235 million over the 1996 appropriation and \$100 million over the budget request.

Last, the conference report contains no highway demonstration projects, maintaining an important initiative this Congress began last year.

This conference report places its greatest emphasis on our highest responsibility, and that is protecting and enhancing transportation safety, and it provides the resources to improve the Nation's infrastructure.

The conference report was produced in full cooperation with the minority and all indications are that this bill is a bill the President will sign.

In closing, Mr. Speaker, I want to take a minute to thank my friend, the ranking minority member of the committee, the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN has announced his retirement from the House at the end of the session. He and I have worked closely together for the last 2 years and I am sorry to see him leave. It does not mean we have always agreed on each and every issue, but I think he has always had a good sense of humor and we have had a good relationship.

I wish him Godspeed and would tell him that if he does not return to his home State of Texas, we would enjoy it very much if he made his new residence in the great State of Virginia. The great State of Virginia with the Skyline Drive, the Shenandoah Valley, the Appalachian Trail, Monticello, and Mount Vernon, and places like that. And he probably knows about those places because people from Virginia went to Texas but many are returning to live in the great State of Virginia. So if he makes this his place of residence, we clearly would welcome him, and I know he is a very objective man and we would encourage him to register to vote and participate in our politics here.

But I do want to say, quite seriously, that I do want to commend Mr. COLEMAN and wish him well.

Also, Mr. Speaker, in closing, I would like to pay tribute to the staff members. I wish to recognize and thank those staff members who supported the Members of the House in preparation and passage of the fiscal year 1997 Transportation and related agency appropriations bill, H.R. 3675: the Transportation Appropriations Subcommittee's staff, John Blazey, Rich Efford, Stephanie Gupta, and Linda Muir. We could not have done the job without them.

These are four of the finest, first-class individuals, and they have done an outstanding job. They know that I appreciate, and I am sure the minority appreciates the great work they have done.

The appropriations staff, John Mikel, Dennis Kedzior, Elizabeth Morra, Ken Marx, of the majority staff; and Cheryl Smith, who has done an outstanding job representing the minority's interests. I appreciate and salute her.

And also the associate staff of the committee, and I will have all their names in the RECORD. They have done

an outstanding job. We have done about as good a job as one can do, working in a bipartisan way to meet the needs of the Nation. And an indication of that is that the bill passed the House 403 to 2.

Mr. Speaker, I wish to recognize and thank those other staff members who supported the Members of this House in the preparation and passage of the fiscal year 1997 Transportation

and related agencies appropriations bill, H.R. 3675: The associate staff to the committee: Lori-Beth Feld Hua of my office, Monica Vegas Kladakis of Majority Whip DELAY's office, Connie Veillette of Mr. REGULA's office, Steve Carey of Mr. ROGER's office, Bill Deere of Mr. LIGHTFOOT's office, Ray Mock and Eric Mondero of Mr. PACKARD's office, Todd Rich and Sean Murphy of Mr. CALLAHAN's office, Sametta Klinetob of Mr. DICKEY's office, Paul

Cambon of Chairman LIVINGSTON's office, Michael Erlandson of Mr. SABO's office, Jim Jepsen of Mr. DURBIN's office, Laura McKinney of Mr. COLEMAN's office, Barbara Zylinski-Mizrahi of Mr. FOGLIETTA's office, and Paul Carver of Mr. OBEY's office.

Mr. Speaker, I include additional information for the RECORD.

H.R. 2002 - DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES, 1997

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF TRANSPORTATION						
Office of the Secretary						
Salaries and expenses	56,189,000	55,376,000	53,816,000	53,376,000	52,966,000	-3,223,000
Office of civil rights	6,554,000	5,574,000	5,574,000	5,574,000	5,574,000	-980,000
Transportation planning, research, and development	8,220,000	7,919,000	3,000,000	3,000,000	3,000,000	-5,220,000
Transportation Administrative Service Center	(103,149,000)	.....	(124,812,000)	(124,812,000)	(124,812,000)	(+21,663,000)
Payments to air carriers (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(22,600,000)	(21,922,000)	(10,000,000)	(25,900,000)	(25,900,000)	(+3,300,000)
(Limitation on obligations)	(22,600,000)	(21,922,000)	(10,000,000)	(25,900,000)	(25,900,000)	(+3,300,000)
Rescission of contract authority	(-18,000,000)	(-18,678,000)	(-28,600,000)	(-12,700,000)	(-12,700,000)	(+3,300,000)
Rescission	(-8,786,971)	(-1,133,373)	(-1,133,000)	(-1,133,000)	(-1,133,000)	(+5,653,971)
Rental payments	135,200,000	137,581,000	127,447,000	129,500,000	127,447,000	-7,753,000
Minority business resource center program	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000	.....
(Limitation on direct loans)	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	.....
Minority business outreach	2,900,000	2,900,000	2,900,000	2,900,000	2,900,000	.....
Total, Office of the Secretary	210,963,000	211,250,000	194,637,000	196,250,000	193,787,000	-17,176,000
(Limitations on obligations)	(22,600,000)	(21,922,000)	(10,000,000)	(25,900,000)	(25,900,000)	(+3,300,000)
Total budgetary resources	(233,563,000)	(233,172,000)	(204,637,000)	(222,150,000)	(219,687,000)	(-13,876,000)
Coast Guard						
Operating expenses	2,278,991,000	2,519,350,000	2,609,100,000	2,331,350,000	2,319,725,000	+40,734,000
Defense function (050) .....	.....	118,500,000	.....	.....	.....	.....
(Transfer from DOD)	(300,000,000)	.....	.....	(300,000,000)	(300,000,000)	.....
Acquisition, construction, and improvements:						
Offsetting collections .....	.....	-20,000,000	-20,000,000	.....	.....	.....
Vessels	167,600,000	237,000,000	205,600,000	227,960,000	216,500,000	+48,900,000
Aircraft	12,000,000	21,400,000	18,300,000	19,040,000	18,040,000	+6,040,000
Other equipment	49,200,000	46,700,000	39,900,000	46,200,000	41,700,000	-7,500,000
Shore facilities & aids to navigation facilities	88,875,000	59,500,000	47,950,000	52,900,000	52,350,000	-36,525,000
Personnel and related support	44,700,000	47,000,000	46,250,000	47,000,000	46,250,000	+1,550,000
Rescission, FY 1995 .....	.....	.....	-355,000	.....	.....	.....
Rescission, FY 1996 .....	.....	.....	-3,400,000	.....	.....	.....
Subtotal, A C & I appropriations	362,375,000	411,600,000	358,000,000	393,100,000	374,840,000	+12,465,000
Adjustments .....	.....	-20,000,000	-23,755,000	.....	.....	.....
Net total, A C & I	362,375,000	391,600,000	334,245,000	393,100,000	374,840,000	+12,465,000
Environmental compliance and restoration	21,000,000	25,000,000	21,000,000	23,000,000	22,000,000	+1,000,000
Port Safety Development	15,000,000	.....	.....	5,000,000	5,000,000	-10,000,000
Alteration of bridges	16,000,000	2,000,000	16,000,000	10,000,000	16,000,000	.....
Retired pay	582,022,000	608,084,000	608,084,000	608,084,000	608,084,000	+26,062,000
Reserve training	62,000,000	65,890,000	65,890,000	65,890,000	65,890,000	+3,890,000
Research, development, test, and evaluation	18,000,000	20,300,000	19,000,000	19,550,000	19,200,000	+1,200,000
Boat safety (Aquatic Resources Trust Fund)	20,000,000	.....	35,000,000	10,000,000	35,000,000	+15,000,000
Total, Coast Guard	3,375,388,000	3,750,724,000	3,708,319,000	3,465,974,000	3,465,739,000	+90,351,000
Federal Aviation Administration						
Operations	4,645,712,000	4,918,269,000	4,900,000,000	4,899,957,000	4,900,000,000	+254,288,000
Offsetting Collections .....	.....	-150,000,000	-30,000,000	-75,000,000	-75,000,000	-75,000,000
Facilities & equipment (Airport & Airway Trust Fund)	1,934,883,000	1,788,700,000	1,800,000,000	1,788,700,000	1,790,000,000	-144,883,000
Rescission	(-60,000,000)	.....	.....	.....	.....	(+60,000,000)
Research, engineering, and development (Airport and Airway Trust Fund)	185,698,000	195,700,000	185,000,000	188,490,000	187,412,000	+1,714,000
Grants-in-aid for airports (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	.....
(Limitation on obligations)	(1,450,000,000)	(1,350,000,000)	(1,300,000,000)	(1,460,000,000)	(1,460,000,000)	(+10,000,000)
Rescission of contract authority	(-664,000,000)	.....	.....	.....	.....	(+664,000,000)
Aircraft purchase loan guarantee program (indefinite borrowing authority)	50,000	.....	.....	.....	.....	-50,000
(Limitation on borrowing authority)	(1,600,000)	.....	.....	.....	.....	(-1,600,000)
Total, Federal Aviation Administration	6,786,343,000	6,752,669,000	6,855,000,000	6,802,147,000	6,802,412,000	+36,069,000
(Limitations on obligations)	(1,450,000,000)	(1,350,000,000)	(1,300,000,000)	(1,460,000,000)	(1,460,000,000)	(+10,000,000)
Total budgetary resources	(8,216,343,000)	(8,102,669,000)	(8,155,000,000)	(8,262,147,000)	(8,262,412,000)	(+46,069,000)

H.R. 2002 - DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES, 1997 — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Highway Administration						
Limitation on general operating expenses	(509,660,000)	(652,905,000)	(510,981,000)	(534,846,000)	(521,114,000)	(+ 11,454,000)
Highway-related safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(11,000,000)	(2,049,000)	(2,049,000)	(2,049,000)	(2,049,000)	(-8,951,000)
(Limitation on obligations)	(11,000,000)					(-11,000,000)
Rescission of contract authority	(-9,000,000)					(+9,000,000)
Federal-aid highways (Highway Trust Fund):						
(Limitation on obligations)	(17,550,000,000)	(17,714,000,000)	(17,550,000,000)	(17,650,000,000)	(18,000,000,000)	(+450,000,000)
(Exempt obligations) (sec. 310)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(2,055,000,000)	(2,055,000,000)	(-276,507,000)
(Liquidation of contract authorization)	(19,200,000,000)	(19,800,000,000)	(19,800,000,000)	(19,800,000,000)	(19,800,000,000)	(+600,000,000)
Emergency appropriations	(300,000,000)					(-300,000,000)
Right-of-way revolving funds (Highway Trust Fund)				8,000,000		
Motor carrier safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(68,000,000)	(74,000,000)	(74,000,000)	(74,000,000)	(74,000,000)	(+6,000,000)
(Limitation on obligations)	(77,225,000)	(85,000,000)	(77,425,000)	(79,000,000)	(78,225,000)	(+1,000,000)
Rescission of contract authority	(-33,000,000)					(+33,000,000)
Alameda corridor project loan program		58,680,000				
Alameda corridor project loan limitation		(400,000,000)				
State infrastructure banks (Highway Trust Fund)		250,000,000		250,000,000		
State infrastructure banks					150,000,000	+150,000,000
Total, Federal Highway Administration		308,680,000		258,000,000	150,000,000	+150,000,000
(Limitations on obligations)	(17,638,225,000)	(17,799,000,000)	(17,627,425,000)	(17,729,000,000)	(18,078,225,000)	(+440,000,000)
(Exempt obligations)	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(2,055,000,000)	(2,055,000,000)	(-276,507,000)
Total budgetary resources	(19,969,732,000)	(19,422,482,000)	(19,682,425,000)	(20,042,000,000)	(20,283,225,000)	(+313,493,000)
National Highway Traffic Safety Administration						
Operations and research	73,316,570	98,976,000	81,895,000	80,000,000	80,900,000	+7,583,430
Operations and research (Highway Trust Fund)	51,884,430	59,537,000	50,377,000	53,195,000	51,712,000	-172,430
Subtotal, Operations and research	125,201,000	158,513,000	132,272,000	133,195,000	132,612,000	+7,411,000
Highway traffic safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(155,100,000)	(191,000,000)	(167,100,000)	(169,100,000)	(168,100,000)	(+13,000,000)
State and community highway safety grants (Sec. 402)						
(limitation on obligations)	(127,700,000)	(151,200,000)	(127,700,000)	(129,700,000)	(128,700,000)	(+1,000,000)
National Driver Register (Sec. 402) (limitation on obligations)	(2,400,000)	(2,400,000)	(2,400,000)	(2,400,000)	(2,400,000)	
Highway safety grants (Sec. 1003(a)(7)) (limitation on obligations)		(15,000,000)	(11,000,000)	(12,000,000)	(11,500,000)	(+11,500,000)
Alcohol-impaired driving countermeasures programs (Sec. 410) (limitation on obligations)	(25,000,000)	(25,000,000)	(26,000,000)	(25,000,000)	(25,500,000)	(+500,000)
Rescission of contract authority	(-56,000,000)					(+56,000,000)
Total, National Highway Traffic Safety Administration	125,201,000	158,513,000	132,272,000	133,195,000	132,612,000	+7,411,000
(Limitations on obligations)	(155,100,000)	(193,600,000)	(167,100,000)	(169,100,000)	(168,100,000)	(+13,000,000)
Total budgetary resources	(280,301,000)	(352,113,000)	(299,372,000)	(302,295,000)	(300,712,000)	(+20,411,000)
Federal Railroad Administration						
Office of the Administrator	14,018,000	16,883,000	16,469,000	16,739,000	16,739,000	+2,721,000
Railroad safety	49,919,000	51,864,000	51,407,000	51,407,000	51,407,000	+1,488,000
Railroad research and development	24,550,000	24,565,000	20,341,000	20,000,000	20,100,000	-4,450,000
Northeast corridor improvement program	115,000,000	200,000,000		200,000,000	115,000,000	
Railroad rehabilitation & improvement program (Sec. 511 loan guarantees)				4,158,000		
(Limitation on direct loans)				(75,000,000)		
High-speed rail trainsets and facilities		80,000,000	80,000,000	80,000,000	80,000,000	+80,000,000
Next generation high speed rail	19,205,000	26,525,000	19,757,000	26,525,000	24,757,000	+5,552,000
Trust fund share of next generation high-speed rail (Highway Trust Fund):						
(Liquidation of contract authorization)	(7,118,000)	(2,855,000)	(2,855,000)	(2,855,000)	(2,855,000)	(-4,263,000)
(Limitation on obligations)	(5,000,000)					(-5,000,000)
Alaska Railroad rehabilitation	10,000,000			10,000,000	10,000,000	
Rhode Island Rail Development	1,000,000	10,000,000	4,000,000	10,000,000	7,000,000	+6,000,000
Direct loan financing program			58,680,000			
Direct loan financing program limitation			(400,000,000)			
Grants to the National Railroad Passenger Corporation:						
Operations	305,000,000	342,000,000	342,000,000	342,000,000	342,000,000	+37,000,000
Transition costs	100,000,000					-100,000,000
Capital	230,000,000	296,500,000	120,000,000	250,000,000	223,450,000	-6,550,000
Total	635,000,000	638,500,000	462,000,000	592,000,000	565,450,000	-69,550,000
Total, Federal Railroad Administration	868,692,000	1,048,337,000	712,654,000	1,010,829,000	890,453,000	+21,761,000
(Limitations on obligations)	(5,000,000)					(-5,000,000)
Total budgetary resources	(873,692,000)	(1,048,337,000)	(712,654,000)	(1,010,829,000)	(890,453,000)	(+16,761,000)

H.R. 2002 - DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES, 1997 — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Transit Administration						
Administrative expenses.....	42,000,000	43,652,000	41,367,000	42,147,000	41,497,000	-503,000
Formula grants.....	942,925,000	221,122,000	490,000,000	218,335,000	490,000,000	-452,925,000
Formula grants (Highway Trust Fund) (limitation on obligations)	(1,110,000,000)	(1,930,850,000)	(1,562,925,000)	(1,930,850,000)	(1,659,185,000)	(+549,185,000)
Operating assistance grants.....	(400,000,000)	(500,000,000)	(400,000,000)	(400,000,000)	(400,000,000)	.....
Subtotal, Formula grants.....	(2,052,925,000)	(2,151,972,000)	(2,052,925,000)	(2,149,185,000)	(2,149,185,000)	(+96,260,000)
University transportation centers.....	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	.....
Transit planning and research.....	85,500,000	85,500,000	85,500,000	85,500,000	85,500,000	.....
Metropolitan planning.....	(39,500,000)	(39,500,000)	(39,500,000)	(39,500,000)	(39,500,000)	.....
Rural transit assistance.....	(4,500,000)	(4,500,000)	(4,500,000)	(4,500,000)	(4,500,000)	.....
Transit cooperative research.....	(8,250,000)	(8,250,000)	(8,250,000)	(8,250,000)	(8,250,000)	.....
National planning and research.....	(22,000,000)	(22,000,000)	(22,000,000)	(22,000,000)	(22,000,000)	.....
State planning and research.....	(8,250,000)	(8,250,000)	(8,250,000)	(8,250,000)	(8,250,000)	.....
National transit institute.....	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	.....
Subtotal, Transit planning and research.....	(85,500,000)	(85,500,000)	(85,500,000)	(85,500,000)	(85,500,000)	.....
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization).....	(1,120,850,000)	(1,920,000,000)	(1,920,000,000)	(1,920,000,000)	(1,920,000,000)	(+799,150,000)
Discretionary grants (Highway Trust Fund) (limitation on obligations):						
Fixed guideway modernization.....	(666,000,000)	(725,000,000)	(666,000,000)	(725,000,000)	(760,000,000)	(+94,000,000)
Bus and bus-related facilities.....	(333,000,000)	(274,000,000)	(333,000,000)	(375,000,000)	(380,000,000)	(+47,000,000)
New starts.....	(666,000,000)	(800,000,000)	(666,000,000)	(800,000,000)	(760,000,000)	(+94,000,000)
Subtotal, Discretionary grants.....	(1,665,000,000)	(1,799,000,000)	(1,665,000,000)	(1,900,000,000)	(1,900,000,000)	(+235,000,000)
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization).....	(2,375,000,000)	(2,000,000,000)	(2,000,000,000)	(2,300,000,000)	(2,300,000,000)	(-75,000,000)
Washington Metropolitan Area Transit Authority.....	200,000,000	200,000,000	200,000,000	198,510,000	200,000,000	.....
Violent crime reduction programs (Violent Crime Reduction Trust Fund).....		10,000,000				.....
Total, Federal Transit Administration (Limitations on obligations).....	1,276,425,000	566,274,000	822,867,000	550,492,000	822,997,000	-453,428,000
	(2,775,000,000)	(3,729,850,000)	(3,227,925,000)	(3,830,850,000)	(3,559,185,000)	(+784,185,000)
Total budgetary resources.....	(4,051,425,000)	(4,296,124,000)	(4,050,792,000)	(4,381,342,000)	(4,382,182,000)	(+330,757,000)
Saint Lawrence Seaway Development Corporation						
Operations and maintenance (Harbor Maintenance Trust Fund)	10,150,000	10,065,000	10,037,000	10,337,000	10,337,000	+187,000
Research and Special Programs Administration						
Research and special programs.....	23,937,000	28,169,000	23,929,000	27,675,000	26,886,000	+2,949,000
Hazardous materials safety.....	(12,650,000)	(12,812,000)	(12,772,000)	(15,572,000)	(15,472,000)	(+2,822,000)
Emergency transportation.....	(1,022,000)	(993,000)	(993,000)	(993,000)	(993,000)	(-29,000)
Research and technology.....	(3,288,000)	(7,488,000)	(3,323,000)	(4,269,000)	(3,580,000)	(+292,000)
Program and administrative support.....	(7,388,000)	(6,876,000)	(6,841,000)	(6,841,000)	(6,841,000)	(-547,000)
Accountwide adjustment.....	(-411,000)					(+411,000)
Subtotal, research and special programs.....	(23,937,000)	(28,169,000)	(23,929,000)	(27,675,000)	(26,886,000)	(+2,949,000)
Pipeline safety (Pipeline Safety Fund).....	28,750,000	31,500,000	28,460,000	28,750,000	28,460,000	-290,000
Pipeline safety (Oil Spill Liability Trust Fund).....	2,698,000	2,528,000	2,528,000	2,528,000	2,528,000	-170,000
Subtotal, Pipeline safety.....	31,448,000	34,028,000	30,988,000	31,278,000	30,988,000	-460,000
Emergency preparedness grants:						
Emergency preparedness fund.....	400,000	200,000	200,000	200,000	200,000	-200,000
(Limitation on obligations).....	(8,890,000)					(-8,890,000)
Total, Research and Special Programs Administration (Limitations on obligations).....	55,785,000	62,397,000	55,117,000	59,153,000	58,074,000	+2,289,000
	(8,890,000)					(-8,890,000)
Total budgetary resources.....	(64,675,000)	(62,397,000)	(55,117,000)	(59,153,000)	(58,074,000)	(-6,601,000)
Office of Inspector General						
Salaries and expenses.....	40,238,000	39,771,000	39,450,000	39,700,000	37,900,000	-2,338,000
Bureau of Transportation Statistics						
Salaries and expenses.....	2,200,000					-2,200,000
Office of Airline Information (Airport & airway trust fund).....		3,100,000				
Surface Transportation Board						
Salaries and expenses.....		3,000,000	12,344,000	12,344,000	12,344,000	+12,344,000
Offsetting Collections.....		(-3,000,000)				

H.R. 2002 - DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES, 1997 — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
General Provisions						
Bureau of Transportation Statistics (transfer from Federal-aid Highways).....	(20,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(+ 5,000,000)
Transportation Administrative Service Center reduction.....	-7,500,000		-10,000,000	-10,000,000	-10,000,000	-2,500,000
DOT field office consolidation (sec. 335).....	-25,000,000					+ 25,000,000
ICC transition (sec. 344).....	8,421,000					-8,421,000
Total, title I, Department of Transportation (net).....	11,862,519,029	12,893,968,627	12,502,964,000	12,514,588,000	12,552,822,000	+ 690,302,971
Appropriations.....	(12,707,306,000)	(12,911,780,000)	(12,536,452,000)	(12,528,421,000)	(12,566,655,000)	(-140,651,000)
Rescissions.....	(-844,786,971)	(-17,811,373)	(-33,488,000)	(-13,833,000)	(-13,833,000)	(+ 830,953,971)
(Limitations on obligations).....	(22,054,815,000)	(23,094,372,000)	(22,332,450,000)	(23,214,850,000)	(23,291,410,000)	(+ 1,236,595,000)
(Exempt obligations).....	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(2,055,000,000)	(2,055,000,000)	(-276,507,000)
Total budgetary resources including (limitations on obligations) and (exempt obligations).....	(36,248,841,029)	(37,303,142,627)	(36,890,414,000)	(37,784,438,000)	(37,899,232,000)	(+ 1,650,390,971)
TITLE II - RELATED AGENCIES						
Architectural and Transportation Barriers Compliance Board						
Salaries and expenses.....	3,500,000	3,540,000	3,540,000	3,540,000	3,540,000	+ 40,000
National Transportation Safety Board						
Salaries and expenses.....	38,774,000	42,407,000	42,407,000	42,407,000	42,407,000	+ 3,633,000
Emergency fund.....	360,802					-360,802
Total, National Transportation Safety Board.....	39,134,802	42,407,000	42,407,000	42,407,000	42,407,000	+ 3,272,198
Interstate Commerce Commission						
Salaries and expenses.....	13,379,000					-13,379,000
Payments for directed rail service (limitation on obligations).....	(475,000)					(-475,000)
Total, Interstate Commerce Commission.....	(13,854,000)					(-13,854,000)
Panama Canal Commission						
Panama Canal Revolving Fund: (Limitation on administrative expenses).....	(52,741,000)					(-52,741,000)
Total, title II, Related Agencies.....	56,013,802	45,947,000	45,947,000	45,947,000	45,947,000	-10,066,802
(Limitation on obligations).....	(475,000)					(-475,000)
Total budgetary resources.....	(56,488,802)	(45,947,000)	(45,947,000)	(45,947,000)	(45,947,000)	(-10,541,802)
TITLE III - GENERAL PROVISIONS						
General Provision 310.....		(-41,000,000)				
General Provision 310(f).....		-306,000,000				
Sec. 338 - National Civil Aviation Review Commission.....			2,400,000		2,400,000	+ 2,400,000
Total appropriations (net).....	11,918,532,831	12,633,915,627	12,551,311,000	12,560,535,000	12,601,169,000	+ 682,836,169
Scorekeeping adjustments.....	368,676,148	-6,000,000	-1,000,000	-2,513,604	-2,513,604	-371,189,752
Grand total (net).....	12,287,208,979	12,627,915,627	12,550,311,000	12,558,021,396	12,598,655,396	+ 311,446,417
Appropriations.....	(13,131,995,950)	(12,645,727,000)	(12,583,799,000)	(12,571,854,396)	(12,612,488,396)	(-519,507,554)
Rescissions.....	(-844,786,971)	(-17,811,373)	(-33,488,000)	(-13,833,000)	(-13,833,000)	(+ 830,953,971)
(Limitations on obligations).....	(22,055,290,000)	(23,053,372,000)	(22,332,450,000)	(23,214,850,000)	(23,291,410,000)	(+ 1,236,120,000)
(Exempt obligations).....	(2,331,507,000)	(1,314,802,000)	(2,055,000,000)	(2,055,000,000)	(2,055,000,000)	(-276,507,000)
Grand total budgetary resources including (limitations on obligations) and (exempt obligations).....	(36,674,005,979)	(36,996,089,627)	(36,937,761,000)	(37,827,871,396)	(37,945,065,396)	(+ 1,271,059,417)
CONGRESSIONAL BUDGET RECAP						
Total mandatory and discretionary.....	12,287,208,979	12,627,915,627	12,550,311,000	12,558,021,396	12,598,655,396	+ 311,446,417
Mandatory.....	582,072,000	608,084,000	608,084,000	608,084,000	608,084,000	+ 26,012,000
Discretionary:						
Crime trust fund.....		10,000,000				
General purposes:						
Defense (050).....		118,500,000				
Nondefense.....	11,705,136,979	11,891,331,627	11,942,227,000	11,949,937,396	11,990,571,396	+ 285,434,417
Total, General purposes.....	11,705,136,979	12,009,831,627	11,942,227,000	11,949,937,396	11,990,571,396	+ 285,434,417
Total, Discretionary.....	11,705,136,979	12,019,831,627	11,942,227,000	11,949,937,396	11,990,571,396	+ 285,434,417

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

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

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

I am pleased to rise in support of the conference agreement on fiscal year 1997 transportation appropriations bill.

Mr. Speaker, they say in United States there are really only two kinds of folks, Texans and those who want to be Texans. So for those of us from Texas, while we certainly appreciate Virginia and the great State represented by the chairman of this particular subcommittee, we also believe that in working with the Virginians, we have been able to accomplish a great deal this year for the rest of the country. Indeed, the leadership of the gentleman from Virginia, FRANK WOLF, showed itself to be invaluable once again this year.

This measure is the last transportation appropriations bill that I will be able to manage for the minority on the House floor. It has been a pleasure and honor to work and act as the ranking minority member on the Subcommittee on Transportation appropriations for these last 2 years, a subcommittee on which I have served 8 years of my tenure here in the Congress. The cooperation of the gentleman from Virginia, working not just with me but with other members of the subcommittee, is well known and well documented.

I would also like to thank the minority members of that subcommittee, the gentleman from Wisconsin [Mr. OBEY], the ranking Democrat on the full committee, the gentleman from Minnesota [Mr. SABO], the gentleman from Illinois [Mr. DURBIN], and the gentleman from Pennsylvania [Mr. FOGLIETTA]. Their services on my behalf and on behalf of this transportation bill were also invaluable.

Their insight on various transportation issues that they brought before our subcommittee made their advice both valuable and appreciated by all of us.

I do also want to thank the staff, Mr. Blazey, Mr. Efford, Ms. Gupta, Ms. Muir of the majority staff; and certainly on the minority staff, Cheryl Smith. On my own personal staff Christy Cockburn and Laura McKinney worked very hard to see this bill through.

This conference agreement is certainly one we can all be proud of. It does have strong bipartisan support. This conference report takes the best elements from the respective versions of the transportation appropriations bill as passed by the House and the Senate.

Mr. Speaker, I am pleased to rise in support of the conference agreement on the fiscal year 1997 Transportation appropriations bill. I ask unanimous consent to revise and extend my remarks.

Mr. Speaker, this measure is the last Transportation appropriations bill that I will manage

for the minority on the House floor. It has been my pleasure and honor to be the acting ranking minority member on the Transportation Appropriations Subcommittee for the past 2 years, and to have been a member of the subcommittee for the past 8 years.

I would like to thank the chairman, Mr. WOLF, for his cooperation in working with me and the other members of the subcommittee. I especially want to acknowledge the Democratic subcommittee members—Mr. OBEY, Mr. SABO, Mr. DURBIN, and Mr. FOGLIETTA—for their fine work and insight on the various transportation issues that have come before our subcommittee. I have valued their advice and appreciated their collegiality.

I also want to thank the staff—John Blazey, Rich Efford, Stephanie Gupta, Linda Muir of the majority staff, and Cheryl Smith of the minority staff, and Christy Cockburn, Laura McKinney of my staff—for their hard work on this bill.

This conference agreement is one that we all can be proud of. It has strong bipartisan support. This conference report takes the best elements from the respective versions of the Transportation appropriations bill as passed by the House and the Senate.

The conference agreement provides \$12 billion in new budget authority, and \$37.9 billion in total budgetary resources for important transportation investments. It is well within the 602(B) allocation allotted to this bill.

I am pleased to note that the conference agreement provides significantly increased resources for the major transportation infrastructure programs:

It provides \$18 billion in new spending authority for the Federal Highway Program—\$450 million more than in 1996.

It provides \$1.46 billion in new spending authority for the Airport Improvement Program—slightly more than in 1996.

It provides \$2.15 billion in new spending authority for transit formula grants—\$100 million more than in 1996 for capital investments and \$400 million for transit operating subsidies, the same amount as in 1996.

It provides \$1.9 billion for discretionary grants to maintain and expand mass bus and transit transportation for citizens in both urban and rural communities across the country.

It provides \$150 million in new funding for state infrastructure banks, an important administration initiative to help States leverage private investment for highway and transit projects.

Mr. Speaker, thousands of Americans use Amtrak and Commuter Rail Transportation to get to work and for leisure travel. We have seen in the past year, growing evidence that keeping Amtrak alive and well is vital not only in the Northeast corridor, but throughout the country. I am pleased that the conference agreement provides \$339 million for Amtrak infrastructure investments in the Northeast corridor and on other Amtrak routes throughout the country. These additional funds are a prerequisite for, but not a guarantee of, Amtrak's survival and future self-sufficiency. Clearly, unless additional funds for infrastructure improvements will have to be provided to Amtrak in the future if it is to become truly self-sufficient.

Mr. Speaker, with the rash of tragic aviation accidents this year, we are all concerned about airline security and safety. The conference agreement provides a 5 percent in-

crease in funding for FAA operations, including the Nation's air traffic control system. The \$4.9 billion provided in the bill for FAA operations will enable the FAA to hire 500 new air traffic controllers, and 367 new aviation safety and certification inspectors. The conference agreement also includes nearly \$1 million in additional funds to enhance the FAA security office.

This bill does not address the additional \$198 million requested by the administration to increase security at our Nation's airports, as part of the administration's larger, \$1.1 billion, package to fight terrorism. Nonetheless, I am hopeful that we can include these additional resources in the continuing resolution that must be adopted before we adjourn this year.

In addition, this conference agreement does not include funding as requested by the administration for the Alameda Corridor Rail Project in California—a project that has strong support on both sides of the aisle. However, my understanding is that agreement has been reached to include this project in the continuing resolution when the CR is considered by the House.

Mr. Speaker, this conference report includes other worthy provisions, too numerous to mention now, but they are all detailed in the statement of managers on the conference report.

In closing, let me say that this conference report is a reasonable compromise between the House and Senate bills, while still protecting the priorities of the House. I urge the adoption of the conference agreement and I yield back the balance of my time.

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

Mr. WOLF. Mr. Speaker, I yield 4 minutes to the gentleman from the great State of Alabama [Mr. CALLAHAN].

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

Mr. CALLAHAN. Mr. Speaker, there has been a lot of partisan activity on the floor of this House during the last several months. I know it must be very confusing to the people that are watching C-SPAN. They hear we are going to do things like cut Medicare and then they hear from someone else saying, no, we are not going to cut Medicare. They hear all of this partisan debate, and 90 percent of the debate that takes place on the floor of this House, especially at this time during the election process, is partisan.

We are not trying to convince anyone that this is a good transportation bill or a bad transportation bill. We are talking about whether or not whatever they say is going to be interpreted by some of those Americans listening and making a decision on whether or not to vote for a Republican President or a Democratic President, or whether to have a Republican controlled House or a democratically controlled House.

But behind the scenes, during all of this frivolous activity that takes place on the floor, there are people like the gentleman from Virginia, FRANK WOLF, people like the gentleman from Texas, RON COLEMAN, a Republican and a Democrat, who have a Republican staff and a Democratic staff who are doing

the work that they are supposed to be doing, doing the work that this body is supposed to be doing: Making certain that the Coast Guard is adequately funded to defend our shores; making certain that Amtrak gets a responsible amount of money and does a responsible job with that money that we appropriate for them; making sure that FAA has an adequate amount of money; to make sure that the people who travel on airplanes travel safely; making certain that our highway programs are adequately funded to ensure that we will maintain what we have today, and that is the best transportation system anyplace in the world.

So while we are out here bickering over all these other things, these two guys and their staffs and their subcommittees have been behind the scenes doing their responsible work.

There are some things in this bill that I disagree with. I am sorry that they chose not to ensure that the rail transportation station between Mobile and New Orleans was not funded. But they did the best they could do with the money that they have; ensuring, No. 1, that we are going to reduce the level of deficit spending; and ensuring, No. 2, that they have a fair and equitable report to bring to this committee. Both of these individuals and their staffs have put in literally hundreds of hours to bring us to this point today.

There are no demonstration projects in this bill. When I joined this subcommittee, I thought, boy, this is going to be a great day. Everything that I can dream up, all I am going to have to do, because I am a member of this subcommittee, is bring it to these two guys and smile at them and say I need this demonstration project. But for the first time in a great number of decades, we are doing it and they are doing it responsibly.

They are letting the States decide the priorities of the money that is available, and that is the way it should be. Politically, it might be to my advantage to go home and say, well, I got some special money put in this bill to build a new bridge. But from a responsible legislative point of view, FRANK WOLF and RON COLEMAN did it right.

So I am here to commend them today and to encourage my colleagues to accept this report, because it is the best that we can do. It has nothing to do with whether we are a Democrat or a Republican or whether we are going to vote for Bob Dole or whether we are going to vote for Bill Clinton. This is what we are here to do; that is to fund these programs that are in this bill.

I urge my colleagues to support this conference report.

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

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

Mr. BENTSEN. Mr. Speaker, I rise in strong support of the conference agree-

ment on H.R. 3675. I would like to thank the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN], our ranking member, and the Committee on Appropriations staff for their assistance in eliminating an environmental and safety hazard posed by more than 30 abandoned barges in my district.

I would also like to thank city of Baytown Mayor Pete Alfaro, Harris County Commissioner Jim Fonteno, and Texas State Representative Fred Bosse, along with the San Jacinto River Association and the Banana Bend Civic Association, for bringing this problem to my attention.

Mr. Speaker, the U.S. Coast Guard found in a 1995 study that these long-abandoned barges posed a potential threat to the health and public safety for the people who lived on or used the San Jacinto River in Texas. Furthermore, during the massive flooding that occurred in southeast Texas in 1994, one of these barges caught fire, causing the shutdown of I-10 in east Harris County and resulting in severe traffic problems for many days.

Mr. Speaker this conference agreement provides funds for removing these abandoned barges from the San Jacinto River and the Houston Ship Channel. Last February, I asked the Coast Guard to develop a plan for the disposal of the barges under the authority of the Barge Removal Act. This Federal law, passed by Congress in 1992, grants power to the Coast Guard to remove any abandoned barge after attempts to identify the owners have been exhausted.

Mr. Speaker, the Coast Guard has made every reasonable attempt to locate the barges' owners, and not it is time to stop the search and begin the removal process. I appreciate the hard work of both the chairman and the ranking member in working on this.

Mr. Speaker, I would also like to take this opportunity to thank my colleague, the gentleman from Texas [Mr. COLEMAN]. It has been a real pleasure to work with him as a colleague, because it was about 10 years ago that I had the opportunity to work for him as a staff member on both his personal staff and on the committee staff, and I can tell my colleagues in the House, since this is the last bill that he will be working on as one of the managers, that he has done a great service for not only the people of the 16th District of Texas, but also the people of Texas and the people of the United States.

Mr. Speaker, I commend the gentleman for his service, and I appreciate both his assistance and the assistance of the gentleman from Virginia [Mr. WOLF], I urge my colleagues to support this conference report.

Mr. COLEMAN. Mr. Speaker, I yield 4½ minutes to the gentleman from California [Mr. FILNER].

Mr. FILNER. Mr. Speaker, I thank the gentleman, and I also want to thank the gentleman from Texas [Mr. COLEMAN] for all his work in his tenure

here. He has not only developed the expertise and the technical knowledge, but he approaches the job with a sense of balance and a sense of humor that helps us all. I thank him for his friendship and mentoring while I have been a Member.

Mr. Speaker, we all recognize the need that exists to invest in our transportation infrastructure. I, therefore, somewhat reluctantly rise today in opposition to this conference report.

Mr. Speaker, in every State, in every municipality, the need for funds to repair or build new highways, bridges, or public transportation systems far exceeds our ability to pay for these needed improvements. Nowhere is this need more pronounced than for our Nation's regional and short-line railroads. That is why I cannot understand why this conference committee removed the funds that the Senate provided for section 511, the Railroad Rehabilitation and Improvement Program.

Mr. Speaker, this was not a lot of money. The Senate provided only \$4 million. But this appropriation would have had a beneficial effect that far outweighs this meager amount.

This small appropriation would have guaranteed a minimum of \$75 million in private sector loans. Private sector loans. That is, for every dollar appropriated for section 511 loan guarantees, we would have received almost \$20 in much-needed loan guarantees for our regional and short-line railroads.

These are not grants; these are loan guarantees that will be repaid, and these loans do not have a history of default. In fact, this loan program has one of the highest repayment rates of any government loan program. It is not corporate welfare. There were no earmarks. There was no pork. Regional and short-line railroads would have had to demonstrate economic viability to qualify for these loan guarantees. And while there were no earmarks on appropriation, section 511 would have had a tremendously beneficial effect for the economy of southern California.

Mr. Speaker, we have a project that enjoys widespread support, that will create tens of thousands of new jobs in San Diego and Imperial Counties, reestablishing what is called the San Diego and Arizona Eastern Railroad.

The lack of a direct rail link to the east is hampering the real growth potential of the San Diego economy. Currently, San Diego's few commercial rail shipments must first make a several hundred mile detour. Ships which would otherwise use the Port of San Diego are therefore forced to go elsewhere in search of faster rail routes to inland markets. As a result, our communities lose out on business opportunities and our port suffers from serious underuse.

Reestablishment of this San Diego and Arizona Eastern Railroad is one of the top priorities of everybody in San Diego and enjoys bipartisan support. The City of San Diego, the San Diego County Board of Supervisors, the San

Diego Association of Governments, the Port of San Diego, the Greater San Diego Chamber of Commerce, and the San Diego Economic Development Corporation all rank the reestablishment of this rail link as the highest priority for our area's economic development.

Many of our Nation's regional and short-line railroads find it difficult to obtain private financing for rail line improvements due to short terms and high interest rates. Government assistance in the form of loan guarantees often becomes the only viable means to rehabilitate these vital links in our transportation infrastructure.

Mr. Speaker, I believe that this section 511 program, because it is not a grant, because it is not even a loan, but a loan guarantee to leverage private sector loans, is precisely the type of public-private partnership this Congress ought to encourage.

Last year the chairman of the subcommittee joined me and several of my colleagues in a colloquy in support of this program. In that colloquy the chairman stated:

I concur that these loan guarantees have proven to be reliable and can be a cost-effective and wise use of Federal transportation dollars. * * * I can assure you 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.

The Senate came through. They appropriated funding for section 511 loan guarantees, and I congratulate my colleagues in the other body for their vision.

I just want to conclude, Mr. Speaker, by saying that unfortunately the conference committee as a whole did not demonstrate the same vision nor interest in revitalizing our regional and short-line railroads. For that reason, I must oppose the conference report.

Mr. COLEMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I will not take as much time as the gentleman has yielded, but I simply want to take this time to urge support for this bill.

Mr. Speaker, I think it is a reasonably good bill in terms of meeting the country's transportation needs. I think it has been worked out in a very reasonable fashion. I think we need to move on and pass the bill.

Mr. Speaker, I congratulate the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN] for their work on it. I am also happy with the allocation of the highway funds for a number of States, including my own.

Let me also say that this will be the last time that the gentleman from Texas [Mr. COLEMAN] will be handling the bill for our side because of his ill-advised decision to retire. Let me simply say that I know the House will miss him. I certainly will miss him.

Mr. Speaker, I think he has demonstrated in the years that he has served in this House that he cares very

deeply about the people and the district he represents. I think he has also demonstrated a passionate commitment to the needs of people in this society who most need our help. I think he has always dealt with every Member of this House with absolute total honesty and frankness.

Mr. Speaker, it takes about a second-and-a-half to figure out where RON COLEMAN is coming from on an issue. That is the way it ought to be with human beings, especially in this profession. And I want to thank the gentleman for his service to the country, I want to thank him for the many contributions he has made to this institution, and I want to thank both the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN] for the good job that they have done on this bill.

Mr. COLEMAN. Mr. Speaker, let me just close by thanking all of my colleagues for the kind words this afternoon. I would only say that it has been a distinct honor and pleasure for me to have had the honor to serve with such fine Members and fine staff that we have produced here in these United States.

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

Ms. HARMAN. Mr. Speaker, I rise today in reluctant support of the conference report on H.R. 3675, the Department of Transportation Appropriations Act, 1997.

I am very disappointed that funding for the Alameda Corridor, a key southern California project with national significance, was not included in this conference report. While the project was supported by Members on both sides of the aisle and was included in both the House- and Senate-passed bills, political gamesmanship during conference led to the removal of this vital project from this legislation.

The Alameda Corridor rail consolidation project is crucial to southern California and the Nation and was recently designated as a high-priority corridor by the Federal Government. The project will bolster our economy by facilitating the movement of goods through the Ports of Long Beach and Los Angeles to American and international consumers. By the year 2010, the Alameda Corridor is expected to create an estimated 700,000 new jobs locally and nearly 6 million nationwide.

This project should have been included in the conference report under consideration today. I am working with my colleagues on both sides of the aisle to ensure that this project is funded this year.

While I am disappointed that Alameda Corridor funding was removed from the conference report, I am pleased to see that the legislation provides nearly \$10 million for another key southern California transportation project—the advanced technology transit bus. Also known as the Stealth bus because it is constructed with the same graphite composite material used on Stealth bombers, the ATTB demonstrates how defense and aerospace technologies can be put to use in cutting-edge advanced transportation applications.

Additionally, I am glad that the conference report contains over \$72 million for funding for security at our Nation's airports and am espe-

cially pleased that the conferees added nearly \$1 million in additional security funds to the administration's request. Recent air tragedies in Florida and off Long Island have graphically underscored the need to direct more Federal attention to increasing aviation security. Enhanced aviation security is particularly important to my congressional district, which is home to the world's third busiest airport, LAX. Congress, the administration, airport operators, and airlines must all work together to battle this growing threat to our national security.

In conclusion Mr. Speaker, while this conference report is not perfect, I urge my colleagues to support it today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of the conference report on H.R. 3675, the Transportation appropriations for fiscal Year 1997. This report is an improvement on the already excellent legislation that passed this House. Included in these improvements are: Increased funding for Amtrak, \$331 million for mass transit programs, and \$450 million more for highways.

This bill provides funds for substantial improvements of service and safety in all facets of transportation across our Nation.

This bill improves safety in our skies by targeting \$488 million for aviation regulation and safety certification activities which will allow the hiring of 500 additional air traffic controllers and 367 additional aviation safety inspectors and other oversight personnel. It increases air service by providing \$26 million to subsidize airline services to smaller communities.

This bill also improves safety on our roads, especially by providing \$18.0 billion from the highway trust fund for Federal-aid highway grants, which provides formula and other grants for the construction and repair of the Interstate Highway System and other primary and secondary roads and bridges.

This is a good bill that represents the work that Congress can accomplish when we work together for the good of the American people. I salute the work of Chairman WOLF and the ranking member, my colleague from Texas, Mr. COLEMAN, and the rest of the committee for the hard work and bipartisanship that produced such a quality piece of legislation.

I urge all of my colleagues to vote for the conference report and keep the American transportation system the best in the world.

Mr. PORTER. Mr. Speaker, I rise in strong support of the fiscal year 1997 Transportation appropriations conference report. This bill includes important report language impacting my district as well as the Chicago area as a whole.

I am very concerned over the implementation of the Swift Rail Act which preempts State rights to ban the blowing of train whistles at highway rail grade crossing regardless of the safety records at the individual crossings. This act does nothing more than apply a Washington-knows-best mandate to a matter of State and local jurisdiction. The impact of this law as enacted could be catastrophic to the Chicago area. Many of the communities I represent have five or more highway rail grade crossings running through them, and if train whistles are mandated to blow at every crossing 24 hours a day, people will be blasted out of their homes. The law does offer supplementary safety alternatives to the train whistles but they consist of costly unfunded Federal mandates. According to the law, communities can

construct four quadrant gates to replace the need for train whistles. However, four quadrant gates are completely unaffordable to most communities and amount to an unfunded Federal mandate.

Mr. Speaker, highway rail grade crossing safety is of paramount importance to me and I believe we can construct a solution to highway rail grade safety that is more palatable to communities than the Swift Rail Act. I am, therefore, pleased that Chairman WOLF supported the inclusion of the whistle ban language which instructs the Secretary of Transportation to consider the safety records of each individual highway-rail grade crossings and provide exceptions to the mandate where risk is limited. The language also asks the Secretary of Transportation to consider comprehensive local rail safety enforcement and public education programs as supplementary safety measures. Finally, the language specifies that where supplementary safety measures are deemed necessary, the particular characteristics of the crossing and the views of the affected community will be considered in determining the practicality of a proposed supplementary safety measure.

The adoption of this language provides the Federal Railroad Administration with an outline of how to develop a notice of proposed rule-making governing the implementation of the Swift Rail Act and I look forward to a continued dialog with the Department and Chairman WOLF on this issue.

Mr. SHUSTER. Mr. Speaker, I rise in support of the fiscal year 1977 transportation appropriations bill conference report.

First and foremost, I want to thank Mr. LIVINGSTON, Mr. WOLF, Mr. OBEY, and Mr. COLEMAN, and their staff for the high level of consultation and cooperation with the Transportation and Infrastructure Committee in developing this bill.

Overall, the bill balances the need for a strong Federal role in transportation safety with the need to increase investment in our Nation's infrastructure. It increases funding for many important programs, including highway, transit, and aviation. In fact this bill exceeds the President's budget request for infrastructure funding.

The obligation limitation for the Federal-Aid Highway Program is at an all time record of \$18 billion. The overall funding level for highways is over \$20 billion, more than \$1 billion higher than the President's request.

For the Transit Program, the overall level is also increased over the President's request—by almost \$100 million. Federal transit funds help modernize, and maintain our transit systems. They also help build new systems. Good transit has an important role to play, especially in our large and congested cities. This bill will dispel the myth that this Congress is somehow hostile to transit and the transportation problems of our cities.

For aviation, the bill funds an increase of \$254 million for operations over the fiscal year 1996 level. This increase will fund important safety functions and initiatives. The bill also provides funds to continue the modernization for the air traffic control system—a critical safety issue. Once again, for airport grants, the bill provides more funding than the President's request for \$110 million for a total level of \$1.46 billion. I believe, however, that there continue to be significant needs for additional Federal investment in our airports for both safety and capacity reasons.

I am particularly pleased at the high level of funds for the critical infrastructure programs funded from the highway and aviation trust funds.

Earlier this year, the House by an overwhelming margin passed a bill I sponsored—H.R. 842—to take these trust funds off-budget. This strong vote in support of transportation is a major reason that we have such high funding levels in this bill. While I applaud the appropriations committee's action in increasing trust fund expenditures, I remain committed to passage of the off-budget legislation to ensure that all trust fund moneys are spent for their dedicated purpose.

For the Coast Guard the committee has ensured that there are sufficient funds to continue all its missions. We strongly support the Coast Guard's important role in Drug interdiction. This is a vital Coast Guard mission that affects every community across this country.

There is report language accompanying this appropriations bill that encourages Amtrak, the Department of Transportation, and the States to explore using funds derived from the Congestion Mitigation and Air Quality Improvement [CMAQ] Program for intercity rail service. The CMAQ Program is part of the Federal-Aid Highway Program and is funded from the highway trust fund. Such a use of CMAQ funds is without statutory authority and is contrary to congressional intent.

The congressional intent in enacting the CMAQ Program was to assist nonattainment areas that do not meet the national ambient air quality standards [NAAQS] by funding projects that contribute to improving air quality. In order to be eligible, a project must either be listed as eligible under section 108(f)(1)(A) of the Clean Air Act or the EPA, in consultation with DOT, must publish information that it has determined that a project or program is likely to contribute to the attainment of the NAAQS. Intercity rail is not listed in section 108(f)(1)(A) of the Clean Air Act, and, according to the DOT, the EPA has not made any findings that intercity rail is likely to contribute to meeting NAAQS. It is therefore very clear that intercity rail may not be funded under the CMAQ Program.

Last year, the Secretary of Transportation wrote a letter to Members of Congress concerning an application by the State of Oregon to use CMAQ funding for certain Amtrak service. The letter stated that "since the service operates substantially outside the Portland nonattainment area, it would not normally be eligible for CMAQ funding." I fully agree with that statement.

That letter, however, goes on to state that "given its importance to the area, however, I believe that it could be funded as an 'experimental pilot' * * *". I believe that this statement is in error. It is not within the Secretary's discretion to waive certain very specific statutory provisions because an area believes its Amtrak service is important.

I certainly understand the concern of communities that are losing Amtrak service. Diverting funds from the highway trust fund and from projects that improve air quality, however, is not the answer. The reason Amtrak is being forced to close routes, such as the Texas Eagle, is that Amtrak is badly in need of reform, without which its ability to continue operating a national route system is very much in question. The freedom to make good business decisions, not more Government

subsidies, offers Amtrak the best chance at long-term survival. The reforms contained in H.R. 1788, which was passed by the House by an overwhelming majority of 406 to 4 on November 30, 1995, would afford Amtrak the flexibility it needs to operate like a business and stretch scarce resources further.

These reforms include modifications to Amtrak's extremely costly severance benefits under which employees who are laid off due to a route elimination are eligible for up to 6 years full pay and benefits. H.R. 1788 would also allow for contracting out of work; which, except for food service, Amtrak is currently statutorily prohibited from doing. The bill also reforms Amtrak's liability arrangements. Without liability reform, the costs that Amtrak pays freight railroads for the use of their track are likely to rise substantially, leading to further cutbacks in passenger service. These reforms and others contained in H.R. 1788 are the key to improving and sustaining intercity rail service.

I wish to reiterate that the use of CMAQ funds for intercity rail service is not authorized under the law and language in the statement of managers in the transportation appropriations bill can not authorize such use of CMAQ funds.

Ms. FURSE. Mr. Speaker, I rise today to strongly support the conference report. I want to thank members of the subcommittee, particularly Mr. WOLF, for their work on behalf of the Westside light rail project in Oregon. Of course, no discussion of Westside light rail would be complete without thanking Senator MARK HATFIELD for his relentless support of this project. He is a good friend and has served our State with honor and dignity. It is a dramatic understatement to say that he will be missed.

The conference report today includes \$138 million for the Westside-Hillsboro project in Oregon. Westside light rail is one of my top priorities in Congress, and I'm proud that today marks the fourth year in a row that record funding has been provided to this vital project. Previously appropriated funds for Westside light rail have been fully obligated, and the project is on schedule for opening in 1998.

As indicated by the bipartisan and diverse group which I helped organized to testify before the subcommittee earlier this year, light rail continues to enjoy strong support in the Portland area. In the 1990's, Oregon taxpayers have voted to put their money into the South-North and Westside projects by margins of 64 percent and 74 percent.

I am particularly pleased that this conference report also includes an additional \$40 million in authorization for the Westside project. Earlier this year, I testified in the Transportation and Infrastructure Committee along with Tri-Met's general manager, Tom Walsh, in support of making this necessary change. I want to thank both Mr. WOLF and Mr. SHUSTER for agreeing to this language.

I'm also delighted that the conference report includes \$6 million for the South-North light rail project. Light rail is integral to our region's future. As a region, we have developed a vision for liveable communities with less traffic and vibrant commerce which depends on regional and State land use decisions. The Portland metropolitan area's ability to handle our projected growth is predicated on the completion of light rail, and the South-North project is our region's next step toward making our vision a reality.

I want to thank everyone in the delegation who has supported this project, and urge my colleagues to support the conference report.

Mr. WOLF. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BE-REUTER). The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 395, nays 19, not voting 19, as follows:

[Roll No. 419]

YEAS—395

Abercrombie	Cox	Gunderson
Ackerman	Coyne	Gutierrez
Allard	Cramer	Gutrecht
Andrews	Crane	Hall (OH)
Archer	Crapo	Hall (TX)
Armey	Cremeans	Hamilton
Bachus	Cummings	Hansen
Baesler	Cunningham	Harman
Baker (CA)	Danner	Hastert
Baker (LA)	Davis	Hastings (WA)
Baldacci	Deal	Hayworth
Ballenger	DeFazio	Hefley
Barcia	DeLauro	Hefner
Barr	DeLay	Hilleary
Barrett (NE)	Dellums	Hilliard
Bartlett	Deutsch	Hinchee
Barton	Diaz-Balart	Hobson
Bass	Dickey	Hoke
Bateman	Dicks	Holden
Becerra	Dingell	Horn
Bentsen	Dixon	Hostettler
Bereuter	Doggett	Houghton
Bevill	Doolley	Hoyer
Bilbray	Doolittle	Hunter
Bilirakis	Dornan	Hutchinson
Bishop	Doyle	Hyde
Bliley	Dreier	Inglis
Blumenauer	Duncan	Istook
Blute	Dunn	Jackson (IL)
Boehlert	Edwards	Jackson-Lee
Boehner	Ehlers	(TX)
Bonilla	Ehrlich	Johnson (CT)
Bonior	Engel	Johnson (SD)
Bono	English	Johnson, E. B.
Borski	Ensign	Johnson, Sam
Boucher	Eshoo	Jones
Brewster	Evans	Kanjorski
Browder	Everett	Kaptur
Brown (FL)	Ewing	Kasich
Brown (OH)	Farr	Kelly
Brownback	Fattah	Kennedy (MA)
Bryant (TN)	Fawell	Kennedy (RI)
Bryant (TX)	Fields (LA)	Kennelly
Bunn	Flake	Kildee
Bunning	Flanagan	Kim
Burr	Foglietta	King
Burton	Foley	Kingston
Buyer	Forbes	Kleczka
Callahan	Ford	Klink
Calvert	Fowler	Knollenberg
Camp	Fox	Kolbe
Campbell	Franks (CT)	LaFalce
Canady	Franks (NJ)	LaHood
Cardin	Frelinghuysen	Lantos
Castle	Frisa	Largent
Chabot	Frost	Latham
Chambliss	Funderburk	LaTourette
Chapman	Gallegly	Laughlin
Chenoweth	Gejdenson	Lazio
Christensen	Gekas	Leach
Chrysler	Gephardt	Levin
Clay	Geren	Lewis (CA)
Clayton	Gilchrest	Lewis (GA)
Clement	Gillmor	Lewis (KY)
Clinger	Gilman	Lightfoot
Clyburn	Gonzalez	Lincoln
Coble	Goodlatte	Linder
Coburn	Goodling	Lipinski
Coleman	Gordon	Livingston
Collins (GA)	Goss	LoBiondo
Combest	Graham	Lofgren
Condit	Green (TX)	Longley
Conyers	Greene (UT)	Lowe
Costello	Greenwood	Lucas

Luther	Payne (VA)
Maloney	Pelosi
Manton	Peterson (MN)
Manzullo	Petri
Martinez	Pickett
Martini	Pombo
Mascara	Pomeroy
Matsui	Porter
McCarthy	Portman
McCollum	Poshard
McCreery	Pryce
McDade	Quillen
McDermott	Quinn
McHale	Radanovich
McHugh	Rahall
McInnis	Ramstad
McIntosh	Rangel
McKeon	Reed
McKinney	Regula
McNulty	Richardson
Meehan	Riggs
Meek	Rivers
Menendez	Roberts
Metcalf	Roemer
Meyers	Rogers
Mica	Rohrabacher
Millender-	Ros-Lehtinen
McDonald	Rose
Miller (CA)	Roth
Miller (FL)	Roukema
Minge	Royal-Allard
Mink	Rush
Moakley	Sabo
Molinari	Salmon
Mollohan	Sanders
Montgomery	Sawyer
Moorhead	Saxton
Moran	Scarborough
Morella	Schaefer
Murtha	Schiff
Myers	Schroeder
Myrick	Schumer
Nadler	Scott
Nethercutt	Seastrand
Ney	Serrano
Norwood	Shadegg
Nussle	Shaw
Oberstar	Shays
Obey	Shuster
Ortiz	Sisisky
Orton	Skaggs
Owens	Skeen
Oxley	Skelton
Packard	Slaughter
Pallone	Smith (MI)
Parker	Smith (NJ)
Pastor	Smith (TX)
Paxon	Smith (WA)
Payne (NJ)	Solomon

NAYS—19

Barrett (WI)	Hoekstra	Royce
Beilenson	Jacobs	Sanford
Berman	Klug	Sensenbrenner
Cooley	Markey	Stockman
Filner	Neal	Stump
Frank (MA)	Neumann	
Hancock	Olver	

NOT VOTING—19

Brown (CA)	Fields (TX)	Hergert
Collins (IL)	Furse	Jefferson
Collins (MI)	Ganske	Johnston
Cubin	Gibbons	Peterson (FL)
de la Garza	Hastings (FL)	Torkildsen
Durbin	Hayes	
Fazio	Heineman	

□ 1351

Messrs. NEAL of Massachusetts, BARRETT of Wisconsin, HOEKSTRA, and MARKEY changed their vote from "yea" to "nay."

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1080. An act to amend chapters 83 and 84 of title 5, United States Code, to provide additional investment funds for the Thrift Savings Plan, to permit employees to gain additional liquidity in their Thrift Savings Accounts, and for other purposes;

S. 1965. An act to prevent the illegal manufacturing and use of methamphetamine;

S. 2085. An act to authorize the Capital Guide Service to accept voluntary services; and

S. Con. Res. 71. Concurrent resolution expressing the sense of the Senate with respect to the persecution of Christians worldwide.

"DEAR COLLEAGUE" LETTER FROM THE PAST APPLICABLE TO THE PRESENT

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

Mr. HOKE. Mr. Speaker, I would like to read from a "Dear Colleague" that was signed by the gentleman from Georgia [Mr. LEWIS] who just spoke, as well as the gentleman from Missouri [Mr. VOLKMER] just a few years ago.

Quote,

As the Ethics Committee prepares its recommendations to the full House, it should release only the information which the committee agrees is relevant and necessary to support its findings. To ask a Member, any Member, to also respond in the court of public opinion to allegations, rumors and innuendo not deemed worthy of charge by the Committee would be totally unfair and a perversion of the process. Especially in a time of press sensationalism.

Public release of material not germane to formal Committee action would be similar to the process used during the Joe McCarthy era: Ignore the discipline of due process and firm evidence, and dump unproven allegations out in public and let the ensuing publicity destroy the person's reputation and career.

Signed, RICHARD GEPHARDT, PAT SCHROEDER, HAROLD VOLKMER, JOHN LEWIS, JOHN DINGELL, MARTIN FROST, et cetera.

Mr. Speaker, I include the following for the RECORD:

CONGRESS OF THE UNITED STATES,

Washington, DC, April 13, 1986.

Re: Wright case raises crucial fairness issue

DEAR COLLEAGUE: Calls by some Members of this House for release of all gathered background material on Speaker Wright—no matter how irrelevant to specific recommendations of the Ethics Committee—threatens every Member of Congress. And it should offend every Member who values this institution and fair play.

We all support the ability and the obligation of the Ethics Committee to take a close, hard look at all responsibly made charges formally brought against any House Member. But, every Member, from the newest freshman up to the Speaker, is entitled to protection and fair treatment at the conclusion of the internal inquiry.

This requires that only supporting material on those charges the Committee decides to proceed on should be released. Releasing