Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—3

Baldwin
Kolbe
Wu

NOT VOTING—15

Barton
Brown (CA)
DeFazio
Diaz-Balart
Engel
Fletcher
Gilchrest
Granger
Kaptur
Kuykendall
Leach
Olver
Portman
Rogers
Towns

□ 1113

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KUYKENDALL. Mr. Speaker, on rollcall No. 247, I was inadvertently detained. Had I been present, I would have voted ''yes.''

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 218 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2084.

□ 1114

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. CAMP in the chair.

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

Under the rule, the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

□ 1115

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

Mr. Chairman, today the House considers the third appropriations bill for Fiscal Year 2000, the Department of Transportation and Related Agencies Appropriations bill. This bill includes appropriations for our Nation's highways, transit systems, funding for the Coast Guard, the Federal Aviation Administration, the Federal Railroad Administration, and several other smaller agencies both within and separate from the Department of Transportation.

The bill totals $12.7 billion in discretionary budget authority, an increase of over $400 million over the fiscal year 1999 freeze level. Several of my colleagues have sought reductions to previous appropriations bills to bring those bills more in line with the levels provided in fiscal year 1999.

Mr. Chairman, it is important for the House to understand that more than 70 percent of the funding provided in this bill as discretionary spending is not within the control of the Committee on Appropriations. Funding of $28.8 billion for the highways and transit programs, though included in this bill, is mandatory. This committee has no control over the spending levels.

The bill does include increases for highway and transit programs, but the committee had no other choice. The bill presented to the House in no way alters the funding levels contained in TEA21.

Let me also note, Mr. Chairman, that the House recently passed the authorization for the Federal Aviation Administration. That bill contains provisions which had the effect of increasing funding for the FAA by $14 billion over the levels assumed in the budget resolution. It guarantees $3 billion a year in general fund subsidies for aviation programs within the discretionary caps.

Next year, if the FAA authorization bill were enacted, the only truly discretionary program over which this subcommittee would exert any control would be the Coast Guard. Creating new mandatory programs, whether they are off-budget or within the discretionary caps, creates more Federal spending, not less. Such mandatory spending is uncontrollable and makes the Congress' job of balancing the budget and reducing the national debt doubly difficult.

If the committee were required to reduce program levels within the bill to the levels provided last year, the House would be asked to do one of three things: One, reduce funding for the Federal Aviation Administration just days after passing an authorization containing $14 billion in new spending above the budget resolution and a few weeks after an aviation accident in Arkansas; two, reduce funding for the Coast Guard search and rescue operations and drug interdiction activities; or three, nearly eliminate all the Federal funding for Amtrak. The reported bill is a lean and balanced bill given the TEA21 aviation needs and one that should be supported by the House.

To briefly summarize, $4 billion for the Coast Guard, including $521 million for drug interdiction; $10.5 billion for the FAA, including $2.25 billion for the AIP program; $27.7 billion for the Federal-aid highways program, the same level as guaranteed by TEA21; $368 million for NHTSA, again the same level as authorized; $718 million for the Federal Railroad Administration, including $571 million for Amtrak; $5.8 billion for the Federal Transit Administration, the same level as guaranteed by TEA21; and several smaller appropriations for other modal administrations and independent agencies.

The bill has been developed in cooperation with the minority and the gentleman from Minnesota (Mr. SABO). We have had a good close working relationship over the past several years,

and this year was no different. The bill has encountered no significant disagreements, passing through both the subcommittee and the full committee markups with only minor amendments. The administration has also indicated its support for the bill.

The overarching priority for the committee in developing this bill has been safety, and I would like to bring several initiatives to the attention of the Members. Recently, the Inspector General of the Department of Transportation found that the Office of Motor Carriers, the office responsible for keeping trucks on the roads safe, had less than an arm's length relationship with the industry it regulates. Last year, the committee tried to transfer the Office of Motor Carriers from the Federal Highway Administration to the National Highway Traffic Safety Administration. The committee was unsuccessful.

This year the bill provides a total of $70 million more for inspectors but includes a limitation that none of these funds are available if the Office of Motor Carriers remains within the Federal Highway Administration. Hopefully, this limitation will encourage the administration and others to have legislation or to change the current placement and management of the Office of Motor Carriers as they have indicated they will do.

I would just tell the Members, on Monday I went out on a highway truck inspection. A large number of the trucks that were inspected off of Route 50 in my Congressional district were in such violation of the law that they were pulled off the road, meaning they could not move until they were either fixed there or towed away. One out of every five trucks on the major interstates that my colleagues and their constituents and their families are driving on are very, very unsafe.

This is an issue of safety. Fourteen to 15 people die every day with regard to accidents involving trucks. The bill provides a total of $4 billion for the Coast Guard, an increase of $150 million over the 1999 enacted level. Within the funds provided for the Coast Guard is $521 million for drug interdiction activities, a 40 percent increase over last year's level.

All in all, Mr. Chairman, it is a balanced bill, and I urge its adoption.

Mr. Chairman, I include the following for the RECORD.

TRANSPORTATION APPROPRIATIONS BILL, 2000 (H.R. 2084)
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses:					
Immediate Office of the Secretary	1,624	1,967	1,867	+243	-100
Immediate Office of the Deputy Secretary	585	612	612	+27	.....
Office of the General Counsel	8,750	9,150	9,000	+250	-150
Office of the Assistant Secretary for Policy	2,808	2,924	.....	-2,808	-2,924
Office of the Assistant Secretary for Aviation and International Affairs	7,650	7,732	7,632	-18	-100
Office of the Assistant Secretary for Budget and Programs	6,349	6,790	6,770	+421	-20
Office of the Assistant Secretary for Governmental Affairs	1,941	2,039	2,039	+98	.....
Office of the Assistant Secretary for Administration	19,722	18,847	17,767	-1,955	-1,080
Office of Public Affairs	1,565	1,836	1,836	+271	.....
Executive Secretariat	1,047	1,102	1,102	+55	.....
Board of Contract Appeals	561	520	520	-41	.....
Office of Small and Disadvantaged Business Utilization	1,020	1,222	1,222	+202	.....
Office of Intelligence and Security	1,036	1,574	1,454	+418	-120
Office of the Chief Information Officer	4,875	5,075	5,000	+125	-75
Office of Intermodalism	957	1,187	.....	-957	-1,187
Office of the Assistant Secretary for Transportation Policy and Intermodalism	.....	.....	3,781	+3,781	+3,781
Subtotal	60,490	62,577	60,602	+112	-1,975
Y2K conversion (emergency funding)	(7,754)	.....	.....	(-7,754)	.....
Office of civil rights	6,966	7,742	7,742	+776	.....
Transportation planning, research, and development	9,000	6,275	2,950	-6,050	-3,325
Transportation Administrative Service Center	(124,124)	.....	(157,965)	(+33,841)	(+157,965)
Minority business resource center program	1,900	1,900	1,900	.....	.....
(Limitation on direct loans)	(13,775)	(13,775)	(13,775)	.....	.....
Minority business outreach	2,900	2,900	2,900	.....	.....
Payments to air carriers (Airport and Airway Trust Fund) (rescission of contract authorization)	(-815)	.....	.....	(+815)	.....
Total, Office of the Secretary	81,256	81,394	76,094	-5,162	-5,300
Coast Guard					
Operating expenses	2,400,000	2,607,039	2,491,000	+91,000	-116,039
Defense function	300,000	334,000	300,000	.....	-34,000
Title I - Readiness (emergency funding)	(100,000)	.....	.....	(-100,000)	.....
Title IV - Counterdrug (emergency funding)	(16,300)	.....	.....	(-16,300)	.....
Y2K conversion (emergency funding)	(27,715)	.....	.....	(-27,715)	.....
Y2K conversion (emergency funding)	(4,058)	.....	.....	(-4,058)	.....
Emergency funding (P.L. 106-31)	(200,000)	.....	.....	(-200,000)	.....
Acquisition, construction, and improvements:					
Vessels	219,923	165,760	205,560	-14,363	+39,800
Aircraft	35,700	22,110	38,310	+2,610	+16,200
Other equipment	36,569	53,726	59,400	+22,831	+5,674
Shore facilities & aids to navigation facilities	54,823	55,800	55,800	+977	.....
Personnel and related support	48,450	52,930	50,930	+2,480	-2,000
Subtotal, A C & I appropriations	395,465	350,326	410,000	+14,535	+59,674
Offsetting collections (user fees)	.....	-41,000	.....	.....	+41,000
Title I - Counterdrug (emergency funding)	(100,000)	.....	.....	(-100,000)	.....
Hurricane Georges (emergency funding)	(12,600)	.....	.....	(-12,600)	.....
Title IV - Counterdrug (emergency funding)	(117,400)	.....	.....	(-117,400)	.....
Environmental compliance and restoration	21,000	19,500	18,000	-3,000	-1,500
Alteration of bridges	14,000	.....	15,000	+1,000	+15,000
Retired pay	684,000	721,000	721,000	+37,000	.....
Reserve training	69,000	72,000	72,000	+3,000	.....
Title I - Readiness (emergency funding)	(5,000)	.....	.....	(-5,000)	.....
Research, development, test, and evaluation	12,000	21,709	21,039	+9,039	-670
Title I - Readiness (emergency funding)	(5,000)	.....	.....	(-5,000)	.....
Total, Coast Guard	3,895,465	4,084,574	4,048,039	+152,574	-36,535
Federal Aviation Administration					
Operations (Airport and Airway Trust Fund)	5,562,558	6,039,000	5,925,000	+362,442	-114,000
Y2K conversion (emergency funding)	(14,946)	.....	.....	(-14,946)	.....
Y2K conversion (emergency funding)	(13,852)	.....	.....	(-13,852)	.....
Facilities & equipment (Airport & Airway Trust Fund)	1,900,000	2,319,000	2,200,000	+300,000	-119,000
Title II - Antiterrorism (emergency funding)	(100,000)	.....	.....	(-100,000)	.....
Y2K conversion (emergency funding)	(106,612)	.....	.....	(-106,612)	.....
Y2K conversion (emergency funding)	(15,521)	.....	.....	(-15,521)	.....
Research, engineering, and development (Airport and Airway Trust Fund)	150,000	173,000	173,000	+23,000	.....
Y2K conversion (emergency funding)	(147)	.....	.....	(-147)	.....
Y2K conversion (emergency funding)	(220)	.....	.....	(-220)	.....
Grants-in-aid for airports (Airport and Airway Trust Fund):					
(Liquidation of contract authorization)	(1,600,000)	(1,750,000)	(1,867,000)	(+267,000)	(+117,000)
(Limitation on obligations)	(1,950,000)	(1,600,000)	(2,250,000)	(+300,000)	(+650,000)
Total, Federal Aviation Administration	7,612,558	8,531,000	8,298,000	+685,442	-233,000
(Limitations on obligations)	(1,950,000)	(1,600,000)	(2,250,000)	(+300,000)	(+650,000)
Total budgetary resources	(9,562,558)	(10,131,000)	(10,548,000)	(+985,442)	(+417,000)

TRANSPORTATION APPROPRIATIONS BILL, 2000 (H.R. 2084)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Highway Administration					
Limitation on administrative expenses	(327,413)	(350,432)	(356,380)	(+28,967)	(+5,948)
Limitation on transportation research	.....	.....	(422,450)	(+422,450)	(+422,450)
Federal-aid highways (Highway Trust Fund):					
(Limitation on obligations)	(25,511,000)	(26,245,000)	(26,245,000)	(+734,000)	.....
(Revenue aligned budget authority) (RABA)	.....	(1,456,350)	(1,456,350)	(+1,456,350)	.....
(RABA transfer under Title III)	.....	(-502,120)	.....	.....	(+502,120)
(Adjustment)	.....	(63,000)	.....	.....	(-63,000)
Subtotal, limitation on obligations	(25,511,000)	(27,262,230)	(27,701,350)	(+2,190,350)	(+439,120)
(Exempt obligations)	(1,424,047)	(1,132,116)	(1,132,116)	(-291,931)	.....
(Liquidation of contract authorization)	(24,000,000)	(26,000,000)	(26,125,000)	(+2,125,000)	.....
Motor carrier safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(100,000)	(155,000)	(105,000)	(+5,000)	(-50,000)
(Limitation on obligations)	(100,000)	(105,000)	(105,000)	(+5,000)	.....
(RABA transfer under Title III)	.....	(50,000)	.....	.....	(-50,000)
Additional provisions - Division A P.L. 105-277:					
Surface transportation projects, Massachusetts	100,000	.....	.....	-100,000	.....
Surface transportation projects, Arkansas	100,000	.....	.....	-100,000	.....
Appalachian development highway system, Alabama	100,000	.....	.....	-100,000	.....
Appalachian development highway system, West Va	32,000	.....	.....	-32,000	.....
State infrastructure banks (rescission)	(-6,500)	.....	.....	(+6,500)	.....
Total, Federal Highway Administration	332,000	.....	.....	-332,000	.....
(Limitations on obligations)	(25,611,000)	(27,417,230)	(27,806,350)	(+2,195,350)	(+389,120)
(Exempt obligations)	(1,424,047)	(1,132,116)	(1,132,116)	(-291,931)	.....
Total budgetary resources	(27,367,047)	(28,549,346)	(28,938,466)	(+1,571,419)	(+389,120)
National Highway Traffic Safety Administration					
Operations and research (Highway Trust Fund)	87,400	.....	87,400	.....	+87,400
Operations and research (highway trust fund):					
(Limitation on obligations)	(72,000)	(72,000)	(72,000)	.....	.....
(RABA transfer under Title III)	.....	(125,450)	.....	.....	(-125,450)
(Liquidation of contract authorization)	(72,000)	(197,450)	(72,000)	.....	(-125,450)
Y2K conversion (emergency funding)	(752)	.....	.....	(-752)	.....
National Driver Register (highway trust fund)	2,000	2,000	2,000	.....	.....
Subtotal, Operations and research	(161,400)	(199,450)	(161,400)	.....	(-38,050)
Highway traffic safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	(200,000)	(206,800)	(206,800)	(+6,800)	.....
(Limitation on obligations):					
Highway safety programs (Sec. 402)	(150,000)	(152,800)	(152,800)	(+2,800)	.....
Occupant protection incentive grants (Sec. 405)	(10,000)	(10,000)	(10,000)	.....	.....
Alcohol-impaired driving countermeasures grants (Sec. 410)	(35,000)	(36,000)	(36,000)	(+1,000)	.....
State Highway safety data grants (Sec. 411)	(5,000)	(8,000)	(8,000)	(+3,000)	.....
Total, National Highway Traffic Safety Administration	89,400	2,000	89,400	.....	+87,400
(Limitations on obligations)	(272,000)	(404,250)	(278,800)	(+6,800)	(-125,450)
Total budgetary resources	(361,400)	(406,250)	(368,200)	(+6,800)	(-38,050)
Federal Railroad Administration					
Office of the administrator	21,215	.....	.....	-21,215	.....
Railroad safety	61,488	.....	.....	-61,488	.....
Safety and operations	.....	95,462	94,448	+94,448	-1,014
Offsetting collections (user fees)	.....	-66,461	.....	.....	+66,461
Subtotal	82,703	29,001	94,448	+11,745	+65,447
Railroad research and development	22,364	21,800	21,300	-1,064	-500
Offsetting collections (user fees)	.....	-21,300	.....	.....	+21,300
Next generation high-speed rail	20,494	12,000	22,000	+1,506	+10,000
Alaska Railroad rehabilitation	10,000	.....	.....	-10,000	.....
Alaska Railroad capital improvements (Division A)	28,000	.....	.....	-28,000	.....
Rhode Island Rail Development	5,000	10,000	10,000	+5,000	.....
Capital grants to the National Railroad Passenger Corporation	609,230	570,976	570,976	-38,254	.....
Rail initiative trust fund (Highway Trust Fund) (RABA transfer under Title III):					
(Liquidation of contract authorization)	.....	(35,400)	.....	.....	(-35,400)
(Limitation on obligations)	.....	(35,400)	.....	.....	(-35,400)
Total, Federal Railroad Administration	777,791	622,477	718,724	-59,067	+96,247
(Limitations on obligations)	.....	(35,400)	.....	.....	(-35,400)
Total budgetary resources	(777,791)	(657,877)	(718,724)	(-59,067)	(+60,847)

TRANSPORTATION APPROPRIATIONS BILL, 2000 (H.R. 2084)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Transit Administration					
Administrative expenses	10,800	12,000	12,000	+1,200	
Administrative expenses (Highway Trust Fund, Mass Transit Account)					
(Limitation on obligations)	(43,200)	(48,000)	(48,000)	(+4,800)	
Subtotal, Administrative expenses	(54,000)	(60,000)	(60,000)	(+6,000)	
Y2K conversion (emergency funding)	(250)			(-250)	
Formula grants	570,000	619,600	619,600	+49,600	
Formula grants (Highway Trust Fund):					
(Limitation on obligations)	(2,280,000)	(2,478,400)	(2,478,400)	(+198,400)	
(RABA transfer under Title III)		(212,270)			(-212,270)
Subtotal, Formula grants	(2,850,000)	(3,310,270)	(3,098,000)	(+248,000)	(-212,270)
University transportation research	1,200	1,200	1,200		
University transportation research (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(4,800)	(4,800)	(4,800)		
Subtotal, University transportation research	(6,000)	(6,000)	(6,000)		
Transit planning and research (general fund)	19,800	21,000	21,000	+1,200	
Transit planning and research (Highway Trust Fund, Mass Transit Account):					
(Limitation on obligations)	(78,200)	(86,000)	(86,000)	(+7,800)	
(RABA transfer under Title III)		(4,000)			(-4,000)
Subtotal, Transit planning and research	(98,000)	(111,000)	(107,000)	(+9,000)	(-4,000)
Rural transportation assistance	(5,250)	(5,250)	(5,250)		
National transit institute	(4,000)	(4,000)	(4,000)		
Transit cooperative research	(8,250)	(8,250)	(8,250)		
Metropolitan planning	(43,842)	(49,632)	(49,632)	(+5,790)	
State planning and research	(9,158)	(10,368)	(10,368)	(+1,210)	
National planning and research	(27,500)	(33,500)	(29,500)	(+2,000)	(-4,000)
Subtotal	(98,000)	(111,000)	(107,000)	(+9,000)	(-4,000)
Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization)	(4,251,800)	(4,929,270)	(4,638,000)	(+386,200)	(-291,270)
Capital investment grants (general fund)	451,400	490,200	490,200	+38,800	
Capital investment grants (Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(1,805,600)	(1,960,800)	(1,960,800)	(+155,200)	
Subtotal, Capital investment grants	(2,257,000)	(2,451,000)	(2,451,000)	(+194,000)	
(Fixed guideway modernization)	(902,800)	(980,400)	(980,400)	(+77,600)	
(Buses and bus-related facilities)	(451,400)	(490,200)	(490,200)	(+38,800)	
(New starts)	(902,800)	(980,400)	(980,400)	(+77,600)	
Subtotal	(2,257,000)	(2,451,000)	(2,451,000)	(+194,000)	
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(2,000,000)			(-2,000,000)	
Discretionary grants (Highway Trust Fund, Mass Transit Account) (liquidation of contract authorization)		(1,500,000)	(1,500,000)	(+1,500,000)	
Job access and reverse commute grants (general fund)	35,000	15,000	15,000	-20,000	
(Highway Trust Fund, Mass Transit Account) (limitation on obligations)	(40,000)	(60,000)	(60,000)	(+20,000)	
(RABA transfer under Title III)		(75,000)			(-75,000)
Subtotal, Job access and reverse commute grants	(75,000)	(150,000)	(75,000)		(-75,000)
Washington Metropolitan Area Transit Authority (general fund)	50,000			-50,000	
Trust fund share of transit programs (Highway Trust Fund) (rescission of contract authorization)	(-665)			(+665)	
Interstate transfer grants - transit (rescission)	(-600)			(+600)	
Total, Federal Transit Administration	1,138,200	1,159,000	1,159,000	+20,800	
(Limitations on obligations)	(4,251,800)	(4,929,270)	(4,638,000)	(+386,200)	(-291,270)
Total budgetary resources	(5,390,000)	(6,088,270)	(5,797,000)	(+407,000)	(-291,270)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	11,496		12,042	+546	+12,042
Mandatory proposal		(12,042)			(-12,042)
Subtotal	(11,496)	(12,042)	(12,042)	(+546)	
Research and Special Programs Administration					
Research and special programs		33,340			-33,340
Hazardous materials safety	16,063		17,813	+1,750	+17,813
Emergency transportation	997		1,459	+462	+1,459
Research and technology	3,676		3,547	-129	+3,547
Program and administrative support	8,544		9,542	+998	+9,542
Subtotal, research and special programs	29,280	33,340	32,361	+3,081	-979

TRANSPORTATION APPROPRIATIONS BILL, 2000 (H.R. 2084)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Offsetting collections (user fees)	.....	-4,575	.....	.....	+4,575
Y2K conversion (emergency funding)	(182)	.....	.....	(-182)	.....
Y2K conversion (emergency funding)	(100)	.....	.....	(-100)	.....
Pipeline safety:					
Pipeline Safety Fund	29,000	33,939	30,598	+1,598	-3,341
Oil Spill Liability Trust Fund	4,248	4,248	5,494	+1,246	+1,246
Pipeline safety reserve	(1,400)	.....	(1,300)	(-100)	(+1,300)
Subtotal, Pipeline safety	33,248	38,187	36,092	+2,844	-2,095
Y2K conversion (emergency funding)	(150)	.....	.....	(-150)	.....
Emergency preparedness grants:					
Emergency preparedness fund	200	200	200	.....	.....
(Limitation on obligations)	(11,000)	.....	(14,300)	(+3,300)	(+14,300)
Total, Research and Special Programs Administration	62,728	67,152	68,653	+5,925	+1,501
(Limitations on obligations)	(11,000)	.....	(14,300)	(+3,300)	(+14,300)
Total budgetary resources	(73,728)	(67,152)	(82,953)	(+9,225)	(+15,801)
Office of Inspector General					
Salaries and expenses	43,495	44,840	44,840	+1,345	.....
Surface Transportation Board					
Salaries and expenses	16,000	17,000	17,000	+1,000	.....
User fees	.....	-2,600	.....	.....	+2,600
Offsetting collections	-2,600	-14,400	-1,600	+1,000	+12,800
General Provisions					
Transportation Administrative Service Center reduction	-15,000	.....	-10,000	+5,000	-10,000
Transit discretionary grants (rescission of contract authorization)	(-392,000)	.....	.....	(+392,000)	.....
National Aviation Review Commission (rescission)	(-849)	.....	.....	(+849)	.....
Amtrak Reform Council	450	750	750	+300	.....
Urban discretionary grants (rescission)	(-4,026)	.....	.....	(+4,026)	.....
Net total, title I, Department of Transportation	14,486,343	14,593,187	14,520,942	+34,599	-72,245
Appropriations	(14,043,239)	(14,593,187)	(14,520,942)	(+477,703)	(-72,245)
Rescissions	(-405,455)	.....	.....	(+405,455)	.....
Emergency appropriations	(848,559)	.....	.....	(-848,559)	.....
(Limitations on obligations)	(32,095,800)	(34,386,150)	(34,987,450)	(+2,891,650)	(+601,300)
(Exempt obligations)	(1,424,047)	(1,132,116)	(1,132,116)	(-291,931)	.....
Net total budgetary resources	(48,006,190)	(50,111,453)	(50,640,508)	(+2,634,318)	(+529,055)
TITLE II - RELATED AGENCIES					
Architectural and Transportation Barriers Compliance Board					
Salaries and expenses	3,847	4,633	4,633	+786	.....
Y2K conversion (emergency funding)	(60)	.....	.....	(-60)	.....
National Transportation Safety Board					
Salaries and expenses	53,473	57,000	57,000	+3,527	.....
Rental payments (supplemental P.L. 160-31)	2,300	.....	.....	-2,300	.....
Offsetting collections	.....	-10,000	.....	.....	+10,000
Emergency fund	1,000	.....	.....	-1,000	.....
Total, National Transportation Safety Board	56,773	47,000	57,000	+227	+10,000
Total, title II, Related Agencies	60,680	51,633	61,633	+953	+10,000
Appropriations	(60,620)	(51,633)	(61,633)	(+1,013)	(+10,000)
Emergency appropriations	(60)	.....	.....	(-60)	.....
Net total appropriations	14,547,023	14,644,820	14,582,575	+35,552	-62,245
Scorekeeping adjustments:					
Pipeline safety (OSLTF)	1,400	-5,000	-3,000	-4,400	+2,000
General Provision (Sec. 329)	4,000	.....	.....	-4,000	.....
FTA: Job access (mass transit category)	-25,000	.....	.....	+25,000	.....
FTA: Job access (non-defense discretionary)	25,000	.....	.....	-25,000	.....
Emergency funding	-848,619	.....	.....	+848,619	.....
FY 1999 adjustments to CBO rescissions	205	.....	.....	-205	.....
Total, adjustments	-843,014	-5,000	-3,000	+840,014	+2,000
Net grand total	13,704,009	14,639,820	14,579,575	+875,566	-60,245
Appropriations	(14,109,464)	(14,639,820)	(14,579,575)	(+470,111)	(-60,245)
Rescissions	(-405,455)	.....	.....	(+405,455)	.....
(Limitations on obligations)	(32,095,800)	(34,386,150)	(34,987,450)	(+2,891,650)	(+601,300)
(Exempt obligations)	(1,424,047)	(1,132,116)	(1,132,116)	(-291,931)	.....
Net grand total budgetary resources	(47,223,856)	(50,158,086)	(50,699,141)	(+3,475,285)	(+541,055)

TRANSPORTATION APPROPRIATIONS BILL, 2000 (H.R. 2084)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
302B SUMMARY					
Total mandatory and discretionary	12,982,809	13,480,820	13,420,575	+437,766	-60,245
Mandatory	684,000	721,000	721,000	+37,000	.....
Discretionary:					
Highway category: (Limitation on obligations)	(25,883,000)	(27,821,480)	(28,085,150)	(+2,202,150)	(+263,670)
Mass Transit category	721,200	1,159,000	1,159,000	+437,800	.....
(Limitation on obligations)	(4,251,800)	(4,929,270)	(4,638,000)	(+386,200)	(-291,270)
Total, Mass Transit category	(4,973,000)	(6,088,270)	(5,797,000)	(+824,000)	(-291,270)
General purpose discretionary	12,298,809	12,759,820	12,699,575	+400,766	-60,245

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

Mr. SABO. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Ohio (Mr. KUCINICH).

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

Mr. KUCINICH. Mr. Chairman, I rise in support of the bill.

Mr. Chairman, I rise in support of the bill/rule. I would like to thank Chairman WOLF and Ranking Member SABO for all the hard work they've put into this bill.

On June 1st of this year, Norfolk Southern and CSX Transportation finalized their acquisition of Conrail. As a result of this acquisition, train traffic through parts of my district, has increased significantly. The rail crossings in these cities literally split the cities in half, and increased traffic has been causing traffic backups and delays.

With the Chairman's assistance and with commitments from NS and CSX and the State of Ohio, funds have been secured to construct grade separations at three different rail crossings in my district. When construction is completed, residents in Berea, Olmsted Falls and Olmsted Township will be relieved of traffic backups and delays as a result of train traffic.

In too many cases they will still have to contend with train whistle noise. Once the grade separations are built, trains will not be required to sound their whistles when passing those specific intersections. Several densely populated neighborhoods in my congressional district will, however, experience an increase in whistle noise from passing trains. Many of these homes are located within 30 to 40 feet of the railroad tracks, and the increased traffic through this area means increased noise for these residents.

Currently, Federal regulations require each lead locomotive to have a warning device that produces a sound level of 96 decibels at least 100 feet ahead of the locomotive. The State of Ohio requires trains to sound their whistles 1,320 feet before a crossing and continuously while passing through it.

In addition, all major railroads have operating rules that require their engineers to blow train horns—normally four consecutive times—at highway-rail grade crossings as a warning to motorists and pedestrians.

These regulations were implemented to protect public safety, but the disturbance train whistles cause nearby residents should be addressed. In 1994, Congress passed the Swift Rail Development Act which directs the Federal Railroad Administration to mandate the use of train horns at all public crossings.

This legislation also allows for ''quiet zones'' whenever communities establish alternatives that provide the same level of safety at crossings as that provided by train whistles. The FRA is in the process of drafting new regulations on train whistles and ''quiet zones.''

I have written to Secretary Slater on the issue of quiet zones. I have proposed that the railroad tracks through the 10th District be designated as ''Pilot Corridors'' and be used to demonstrate the use of supplementary safety measures that would provide the same level of safety as the sounding of a locomotive horn.

The pilot corridors would include Norfolk Southern's Nickel Plate Line, which runs through some of the very densely populated residential neighborhoods. The stretch of the Nickel Plate Line through Lakewood includes 27 at-grade crossings within 2.7 miles of track. The other tracks that should be included in the pilot corridors are the Conrail Mainline through Berea, Olmsted Falls, and Olmsted Township; and the stretch of the Berea-Greenwich line that runs through Berea and Olmsted Falls.

All of these tracks are experiencing significant increases in freight traffic due to the operating changes of the Conrail acquisition. While I understand the importance of warning motorists, pedestrians, and cyclists at these crossings, my constituents are being awakened in the middle of the night by train operators that blow their horns loud and long. There must be a way that we can have safe railroad crossings without the railroads being a nuisance to residents living near tracks.

Through a pilot corridor demonstration project in my district, we can use some of the latest safety procedures to ensure safety while protecting the peace and quiet of the neighborhoods. Photo-enforcement, median strips, 4-quadrant gates, long arm gates, one-way paired streets, and enforcement/education efforts are among the most up-to-date supplementary safety measures available that may help maintain safety while keeping peace in our residential areas.

I applaud the FRA in its efforts to draft and implement quiet zone regulations, and I hope that a portion of the funds appropriated in this bill can be used for that purpose. I believe we can maintain the safety of these rail lines while making areas like the cities in my district quieter environments in which to live.

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

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

Mr. SABO. Mr. Chairman, I will not go through the details of the bill as the chairman did. But let me commend the gentleman from Virginia (Mr. WOLF) for conducting fair and very professional hearings in an excellent bill before us today.

Let me mention the staff of the committee on the minority side. Cheryl Smith from the minority staff; Marjorie Duske from my personal staff, who worked very hard on this bill. Let me also thank the members of the majority staff, John Blazey, Rich Efford, Stephanie Gupta, Linda Muir, and David Whitestone, all of whom have worked very hard and in a very professional way on this bill. This work is outstanding.

The bill before us is a good one, and should be passed. As always, one has a few concerns. I have some concern that funding for FAA operations may be a little tight. I am a little concerned over some technical language as relates to transit. But we will continue to look at those issues as we go to conference.

But it is a good bill. It moves transportation funding in this country forward in a positive fashion. I would hope the bill would remain intact, and it would serve the House well.

Mr. Chairman, I rise in strong support of the fiscal year 2000 Transportation and related agencies appropriations bill. Let me start by commending Chairman WOLF for his hard work in putting together a bill that addresses the transportation needs of our citizens, communities and businesses. I also want to thank the majority staff—John Blazey, Rich Efford, Stephanie Gupta, Linda Muir and David Whitestone—for the fine job that they do.

This bill was developed in a bipartisan manner and is balanced and fair.

The bill provides $12.7 billion in new budget authority and $50.7 billion in total resources. While technically speaking this level is $400 million over last year, the bill actually provides new budget authority about equal to last year's level, adjusted for $400 million in one-time rescissions adopted last year that cannot be continued into 2000.

Mr. Chairman, two-thirds of the outlays in the bill are mandated highways and transit firewalls in TEA–21. As a result, obligation levels for highway programs increase by $2.2 billion or 8.5 percent over 1999 and $6.2 billion or 29 percent since 1998. Transit obligation authority will increase by $432 million or 8.1 percent over 1999 and $953 million or 20 percent since 1998.

The FY2000 Transportation appropriations bill is just $425 thousand below its 302(b) allocation in budget authority and at the 302(b) allocation in outlays. These 302(b) allocations are adequate, but not generous, and they are absolutely necessary if we are to fund vital safety, security and operational requirements of the Coast Guard, the FAA, and AMTRAK.

COAST GUARD

The bill provides $3.3 billion in discretionary resources and $721 million in mandatory resources for the Coast Guard. This provides a discretionary increase of $116 million or 3.6 percent over 1999, excluding mandatory retired pay and excluding 1999 emergency supplementals which will fund some year 2000 pay requirements. While these levels are short of the President's request, I believe they are adequate for the Coast Guard to accomplish its national defense, search and rescue, and law enforcement missions.

Coast Guard drug interdiction activities are funded at $541 million—a 40 percent increase over the 1999 level.

In addition, we have had great interest from some members in certain Coast Guard facilities. This bill does not mandate the closure of any facilities. In fact, the bill ensures that air facilities in Long Island and Michigan will remain open, and provides funding for a new air facility in Illinois for southern Lake Michigan.

FEDERAL AVIATION ADMINISTRATION

With regard to aviation, this bill does not shortchange the FAA. It includes $10.5 billion for the FAA, primarily to fund increased air traffic control and airport development requirements. This provides a 10 percent increase of $985 million, including a $300 million or 15 percent increase for the airport improvement program—funded at its highest level ever of $2.25 billion.

Mr. Chairman, I understand that there is concern about some of the reductions in the FAA operations budget, particularly those that may impact the air traffic controllers pay agreement. I share these concerns and intend to work diligently in conference with the Senate to ensure that we have adequately funded all aspects of the new air traffic controllers compensation agreement negotiated with the FAA last year.

AMTRAK

Mr. Chairman, this bill also includes $571 million in capital grants for AMTRAK—An amount that is $37 million or 6 percent below last year's level. Since FY1995, funding for AMTRAK in this bill has been cut by over $200 million or nearly 30 percent.

The bill also provides AMTRAK with the flexibility it needs to use these funds for preventive maintenance on equipment and track—a good business practice adopted by other transportation modes.

In our hearings this year, we heard testimony from both AMTRAK and the DOT inspector general about the progress AMTRAK is making toward operational self-sufficiency. Ridership is up. Revenues are up.

Nevertheless, we also heard testimony that AMTRAK must receive the entire $571 million in this bill if AMTRAK is to continue to launch high speed rail, make improvements in its performance, and meet its on-going financial obligations. AMTRAK is relying on receiving the full amount of its FY2000 request, and anything less than that amount could effectively force the railroad into bankruptcy.

In closing, the FY2000 Transportation appropriations bill deserves our strong support. I urge members to support it and to reject any amendments to cut the funding provided in the bill.

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

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. COOK).

Mr. COOK. Mr. Chairman, I rise for the purpose of engaging the gentleman from Virginia (Mr. WOLF), the chairman of the Subcommittee on Transportation of the Committee on Appropriations, in a colloquy.

Mr. Chairman, as you know, Salt Lake City has been selected the site of the 2002 Winter Olympic Games. Hosting the games poses a significant challenge to any area, particularly with respect to transportation. This challenge is manageable, however, with support from the Federal Government.

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

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

Mr. WOLF. Mr. Chairman, the committee recognizes the importance of a successful Winter Olympic Games to the Salt Lake community, the State of Utah, and to the entire country. In light of the national interest in a successful Olympic experience in Salt Lake City, the subcommittee bill includes almost $75 million for various transportation infrastructure investments. These funds are available for transportation planning, park and ride lots, intelligent transportation systems, buses, highways, and the south-north light rail system. These appropriations were secured, I might say, by the diligence of the gentleman from Salt Lake City.

The bill, however, does include a prohibition on the use of Federal funds to execute a letter of no prejudice, a letter of intent or full funding grant agreement for the west-east light rail line. This limitation was added by the committee and was not requested by the gentleman from Utah (Mr. COOK). I and the committee staff have spoken with the gentleman and his staff to discuss the reasons why, in the opinion of the committee, this limitation is necessary and appropriate and in the interest of the American taxpayer.

Mr. COOK. Mr. Chairman, I appreciate the generosity of the committee for including appropriations for Salt Lake City and its surrounding communities to meet the requirements of the Olympic Games. The chairman and his staff of the committee have spoken with me and my staff about the reasons why the limitation on the west-east line was included in the bill.

It is my hope that over the next several months that I and other members of the Utah delegation could address the issues identified by the committee and seek ways to provide the necessary appropriations to ensure a successful Winter Games in Salt Lake Valley.

Mr. WOLF. Mr. Chairman, I say to the gentleman from Utah (Mr. COOK), we look forward, the committee and the members, to working with the gentleman from Utah and other members of the delegation to address the most critical transportation requirements related to the Salt Lake City 2002 Winter Olympic Games, and I appreciate the help of the gentleman.

Mr. COOK. Mr. Chairman, I commend the gentleman for his work.

Mr. SABO. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS).

(Mr. LEWIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Chairman, I want to commend the gentleman from Virginia (Mr. WOLF), the chairman, and the gentleman from Minnesota (Mr. SABO), the ranking member, for their good work on this bill.

Mr. Chairman, I rise in support of H.R. 2084.

Metropolitan Atlanta is facing a crisis. Declining air quality and bumper to bumper traffic are clouding Atlanta's future.

The people who bear the heaviest burden of air pollution—poor people, the elderly, and children—are those who most need our protection. As we speak, Atlanta's hospitals are bracing for a rush of respiratory emergencies as this season's ozone season approaches.

Traffic in and around Atlanta is so congested that the term "quick commute" has become an oxymoron. Parents spend more time in traffic than attending little league games and PTA meetings. Atlantans now rank traffic, public transportation and air pollution alongside education and crime as their top concerns.

More roads will not solve Atlanta's problem. In fact, more roads are not an option. Federal funding cannot be used for road construction because Georgia has not filed the State Improvement Plan required by the Clean Air Act.

The best way to improve this situation and the quality of life for my constituents is to expand the Metropolitan Atlanta Rapid Transit Authority system.

MARTA's Board has identified the western light rail extension as the most cost effective addition to the system. The project would reduce congestion and air pollution, and improve access to educational and employment resources—linking thousands of students to Georgia Tech University and workers to Fulton County Industrial Park.

While I realize the severe constraints we face in making responsible decisions about spending our transportation tax dollars, one million dollars dedicated to studying the MARTA west side extension is a sound and responsible investment.

Mr. SABO. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. PASTOR), a very hard-working member of our subcommittee.

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

Mr. PASTOR. Mr. Chairman, first of all, I want to commend the gentleman from Virginia (Mr. WOLF) for bringing forth a fair, bipartisan bill through the subcommittee and also through the full committee, and I want to thank him for working with us and congratulate him on the bill.

There are two issues that are addressed in this bill that I would like to take a few minutes to talk about. One deals with an issue that he talked about and it deals with the issue of truck safety on our highways. He should be commended for bringing that issue forth and highlighting it.

We had a hearing in which we had interest groups that were making presentations at that hearing, and there were several options that were proposed. One would be to strengthen the Office of Motor Carriers to ensure that the enforcement of safety becomes its objective. Also, the possibility of creation of an office within the Department of Transportation whose only objective would be truck safety.

There are several hybrids. The most recent one that I read about was former Congressman Mineta's proposal and suggestion what we can do and should adopt in terms of strengthening the enforcement of truck safety on our highways. So I commend the chairman and I look forward to working with him to resolving this issue.

The other issue that I would like to commend the committee, the ranking member, and also the chairman is the issue of truck safety as it deals with our borders. The Inspector General, in a report, told us that California seems to have adequate safety inspection along the borders, but Texas, New Mexico, and Arizona are lacking somewhat in terms of ensuring that the trucks coming across from Mexico meet all the safety standards.

The chairman and the ranking member have addressed this problem by providing monies so that the Department of Transportation would have additional Federal inspectors at the borders and also would provide monies to the States so that they could establish facilities where we could conduct these safety inspections.

□ 1130

I hope that as this bill goes forward through the House to conference that the issue of truck safety at the borders will be addressed with additional resources made available to the States and additional Federal inspectors also being made available to the border. I congratulate the ranking member and the chairman for a great bill and move its adoption.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARY MILLER).

(Mr. GARY MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GARY MILLER of California. Mr. Chairman, I rise in strong support of H.R. 2084, the fiscal year 2000 Transportation Appropriations Bill. I would like to thank the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO) for their hard work in crafting this bill in such a good, bipartisan manner. H.R. 2084 appropriates $13.4 billion in new budget authority for transit programs for fiscal year 2000, $437.8 million more than last year.

Some of the dollars have a great deal of importance to my district which includes Ontario International Airport located in my district. $2.25 billion is appropriated for the Airport Improvement Program, $300 million more than last year and $650 million more than the President requested.

$957.1 million to procure air traffic control facilities and equipment, an increase of 13.4 percent from the previous fiscal year. The bill also provides funding for key projects located in and around my district. H.R. 2084 provides $3 million for fleet replacement for the Foothill Transit Agency, $1 million for the Orange County Transitway Corridor, $1 million for the purchase of compressed natural gas buses for San Bernardino County, and $7 million for acquisition of buses for Los Angeles County.

Finally, the bill provides $5 million for oceanic air traffic modernization which is extremely important to American airline passengers traveling to and from Asia.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a new member of our subcommittee.

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

Ms. KILPATRICK. Mr. Chairman, I thank very much the gentleman from Virginia (Mr. WOLF), the chairman of our subcommittee, for his tireless, equal, just work and the gentleman from Minnesota (Mr. SABO), our ranking member, who has certainly been a leader in providing for each of us the input we have wanted as we discussed this transportation appropriations bill for fiscal year 2000.

Mr. Chairman, I rise in support of the legislation. As a member of Michigan's appropriations transportation team for 14 years, I find coming here to the United States Congress to be quite a blessing to work in a bipartisan way on such a very important bill that affects all of us as American citizens.

We heard a lot of testimony on truck safety and what we need to do to begin to address it, and we did that in a bipartisan fashion. I know there were many, many requests for transit assistance and because of the limited dollars that we are able to work with, we were not able to fill all of those. We hope to work more on this.

I thank the committee and the staff for, in a bipartisan way, making sure that we did what we could with those dollars that were available to us. A few of my colleagues from Michigan are a bit upset that some of their concerns were not taken into heed, and that is mainly because I did not know about them, but I will work with the entire Michigan delegation as we move to conference.

The gentleman from Michigan (Mr. KILDEE) and the gentleman from Georgia (Mr. LEWIS) have certain interests that they would like to see addressed. Again we will work with them as we move to conference. As a new member of this subcommittee and under the leadership of the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO), I urge my colleagues to vote ''yes'' for this most important, very fine, bipartisan appropriations bill.

Mr. Chairman, I want to rise in strong support for H.R. 2084, the Transportation Appropriations bill for the next fiscal year. This responsible, reasonable and rational bill is the result of a lot of hard work, long hours and diligence on behalf of both my Democratic and Republican colleagues and staff, and shows that Congress can be both fiscally prudent and make a real change for improving the transportation needs of our nation.

As one of the newest members to the august Appropriations Committee, I am pleased to be part of this debate that will be the first bill from one of the two subcommittees on which I am honored to serve. While this bill provides $50.7 billion in total funding to highway, highway safety, and mass transit programs, almost 70 percent of this money is part of the guarantee from the Transportation Efficiency Act of the 21st Century, or TEA–21. As my colleagues know, this money is beyond the scope and control of the House Appropriations Subcommittee on Transportation. As we point out in our Committee Report, the funding increases associated with TEA–21 have used up most of the 8.5 percent increase in outlays allocated for the next fiscal year. As a result, we had to make many difficult decisions with the meager amount of funds that was available.

This bill does many great things, and I would like to point out some specific additions:

The bill will expedite the backlog of sexual harassment cases at the FAA. FAA Administrator Jane Garvey is to be commended for her hard work and effort at eliminating the problem of sexual harassment at the FAA, and we were successful in getting language added that would hopefully eliminate this backlog of cases.

The bill provides that the Department of Transportation work hard to ensure that qualified small businesses, women-owned businesses, and minority-owned businesses get their fair share of the advertising pie.

This bill provides more funding for road safety and innovative programs that will make travel safer for all Americans.

I am especially honored to serve on this Subcommittee as I served the majority of my career as an elected member for the Michigan House of Representatives on the same Subcommittee. As such, I have over 20 years of experience working with transportation-related issues and budgets for the State of Michigan, and I am glad to be able to use this knowledge to improving the transportation needs of all Americans. As the first Democratic Member of this Committee since the retirement of Congressman Bob Carr, I want to add and note that I am ready and willing to work with all of the different transportation entities of the State of Michigan to ensure that Michigan retains its fair share of these meager resources. While we were not able to meet everyone's transportation needs, it is my sincere hope and desire that we will be able to sit down together and try to help my colleagues during conference committee.

As I said earlier, I want to work with all of my Michigan colleagues—Democratic and Republican alike—during conference committee on this bill. I want to, however, cite some specific examples. Congressman DALE E. KILDEE has been ardently working with the Federal Aviation Administration (FAA) to secure funding to upgrade the antenna system at Bishop Airport. According to the December 8, 1998 edition of the Flint Journal, ''In dozens of documents cases this year, air traffic controllers have lost radar signals of aircraft in Flint's airspace. Federal Aviation Administration documents show the radar is not scheduled to be replaced until September 2002. FAA officials, controllers and technicians have said they do not believe the system's weaknesses are compromising the safety of pilots and fliers, but could cause delays and added stress for controllers.'' Because Congressman KILDEE was focusing his efforts at the FAA, Congressman KILDEE was not able to make a formal request to the Subcommittee in time for consideration of this budget. I want to make a formal request that, among my Michigan colleagues, we give full consideration to Congressman KILDEE'S issue, and hope that we can work out something during conference consideration.

I also wanted to assist Congressman JOHN LEWIS of Georgia in confronting the difficult task of meeting the transportation needs of a rapidly growing population in Atlanta, Georgia. Congressman LEWIS is seeking support for expanding the service of his region's wonderful Metropolitan Atlanta Rapid Transit Authority, and it is also may hope that we are able to work with Congressman LEWIS during conference committee on this issue as well.

Finally, I would like to once against thank the hard work that Ms. Cheryl Smith and Mr. John Blazey on putting this whole package together. Sometimes, we forget that we are fortunate to have a dedicated staff willing to pay the price of long hours and thankless service that public service requires.

Again, I strongly encourage my colleagues to support this bill.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. First, I would like to congratulate my colleague from Virginia for his work on the transportation bill today. I have an issue, however, that I would like to bring to his attention.

Mr. Chairman, the Rock County Airport which is located in the district that I serve has recently begun to see an increase in air traffic for business deliveries to local employers.

In order to accommodate these important deliveries, the Rock County Airport is in desperate need of improvement. Rock County began work on these improvements, but Federal assistance is needed to address this immediate need. These improvements are critical not only to the local businesses in the district I represent but also to the local economy and the livelihood of the employees who work at these businesses.

I understand the committee report has included a list of airports which the committee directs the FAA to give priority consideration for grant funding next year. Would the gentleman be willing to communicate to the Federal Aviation Administration that these improvements to the Rock County Airport are to be considered a priority for grant funding as well?

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

Mr. RYAN of Wisconsin. I yield to the gentleman from Virginia.

Mr. WOLF. Absolutely. I appreciate my colleague from Wisconsin bringing this important issue to our attention. I understand the merits of the project. I am committed to making sure that it is communicated to the FAA that this project receives the same priority consideration as those included in the committee report. The gentleman has my word on that.

Mr. RYAN of Wisconsin. I thank the gentleman from Virginia. I sincerely appreciate my colleague's commitment. I look forward to working with him on the Rock County Airport issues.

Mr. SABO. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT), one of the members who always has very high interest in the Coast Guard.

Mr. DELAHUNT. I thank the ranking member for yielding me this time.

Mr. Chairman, I do stand here in strong support for the United States Coast Guard and to thank the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. Sabo) for their leadership in crafting this bill under such tight budget constraints. I also applaud them for increasing the Coast Guard's acquisition, construction, and improvements account to help replace its aging vessels and aircraft and to thank them for including readiness funding in the supplemental bill passed earlier this year. However, the administration's requested level for operating expenses represents the absolute minimum required for the Coast Guard to perform the fundamental duties it has been assigned by the Congress.

Let us not forget that these services often are matters of life and death. The men and women of the Coast Guard have put their lives on the line every day for 200 years to save thousands of recreational and commercial mariners. Over 45,000 people in the last decade alone have been saved by the Coast Guard.

Moreover, the General Accounting Office has documented that during the 1990s, the Coast Guard has been assigned vastly increased responsibilities while its workforce has been shrunk by nearly 10 percent and has operated within a budget that has risen by only 1 percent in actual dollars. The Coast Guard's new assignments go considerably beyond basic vessel safety and search-and-rescue, including marine environmental protection, fisheries management, overseas military port security, international maritime training, and, of course, drug interdiction.

In the wake of these increased mandates, at the same time as a decrease is planned in search-and-rescue spending, the Coast Guard needs adequate funding to meet its new tasks and perform its traditional but critical basic services to protect people, the environment, and the United States economic interests.

Again, I thank the appropriators for their hard work in meeting the challenges of assembling this spending bill and look forward to continuing to work with the committee to increase funding to at least the administration's requested level.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. KING), the great author of a new book which he hopes becomes a best seller.

Mr. KING. Mr. Chairman, I thank the gentleman for yielding me this time, and, most importantly, I thank him for his kind remarks about the book.

Mr. Chairman, I would like to express my support for this important legislation to fund transportation projects in fiscal year 2000 and to communicate my sincere appreciation to the gentleman from Virginia (Mr. WOLF) for his efforts in including $4 million for a project of great importance to me and my constituents, the New York Metropolitan Transportation Authority's Long Island Railroad East Side Access Project. This project, to be completed by the year 2009, is a major commuter rail improvement project which will enable 50,000 existing and tens of thousands of new commuters on the Nation's busiest commuter rail line, the Long Island Railroad, to travel directly to final destinations on Manhattan's East Side without spending over half an hour backtracking on subways from Penn Station on the West Side.

Over $100 million in combined prior Federal appropriations and State and local funds have already been dedicated to this critical project which will greatly improve transit flow and reduce vehicular traffic in the New York City region. East Side access is supported by a Statewide bipartisan majority of New York's congressional delegation and is the top funding transportation priority of Governor Pataki.

I look forward to working with the gentleman from Virginia and the other members of the committee as this vital project goes forward. I thank the gentleman for all his courtesies and generosity on this project.

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

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

Mr. WOLF. I appreciate the remarks of the gentleman from New York. I would like to point out that the Federal Transit new starts funds provided in H.R. 2084 for this project will help. They would not be there without his effort, and will help to maximize previous Federal investments in the 63rd Street Subway Tunnel and Connector Project. All these projects are linked together to alleviate congestion, promote environmentally sound transportation, and enable weary commuters to spend more quality time with their families by reducing lengthly daily commutes.

I look forward to working with the gentleman from New York and other members of the New York delegation to ensure that this project will be adequately funded as it moves into the heavy construction phase.

Mr. KING. I thank the gentleman from Virginia.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. CLYBURN), one of the members of our subcommittee.

Mr. CLYBURN. I thank the ranking member for yielding me this time.

Mr. Chairman, I know the gentleman from Virginia is aware of the recent media reports detailing the use of racial profiling by numerous law enforcement agencies as they patrol our Nation's highways. Indeed, one study by a nongovernmental entity found that along the I–95 corridor in Maryland, African Americans comprised only 17 percent of all drivers, yet accounted for 73 percent of all police searches.

As chairman of the Congressional Black Caucus, I have been directed by the Caucus to request the General Accounting Office to conduct its own comprehensive study to determine the extent and magnitude of this problem.

Mr. Chairman, I call this to the gentleman's attention so that he will know that next year, I will address this issue in our hearings. These citizens are driving on roads paid for with funding in the Transportation Appropriations bill, yet are experiencing discriminatory law enforcement practices on these highways. I hope that next year we can explore whether there are avenues through the Department of Transportation to assist in eradicating this unfair practice.

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

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

Mr. WOLF. I thank the gentleman from South Carolina for drawing our attention to this important matter. I am hopeful that his GAO study will be completed by our hearing schedule next year, and I look forward to examining its results. I look forward to working with the gentleman from South Carolina in addressing the issue.

Mr. CLYBURN. I thank the gentleman for his commitment to working together to find a solution to an issue about which millions of African Americans harbor intense feelings.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from West Virginia (Mr. RAHALL).

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

Mr. RAHALL. I thank the distinguished ranking member for yielding me the time.

Mr. Chairman, I rise in my capacity as the ranking Democrat on the Subcommittee on Ground Transportation. I want to express my appreciation to the gentleman from Virginia for giving some funding priority to those transit new start projects which are under full funding grant agreements.

The authorizing committee undertook an extensive review of these projects when preparing legislation enacted last year as TEA 21 which among its many initiatives authorized the transit program through fiscal year 2003.

Among the new start projects being funded in the pending legislation is the Tren Urbano in San Juan, Puerto Rico. As I noted in a recent letter to the gentleman from Virginia, San Juan is densely populated and at times its transportation facilities appear to be paralyzed with congestion. In fact, downtown San Juan has an exceedingly high vehicle density, some 4,200 vehicles per square mile, which is expected to increase by almost 50 percent by 2010.

In a situation like this, the Tren Urbano system is a logical, environmentally benign means to facilitate transportation in the area.

The pending measure, in accordance with the recommendations of the FTA, would appropriate $82 million for Tren Urbano for the next fiscal year. I applaud the committee and the ranking member for making this recommendation.

However, what I find disturbing is language included in the Committee Report accompanying this appropriation measure.

In the Report, the Committee notes it is troubled by the findings of a financial management oversight contractor which indicate that the Commonwealth of Puerto Rico may not have sufficient financial resources to build and maintain the project. Consequently, a number of time consuming reports are required before the appropriation would be available.

First, I would note that the Committee on Transportation and Infrastructure, in its extensive review of this project, did not at any point find anything which would lead one to question the ability of Puerto Rico to meet its financial responsibilities with respect to Tren Urbano and at the same time adequately meet other transportation requirements of the region. In addition, earlier this year the Transportation and Infrastructure Committee requested that the General Accounting Office conduct a review of all existing projects under Full Funding Grant Agreements. The results of this review are expected shortly.

Second, it is my understanding that the financial management report referenced by the Committee Report does not exist, at least, in final form. With all due respect to the Committee, it is relying on hearsay and innuendo rather than official reports with respect to this particular project. The fact of the matter is that the so-called financial management report at issue here was never approved by the FTA.

Third, I would urge the Committee to rethink the costly bells and whistles it has recommended be attached to this appropriation. The various reports called for in the Committee Report are simply not necessary, especially since a GAO review is already underway, and will cause delays. As we all know, delays in transportation projects lead to increased costs, and cost overruns, and that is something we are all seeking to avoid. In this regard, I would emphasize that statements made in a Committee Report, even from the Appropriations Committee, do not carry the force of law.

Again, I applaud the Committee's funding recommendation in this matter but strongly urge that the appropriation be made final by the Conference Committee without unnecessary strings attached.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of the Transportation Appropriations Bill. Unlike the bill on the Senate side, the House version understands that each State has different needs. The Senate bill placed a cap on transit spending for a State.

□ 1145

This cap, if enacted, would mean a loss of over $160 million in transit aid to New York City and State alone. In a country which is trying to emphasize the importance of using public transportation these caps are counterproductive.

The House bill uses a funding formula which takes into account the number of mass transit riders a region handles. The same Senators who may support caps for mass transit I would assume would be opposed to similar caps on highway spending. The House bill shows an understanding that funding for mass transit is equally as important as other transportation funding.

I commend both the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO) for constructing a bipartisan balanced bill. I do wish to raise one concern:

In this bill there is money earmarked for the East Side Connector, which will allow commuters from Queens and Long Island to end up in New York City. This project is worthy and important, but it only makes sense if at the same time we institute a plan to finish the Second Avenue subway in New York City. When the estimated 50,000 new commuters wind up in Grand Central in New York most of them will have to continue on an additional commuter line, the Lexington Avenue line. Currently the Lexington Avenue line is the only one that goes up the East Side of Manhattan, and it is already terribly crowded. Adding thousands of additional commuters will only add to the already overburdened state of this line. The solution is to create a line along Second Avenue in Manhattan, which has been in the works on and off for over 30 years, and part of it has already been constructed. This subway line will allow the city's economic growth to continue and make the subway system an asset and not a hindrance. The Senate bill allows for funding to continue the process of building the Second Avenue subway, and I do support this bill, but I hope that in conference the appropriators will follow the Senate version.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding this time to me, and I thank the gentleman from Virginia (Mr. WOLF) for all his incredible work, and I rise today in support of this bill and commend him for his efforts. I especially want to thank the gentleman from Virginia for including $6 million in this bill for the redesign of the New Jersey/New York Metropolitan airspace. This is a critical effort that will benefit not only the residents of northern New Jersey and New York State, but other parts of the region. Once completed, this redesign will become the model for other regions such at Boston, Washington, D.C., Chicago and Miami.

For over a decade residents in my district in northern New Jersey have been plagued by the problem of aircraft noise. According to the Federal Aviation Administration, redesign of the airspace will solve many of the region's air noise problems. The airspace over Newark, Kennedy and LaGuardia airports is the busiest, most congested and most complex in the Nation. These three major airports have over 1 million flight arrivals and departures a year. Further, the high volume of flights is complicated by the fact that these three airports share the same airspace. When Newark changes departure and arrival patterns, adjustments have to be made at Kennedy and LaGuardia airports as well.

Last year the FAA announced it would begin the process of redesigning the airspace over New Jersey and New

York Metropolitan region. This was to be the first area in the country addressed by the FAA, and results could be applied to other regions during future airspace redesign processes. The $6 million included in the transportation appropriations bill will enable the airspace redesign to move ahead in a timely manner. It will provide much needed relief from the constant loud intrusion of aircraft noise.

Again, my thanks to the gentleman from Virginia (Mr. WOLF) for including this critical funding in his bill, and I urge my colleagues to support it.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman of the subcommittee for yielding this time to me. I wish to comment on section 332 of the transportation appropriations bill.

The Committee on Appropriations has seen fit to include language which prohibits the National Highway Transportation Safety Agency from implementing a final rule for Section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. By preventing the implementation of a final rule, section 332 will undermine the key provision of the 1996 immigration law, a law passed by overwhelming majorities in both Houses of Congress. By nullifying laws to the appropriations process, this measure undermines the legislative process itself.

Regarding the section 656(b) of the immigration law, it is unfortunate to see the national ID card hysteria is alive and well. I do not support a national ID card and do not know anyone in Congress who does. I do support immigration laws that stop illegal aliens from using fraudulent documents to take jobs and benefits away from Americans. There is no national ID card in the 1996 immigration reform law. It merely directed the Department of Transportation to establish reasonable standards for permitting the abuse of State issued driver's licenses. It is entirely optional for States to use a Social Security number on State driver's licenses. The 1996 immigration reform law encourages States to create driver's licenses, birth certificates and other forms of ID that are hard to counterfeit. Fourteen States, for example, already have tamper resistant driver's licenses, but only in the wildest imagination does any of this constitute a national ID card.

Neither the legislation, nor the proposed rules, require that the individual States include an individual's Social Security number on the driver's license. This will remain a State option. It is not mandatory.

Driver's licenses and Social Security cards are the most fraudulently duplicated IDs, and without making them tamper resistant we are asking illegal aliens to use them to commit fraud and, of course, wrongfully gain citizenship.

While I will not ask my colleagues to vote against H.R. 2084, the transportation appropriations bill we are now considering, I wish to voice my strong concerns about this provision and the process which allowed it to be included in the bill. If the legislative process means anything, we have to stop overturning and changing legislation through appropriation bills.

Mr. Chairman, I plan to work with members of the Committee on Appropriations, including the gentleman from Virginia (Mr. WOLF), to ensure that this does not happen again.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I rise to engage in a brief colloquy with the gentleman from Virginia (Mr. WOLF), the chairman of the Subcommittee on Transportation, regarding Federal Aviation Administration's acquisitions of transponder landing systems.

Mr. Chairman, H.R. 2084 and the accompanying committee report directs the FAA to acquire and install several transponder landing systems. Is it the gentleman's understanding that the intent of the report language also directs FAA to move immediately to commission these systems pending a successful in-service review and validation of TLS at the Watertown, Wisconsin, airport, and further, that FAA should perform the in-service review and validation at Watertown as soon as possible?

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

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

Mr. WOLF. Mr. Chairman, that is my understanding, that the transponder landing system was issued a type certificate by FAA Administrator Jane Garvey during May of 1998, and barring any setbacks with the review and validation, FAA should proceed to acquire and commission these systems as soon as practicable.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman from Virginia very much for allowing me to engage in this colloquy.

Mr. SABO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Chairman, I just wanted to thank the committee for its work and to ask that they once again consider in conference as they come back with the Senate report and obviously the House report; in the House Report there is $2 million for the Blue Line in Chicago. It is a line that needs to be completely rebuilt at a cost estimate of $425 million. The State of Illinois has passed a rather robust transportation authorization of over a billion dollars that the Chicago Transit Authority will receive to redo those lines, so from the State point of view, and of course Mayor Daley and the Governor of the State of Illinois have worked together on the legislative process, so we have got the dollars from the State of Illinois to really make a big infusion, but we have only been able to receive $3 million thus far from the authorized amount of money at $325 million from the House of Representatives.

So I would simply ask that in conference my colleagues take another look at the needs of the Blue Line in Chicago, and I thank the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO) for their work on this issue.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. WELLER).

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

Mr. WELLER. Mr. Chairman, I rise in support of this legislation. I want to take a moment just to thank the gentleman from Virginia (Mr. WOLF) for not only his friendship but his leadership on issues important to Illinois and the district I represent, and I particularly want to thank him, Mr. Chairman, for his assistance in response to the Amtrak tragedy that occurred in my district in the village of Bourbonnais, and I really appreciate the assistance and the extraordinary effort that he gave on behalf of the local communities there.

I also want to point out that this legislation today that is before us is good for Illinois. I would point out that this legislation includes $25 million in new start funds for extensions, for new extensions, for Metro which is the mass transit rail system serving the suburbs as well as Chicago Metropolitan Area. I point out particularly that one of the beneficiaries of this new funding will be extension of the Southwest Line, an additional 11 miles out to the village of Manhattan in the district that I represent; would also note that this will allow for additional expansion beyond Manhattan, out to the Joliet Arsenal development at the Midway National Tall Grass Prairie and Abraham Lincoln National Cemetery.

This legislation also includes $1.6 million for the city of Joliet to assist with their maintenance of mass transit facility and help us with a bridge in the Morris area.

So, Mr. Chairman, I thank my colleagues very much for their able assistance and leadership.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I rise in support of this transportation appropriation. The business of transportation and appropriations is to fund important national projects, and few are as important as this. Transportation is the lifeline of our national economy. Our roads, our bridges, our highways, our railways and our airports are what connect the various parts of our American family. Product made in San Francisco can reach a market in San Antonio on a safe road

in a short period of time, and this propels the economic growth of our Nation and protects the safety of our drivers.

So I commend the gentleman from Virginia (Mr. WOLF) for his leadership on this issue. He has done his best to make the most of this bill, and he and his staff have accepted the very difficult budget constraints we currently work under and produced a bill that we can all be proud of. I am proud to serve on his committee and proud of his work.

I am especially pleased to point out to my colleagues that the bill includes a $1.6 billion increase for highway improvements and a $333 million increase for airport improvements. These increases are in addition to a forty percent increase for the Coast Guard's Drug Interdiction Program. These increases represent priority funding for priority goals.

I would also like to praise Chairman WOLF'S ability to work with the other side of the aisle, identify key transportation needs and still develop a fiscally sound transportation bill. This bill proves that we in Congress can get it done if we get it together.

When we lower our voices and raise our sights, it's amazing what we can accomplish. And this bill is proof of that. I am proud to be a member of this important and bipartisan committee and I look forward to working with Chairman WOLF in the future.

In closing, I want to commend again Mr. WOLF for successfully steering this bill down the road to passage. And I urge all my colleagues to end this journey by voting this bill into law.

Mr. GUTIERREZ. Mr. Chairman. I rise today to reiterate my strong support for much-needed and already authorized funding for the Douglas Branch of the Chicago Transit Authority's Blue Line.

I am extremely concerned about the inadequate level of funding H.R. 2084 includes for the Blue Line and I urge conferees from the House and the Senate who will consider this legislation to dramatically increase funding for this vital project.

The Douglas branch of the Blue Line is more than a century old. It has never undergone systematic capital improvements. Due to its age and deterioration, the Blue Line has become increasingly difficult to operate efficiently and safely.

The House of Representatives clearly recognized the need to improve and rebuild the Douglas branch of the Blue Line and authorized federal funding of $315 million in TEA–21 legislation passed last year. Obviously, many projects were competing for this limited pool of money and this authorization represented a thoughtful and reasonable response to the needs of Chicago-area residents who use the Blue Line.

In response to this federal authorization of funds, the State of Illinois has appropriated more money than is needed for the local matching portion of this project. Improving the Blue Line has the strong support of the entire Illinois Congressional delegation, the Illinois Legislature, Governor George Ryan and Chicago Mayor Richard M. Daley.

The need for an adequate appropriation of funds could not be more urgent. The Chicago Transit Authority has reduced services on the line drastically, with weekend and late evening services eliminated. Speeds have been reduced considerably on the Blue Line, making daily commutes impossible or extremely inefficient for the 27,000 passengers who rely on this route to travel to work, school, health care facilities and other essential destinations.

Mass transit is absolutely vital to the economic health of the Chicago area and the many communities this transit link serves directly, including the Pilsen and Little Village neighborhoods. The funding request I have been joined by local, state and federal leaders in making for the Blue Line is very important to the economic vitality of the community I represent.

Unfortunately, H.R. 2084 includes only two million dollars in funding for the Douglas Branch of the Blue Line, far less than the $77 million that was requested for this year. This level of funding is inadequate to serve the needs of the residents who count on this vital transit line. I urge the members of this Congress to respond to the needs of the people of the Chicago area and provide the requested level of funding for the Blue Line.

Mr. MATSUI. Mr. Chairman, I rise to extend my most sincere thanks to Chairman WOLF and the Ranking Member, Mr. SABO, and the Members of the Committee, for their willingness to provide funding for Sacramento's transportation priorities contained in the Department of Transportation and Related Agencies Appropriations Bill for Fiscal Year 2000.

Funding in this legislation will allow Sacramento to make significant advancements on projects that are urgently needed to address the population growth and transportation inadequacies confronting our region. Specifically, I am grateful for $25 million for the Sacramento light rail extension project and the $1.25 million allocation for the Sacramento compressed natural gas bus program. Both projects are needed to assist efforts to ease traffic congestion and provide efficient, affordable, and environmentally sound modes of transportation to our region.

I also thank the Committee for the $1 million in funds for the Sacramento Transportation Information Technology Project and seek clarification in noting that this program supports the efforts of Sacramento County, California. This project represents the latest undertaking by Sacramento County under a program that will permit our community to develop and implement a model intelligent transportation system. Watt Avenue is a major north-south artery in the region surrounded by tremendous geographic restrictions, making expansion extremely impractical. These restrictions result in much larger than normal traffic flows for an arterial of its character. By creating a transit priority system to permit queue jumping for buses, this program will improve transportation efficiency, increase traffic flow, reduce emissions of air pollutants, improve traveler information, and build on existing projects among other priorities.

Again, on behalf of the Sacramento community, I thank the Committee for its recognition of these transportation priorities so vital to the stability and growth of our region.

Ms. JACKSON-LEE of Texas. Mr. Chairman I rise to urge my colleagues to vote in favor of H.R. 2084, the Transportation Appropriations for FY 2000. I would like to thank both Chairman WOLF of the Appropriations Subcommittee on Transportation and the Ranking Member, Congressman SABO, for including much needed projects for the city of Houston, as well as those for the entire State of Texas.

The bill provides a total of 50.7 Billion, 7% more than current funding, with nearly 70% of the total earmarked for highway safety and mass transit programs under guarantees set by the new highway and transit law (''TEA21'') enacted by Congress last year. The amount provided for highways includes $1.5 Billion more than initially authorized, due to a TEA21 mechanism that automatically increases guaranteed highway spending to match increases in gas tax revenues to the Highway Trust Fund.

Both the Congress and the Administration recognized the need to invest more resources in our transportation system with the enactment last year of TEA–21 and the firewalls established for road, bridge and mass transit needs. H.R. 2084 affirms the goal by funding roads, bridges and mass transit systems at TEA–21's firewall levels. In addition, this measure will increase funding for federal transportation programs, including additional resources for needed improvements to airports and aviation infrastructure.

The investment levels contained in this bill are a major step in beginning to close America's infrastructure funding shortfall and reversing decades of infrastructure disinvestment. As a result of that disinvestment, 59 percent of our roads are in poor to fair condition and nearly one third of our bridges are in disrepair. In addition, 22 percent of all buses and 33 percent of all rail vehicles are over aged. The number of seriously congested airports rose from 22 percent to 32 percent in less than 10 years.

The measure provides $28.9 Billion for highway programs (6% more than the current level), $5.8 Billion for mass transit (8% more than current funding), $2.8 Billion for Coast Guard operations (8% less than in FY 1999), $10.5 Billion for the FAA (10% more than the current amount), and $571 million from Amtrak (6% less than current funding).

I am pleased by this report and would like to thank the Committee for the hard and diligent effort. I know that each member on the committee and their staffs put long hours into the formation of this bill, considering each request with the best interest of the nation in mind.

Mr. Chairman, I am disappointed that the light rail option in Houston, Texas has not been explored as a viable alternative. As congestion continues to grow in our metropolitan areas we need to explore other options besides the automobile. I would have liked to see funds dedicated to the study of a light rail system in Houston.

I would like to thank the Committee for including a total appropriation of $52.7 Million for the Houston Regional bus project. The plan, developed by Houston METRO, consists of a package of major improvements to the region's existing bus system. It includes major service expansion in most of the region, new and extended HOV facilities and ramps, several transit centers and park-and-ride lots, and supporting facilities.

I am also thankful, Mr. Chairman, that the City of Houston received $1 million dollars for the redevelopment of its Main Street Corridor. This money will go to the revitalization of the heart of the 2000 square mile Houston region. This backbone runs through both my district and that of Representative KEN BENTSEN.

The corridor runs from Buffalo Bayou north through downtown, midtown, Hermann Park,

and Texas Medical Center. Main Street links two important economic hubs—Downtown and Texas Medical Center, as well as entertainment, cultural, and governmental centers.

To reinforce and sustain the development activity in the corridor, the City of Houston initiated the Main Street Corridor Redevelopment Program. The program focuses on the coordination of transportation, land development, and community systems. This program will ensure that the Main Street Corridor linking downtown to the Astrodome becomes an urban place befitting of local, national and international recognition in the next millennium.

This project focuses on coordinated transportation and Community system planning for the eight-mile long Main Street Corridor—the ten-mile square historic heart of the Houston region. Current and proposed highway, street, and transit investments will be planned in concert with substantial economic redevelopment to maximize efficiency of transport systems and guide real estate development and to preserve significant community assets. Long term results will increase development density, increase access to jobs, reduce automobile trips, lower emissions, and reduce long term capital investment in regional infrastructure.

I thank both Chairman WOLF and Ranking member SABO for their recognition of the worthiness of this investment in the infrastructure of Houston. I am hopeful that the Chairman and Ranking Member will protect this project when we proceed to conference, and add the additional $500,000 I have requested to keep this project on schedule. This revitalization is vital to ensuring the future of this center of commerce and business.

I know that my constituents in the 18th Congressional District support providing the resources to meet these transportation needs. I believe that spending on America's infrastructure is truly a strong investment in the future of America.

Once again, I want to urge my colleagues to support H.R. 2084 and vote, yes for America's infrastructure future.

Mr. SENSENBRENNER. Mr. Chairman, I rise today to support the research and development provisions in H.R. 2084, the Department of Transportation and Related Agencies Appropriations Bill, for FY 2000. As Chairman of the Committee on Science, I believe this bill's research funding provisions meet the requirements for a solid research and development base in support of the Department of Transportation's (DOT) mission. Like Chairmen YOUNG and WOLF, I too recognize that investing in research today will improve the safety and efficiency of travel in the future.

Last month the Science Committee passed H.R. 1551, the Federal Aviation Administration Civil Aviation Research and Development Act. The bill included a $208.5 million authorization for research and development programs at the Department of Transportation. Like H.R. 2084, H.R. 1551 proposes a $173 million dollar commitment to the Research, Engineering and Development account at the Federal Aviation Administration. This is an increase of $23 million over the FY 1999 enacted or a 15.3 percent increase for FAA Research and Development programs and will provide FAA with the resources necessary to expand their Research and Development activities.

In addition, I am pleased H.R. 2084 funds the Advanced Technology Development and Prototyping function of the FAA's Facilities and Equipment account at a level of $33 million dollars. These critical projects and activities are assisting us to develop the next generation of communications, navigation and surveillance capabilities necessary to meet the projected increases in aviation in the 21st century.

Similarly, the bill supports the Safe Flight 21 program at FAA at the authorized level of $16 million. Although I would have liked to have seen Safe Flight 21 in the research account, and not in the Facilities and Equipment account, I do believe this is a program of merit and worthy of support.

While I believe H.R. 2084 provides DOT and FAA with the resources necessary to conduct world class research that is mission critical to DOT, I cannot support the bill as a whole. I believe that the $50.7 billion appropriated by this legislation is more than we can afford for the Department of Transportation.

Mr. SHAW. Mr. Chairman, I rise today in support of H.R. 2084, the FY 2000 Transportation Appropriations Bill.

While this bill contains many worthy provisions, I was disappointed that no funding was included for Broward County's (FL) busing program. As my colleagues may recall, last year Congress appropriated $1 million for new buses in Broward County.

Considering that Broward County is still rapidly expanding, and that current transit service is inadequate (especially in the western areas of the county), I am hopeful that some funding can be added in conference committee for this worthwhile program.

Mr. Chairman, considering the numerous budgetary constraints Chairman WOLF is operating under, he did a commendable job in bringing this bill to the floor today, I urge my colleagues to support this legislation.

Mr. SERRANO. Mr. Chairman, I rise in strong support of H.R. 2084, the bill making appropriations for the Department of Transportation and Related Agencies for the fiscal year 2000.

As a new member of the Subcommittee, it has been a pleasure to be part of such a fair, bipartisan process. I particularly commend our Chairman, the gentleman from Virginia (Mr. WOLF) and our Ranking Democrat, the gentleman from Minnesota (Mr. SABO) for the good work they have done in developing this bill and the attention they have paid to fairly distributing funds among the various modes of transportation, and to balancing the needs of the nation with the needs of individual members and their districts.

And I would be remiss if I did not express my appreciation and thanks to the staff, Cheryl Smith and Marjorie Duske on our side, John Blazey, Rich Efford, Stephanie Gupta, Linda Muir, and David Whitestone. They are thoroughly professional and dedicated public servants.

Given the stringent budget constraints facing the Subcommittee, this bill is quite an accomplishment. Of considerable importance, the bill fully funds the highway and transit programs as called for in TEA–21, so that projects many of us worked hard to achieve can proceed without interruption. But it also provides the resources needed to continue the safe and efficient operation of our nation's transportation system. This system has been described as the circulatory system of America, without which our economy would clog and slow.

Again, Mr. Chairman, I would like to thank Mr. WOLF and Mr. SABO and all the other talented people who have worked so hard to develop this bill, and I urge my colleagues to support it.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise today in support of H.R. 2084, the Fiscal Year 2000 Transportation Appropriations Act. This bill provides a total of $50.7 billion in FY 2000 for the Transportation Department and related agencies. The bill's funding includes $14.6 billion in direct appropriations and nearly 70% of the bills funding comes from guarantees set forth in the Transportation Equity Act for the 21st Century—TEA–21.

I would like to commend Chairman FRANK WOLF and Ranking Member SABO and the leadership of the Full Committee on Appropriations for putting together a bill that increases funding for highways, highway safety, transit, and operations at the Federal Aviation Administration.

This bill provides $7 million for bus acquisition for Los Angeles County and $5 million for the Municipal Transit Operators Coalition. Further, this bill meets the transportation needs for the State of California. However, I am concerned that once this bill passes the House and moves to conference that it may be subject to the language offered to the Senate's bill. As part of last year's landmark highway and transit authorization bill, TEA–21, California is slated to receive 14.6% of the total federal allocation for transit funding. However, the so-called ''Transit Equity Provision'' included as part of the Senate Appropriations Committee's FY 2000 Transportation Appropriations bill artificially caps California's share of transit funding at 12.5%. This reduction will result in a loss of at least $120 million for the State of California in fiscal year 2000.

California accounts for roughly one-quarter of the nation's transit users, yet we receive only about 15% of the federal transit funding. A majority of our statewide transit capital programs are financed from state and local resources, but we need the federal funding to continue to provide and expand effective service and to spur economic growth. Furthermore, capping the state's federal transit aid will reopen the carefully crafted distribution formulas enacted just one year ago, and invite a host of new problems.

When this bill goes to conference, I urge the leadership of both the Committee and Subcommittee to fight this provision and avoid reopening TEA–21. I urge passage of this legislation and I yield back the balance of my time.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 2084, the FY2000 Transportation Appropriations Act.

This Member would like to begin by commending the distinguished gentleman from Virginia (Mr. WOLF), the Chairman of the Transportation Appropriations Subcommittee, and the distinguished gentleman from Minnesota (Mr. SABO), the ranking member of the Subcommittee, for their hard work in bringing this bill to the floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Transportation Appropriations Subcommittee operated. In light of these constraints, this Member is grateful and pleased that this legislation includes $1 million in funding for vital improvements to the bus maintenance facility in the City of Lincoln, Nebraska.

The City's of Lincoln's bus system, known as StarTran, is the primary provider of public transportation services in the area, with 65 buses and vans serving over 1.7 million riders annually. The need for increased bus service in the area continues to grow, but Lincoln's share of Federal transit assistance has steadily declined over the last several years. As a result, the City has had to use more and more of its General Fund revenues just to maintain current StarTran services, which makes major projects such as facility improvements next to impossible without a one-time infusion of Federal dollars.

For several years, the bus maintenance and operations facility have not provided adequate space for the duties that must be performed there and the result has been decreased safety and efficiency. For example, none of the current stalls in the maintenance area are capable of lifting a bus any more than a few inches because of lack of overhead clearance, sloping floors prevent what should be simple maintenance functions, and narrow stalls provide insufficient workspace around the buses.

In order to correct these deficiencies, StarTran will use the Federal funds for the construction of a 15,000 square foot expansion adjacent to the current facility. This expansion would include new repair bays that would be properly sized with lift capabilities; an improved service and cleaning area; a level, safe, and more efficient work area; and a relocated tire and brake shop that will eliminate the need to perform tire work in the parking lot. These improvements would go a long way in providing the proper tools with which to maintain StarTran buses as well as a safe area for the department employees.

Mr. Chairman, this Member urges his colleagues to support H.R. 2084.

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

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

The CHAIRMAN. All time having been yielded back, pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment printed in House Report 106–196 may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read and shall not be subject to amendment.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read:

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

IMMEDIATE OFFICE OF THE SECRETARY

For necessary expenses of the Immediate Office of the Secretary, $1,867,000.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

For necessary expenses of the Immediate Office of the Deputy Secretary, $612,000.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $9,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Aviation and International Affairs, $7,632,000: *Provided,* That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,250,000 in funds received in user fees.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

For necessary expenses of the Office of the Assistant Secretary for Budget and Programs, $6,770,000, including not to exceed $40,000 for allocation within the Department for official reception and representation expenses as the Secretary may determine.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

For necessary expenses of the Office of the Assistant Secretary for Governmental Affairs, $2,039,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary expenses of the Office of the Assistant Secretary for Administration, $17,767,000.

OFFICE OF PUBLIC AFFAIRS

For necessary expenses of the Office of Public Affairs, $1,836,000.

EXECUTIVE SECRETARIAT

For necessary expenses of the Executive Secretariat, $1,102,000.

BOARD OF CONTRACT APPEALS

For necessary expenses of the Board of Contract Appeals, $520,000.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

For necessary expenses of the Office of Small and Disadvantaged Business Utilization, $1,222,000.

OFFICE OF INTELLIGENCE AND SECURITY

For necessary expenses of the Office of Intelligence and Security, $1,454,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $5,000,000.

OFFICE OF THE ASSISTANT SECRETARY FOR TRANSPORTATION POLICY AND INTERMODALISM

For necessary expenses of the Office of the Assistant Secretary for Transportation Policy and Intermodalism, $3,781,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $7,742,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $2,950,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $157,965,000, shall be paid from appropriations made available to the Department of Transportation: *Provided,* That the preceding limitation shall not apply to activities associated with departmental Year 2000 conversion activities: *Provided further,* That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further,* That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further,* That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further,* That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER

For the cost of direct loans, $1,500,000, as authorized by 49 U.S.C. 332: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $13,775,000. In addition, for administrative expenses to carry out the direct loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,900,000, of which $2,635,000 shall remain available until September 30, 2001: *Provided,* That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,791,000,000, of which $300,000,000 shall be available for defense-related activities; and of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further,* That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further,* That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further,* That up to $615,000 in user fees collected pursuant to section 1111 of Public Law 104–324 shall be credited to this appropriation as offsetting collections in fiscal year 2000: *Provided further,* That none of the funds in this Act shall be available for the Coast Guard to plan, finalize, or implement any regulation that would promulgate new maritime user fees not specifically authorized by law after the date of enactment of this Act.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of

aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $410,000,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $205,560,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2004; $38,310,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2002; $59,400,000 shall be available for other equipment, to remain available until September 30, 2002; $55,800,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2002; and $50,930,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2001: *Provided*, That the Commandant may dispose of surplus real property by sale or lease and the proceeds shall be credited to this appropriation: *Provided further*, That upon initial submission to the Congress of the fiscal year 2001 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the United States Coast Guard which includes funding for each budget line item for fiscal years 2001 through 2005, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $18,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $15,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $721,000,000.

RESERVE TRAINING

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $72,000,000: *Provided*, That no more than $23,000,000 of funds made available under this heading may be transferred to Coast Guard ''Operating expenses'' or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve: *Provided further*, That none of the funds in this Act may be used by the Coast Guard to assess direct charges on the Coast Guard Reserves for items or activities which were not so charged during fiscal year 1997.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $21,039,000, to remain available until expended, of which $3,500,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $5,925,000,000, to be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, $5,000,000 shall be for the contract tower cost-sharing program and $600,000 shall be for the Centennial of Flight Commission: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That no more than $28,600,000 of funds appropriated to the Federal Aviation Administration in this Act may be used for activities conducted by, or coordinated through, the Transportation Administrative Service Center: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Transportation Administrative Service Center: *Provided further*, That none of the funds in this Act may be used for the Federal Aviation Administration to enter into a multiyear lease greater than five years in length or greater than $100,000,000 in value unless such lease is specifically authorized by the Congress and appropriations have been provided to fully cover the Federal Government's contingent liabilities: *Provided further*, That none of the funds in this Act may be used for the Federal Aviation Administration (FAA) to sign a lease for satellite services related to the global positioning system (GPS) wide area augmentation system until the administrator of the FAA certifies in writing to the House and Senate Committees on Appropriations that FAA has conducted a lease versus buy analysis which indicates that such lease will result in the lowest overall cost to the agency.

□ 1200

POINTS OF ORDER

Mr. SHUSTER. Mr. Chairman, I make a point of order.

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

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''to be derived from the Airport and Airway Trust Fund'' on page 11, line 8, through page 11, line 9 on the grounds that this is legislation on an appropriations bill in violation of clause 2 of Rule XXI of the Rules of the House.

This provision is legislation on an appropriations bill because it provides funding for FAA operations solely from the Airport and Airway Trust Fund. Funding the program entirely out of the Trust Fund has the effect of changing existing law, which precludes funding from the Trust Fund in a fiscal year unless a general fund component has been included and, therefore, constitutes legislation on an appropriations bill.

My point of order would strike the provision which makes the source of funding for FAA operations, the Airport and Aviation Trust Fund, but leaves the overall funding level for FAA operations in place. This would have the effect of making all funding provided for FAA operations from the General Fund.

Mr. Chairman, I want to strongly emphasize that it is not my intention that all FAA operations funding should come from the general fund. My goal is that the FAA operations funding should be from both the Trust Fund and the General Fund at levels consistent with the levels determined by the House last week in AIR 21. There, the House overwhelmingly, by a vote of 316-to-110, and I might add with 67 percent of the Republicans voting in favor of it, passed the bill which provided a general fund component for FAA operations. By contrast, the appropriations bill being considered today provides no general fund component at all, thereby ignoring the overwhelming will of the House just last week.

However, I would certainly acknowledge that it ultimately would be irresponsible to eliminate all funding for FAA operations, which would mean no funding for important services such as flight safety inspectors and the air traffic control system.

I had intended to cure this problem of having all FAA operation funding coming from the general fund by offering an amendment to restore the levels of Trust Fund and General Fund spending for FAA operations to the levels

that were overwhelmingly approved by this House last week in AIR 21. Unfortunately, my friends on the Appropriations Committee objected to making this amendment in order, even though the House had overwhelmingly expressed its will just last week.

I regret having to take this action, and I still would be amenable to agreeing on an amendment that would restore the balance between General Fund spending and Trust Fund spending, if my friends on the Appropriations Committee would be interested in doing this. I again emphasize, it is not my intention to have to do this, I regret having to do it. I had an amendment to cure it which was not made in order by the Committee on Rules, and I regret that as well.

So it leaves me no recourse but to object on this point of order.

Mr. COBURN. Mr. Chairman, I make a point of order.

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

Mr. COBURN. Mr. Chairman, I make a point of order against provisions of the bill and would request that the point of order that the gentleman from Pennsylvania (Mr. SHUSTER) just made be expanded to include starting on page 10, line 17 and include through page 13, line 13.

The Federal Aviation Administration operations are unauthorized. They have never been authorized by this Congress and, therefore, are in violation of clause 2, rule XXI prohibiting the expenditure of funds for programs not authorized by law.

Mr. Chairman, I ask for a ruling of the Chair.

The CHAIRMAN. Is there any other Member who wishes to be heard on the point of order?

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The Chair is then prepared to rule on the points of order.

The language identified by the point of order provides that the amendment appropriated in the pending paragraph be derived from the Airport and Airway Trust Fund. In the absence of any provision of existing law to support the inclusion of that language in a general appropriation bill, the language constitutes legislation in violation of clause 2 of Rule XXI.

The point of order is sustained.

In response to the point of order of the gentleman from Oklahoma (Mr. COBURN), the entire paragraph from line 17 on page 10 through line 13 on page 13 is stricken from the bill unauthorized.

Are there any amendments to this portion of the bill?

The Clerk will read.

The Clerk read as follows:

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $2,200,000,000, of which $1,917,000,000 shall remain available until September 30, 2002, and of which $283,000,000 shall remain available until September 30, 2000: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2001 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2001 through 2005, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That none of the funds in this Act may be used for the Federal Aviation Administration to enter into a capital lease agreement unless appropriations have been provided to fully cover the Federal Government's contingent liabilities at the time the lease agreement is signed.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I make a point of order.

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

Mr. SHUSTER. Mr. Chairman, I rise to a point of order against the phrase ''notwithstanding any other provision of law'' on page 13, line 16, on the grounds that it is legislation on an appropriations bill and violates clause 2 of Rule XXI of the Rules of the House.

This phrase has long been recognized as legislative in nature and has the effect of waiving all other legislative constraints on the provision of funds for FAA facilities and equipment.

I would emphasize, Mr. Chairman, that there are approximately 35 legislative provisions in this appropriations bill. We were not consulted on any of them. Had we been, we might have been able to work out many of these points. Nevertheless, we will not be objecting to a majority of these legislative provisions, even though we were not consulted on them. Indeed, had we been consulted, I believe we could have worked out many of them.

So I insist upon my point of order on this particular matter at this time.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $173,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2002: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, $1,867,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $2,250,000,000 in fiscal year 2000 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I make a point of order.

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

Mr. SHUSTER: Mr. Chairman, I rise to a point of order against the phrase, ''notwithstanding any other provision of law'' on page 15, line 20 on the grounds that it is legislation on an appropriations bill and violates clause 2 of Rule XXI of the rules of the House.

This phrase has long been recognized as legislative in nature and has the effect of waiving all legislative constraints on the provision of liquidating cash from the airport and airways Trust Fund for aviation improvement program grants.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

Mr. SHUSTER. Some have argued that the TEA–21 highway and transit firewalls somehow have caused the appropriators to underfund other discretionary spending. This is false. The truth is that TEA–21 provided more, not less, funds for remaining discretionary appropriations.

First, all the increased spending for the highway and transit firewalls was fully reflected in the firewalls and fully offset by other saving provisions in TEA–21.

Second, the current, overall discretionary spending caps were only adjusted downward by the amount of highway and transit spending provided in 1998.

In other words, existing discretionary spending was not reduced by the amount of firewall

spending, but rather by the amount that the appropriations had previously provided for FY 1998.

Third, there is no longer any pressure on the existing discretionary spending caps to fund increased highway trust fund spending.

Without a doubt, if these new highway and transit firewalls had not been created, there would have been inordinate pressure within the existing caps to increase trust fund spending above FY 1998 levels.

Fourth, because of differences in CBO's and OMB's scoring of the discretionary cap adjustments an extra $900 million of outlays was added to the Appropriations Committee's 302 allocation for FY 1999.

Over the next five years, the effect of this adjustment is between $4 and $5 billion.

The fact is that TEA–21 made more funds available for remaining discretionary programs. If certain non-firewall transportation programs remain underfunded, the cause is not TEA–21, but rather decisions by the appropriators to spend the money elsewhere.

Finally, the argument that other transportation programs are underfunded because the appropriators cannot reduce firewalled spending to increase other, general fund programs has already been rejected by the Congress and the President.

The sole purpose of the firewalls—which I remain my colleagues was a compromise from the House position of taking the highway trust fund off-budget—was to guarantee that future gasoline taxes are spent for their intended purposes.

TEA–21 settled for once and for all that this Congress will no longer continue the charade of masking the size of general fund spending through raiding the Highway Trust Fund.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA.

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. YOUNG of Florida:

Page 16, after line 8, insert the following:

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the obligated balances authorized under section 48103 of title 49, United States Code, $300,000,000 are rescinded.

Mr. YOUNG of Florida. Mr. Chairman, this is an amendment that is authorized by the rule and it is an amendment to reduce the unobligated balances in the FAA airport improvement program by $300 million. Because of a limitation on obligations, most of these funds would not be obligated over the next year, so we estimate that the impact on the program will be relatively minor.

The obligation limitation in the bill for fiscal year 2000 will remain at $2.25 billion, which we believe will provide adequately for our Nation's airports.

Mr. Chairman, this bill is a good bill, and it has been worked out by the subcommittee and the full committee to bring to the floor under a pretty good bipartisan agreement. But we were able to reduce this $300 million without having a severe impact on the programs.

Now, this bill, because of the T–21 program, has been stripped of a lot of its ability to fund other transportation projects. In this bill, some of those other transportation projects are Amtrak, which is funded at only $570 million, but the United States Coast Guard, which was funded at approximately $4 billion.

Now, in an attempt to reduce the overall cost of this bill, we could have gone to Amtrak. But to arrive at a number that we thought we should arrive at, we would have to basically wipe out Amtrak, and I do not think that most of the Members of the House want to do that.

In addition, we could go deeply into the Coast Guard budget, but the Coast Guard budget is already inadequate, and it is recognized by this bill that it is inadequate by assuming that part of the Coast Guard funding will be taken up by another subcommittee.

Now, that has happened in the past, and we have done that, and we have done it fairly successfully. But what the Members need to know is that the Coast Guard as it went to war in Kosovo, and regardless of where that war stands today, the Coast Guard went to war. They were there. They sent three ships. They did not get any extra money in the supplemental that we provided for the other services, except to bring their pay raise situation into line with the other uniformed military services.

Mr. Chairman, we cannot afford to be cutting into the Coast Guard's ability to do search and rescue missions. We cannot afford to cut into the Coast Guard's ability to do drug interdiction. We cannot afford to cut into the Coast Guard's ability to do port security and other responsibilities they have with seaports, not only in the United States, but in other parts of the world. So in order to get to the level that we thought was more acceptable to the House, we offer this amendment, $300 million. And the $300 million is just coming out of funds that are not going to be obligated over the next year anyway for the most part.

So I would suggest to my colleagues that this is a good amendment. This makes this good bill even better, and I would hope that the Members would be willing to accept this amendment and move on to further consideration of the bill.

Mr. SHUSTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would agree with my friend that this is a good bill; while I do not think anybody would agree with every sentence in it, I agree it is a good bill. I support the bill.

Further, I would say that my good friend, the gentleman from Florida (Mr. YOUNG) and his people did consult with us on this particular amendment and we agree with him, even though this is legislation on an appropriations bill, we do agree with him on this, and so we support him in this effort.

I also must add that with regard to T–21, T–21 took absolutely no money from Amtrak. T–21 took absolutely no money from the Coast Guard. T–21 funding was all offset, even the general portion part of it. So I would respectfully say it is a red herring to talk in terms of T–21 being a culprit in terms of causing limited funding for other provisions.

That having been said as an aside, I come back to the main issue here which is the amendment which is before us. I thank the gentleman for consulting with us on this amendment. We agree with him, and we support his amendment.

□ 1215

Mr. SABO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is one of these amendments and one of these proposals we seem to have seen regularly this session, like we had on the emergency supplemental. It is a pretend that we are cutting when in fact we are not.

The amendment really does not do any damage to the bill, because it does not cut any money that we were planning to spend in the year 2000. It does not provide any outlay savings. It does not complicate the AIP program through August 6. I assume that program will eventually be extended, at which point new contract authority will be given to fund it throughout the balance of the fiscal year.

So it is one of these amendments, if it makes someone feel good, I guess that is a plus. But it is also one of our pretend schemes which really is not doing anything.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this bill was developed by an appropriations subcommittee in an attempt to represent all of the elements of the House. After months of hearings and weeks of negotiations, that subcommittee was able to produce a bipartisan product. Nobody got what they wanted, but it was a reasonable compromise.

Now, once again, we are faced with the fact that the chairman of the committee has been forced to unilaterally attempt to alter a bill which had been put together originally in a bipartisan manner.

We have seen the chairman come to the floor and amend the agriculture bill. We have seen the chairman come to the floor and amend the legislative branch bill. In his defense, he is not doing that because he wants to start a fight. He has done it because he has been instructed, apparently by his leadership, to change the funding level in these bills in order to satisfy a hardline element within the caucus of the majority party.

They have a perfect right to do that if they want, but I think we need to really lay out what the reality is. We are being asked to believe that somehow, because of the tiny cut that was made in the legislative appropriations bill and the tiny cut that was made in the agriculture bill and now the tiny

cut which is being offered in this bill, that somehow some progress is being made by this Congress in reaching or in producing appropriation bills which will be passable and signable by the President.

In fact, that is not the case at all. This chart shows what I mean. Because the majority party has made a decision to increase the military budget by about $19 billion, the fact is that they have produced cuts on the domestic side of the ledger in their 302 allocations, as they are known in the budget. They have produced cuts which total almost $40 billion below last year's budget, adjusted for inflation.

We are being asked to believe that these bills are going to be made passable by the tiny cuts that were made in the legislative branch, the agriculture branch, and now this bill today, when in fact if we total up all the cuts made so far by the majority party in response to the demands of the hardliners and their caucus, this is all that we fill up the thermometer with.

As we can see, the amount of money represented by those cuts is so small it is virtually impossible to see unless one is standing next to it, as I am. So we are being asked to believe that this amendment today will actually contribute in any meaningful way to savings, and in fact it does not.

The fact is that the majority party and elements in this caucus can continue to deny that they are in denial if they want, but the fact is that in order to be able to pass all 13 appropriation bills, they are going to have to do something besides pretending that these tiny little cuts will fill up this bottle, in the end.

The fact is that this House is not going to vote for a labor-health-education appropriation bill which is $10 to $12 billion below last year's level in terms of current services. This House is not going to vote for funding for EPA and HUD and veterans benefits. They are not going to vote for a bill which takes those programs down $6 billion to $8 billion below current services.

So we are going to continue to come out here with these tiny little amendments pretending that some progress is being made, when in fact the gap between the rhetoric and the reality is the gap between the top level of this little amount of red in the bottom of the thermometer up to the top of the thermometer.

When the Majority gets real, when you get into this range, let us know. Until then, there is not a whole lot that the minority can do to help the other side.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is very important that the American public know that every Member of this House voted for a budget resolution that would not touch social security money. Only two Members of this House voted for the President's budget, which said that we have to spend some social security money.

Having said that, to me actually the savings thus far are $170 million. To most people in Oklahoma and the rest of the country, $170 million saved is a lot of money. I know it is not here in Washington, but to those who are actually paying the taxes, $170 million is a lot of money.

I think we as a House have to tell the American public either we meant what we said when we voted on our respective budgets that we would not spend social security money, and I would note for the RECORD that the gentleman from Minnesota (Mr. SABO) did in fact vote for his party's budget and did not vote for the President's budget; that in fact, then, if Members say something, i.e., we are not going to spend social security money, regardless of how hard it is and regardless of how tough a job it is, that we ought to make every effort in good faith to try to do that.

The gentleman makes some real points. I would tend to agree with him. I do not think we will pass a bill in Labor-HHS with those kinds of cuts. But I think it is entirely possible that we can pass a Labor-HHS bill that has $700 million or $800 million or $900 million less because we are obligated to do that, recognizing that any money that we spend above our level target of $438 billion will in fact come from social security money.

Mr. Chairman, the gentleman has great experience in the appropriations process. I understand that. But I also understand that it is time for us to do what we say we are going to do. That means honoring our commitment and making sure that when we vote for something, we mean it.

It is fine if we all want to disavow the votes on the budgets, the respective votes on the budgets. I do not intend to do that. Yes, I am part of that portion of the Republican conference that, number one, believes that the government is too big; number two, believes if we tell people we are not going to spend social security, we should not do it, and which should die trying not to spend their money. We can do that.

This amendment that is before us will delay the expenditure of money. No, it does not save any money right now, but it will delay the spending of the money. In Washington, if we can delay spending money, we may be able to get better at not spending it.

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

Mr. COBURN. I yield to the gentleman from Minnesota.

Mr. OBEY. I thank the gentleman for yielding, Mr. Chairman. Just three points, Mr. Chairman.

First, I am not from Minnesota. The gentleman from Minnesota (Mr. SABO) is from Minnesota.

Secondly, it was not this Member that voted for the Republican proposition to move $19 billion out of domestic funds into the military budget. That has nothing whatsoever to do with saving money for social security, it has a lot to do with priorities.

Thirdly, I would simply make the point, the gentleman has misstated my votes. He has said that I had voted for the Democratic alternative on the budget. The fact is that when we voted, I took the well of the floor and I stated that I voted for that amendment only as a substitute for the Republican amendment, but that I would vote against both on final passage because I felt that neither reflected reality. I still feel that way.

Mr. COBURN. I thank the gentleman. I stand corrected.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, I want to agree with what the gentleman from Wisconsin (Mr. OBEY) said and what the gentleman from Oklahoma (Mr. COBURN) said and just make one further comment on the chart of the gentleman from Wisconsin.

There is another number that should have been on there. That is the agreed-upon budget as established in 1997, which would be $17 billion below the lowest number that the chart of the gentleman from Wisconsin (Mr. OBEY) showed.

Whether we like it or not, everybody has pretty much signed off on that number. That is the number we are working to, and not to the $25 billion or the other.

Mr. COBURN. Reclaiming my time, Mr. Chairman, there are three principles.

One is that almost every Member of the House, and in one way or another every Member of the House, has cast a vote to not spend social security money.

Number two, we do have a 1997 budget agreement that is law that the President has already said he is not going to follow, but that does not mean we should not.

Number three, one of our obligations as Members of this body is to rebuild confidence in it, not to tear it down. If we say we are not going to touch social security money, then we ought to make the effort.

Finally, I would say $170 million is not much. We have a long ways to go. But the assumption we are going to pass a bill that has $19 billion in increased defense spending, I do not think that is a true assumption.

So I am willing to work with anybody that will help me fund Labor-HHS adequately.

The CHAIRMAN. The time of the gentleman from Oklahoma (Mr. COBURN) has expired.

(By unanimous consent, Mr. COBURN was allowed to proceed for 1 additional minute.)

Mr. COBURN. Mr. Chairman, I am willing to work with anyone that will

help us fund veterans affairs appropriately, that will help us make appropriate judgments in all the other areas where we are worried about the balances and the targets that have been set.

One of the ways to do that is to make sure we do not spend money in these early bills that we do not have to. If we can take $300 million or $570 million, which is my goal for this bill, and move towards it, that is a half a billion.

In Oklahoma half a billion dollars is a lot of money.

The CHAIRMAN. The time of the gentleman from Oklahoma (Mr. COBURN) has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. COBURN was allowed to proceed for 30 additional seconds.)

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

Mr. COBURN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply say that the idea that somehow social security is going to be saved because out of a gap of anywhere from $25 billion to $35 billion these cuts are going to save the grand total of almost $300 million is patently preposterous. That does not begin to save either social security or provide a rational balance of priorities within accounts in the appropriation bill.

So I would simply suggest this debate has nothing to do with social security. It has a whole lot to do with spending priorities.

I would also add, in disagreement with the gentleman from Florida, not all of us did sign onto that budget deal 2 years ago. At the time I called it a giant ''Public Fib,'' and I still regard it as being such, as the numbers in that chart demonstrate.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, just a couple of points. Mr. Chairman, with regard to this amendment, this $300 million reduction is a cut in budget authority currently available to the FAA.

Just a few minutes ago, or now probably a half-hour ago, the CBO reaffirmed to the staff that this bill will result in savings. Apparently others have raised technical points over the last days as to what CBO has considered but CBO does not find these agreements convincing.

Certainly this amendment is less painful, as the gentleman from Florida (Mr. YOUNG) than cuts to the Coast Guard drug interdiction, which both sides want; the FAA, and other programs. This is precisely the responsible action to take.

Let me just say one other thing that I just thought of when I was listening to the gentleman from Oklahoma (Mr. COBURN). I think this is all going to work out.

I did not support the amendments that the gentleman offered to the agriculture bill, but I think I would be less than honest if I did not say that the gentleman has been courageous and has come here to propose and to argue for his point of view. Everyone ought to have the ability to come here and make their case. He has made his case I think in a fair, fair way. I did not vote that way. But I think this process has come together. I think he has actually been helpful on this bill.

I think the gentleman from Florida (Mr. YOUNG) has been very, very faithful in trying to keep to the numbers. I think it will come together with the other side of the aisle whereby we can pass these appropriation bills, spending as little as possible, with integrity and faithfulness to the American people, recognizing the difference in views that we may have. The gentleman from Florida (Mr. YOUNG) is committed to doing that just as the gentleman from Oklahoma (Mr. COBURN) is.

□ 1230

It takes a lot of courage to kind of do what the gentleman from Oklahoma (Mr. COBURN) has done. Although I have not, and he knows that I have not, agreed, there is a great quote, and I do not have it with me, but I use it in speeches that I give. It was a quote by Bobby Kennedy that he gave in South Africa to a group of students in 1966. It is a profound speech that moves me every time that I read it, where he talks about moral courage and timidity and to brave the censure of your colleagues. The gentleman from Oklahoma (Mr. COBURN) has done that. Again, I feel an obligation to say I did not vote for those amendments, but one has to respect that, and one has to admire that.

I respect the gentleman from Florida (Mr. YOUNG) in what he is doing. I hope that we can work together to pass bills in a way in which we all can be proud.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed $356,380,000, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That $70,484,000 shall be available to carry out the functions and operations of the office of motor carriers.

LIMITATION ON TRANSPORTATION RESEARCH

Necessary expenses for transportation research of the Federal Highway Administration, not to exceed $422,450,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration: *Provided*, That this limitation shall not apply to any authority previously made available for obligation.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $27,701,350,000 for Federal-aid highways and highway safety construction programs for fiscal year 2000.

Mr. SABO. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from Maine (Mr. BALDACCI) for the purpose of a colloquy.

Mr. BALDACCI. Mr. Chairman, I thank the gentleman from Minnesota (Mr. SABO) for yielding to me, and I thank him for extending this courtesy.

Mr. Chairman, we have an unusual situation in Maine where the weight limit on trucks that are traveling through Maine is much lower than it is in the surrounding States and in the provinces in Canada.

Presently in the surrounding States, in New Hampshire, New York, and Massachusetts and in Eastern Canada and the provinces is in excess of 100,000 pound trucks. In the State of Maine, because of the Federal Highway Administration and a weight limitation of 80,000 pounds on the interstate system, it has forced the State of Maine trucks and the trucks coming in from the surrounding communities to have to go on State and local roads.

This has created a tremendous safety problem on our roads. We have had deaths and tragedies and accidents because of these heavy trucks being forced to use State and local roads because of these inequities and those exemptions that have been given around Maine and through the provinces.

I solicit the help and want to work together with the gentleman from Minnesota (Mr. SABO) to see if we can look into this and try to resolve this in a fair and equitable manner.

Mr. SABO. Mr. Chairman, I thank the gentleman from Maine for his presentation. It is a new problem, and we will try and work with the gentleman in the future.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for carrying out the provisions of title 23, U.S.C., that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $26,125,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''notwithstanding any other provision of law'' on page 17, line 14 on the grounds that it is legislation on an appropriations bill and violates clause 2 of rule XXI of the rules of the House.

This phrase has long been recognized as legislative in nature and has the effect of waiving all legislative constraints on the provisions of liquidating cash from the highway trust

fund for the Federal Aid Highway Program.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 31102, $105,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $105,000,000 for ''Motor Carrier Safety Grants''.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''notwithstanding any other provision of law'' at page 18, line 4 on the same grounds that I have previously stated.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, U.S.C., and part C of subtitle VI of title 49, U.S.C., $87,400,000 of which $62,928,000 shall remain available until September 30, 2002: *Provided,* That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2000 are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''notwithstanding any provision of law'' on page 19, line 5 on the same grounds that I have previously stated.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 410, and 411, to remain available until expended, $206,800,000, to be derived from the Highway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2000, are in excess of $206,800,000 for programs authorized under 23 U.S.C. 402, 405, 410, and 411, of which $152,800,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402, $10,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405, $36,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Grants'' under 23 U.S.C. 410, $8,000,000 shall be for the ''State Highway Safety Data Grants'' under 23 U.S.C. 411: *Provided further,* That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further,* That not to exceed $7,500,000 of the funds made available for section 402, not to exceed $500,000 of the funds made available for section 405, not to exceed $1,750,000 of the funds made available for section 410, and not to exceed $223,000 of the funds made available for section 411 shall be available to NHTSA for administering highway safety grants under Chapter 4 of title 23, U.S.C.: *Provided further,* That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''notwithstanding any other provision of law'' on page 19, line 25 on the same grounds that I have previously stated.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $94,448,000, of which $6,800,000 shall remain available until expended: *Provided,* That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further,* That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $21,300,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided,* That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2000.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for the Next Generation High-Speed Rail program as authorized under 49 United States Code sections 26101 and 26102, $22,000,000, to remain available until expended.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, $10,000,000, to be matched by the State of Rhode Island or its designee on a dollar-for-dollar basis and to remain available until expended.

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For necessary expenses of capital improvements of the National Railroad Passenger Corporation as authorized by 49 U.S.C. 24104(a), $570,976,000 to remain available until expended: *Provided,* That the Secretary shall not obligate more than $228,400,000 prior to September 30, 2000.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $12,000,000: *Provided,* That no more than $60,000,000 of budget authority shall be available for these purposes: *Provided further,* That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $800,000 shall be transferred to the Department of Transportation Inspector General for costs associated with the audit and review of new fixed guideway systems.

FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 3038 of Public Law 105–178, $619,600,000, to remain available until expended: *Provided,* That no more than $3,098,000,000 of budget authority shall be available for these purposes.

UNIVERSITY TRANSPORTATION RESEARCH

For necessary expenses to carry out 49 U.S.C. 5505, $1,200,000, to remain available

until expended: *Provided*, That no more than $6,000,000 of budget authority shall be available for these purposes.

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322, $21,000,000, to remain available until expended: *Provided*, That no more than $107,000,000 of budget authority shall be available for these purposes: *Provided further*, That $5,250,000 is available to provide rural transportation assistance (49 U.S.C. 5311(b)(2)); $4,000,000 is available to carry out programs under the National Transit Institute (49 U.S.C. 5315); $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)); $49,632,000 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305); $10,368,000 is available for state planning (49 U.S.C. 5313(b)); and $29,500,000 is available for the national planning and research program (49 U.S.C. 5314).

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 5303–5308, 5310–5315, 5317(b), 5322, 5327, 5334, 5505, and sections 3037 and 3038 of Public Law 105–178, $4,638,000,000, to remain available until expended, and to be derived from the Mass Transit Account of the Highway Trust Fund: *Provided*, That $2,478,400,000 shall be paid to the Federal Transit Administration's formula grants account: *Provided further*, That $86,000,000 shall be paid to the Federal Transit Administration's transit planning and research account: *Provided further*, That $48,000,000 shall be paid to the Federal Transit Administration's administrative expenses account: *Provided further*, That $4,800,000 shall be paid to the Federal Transit Administration's university transportation research account: *Provided further*, That $60,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: *Provided further*, That $1,960,800,000 shall be paid to the Federal Transit Administration's Capital Investment Grants account.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''notwithstanding any other provision of law'' on page 25, line 9 on the same grounds that I have previously stated.

Mr. WOLF. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $490,200,000, to remain available until expended: *Provided*, That no more than $2,451,000,000 of budget authority shall be available for these purposes: *Provided further*, That there shall be available for fixed guideway modernization, $980,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $490,200,000; and there shall be available for new fixed guideway systems, $980,400,000, to be available as follows:

$10,400,000 for Alaska or Hawaii ferry projects;

$45,142,000 for the Atlanta, Georgia, North line extension project;

$5,000,000 for the Baltimore central LRT double track project;

$4,000,000 for the Canton-Akron-Cleveland commuter rail project;

$3,000,000 for the Charlotte, North Carolina, north-south corridor transitway project;

$25,000,000 for the Chicago METRA commuter rail project;

$2,000,000 for the Chicago Transit Authority Douglas branch line project;

$2,000,000 for the Chicago Transit Authority Ravenswood branch line project;

$2,000,000 for the Cincinnati northeast/northern Kentucky corridor project;

$2,000,000 for the Clark County, Nevada, fixed guideway project;

$1,000,000 for the Cleveland Euclid corridor improvement project;

$1,000,000 for the Colorado Roaring Fork Valley project;

$35,000,000 for the Dallas north central light rail extension project;

$1,000,000 for the Dayton, Ohio, light rail study;

$35,000,000 for the Denver Southwest corridor project;

$25,000,000 for the Dulles corridor project;

$12,000,000 for the Fort Lauderdale, Florida Tri-County commuter rail project;

$4,000,000 for the Houston advanced transit program;

$52,770,000 for the Houston regional bus project;

$1,000,000 for the Johnson County, Kansas, I–35 commuter rail project;

$1,000,000 for the Kenosha-Racine-Milwaukee rail extension project;

$4,000,000 for the Long Island Railroad East Side access project;

$5,000,000 for the Los Angeles Mid-City and East side corridors projects;

$50,000,000 for the Los Angeles North Hollywood extension project;

$1,000,000 for the Los Angeles-San Diego LOSSAN corridor project;

$703,000 for the MARC commuter rail project;

$1,000,000 for the Massachusetts North Shore corridor project;

$5,000,000 for the Memphis, Tennessee, Medical Center rail extension project;

$3,000,000 for the Miami-Dade Transit east-west multimodal corridor project;

$3,000,000 for the Miami-Dade Transit North 27th corridor project;

$1,000,000 for the Nashville, Tennessee, commuter rail project;

$99,000,000 for the New Jersey Hudson Bergen project;

$2,000,000 for the New Orleans Canal Street corridor project;

$6,000,000 for the Newark rail link MOS–1 project;

$1,000,000 for the Norfolk-Virginia Beach corridor project;

$4,000,000 for the Northern Indiana south shore commuter rail project;

$2,000,000 for the Oceanside-Escondido, California light rail system;

$5,000,000 for Olympic transportation infrastructure investments: *Provided*, That these funds shall be allocated by the Secretary based on the approved transportation management plan for the Salt Lake City 2002 Winter Olympic Games: *Provided further*, That none of these funds shall be made available for the Salt Lake City west-east light rail project, any segment thereof, or a downtown connector in Salt Lake City, Utah;

$1,000,000 for the Orange County, California, transitway project;

$20,000,000 for the Orlando Lynx light rail project (phase 1);

$1,000,000 for the Philadelphia-Reading SETPA Schuylkill Valley metro project;

$7,000,000 for the Phoenix metropolitan area transit project;

$3,000,000 for the Pinellas County, Florida, mobility initiative project;

$11,062,000 for the Portland Westside light rail transit project;

$2,000,000 for the Puget Sound RTA Link light rail project;

$12,000,000 for the Puget Sound RTA Sounder commuter rail project;

$12,000,000 for the Raleigh-Durham-Chapel Hill Triangle transit project;

$25,000,000 for the Sacramento south corridor LRT project;

$1,000,000 for the San Bernardino, California Metrolink project;

$7,000,000 for the San Diego Mid Coast corridor project;

$23,000,000 for the San Diego Mission Valley East light rail transit project;

$84,000,000 for the San Francisco BART extension to the airport project;

$20,000,000 for the San Jose Tasman West light rail project;

$82,000,000 for the San Juan Tren Urbano project;

$53,962,000 for the South Boston piers transitway;

$1,000,000 for the South DeKalb-Lindbergh, Georgia, corridor project;

$3,000,000 for the Spokane, Washington, South Valley corridor light rail project;

$3,000,000 for the St. Louis, Missouri, MetroLink cross county corridor project;

$50,000,000 for the St. Louis-St. Clair County MetroLink light rail (phase II) extension project;

$1,000,000 for the Tampa Bay regional rail project;

$5,433,000 for the Twin Cities Transitways projects;

$46,000,000 for the Twin Cities Transitways—Hiawatha corridor project;

$37,928,000 for the Utah north/south light rail project;

$2,000,000 for the Virginia Railway Express Woodbridge station improvements project;

$1,000,000 for the West Trenton, New Jersey, rail project; and

$3,000,000 for the Whitehall terminal reconstruction project.

DISCRETIONARY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of previous obligations incurred in carrying out 49 U.S.C. 5338(b), $1,500,000,000, to remain available until expended and to be derived from the Mass Transit Account of the Highway Trust Fund.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against the phrase ''notwithstanding any other provision of law'' on page 32, line 8 on the same grounds that I have previously stated.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the described language is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

JOB ACCESS AND REVERSE COMMUTE GRANTS

For necessary expenses to carry out section 3037 of the Federal Transit Act of 1998, $15,000,000, to remain available until expended: *Provided*, That no more than $75,000,000 of budget authority shall be available for these purposes.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $12,042,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $32,361,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $3,704,000 shall remain available until September 30, 2002: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

Mr. CHAMBLISS. Mr. Chairman, I move to strike the last word. I do so for the purpose of engaging in a colloquy with the gentleman from Virginia (Chairman WOLF).

Mr. Chairman, I understand that the gentleman from Virginia (Chairman WOLF) is concerned, as we all are, with the effects of peanut allergies on individuals who fly on our Nation's airlines, as well as for other reasons.

As the gentleman knows, included in the 1999 Omnibus Appropriations bill was language to ban the Department of Transportation from implementing peanut-free buffer zones on airlines without the Department first conducting a study on peanut allergies. In fact, in Fiscal Year 2000's Agriculture, Rural Development, Food and Drug Administration Appropriations bill, $300,000 was earmarked for the peanut industry to conduct research to find a vaccination for peanut allergies and eliminate the allergy that is contained in the peanut.

I ask the gentleman from Virginia (Chairman WOLF), is it true that the language included in the omnibus bill was a change to permanent law and does not need to be addressed again this year?

Mr. Chairman, I yield to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, that is correct. The language included in the omnibus bill is permanent law.

Mr. CHAMBLISS. Moreover, Mr. Chairman, can the gentleman from Virginia verify if a peanut allergy study has been conducted by the Department of Transportation as specified in the 1999 omnibus bill?

Mr. Chairman, I yield to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, the Department of Transportation has yet to issue a report on their peanut allergy study.

Mr. CHAMBLISS. Mr. Chairman, I thank the gentleman from Virginia (Mr. WOLF) for his clarification in this matter and the leadership that he provides for this committee.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $36,092,000, of which $5,494,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2002; and of which $30,598,000 shall be derived from the Pipeline Safety Fund, of which $17,074,000 shall remain available until September 30, 2002: *Provided*, That in addition to amounts made available from the Pipeline Safety Fund, $1,300,000 shall be available for grants to States for the development and establishment of one-call notification systems, emergency notification, damage prevention, and public education activities, and shall be derived from amounts previously collected under 49 U.S.C. 60301.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2002: *Provided*, That not more than $14,300,000 shall be made available for obligation in fiscal year 2000 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $44,840,000.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $17,000,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,600,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2000, to result in a final appropriation from the general fund estimated at no more than $15,400,000.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $4,633,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $57,000,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

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

SEC. 302. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available: (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents; and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

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

SEC. 305. None of the funds in this Act shall be available for salaries and expenses of more than 100 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any

program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

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

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

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

SEC. 310. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 311. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 312. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 313. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 314. None of the funds in this Act shall be available to award a multiyear contract for production end items that: (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract; (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the Government's liability; or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 315. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2002, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 316. Notwithstanding any other provision of law, any funds appropriated before October 1, 1999, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 317. None of the funds in this Act may be used to compensate in excess of 320 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2000.

SEC. 318. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by $10,000,000, which limits fiscal year 2000 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $147,965,000: *Provided*, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 319. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 320. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901 et seq.) prescribing corporate average fuel economy standards for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 321. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 322. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 323. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation: *Provided*, That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 324. (a) None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 325. Notwithstanding any other provision of law, receipts, in amounts determined by the Secretary, collected from users of fitness centers operated by or for the Department of Transportation shall be available to support the operation and maintenance of those facilities.

SEC. 326. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 327. Notwithstanding 49 U.S.C. 41742, no essential air service subsidies shall be

provided to communities in the 48 contiguous States that are located fewer than 70 highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200 unless such point is greater than 210 miles from the nearest large or medium hub airport.

□ 1245

Mr. LAZIO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise as assistant majority leader and as a member of the New York delegation to seek support from the distinguished chairman of the Subcommittee on Transportation of the Committee on Appropriations, the gentleman from Virginia (Mr. WOLF), to protect funding crucial to New York State and to uphold the historic legislation covering highway and transportation programs, which is known colloquially as TEA–21.

This time last year, the Transportation Equity Act for the 21st Century, known as TEA–21, was signed into law. The success of this bill is due to a 3-year effort of the authorizing committee, the appropriating committee, and support from a broad coalition. TEA–21 has been an enormous success. It established a new funding formula structure for distributing funds to States. This funding formula represents a carefully crafted, well-balanced compromise.

Mr. Chairman, the Senate will soon consider its version of the transportation appropriations bill for the fiscal year 2000. On May 27, the Senate Committee on Appropriations included a controversial provision that unfairly caps transit aid at 12.5 percent of the total amount of transit dollars that any one State may receive. This legislation, as crafted, adversely affects the Nation's two most transit-dependent States, those of California and New York, and would result in an estimated loss of $1.2 billion over a 6-year period or at a minimum $200 million per year for New York and $120 million per year for California.

This artificial cap was included in the Senate Committee on Appropriations with no notice or public debate on its merits. I wanted to ask the distinguished subcommittee chairman for his support for maintaining that historic compromise.

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

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

Mr. WOLF. Mr. Chairman, I appreciate the gentleman bringing this to my attention, and also the gentleman from New York (Mr. SWEENEY). I have also spoken to the gentleman from California (Mr. DREIER) about the same thing.

The gentleman has my commitment to do everything we can to attempt to make this the way it should be with regard to fairness. We have never been into punishing one State over another, so I can assure the gentleman we will work with the gentleman, and the gentleman from New York (Mr. SWEENEY), and the other members of the New York delegation, and also the California delegation who have come to me again, as I said, the gentleman from California (Mr. DREIER) and others, to make sure that there is fairness.

Mr. LAZIO. Mr. Chairman, I want to express my gratitude to the subcommittee chairman and my friend on behalf of the House who supported the compromise, and as a member of the New York delegation, and I just wanted to reiterate how important this is.

New York has one-third of the Nation's transit riders, California has about 14 percent. Combined the two States make up almost half of the entire Nation's transit users. On a daily basis, New York State has over 7.5 million transit riders. On the MTA system alone, the daily ridership is 7.2 million. For the millions of people who use mass transit, the environment and the economy, we should uphold the allocation formulas we worked so hard for in that historically crafted bill.

Mr. WOLF. Mr. Chairman, if the gentleman will continue to yield, I would just tell him that a member of my family lives in New York City and I understand how congested the traffic is and the needs and everything else, so the gentleman makes a very credible point.

Mr. LAZIO. I ride on that subway myself.

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

Mr. LAZIO. I yield to the gentleman from New York (Mr. SWEENEY) who has been working very hard on this issue and, as a matter of fact, has gathered on a bipartisan basis signatures for the subcommittee chairman.

Mr. SWEENEY. Mr. Chairman, I thank my good friend, the gentleman from New York (Mr. LAZIO).

Quickly, I want to applaud this effort, and I am proud to join it. As the chairman knows, 81 members from both the New York and California delegation sent a letter to the chairman last week, and I wanted to add a point to this.

I represent a rural area, and on behalf of the rural areas in New York and California, I wanted to just stress that rural transit systems have few sources of revenue to make up for huge cuts to their Federal formula funding allocation. So this will hit disproportionately those areas pretty significantly.

As the gentleman from New York (Mr. LAZIO) has pointed out, we in New York have committed to a high standard on infrastructure repair and transportation repair. A higher share of our own resources are committed to transit than any other State; nearly 70 percent of our $12 million Statewide transit capital program financed from State and local resources.

So this is a critical issue for us in my district and throughout New York State. And, again, I want to applaud the efforts of my colleague, the gentleman from New York (Mr. LAZIO), and ask the Chairman for his support and thank the gentleman for the opportunity to express this concern.

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

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

Mr. WOLF. I would give the gentleman the same type of commitment, Mr. Chairman, as with the gentleman from New York (Mr. LAZIO), and I appreciate the gentleman bringing it to my attention. Both gentlemen have talked to me about it a number of times, and we will do everything we can to help.

Mr. LAZIO. Mr. Chairman, reclaiming my time, I want to thank the gentleman for his support.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 328. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable criteria and such funds shall be available until December 31, 2000.

SEC. 329. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

AMENDMENT OFFERED BY MR. SANFORD

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

The Clerk read as follows:

Amendment offered by Mr. SANFORD:

Page 42, line 15, after the dollar amount, insert the following: ''(plus an additional reduction of $1,000,000)''.

Page 42, line 18, after the dollar amount, insert the following: ''(reduced by $1,000,000)''.

POINT OF ORDER

Mr. SABO. Mr. Chairman, I rise to make a point of order against the gentleman's amendment because he seeks to amend a paragraph that has already been read under the 5-minute rule. The House manual clearly states in Section 876(2) that when a paragraph or section has been passed, it is not in order to return thereto.

I regret to say the gentleman's amendment comes too late, and I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from South Carolina (Mr. SANFORD) wish to be heard on the point of order?

Mr. SANFORD. No, Mr. Chairman, I will withdraw the amendment. It was a last chance to save the taxpayers $1 million. We had indeed passed this section of the bill, but, nonetheless, I wanted to try.

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

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

SEC. 330. For necessary expenses of the Amtrak Reform Council authorized under section 203 of Public Law 105–134, $750,000, to remain available until September 30, 2001.

SEC. 331. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided*, That no appropriation shall be increased or decreased by more than 12 per centum by all such transfers: *Provided further*, That any such transfer shall be submitted for approval to the House and Senate Committees on Appropriations.

SEC. 332. None of the funds appropriated by this Act may be used to issue a final standard under docket number NHTSA 98–3945 (relating to section 656(b) of the Illegal Immigration Reform and Responsibility Act of 1996).

SEC. 333. (a) Section 110(b)(2) of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4109(b)(2)) is amended by striking all that follows ''research'' and inserting a period.

(b) Section 312 of the Arctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2441) is amended by striking subsection (c).

SEC. 334. None of the funds in this Act shall be available for activities under the Aircraft Purchase Loan Guarantee Program during fiscal year 2000.

SEC. 335. None of the funds in this Act may be used to carry out the functions and operations of the office of motor carriers within the Federal Highway Administration.

SEC. 336. Section 3027 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5307 note: 112 Stat. 336) is amended by adding at the end the following:

''(e) Government share for operating assistance to certain smaller urbanized areas.—Notwithstanding 49 U.S.C. 5307(e), a grant of the Government for operating expenses of a project under 49 U.S.C. 5307(b) in fiscal years 1999 and 2000 to any recipient that is providing transit services in an urbanized area with a population between 128,000 and 128,200, as determined in the 1990 census, and that had adopted a five-year transit plan before September 1, 1998, may not be more than 80 percent of the net project cost.''.

SEC. 337. Section 130 of Title 23, United States Code, is amended in subsection (f) by striking ''90 percent'' where it appears in the last sentence and inserting ''100 percent''.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against section 337 on page 50, lines 1 through 4. This is legislation on an appropriation bill and is in violation of clause 2 of rule XXI.

This provision is an amendment to section 130 of title 23 to raise the Federal share for rail-highway grade crossing projects funded under the Transportation Equity Act for the 21st Century, TEA–21.

Mr. WOLF. Mr. Chairman, I would like to be heard on that, if I may.

The CHAIRMAN. The gentleman from Virginia (Mr. WOLF) may be heard on the point of order.

Mr. WOLF. I am going to concede the point of order, Mr. Chairman, but this is the provision that deletes the non-Federal match for the section 130 grade crossing program.

In 1998, the unobligated national balance totaled $148 million and now may be as high as $220 million. Many States have difficulty expanding the section 130 funds and, as a result, some States have a few years of unobligated balances that could be used to eliminate grade crossings.

For example, the State of Wisconsin has $13 million in unobligated balances. The State of Oregon has $6,888,000 in unobligated balances. If we were to delete the non-Federal match, it would permit States to reduce those unobligated balances and eliminate a greater number of grade crossing hazards than previously planned and, therefore, improving safety for the American family.

Mr. Chairman, maybe this is an area the authorizers could look at, because I think it would enable States to move that money quickly and, I think, bring about safety. Each year there are 3,500 collisions at grade crossings with nearly 1,500 injuries and 500 deaths. The tragic accident we heard of earlier, that we worked with the gentleman from Illinois (Mr. WELLER) on, certainly demonstrates that more needs to be done to upgrade safety at grade crossings. With that, hopefully, this can be looked at in some way, because I think it would be good in helping to save lives.

Mr. Chairman, I do concede the point of order.

The CHAIRMAN. The language cited by the point of order directly amends existing law. As such, it constitutes legislation. The point of order is sustained. The section is stricken.

The Clerk will read.

The Clerk read as follows:

SEC. 338. Section 3030(b) of the Transportation Equity Act for the 21st Century (112 Stat. 373–375) is amended by adding at the end the following:

''(71) Dane County Corridor—East-West Madison Metropolitan Area.''.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I rise on a point of order against section 338 on page 50 lines 5 through 9. This is legislation on an appropriation bill and is in violation of clause 2 of rule XXI. This provision is an amendment to TEA–21 to authorize a mass transit project in Dane County, Wisconsin.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The gentleman from Virginia (Mr. WOLF) concedes the point of order.

The language cited directly amends existing law. As such, it constitutes legislation, and the point of order is sustained. This section is stricken.

The Clerk will read.

The Clerk read as follows:

SEC. 339. Funds provided in Public Law 104–205 for the Griffin light rail project shall be available for alternative analysis and environmental impact studies for other transit alternatives in the Griffin corridor from Hartford to Bradley International Airport.

SEC. 340. Section 3030(c)(1)(A)(v) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended by deleting ''Light Rail''.

SEC. 341. Notwithstanding any other provision of law, the federal share of projects funded under section 3038(g)(1)(B) of Public Law 105–178 shall not exceed 90 percent of the project cost.

SEC. 342. The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

□ 1300

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I raise a point of order against section 342, on page 50, line 22 through page 51, line 4.

This is legislation on an appropriations bill and is in violation of clause 2 of rule XXI. This provision reauthorizes the payments from the War Risk Insurance Program. The House has twice passed versions of the War Risk Insurance Program this year, and a 5-year reauthorization of the program has passed the House and is currently pending in the Senate.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded.

The language cited by the point of order conveys authority to the Executive. As such, it constitutes legislation.

The point of order is sustained. The section is stricken.

The Clerk will read.

The Clerk read, as follows:

SEC. 343. Notwithstanding current policies or guidelines of the Department of Transportation, the Administrator of the Federal Aviation Administration is hereby authorized to issue grant awards utilizing funds limited in this bill under ''Grants-in-aid for airports'' fifteen days after transmittal of recommended grant awards to the Office of the Secretary of Transportation for Congressional notification purposes.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I raise a point of order against section 343, on page 51, lines 5 through 12.

This is legislation on an appropriations bill and is in a violation of clause 2 of rule XXI.

This provision mandates changes in the FAA's grant award and processing policies so that all grant awards must be issued within 15 days of the notification of their approval.

A similar provision was included in H.R. 1000, which passed this House overwhelmingly last week.

Mr. WOLF. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The language cited by the point of order conveys authority to the Executive. As such, it constitutes legislation.

The point of order is conceded and sustained.

The section is stricken.

The Clerk will read.

The Clerk read, as follows:

SEC. 344. None of the funds in this Act shall be available to execute a letter of no prejudice, letter of intent or full funding grant agreement for the Salt Lake City west-east light rail line, any segment thereof, or a downtown connector in Salt Lake City, Utah.

SEC. 345. Of the funds made available to the Coast Guard in this Act under ''Acquisition, construction, and improvements'', $10,000,000 is only for necessary expenses to support a portion of the acquisition costs, currently estimated at $128,000,000, of a multi-mission vessel to replace the Mackinaw icebreaker in

the Great Lakes, to remain available until September 30, 2005.

SEC. 346. Notwithstanding the Federal Airport Act (as in effect on April 3, 1956) or sections 47125 and 47153 of title 49, United States Code, and subject to subsection (b), the Secretary of Transportation may waive any term contained in the deed of conveyance dated April 3, 1956, by which the United States conveyed lands to the city of Safford, Arizona, for use by the city for airport purposes: *Provided*, That no waiver may be made under subsection (a) if the waiver would result in the closure of an airport.

POINT OF ORDER

Mr. SHUSTER. Mr. Chairman, I raise a point of order against section 346, on page 52, lines 1 through 10.

This is legislation on an appropriations bill in violation of clause 2 of rule XXI. This provision waives deed restrictions for an airport in Safford, Arizona. Moreover, it would allow the airport to sell land without having to reinvest the proceeds of the sale in the airport, which is contrary to provisions in Title 49 of the U.S. Code and to the usual practice of the House when deed restrictions have been removed for other airports across the country.

Mr. KOLBE. Mr. Chairman, I wish to be heard on the point of order.

Mr. Chairman, while I will concede the point of order, I would like to inquire of the gentleman from Pennsylvania (Mr. SHUSTER), the distinguished chairman, about his reasons for objecting to this.

Let me just state, for the record, that I have been working closely with the local community, the local FAA representatives, the Aircraft Owners and Pilots Association, for years to draft language that is acceptable and have attempted to work with his committee and committee staff to do that. This has been the result of long discussions to get us to where we are. It only allows the FAA to waive terms contained in the 1956 deed of conveyance more than 40 years ago. It does not require them to do so.

This is land which is vitally needed in order for this small rural community where unemployment is three times the rate of other areas in Arizona to develop an industrial park in this area. I am just curious as to why this particular provision, looking at all the provisions in here that were not singled out, as to why this one has been singled out.

Mr. SHUSTER. Mr. Chairman, continuing to rise on my point of order, I will respond to the gentleman by pointing out that he did ask us to put this in AIR–21, and we said that if they could provide us with information showing that it conformed with other actions of the past, we would be happy to consider it.

Moreover, and even more importantly, we have required other airports across America to conform, particularly even an airport in my own congressional district in Chambersburg, Pennsylvania. So when we have required this of other airports, including an airport in my own congressional district, it hardly seems fair to provide this special consideration for an airport in another part of the country. And those are my reasons, I say to my good friend.

Mr. KOLBE. Mr. Chairman, I would simply state that we are prepared to use language that conforms precisely to language that was used in AIR–21 last week on another project in Newport News that would apparently do that. We have attempted to have discussions with the staff about this and apparently have not had a great deal of success.

I must say that this objection is very devastating to this community, which has been trying very hard for a long time to get this very small project of economic development off the ground. I would just simply say that I do not think that this language is different than has been provided in other cases, and I do believe we can point to that.

Mr. SHUSTER. Mr. Chairman, I would like to respond to further emphasize that requiring my own community of Chambersburg, Pennsylvania, to adhere to the law certainly was difficult for them. But having required them to adhere to the law, it would seem very, very unfair to give a special waiver to another community.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The language cited by the point of order explicitly waives existing law. As such, it constitutes legislation.

The point of order is sustained.

The section is stricken.

Mr. SABO. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, I want to thank the gentleman from Minnesota for yielding and for his hard work on this piece of legislation.

Mr. Chairman, I have a concern about this legislation in regard to an authorization for a critical transit project in Dane County, Wisconsin, which is in my district. I would like to engage the gentleman from Wisconsin (Mr. PETRI), the chairman of the Subcommittee on Ground Transportation, in a colloquy.

Mr. Chairman, Dane County and the City of Madison are currently examining future transportation needs, including various mass transit options. Traffic congestion and the need for additional parking will need to be addressed as the population of the region continues to grow into the next century. Dane County, which contains Madison, is working hard to promote concentrated development along existing and potential transit corridors.

In addition, I would like to note the strong potential of new mass transit options since Madison Metro consistently ranks as one of the finest in the Nation with excellent service and ridership that ranks higher than most similar cities.

Unfortunately, Dane County was not ready for new start projects authorization when TEA–21 was enacted last year. Their planning for future transit needs has now reached a point where an authorization for a new start project would be appropriated.

I understand that such an authorization would be most appropriately included on a bill from the committee of jurisdiction, the House Subcommittee on Ground Transportation. I would like to obtain the assurance of the gentleman from Wisconsin (Mr. PETRI) that an authorization for the Dane County project would be considered in the subcommittee's next appropriate vehicle.

Mr. PETRI. Mr. Chairman, if the gentlewoman would yield, I would like to thank the gentlewoman and assure her that the subcommittee would be pleased to consider an authorization for the Dane County project in our next appropriate vehicle.

I understand that Dane County has a number of transit options under consideration and would be seeking Federal funding for continued planning and evaluation in budget year 2002. And I am quite sure that the need of the county can be addressed by our committee on a timely basis, and I look forward to working with my colleague toward that end.

Ms. BALDWIN. Mr. Chairman, I thank the gentleman for his comments. I look forward to working with him to address the transit needs of Dane County.

Mr. SABO. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from Texas (Ms. JACKSON-LEE) for the purposes of a colloquy.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman, the ranking member, for yielding.

Mr. Chairman, I thank the chairman for his hard work. I would like to enter into a colloquy on an important matter in my community that many of us have worked on, and that is included in H.R. 2084, the Houston, Texas Main Street Corridor Project, of which a request was made for some $8 million. It received $1 million in funding for fiscal year 2000.

I would hope, as we move this bill to conference, that, in recognizing the commitment that the committee has made to infrastructure and making our communities less congested, that we could seek an additional funding of $500,000 to keep this project on schedule.

Traffic congestion and a depleted infrastructure threatens the future of this vital backbone of transit. Houston's Main Street Corridor has been the heart of the 2,000 square mile Houston region for many years. In fact, we have gathered together a diverse community collaboration and coalition that have organized around enhancing the Main Street Corridor.

The Corridor runs from Buffalo Bayo north through Downtown, Midtown, Hermann Park, and the Texas Medical Center. Main Street links two important economic hubs, Downtown and

Texas Medical Center, as well as the entertainment, cultural, and governmental centers. The City of Houston and I and others believe that this funding is necessary to ensure that effective traffic management will continue the redevelopment of this center of commerce and business, the very principles of this committee.

Long-term, this project will result in increased development density, increased access to jobs, reduced automobile inventories, lower emissions, and reduced long-term capital investment in the regional infrastructure, again, the principles of this committee.

I would ask my colleagues, the ranking member, and the chairman to work with me on this matter.

Mr. SABO. Mr. Chairman, I thank the gentlewoman from Texas for bringing this important matter to the consideration of the subcommittee.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. SABO) has expired.

(By unanimous consent, Mr. SABO was allowed to proceed for 1 additional minute.)

Mr. SABO. Mr. Chairman, as we go to conference and consider all our alternatives, we will keep the request of the gentlewoman in mind.

Let me add, however, for the gentlewoman and for all other Members that part of this bill carries very significant increase in transit formula funding for local transit agencies and we may have limits as to what we can do in discretionary funding. But communities should also look to the additional formula funding for potential use in preliminary engineering on some of these projects.

I thank the gentlewoman for bringing this to our attention.

Mr. Chairman, I yield to my friend, the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, the gentlewoman has spoken to me about this. Everything is very tight. The gentleman from Minnesota (Mr. SABO) and I can work together and see. But we will certainly take a very, very close look at it, I promise.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if the gentleman would continue to yield, this is most helpful to me, and I thank the gentlemen very much for their cooperation in working on this very important project.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 347. None of the funds in this Act may be expended to review or issue a waiver for a vessel deemed to be equipped with a double buttom or double sides.

This act may be cited as the ''Department of Transportation and Related Agencies Appropriations Act, 2000''.

AMENDMENT OFFERED BY MR. ROGAN

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

The Clerk read as follows:

Amendment offered by Mr. Rogan:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ___. None of the funds in this Act may be used for the planning or development of the California State Route 710 Freeway extension project through South Pasadena, California (as approved in the Record of Decision on State Route 710 Freeway, issued by the U.S. Department of Transportation, Federal Highway Administration, on April 13, 1998).

Mr. ROGAN. Mr. Chairman, in order to defer to my colleague from South Carolina (Mr. SANFORD) I ask unanimous consent to withdraw my amendment for the time being.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. SANFORD

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

The Clerk read as follows:

Amendment offered by Mr. Sanford:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. _____. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be further reduced by $1,000,000.

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

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

There was no objection.

Mr. DUNCAN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

□ 1315

Mr. SANFORD. Mr. Chairman, first of all I would applaud the gentleman from Pennsylvania (Mr. SHUSTER), I would applaud the gentleman from Virginia (Mr. WOLF), I would applaud the gentleman from Oklahoma (Mr. COBURN) for what they have done to in essence refine this bill as we go through this process here on the House floor. What this amendment does is it basically continues that simple theme of refining and focusing this bill, because this bill looks at the Transportation Administrative Service Center which was basically founded by the Department of Transportation back in 1997.

It last year was funded at about $109 million. This year it is projected to be funded at about $148 million. All this amendment does is it takes one of those million dollars of increase, and again, there are roughly about $50 million of increase, it takes one of those million dollars and it cuts it. The reason it does that is because it is basically a shot over the bow to this service center to say, ''Let's really look under the hood at some of these expenses and really examine closely whether or not they are in the best interests of the taxpayer.''

A lot of the things that this service center does basically for the Department of Transportation makes a whole lot of sense. Whether it is with photocopying or telecommunications services, there are certain advantages to one-stop-shopping which this center does. But some of the expenses when we really looked at them to me did not pass the litmus test of best interests of the taxpayer.

Let me give my colleagues just a few of those. First of all, it has like career development seminar and workshops designed to assist organizations in promoting employee empowerment. It goes on to say, ''Emphasis is on providing employees with the tools, the information, the resources they need to seek opportunities that will make them more marketable and enhance their careers.''

That is a good thing, but I do not know that it is really in the best interest of building more roads and bridges and airports across this country. Similarly, another component of the center was fitness center equipment consulting.

I read from their own web page:

''If you're thinking of purchasing exercise equipment for your employees but are not sure what it should cost, what's most effective, what's currently popular, let our staff with over 50 years of experience in exercise physiology and fitness equipment handling assist you to facilitate your plans.'' That is a very nice thing, but again it is almost a bureaucracy within a bureaucracy. I do not think the taxpayer really wants to see a lot of those.

Another one here I see, responding to employee stress. It says here, ''These are difficult times, downsizing, changing work styles, uncertainty about the future, family stresses. The effects of too much stress can start showing up in the workplace in big and small ways. Let us help you help them.''

A lot of these things, I am sure, are very reasonable things. That is why this bill only cuts $1 million of the basic $50 million of increase, asking them to carefully look under the hood to really examine whether or not all these expenses are warranted. I think the committee has already taken up the Inspector General's study which basically discontinued the computer operations over at the service center. This is again a shot over the bow. It is nothing more than that.

Mr. DUNCAN. Mr. Chairman, I withdraw my point of order and state that I have no objection to this amendment.

The CHAIRMAN. The gentleman withdraws the point of order.

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

This amendment cuts $1 million from the Transportation Administrative Service Center, which has already been cut in the request by $10 million in this bill.

The center finances common administrative services, such as payroll, accounting, copying and telecommunications that can be performed more

economically and efficiently through a central organization rather than the various modal administrations of the Department of Transportation.

Mr. Chairman, the entire purpose of the Transportation Administrative Service Center is to save the government money by consolidating redundant administrative overhead and functions. Individual departmental agencies may purchase administrative services outside the Transportation Administrative Service Center only if they can demonstrate that doing so is cost beneficial to the department as a whole.

Rather than supporting the Transportation Department's effort to control costs by centralizing administrative functions, this amendment would penalize the Department.

The net effect of the Sanford amendment might well be that the various agencies in the Department will seek out other sources for their needs which could cause duplication of procurement, accounting and other administrative services and higher costs overall.

In the end, Mr. Chairman, this amendment will not save money, it will cost the government money, and it should not be adopted.

Mr. WOLF. Mr. Chairman, I move to strike the last word. I have no objection to the amendment offered by the gentleman from South Carolina.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is a good amendment. It takes a million dollars away from a $39 million increase. The reason it does, it says to the people who are working in this center, you can spend the money more wisely, more efficiently.

The concept of the center is fine, but a 45 percent increase in your spending this year? We are going to cut some of that back. We recognize the value of this center, but we can save a million dollars and send a signal that ''next year, if you are not better, you are not going to see this kind of increase. Regardless of what is there, you cannot justify the inefficiencies that you are generating.''

The Sanford amendment takes just $1 million out of a $39 million increase and says, ''We want you to wake up and smell the roses, do some things a little more efficiently, and let's save some money.'' It is not even 1 percent of their budget, it is about three-quarters of 1 percent, and it is of an increase. They had $109 million last year, we are going to give them $148 million this year.

I want to make one other statement. Earlier in our debate today, we talked about how $170 million was not much. $170 million will pay for the Social Security for 1.8 million Americans this year. When this bill is finished, if we pass it, we are going to have savings of about $555 million. That is enough to pay the Social Security for 5.4 million Americans. That is a good achievement. We ought not to lose sight of that.

Let us save an additional $1 million, we can save another couple of hundred thousand people their opportunity for Social Security, and we can live up to the commitment that we all agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ANDREWS

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

The Clerk read as follows:

Amendment offered by Mr. Andrews:

Page 52, after line 13, insert the following new section:

SEC. 348. The amount otherwise provided by section 330 for the Amtrak Reform Council is hereby reduced by $300,000.

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

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order.

Mr. ANDREWS. Mr. Chairman, I believe that one of the bipartisan success stories of the last few years in America's transportation policy has been the improvements that have taken place in Amtrak. I am a frequent rider on Amtrak and a great devotee of its efforts. I salute all the men and women who work so hard for Amtrak.

I also believe that the efforts of the chairman of the authorizing committee the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the appropriations subcommittee the gentleman from Virginia (Mr. WOLF), together with the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Minnesota (Mr. SABO), their ranking members, have helped to take what was a very critical and difficult situation just a few years ago and turn it into a success story. I commend and congratulate them for that.

This amendment is really offered in the spirit of continuing the success that I believe they and the thousands of men and women who work for Amtrak have achieved, because it is based on the idea, Mr. Chairman, that too many cooks spoil the broth. Amtrak has achieved a labor-management cooperation. It is achieving a program of progress together with its unions and its management that have improved service, increased revenues and expanded future opportunities for Amtrak for years to come.

I believe when something is on the right track, when something is proceeding the way that it should, that second-guessing and Monday morning quarterbacking really is inappropriate. The role of the Amtrak Reform Council lends itself to the possibility of that Monday morning quarterbacking and second-guessing.

There is a delicate balance that has been established in labor and management in Amtrak, with the cooperation of the rail unions, with the able leadership of the board of directors of Amtrak, and its management headed by Mr. Warrington. I think that the possibility of mischief being created that would upset that delicate balance, that frankly would roll back meaningful and important labor protections for men and women who work for Amtrak would be the wrong thing to do.

Now, I had contemplated offering an amendment that would have the effect of defunding, or zeroing out, or eliminating the Amtrak Reform Council. In retrospect, I believe that would be the wrong approach to take at this time. Again, I would salute the efforts of the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Virginia (Mr. WOLF) in contributing to the worthy mission of the Amtrak Reform Council.

In lieu of that idea, I offer this amendment which limits the funding in the new fiscal year for the Amtrak Reform Council to the same amount that the reform council received in fiscal year 1999, namely, $450,000. I would commend the gentleman from Virginia as chairman of the subcommittee and the gentleman from Minnesota as ranking member for their efforts they have already made in reducing the funding request, which was well over $1 million, down to $750,000, and I thank them for that. I believe, though, that there is no evidence that justifies an increase in the funding of the Amtrak Reform Council, so it is the express intent of my amendment and the effect of my amendment that we reduce the funding for the Amtrak Reform Council down to its fiscal year 1999 level of $450,000.

Those of us who believe that there is risk of mischief, that there is the chance that important labor protections would be undone, those of us who believe that the balance that the board of directors and the management and labor of Amtrak are achieving would be disrupted, believe that the best way to limit that risk is to appropriately limit the funding of the Amtrak Reform Council to the level that it was funded in the 1999 budget of $450,000.

To summarize, this is a compromise between those of us who believe that maybe there is no role at all for the Amtrak Reform Council and those who would wish to see it do more. The compromise calls for the limitation of funds to the 1999 level. The amendment cuts $300,000 from the level of appropriation. I again express my appreciation to the chairman and ranking member for the fiscally prudent steps they have already taken. I would just respectfully say I believe we should just go a little further and limit the funding to the 1999 level, in particular importance to making sure that the important labor protections that are in our law protecting Amtrak employees and passengers remain in the law.

Mr. WOLF. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from New Jersey which would restrict funding for

the Amtrak Reform Council to $450,000, or the level enacted in fiscal year 1999. The bill before my colleagues contains an appropriation for the ARC of $750,000 which is what the administration asked for, well below the $1.3 million that the ARC requested for fiscal year 2000. We have taken them down dramatically to the level requested by the administration.

Secondly, this was part of the Amtrak authorization bill. We want to do everything we can to see that Amtrak makes it. For those of us who voted for the ARC in the authorization bill, we need to give them the ability to do their work. If we don't, it would be a mistake.

I have a letter from Mr. Carmichael, Chairman of the Amtrak Reform Council. He says:

''Cutting ARC's funding to $450,000 would damage ARC severely. Specifically, the cut would mean eliminating our valuable program of field hearings that are providing important insights into the problems of Amtrak and rail passenger service throughout the Nation, and laying off at least two of our small staff of six''—they only have a staff of six—''just at the time when we will be preparing our first annual report under the Congressional mandate.''

□ 1330

The Congress created the panel. I think to wound the panel at this time would be a mistake.

In 1998 Amtrak lost $930 million. Amtrak's high speed program, the most important element in Amtrak's program to improve its financial performance to meet the goals of the Amtrak Reform and Accountability Act, is now falling behind schedule, and now for Congress to try to save $300,000, which is the amount that Amtrak loses in about an 8-hour period, by underfunding the organization as it is trying to bring fiscal sanity and some semblance of making this organization run appropriately would really be shortsighted. It would be self-defeating for those who really want Amtrak to survive, to make it, as the members of this committee and most Members of the Congress want. It would be a mistake.

So I have great respect, and sometimes we just say those things, but I am not just saying it for the gentleman from New Jersey (Mr. ANDREWS), but I really think this would actually hurt Amtrak. Since Congress in its wisdom set up the ARC to help Amtrak stay alive, we should not take their ability away.

So, therefore, I urge the defeat of the amendment, Mr. Chairman.

Mr. SHUSTER. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment also.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. SHUSTER. I withdraw my point of order; yes, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER) for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I join with the chairman of the Committee on Appropriations' subcommittee in opposing this amendment.

We made a deal, and the deal when we decided to continue to support Amtrak was that there would be this independent commission of public spirited, unpaid volunteers appointed by the congressional leadership and the President under our reform law to have them look at Amtrak.

Now why does Amtrak need looked at?

Amtrak lost $930 million last year. The Federal Government, the taxpayers of America, subsidized Amtrak to the tune of $1.7 billion last year. So this paltry $300,000 that we are debating right here now represents 2 ten-thousandths of 1 percent of the money that the taxpayers put into Amtrak. We need this tiny sum so that the commission can do its work. One of the reasons we need this additional tiny sum is because the President was so tardy in appointing the commissioners. We need to let them do their work. If they can come up with one small recommendation, to figure out how to save 2 ten-thousandths of 1 percent of the money the taxpayers put in this bill, this will cover this tiny amount of money that we are speaking about here today.

But the issue really is not the money. The issue here is there are those who do not want any oversight of Amtrak, any independent oversight of Amtrak. They want us to keep pouring billions of dollars into Amtrak without having any outside group looking over their shoulder. It is wrong, and it is causing me to rethink my support of Amtrak.

We have got to provide adequate funding, and if we do not provide adequate funding, then it is time, I guess, for us to start looking at more drastic measures concerning Amtrak.

Let us not renege on the deal we made when we passed Amtrak reform, which included having this provision in it. Let us adequately fund it, tiny as those funds may be, so that they can do the job they are supposed to do, and I urge a vote against this amendment which breaks the deal that we made previously.

Mr. MARTINEZ. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I just want the RECORD to show some of the fiscal facts about the Amtrak Reform Council and, in particular, what many of us believe is its potential for doing mischief to the rights of working men and women in the hard-fought rights of those who belong to collective bargaining units to unions in the Amtrak company.

The director, the executive director of the commission, makes $148,000 a year, more than we do. Now I am sure that individual works very hard, but so do we, and I am not sure that that is an appropriate expenditure.

There is $700,000 for technical support and analysis that was requested without much delineation as to what that was for. One of our concerns is that there would be the overuse of outside consultants, often at the cost of $400 an hour or so, and again I want to say for the record that the gentleman from Virginia (Mr. WOLF) I think has done an admirable job in paring down this request, and I acknowledge and respect that. They have proposed a great deal of travel from their travel budgets.

And I would also point out that ARC, the Amtrak Reform Council, has at its disposal the resources of the Department of Transportation already. We do not need to reinvent this wheel or charge the public twice for something already at its disposal. The Inspector General's office at the DOT is also conducting an ongoing assessment of Amtrak. The GAO is available with its resources to investigate and think about these questions, and then various other offices under the auspices of the Secretary of Transportation.

So I simply believe that it is prudent and right to strike a balance by limiting funding of the ARC to last year's amount that was in last year's bill of $450,000, and I would just caution that many of us are concerned that broader financing means broader power, and broader power means the ability to do broader mischief to the hard-fought rights that were won in collective bargaining of the men and women who work for Amtrak.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

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

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

The CHAIRMAN. Pursuant to House Resolution 218, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. Are there any other amendments?

AMENDMENT OFFERED BY MR. ROGAN

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

The Clerk read as follows:

Amendment offered by Mr. Rogan:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds in this Act may be used for the planning or development of the California State Route 710 Freeway extension project through South Pasadena, California (as approved in the Record of Decision on State Route 710 Freeway, issued by the U.S. Department of Transportation, Federal Highway Administration, on April 13, 1998).

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

Mr. ROGAN. Mr. Chairman, I offer this amendment for the residents of Pasadena and South Pasadena in California. Their historic communities are threatened today by a proposal to construct an extension to the 710 freeway through South Pasadena. This extension will cost the taxpayers over $1½ billion and will slice the historic community of South Pasadena into quarters. My amendment offered today will prohibit funds from this bill from being allocated to the planning or construction of the 710 freeway project.

Mr. Chairman, as my colleagues may know, we face considerable traffic and congestion problems in that region. Steps must be taken to alleviate this challenge. However, building an expensive, environmentally-harmful freeway in the middle of historic South Pasadena is not the only or the best solution. Studies indicate that the 710 freeway extension will destroy more than 1,000 South Pasadena historic homes and dislocate more than 4,000 people. More than 7,000 old trees and 70 national historic buildings will be razed. In fact, the National Trust for Historic Preservation has vehemently opposed the 710 freeway and has worked to stop this devastating project. This is the first time in the history of the National Trust For Historic Preservation that they have taken a stand against a Federal Highway project, but this organization has seen the danger of continuing the 710 freeway.

Mr. Chairman, the Federal Government shares the concerns of the community leaders regarding this pork barrel project. A tentative ruling on ordering a preliminary injunction was issued by Judge Dean Pragerson in the U.S. Federal District Court on June 2 of this year. Judge Pragerson found that the FHA and Cal Trans failed to properly evaluate Pasadena's multimode, low-build alternative. In fact, Judge Pragerson found a lack of new consideration regarding the impact upon historic homes and upon the environment in this community.

We do have options which reduce traffic and minimize the impact of traffic mitigation efforts upon the area's environment. Studies show that a multi-modal, low-build alternative could move traffic through the affected area at average speeds of almost 18 miles per hour. As proposed, the 710 extension would only move traffic at an average speed of 18½ miles per hour. This is a meager improvement that does not justify leveling a community or spending $1.5 billion on a project that is not needed.

Further, the low-build alternative will provide 90 percent of the transportation benefits of the proposed 710 extension for one-tenth of the cost.

I share with the Chair a strong desire to improve our infrastructure in a manner that enhances communities, protects the environment and uses taxpayer dollars in a sensible way, but the 710 freeway project stands in direct opposition to these principles. My amendment will stop this project in its tracks for the year so that more sensible alternatives to reduce traffic in the area can be pursued.

Mr. Chairman, I urge adoption of the amendment.

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

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

Mr. SHUSTER. Mr. Chairman, I would say to the gentleman that we have examined this amendment. It does not affect the firewalls in TEA–21, and therefore I have no objection to the gentleman's amendment.

Mr. ROGAN. Mr. Chairman, I thank the gentleman from Pennsylvania for those words.

Mr. WOLF. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

We did this several years ago for the gentleman from New York (Mr. NADLER). In fact, I believe, if my memory serves me, that we actually carried it in the bill. I think we should defer to a Member who known firsthand their own congressional district. Each member knows their Congressional districts needs. This was the same principle we used with regard to Mr. NADLER in the past, and it is the same principle we would use here.

So I rise in support of the amendment offered by the gentleman from California (Mr. ROGAN).

Mr. MARTINEZ. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. MARTINEZ. Mr. Chairman, I really do not know why this amendment is before us since there is no mention in the appropriation bill of the 710 freeway. Regardless, I understand that the gentleman is here to try to protect one of his cities that he represents, and that is commendable except that all the other cities in his district are in support of the completion of the freeway.

Let me try to explain to my colleagues what the situation is with a little bit of the background since the distortion I have heard here today from the gentleman from the district to my north which is understandable given his contention about the completion of the freeway in regards to that city.

First, let me correct something. The City of Pasadena is not in support of his amendment. They, in fact, passed a resolution in support of the completion of the freeway. We have letters which we will provide at the appropriate time in the full committee from the Transportation Department, from Cal Trans, from everybody else involved except the City of South Pasadena.

Now, why I find this is illogical is because the record of decision that was signed by Rodney Slater, the Secretary of Transportation, was only to move the freeway from the present closure that it has now on Fremont and Valley to Huntington Drive, which is a much wider street, to alleviate the traffic congestion, the accidents and the environmental and soundness of having that freeway dump out on Valley Boulevard.

Now the low-built proposition that has been offered several times and in several different manners has been studied over the period of some 35 years, and everyone that studied that has found that it is inappropriate and that it would not correct the situation that exists and would only make matters more complicated.

The gentleman uses statistic of 18 miles per hour on surface streets; that is absolutely true; and then 18 miles per hour on a freeway that cannot possibly be except in the heaviest of congestion, and if that freeway were completed, there would not be that congestion.

□ 1345

But more than that, the whole misunderstanding of this situation, as I said earlier, is that the record of decision only takes the freeway, relieving that congestion to the City of Alhambra to Huntington Drive, and the portion that goes to that point is not in the gentleman's district, but is in my district.

I have certainly the right to stand and try to protect my city of Alhambra from all of the impacts that have been created, because South Pasadena is unwilling to be a good neighbor, because through South Pasadena that freeway would not present all of the problems that the gentleman has described, because it would be undergrounded through there, the top of it would be landscaped, historical buildings would be replaced and refurbished, so everything would be put back in order and it would not cut the city into quarters, as he has stated.

More than that, this situation has existed there for 34 years. If the Transportation Department did not intend to complete this freeway, they should have never built it, because every city along that route suffers from lack of completion of that freeway.

As far as displacing people, the freeway has for a long time displaced people in that the State was required to buy homes and over 40 percent of the homes in that area have been purchased by the State and are already owned by the State towards the eventual completion of that freeway.

But the record of decision that everybody agreed to came to the conclusion that the first thing to do was to move it from Fremont and the valley where it has created such a problem to Huntington Drive. Then the decision would be made. So at this point in time, any funding that would be denied would be denied for a completion that does not go through the gentleman's district, but up to the gentleman's district and, thereby, relieving the situation in the city below it.

If that at that time comes to pass, that the freeway would need to be completed, that would have to be addressed

at that time with new environmental impact reports done and the like.

At this point in time, the only thing he would be prohibiting is from funding for, if at some future date somebody would decide to fund that portion of the freeway to Huntington Drive, he would be preventing us from alleviating a series of problems that are created not only by the lack of completion of the freeway, but because of the elevated corridor, which is now going to put an extensive amount of train traffic through the district with many of the crossings being at grade, not below grade, and in this record of decision also, money was appropriated or was established that would be appropriated for the taking of those railroad crossings and putting them below grade.

So at this point in time I oppose the gentleman's amendment, and I would urge my colleagues to oppose it, since the completion that is taking place is within my district.

Mr. SABO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a question for the gentleman from California (Mr. ROGAN), and I would like to engage him in a colloquy at this time.

Mr. Chairman, I do not know anything about this project, although I do not know where it is, what it is, and I suspect most House Members do not. Is this a highway demo?

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

Mr. SABO. I yield to the gentleman from Minnesota.

Mr. ROGAN. Mr. Chairman, this is a completion of a freeway project that was designed 50 years ago.

Mr. SABO. Mr. Chairman, reclaiming my time. Is this a highway project that was designed by the State of California with general highway funds?

Mr. ROGAN. Mr. Chairman, if the gentleman will yield, I cannot answer the question of the gentleman. It was designed before I was born. I am not sure where the source of the design came from.

Mr. SABO. But it is not a demo project that we have specifically designated by Federal law?

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

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

Mr. MARTINEZ. Mr. Chairman, the answer to the gentleman's question is yes. The State of California designed that freeway with the intention of completing it.

Mr. SABO. Mr. Chairman, reclaiming, my time, but it is not a demo?

Mr. MARTINEZ. No, Mr. Chairman.

Mr. SABO. So this is a project, Mr. Chairman, that has proceeded under whatever the procedures are in California, I assume using general Federal highway aid money, through the normal environmental process, dealing in whatever fashion they do in California with local units of government. I gather some of this project is built right now, and right now it is at a stop; is that accurate?

Mr. MARTINEZ. Mr. Chairman, if the gentleman will yield, yes, it is.

Mr. SABO. Mr. Chairman, I am finding it difficult to understand why on the House floor where most of us do not know what we are doing, we should make a judgment on what happens in the State of California with funds that they control, subject to the normal procedures that we have.

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

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

Mr. ROGAN. Mr. Chairman, I appreciate the gentleman's inquiry, and I will try to enlighten the gentleman.

In fact, the point the gentleman makes is the point that is currently before the Federal court. A permanent ruling is going to come down on July 1, but the Federal court, in a temporary ruling to an injunction has said a number of these factors have not been considered, such as the environmental impact, the impact upon the historic area of the community. So what I am attempting to do in this amendment is to stop the spending of Federal dollars on a project that could go forward through the general funds of the FHWA when, in fact, it may be a waste of money and certainly would have a very bad impact on the community.

Mr. SABO. So, Mr. Chairman, reclaiming my time, this highway is also in the courts?

Mr. ROGAN. Yes.

Mr. SABO. And we are going to prejudge what the courts are going to do?

Mr. ROGAN. Mr. Chairman, if the gentleman will continue to yield, all I am attempting to do, as I indicated in my opening statement, is try to protect an historic area of the community and protect the environment.

Mr. SABO. Mr. Chairman, reclaiming my time, I am sure the gentleman is, but I am sort of curious why the U.S. House of Representatives on a late afternoon on the House floor, where most of us are not familiar with the project, should override whatever the normal procedures are and adopt an amendment saying we cannot do something which one normally can do in the State of California.

Mr. ROGAN. Mr. Chairman, if the gentleman will again yield, it is because we have the purse strings here, and we have the right in the oversight to say whether or not such projects are going to be developed.

Mr. SABO. Mr. Chairman, reclaiming my time, I do not know that we have often done that, although I hate to say never, on particular projects that are not demos.

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

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

Mr. WOLF. Mr. Chairman, I think we did several years ago, and the gentleman from New York (Mr. NADLER) can better explain, as the gentleman is here.

Mr. SABO. Mr. Chairman, that was that big elevated thing in New York?

Mr. WOLF. Yes, Mr. Chairman. We interceded against it.

Mr. SABO. But was that not a highway demo?

Mr. WOLF. Mr. Chairman, the staff tells me that it was not. That was in opposition to the State of New York in defense to the gentleman from the district.

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

Mr. SABO. I yield to the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, just as much as I can shed light on this for the benefit of my colleague from California, I guess it was the year before last there had been basically authorization within the Federal highway bill for an interstate to run down to Charleston, South Carolina.

Our environmental community did not want that road running down to Charleston, and so we were actually able, with the help of the gentleman from Pennsylvania (Mr. SHUSTER), to take it out and stop the road in Georgetown, South Carolina. So I do think there is historical precedence here.

Mr. SABO. Mr. Chairman, reclaiming my time, was that a demo?

Mr. SANFORD. No, it was not.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. SABO) has expired.

(By unanimous consent, Mr. SABO was allowed to proceed for 2 additional minutes.)

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

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

Mr. MARTINEZ. Mr. Chairman, there are several differences between the examples that have been given here today. The freeway was set for completion, the design was there. The reason it was stopped is because in the State of California, we have a law that requires the cities to give permission for street closures when freeways were being built through a city. South Pasadena used that gimmick to stop the freeway because they refused to close the streets for the freeway to be built.

Some 17 years later, when I was elected to the State legislature, with a negotiation with South Pasadena, we were able to pass a law that took that right of veto, because it actually amounts to veto, away from cities so that freeways that were for the best interests of the community and the surrounding communities and the whole area of L.A., because that completes a circulation pattern in the county of L.A., then that was passed and signed by the governor. Subsequent to that, we have had at every instance a roadblock put by South Pasadena trying to stop the freeway.

Now, every community in southern California has got a freeway running to it, by it or through it. We have all had to suffer the indignation during the

building of it and we have all had to put up with a lot of inconveniences, in many cases no sound walls until more recently a bill was passed to require more sound walls.

All of these things have been mitigated for South Pasadena in every way. As I said, it will be undergrounded through South Pasadena, no on ramps or off ramps, everything that is possible to be done for South Pasadena has been done, and yet they refuse. Every county in L.A. at one time or another has passed a resolution in order to complete that freeway because of the suffering that it causes everywhere else, and more than that, the State Transportation Department is in total support of the completion of that freeway. CALTRANS is in total support of that freeway. Everybody except South Pasadena is in support of completion of that freeway because of the need for it.

Mr. SABO. Mr. Chairman, I remain confused.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROGAN).

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

Mr. MARTINEZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House resolution 218, further proceedings on the amendment offered by the gentleman from California (Mr. ROGAN) will be postponed.

Mr. BENTSEN. Mr. Chairman, I move to strike the last word.

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

Mr. BENTSEN. Mr. Chairman, I will not take the full 5 minutes. I was unable to be here for the earlier part of the debate. I wanted to rise in strong support of the fiscal year 2000 Transportation Appropriations bill, and in particular, to commend the chairman and the ranking member for crafting this bipartisan legislation.

In particular, I want to express my appreciation to the committee for providing $1 million appropriations for the planning and design of the Main Street Corridor project in Houston, Texas, a large part of which runs through my congressional district. The city of Houston, in collaboration with the Houston Metro and the Main Street Coalition, Incorporated is about to undertake a study of one of the most comprehensive urban redevelopment projects in Houston's history.

The city of Houston is committed to redeveloping Main Street. Redeveloping the city's ''urban spine'' is critical to Houston's ability to compete economically, culturally, and socially in the next century. This project has the potential for becoming a thriving retail and commercial anchor for the future of economic growth.

I again appreciate the work of both the chairman and the ranking member for including this, and I recommend passage of the bill.

Mr. BILBRAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am going to support the Transportation Appropriations bill, but I want to raise an issue that was discussed last year during the TEA–21 debate. The Federal Government is mandating that communities reduce their emissions from air pollution and is requiring that the private sector clean up its act on air emissions, yet it continues to provide funds to local transportation agencies that are, in fact, polluting the environment. I will give my colleagues an example, and I would ask us to reconsider our priorities in the very near future.

We are going to spend $2.7 billion on traditional polluting mass transit using diesel fuel while only $50 million is going to clean technology.

I would just ask both Chairmen WOLF and SHUSTER, who are here today, that next year, when we bring this spending bill up, that the Federal Government makes more of an effort to lead through example and make sure that every Federal transit dollar that is spent, no matter who spends it, is spending it in the purchase and the use of clean technology, clean buses and clean mass transit.

For those of us that have worked on air pollution issues, it is frustrating to see the Federal Government, State governments, and local governments mandate that private citizens and the private sector clean up their act, while we have not redirected our resources towards the cleanest technology available. I would just ask the subcommittee chairman if he would be willing to work with we in the next fiscal year to make sure next year's allocation places a priority on the cleanest technology available and that Federal funds should be used on technology that will not only get our people around, but also do it without polluting the air.

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

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

Mr. WOLF. Mr. Chairman, I will. As the gentleman knows, there is money in the bill here, I believe $100 million, directed toward that effort, but we will be glad to work with him to see that we can do a better job for more.

Mr. BILBRAY. Mr. Chairman, reclaiming my time, I appreciate that. I think this is the beginning of a process that we can work together. Mr. Chairman, I want to point out that Chairman SHUSTER on the Transportation Committee has started this process. Traditionally for the last 30 years, Washington has been subsidizing dirty polluting diesel fuel while we have purported to be for clean air.

□ 1400

I appreciate Chairman SHUSTER and WOLF in trying to change that mindset. I would just ask that next year, going into the next millenium, we draw the line and say we will now support the clean air strategies with our commitment of Federal transportation funds.

AMENDMENT OFFERED BY MR. NADLER

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

The Clerk read as follows:

Amendment offered by Mr. Nadler:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds in this Act shall be available to carry out the project specified in item 732 of the table contained in section 1602 of Public Law 105–178.

Mr. SHUSTER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. NADLER. As Yogi Berra said, Mr. Chairman, it feels like deja vu all over again.

This time I rise to offer an amendment to keep valuable taxpayer dollars from being wasted on an outrageous boondoggle in my district in New York.

The issue is simple: The Miller Highway, which is 13 blocks long, the entire thing, 13 blocks, half a mile, was almost completely rebuilt only 5 years ago at a cost to the taxpayers of almost $90 million. It has a life expectancy expectancy of 35 to 40 years before major rehabilitation work may be necessary.

Now Donald Trump wants us to spend $300 to $350 million to tear it down, a brand new highway, and bury it, bury it so it will not block the views of the Hudson River from some of the apartments in his new Riverside South luxury housing development. For $350 million of the taxpayers' money, Donald Trump will get higher prices for his condos.

To add flame to the fire, nobody even pretends there is any transportation purpose for this project whatsoever. Indeed, the proposal is to replace a straight segment of highway with a curved segment, never a good idea from a transportation perspective.

Nobody in the area affected in the community wants this project. It is opposed by every local elected official, the State senator, the State assembly member, the New York City council member, the Manhattan borough president, and the two local community planning boards.

In past years this project has been opposed consistently by the Porkbusters Coalition, the Council for Citizens Against Government Waste, the National Taxpayers Union, the Taxpayers for Common Sense, not to mention the administration.

Much is said in this Chamber about stopping waste and put an end to taxpayers' subsidies for millionaires and billionaires. Today we have an opportunity to buttress these statements with actions.

To make it even worse, this is a project that is not going to happen. What we are doing is wasting money on planning an engineering studies for a project that will not happen.

In the letter that was quoted on the floor last year from the mayor of the city of New York, he says as follows, dated March 26, last year: ''While the administration is fully committed to the Miller Highway relocation,'' they think it is a good project, unlike me, ''it is critical that the funds for the project not redirect or act as an offset for Federal or State funds for other Transportation and Infrastructure projects in New York City. The city has numerous pressing highway and transportation needs that have Federal financial support, and the administration would not be able to support a relocation proposal that reduced the Federal commitments to these other projects.''

In other words, they are only going to do this project if the House decides that we are going to take $300 million over and above what New York normally gets for transportation and give it specifically for this project. That is obviously not going to happen.

They are not willing to, the city government is not willing to take $300 million from the normal city Federal aid for transportation, take it away from other projects for this. So what we are left with is a project that is not going to happen because no one is going to put the money into it, but we will waste 6 million a year, $5 million a year on environmental and planning studies and engineering studies for a project that will never happen.

My amendment is simply saying, do not waste that $6 million, $10 million on planning study for a project that should not happen and that will not happen.

Mr. SHUSTER. Mr. Chairman, I move to strike the word.

Mr. Chairman, it will be my intention in a moment to withdraw my reservation on my point of order, but I would make the point that I do not see any additional dollars being spent beyond T–21 on this project unless there is very substantial investment in the project by both the State and the city.

As the gentleman has pointed out, that seems to be, in all probability, not going to happen.

Therefore, Mr. Chairman, I would withdraw my reservation on my point of order and ask the gentleman if he would withdraw his amendment.

The CHAIRMAN. The point of order is withdrawn.

Mr. NADLER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. NADLER. Mr. Chairman, if I heard correctly, and if in fact what the gentleman from Pennsylvania (Mr. SHUSTER) is saying is that unless the city and the State come up with a specific financing plan to show a commitment for the bulk of the money, three-quarters or whatever of the several hundred million dollars that this will take, which I do not believe can happen, but that unless that happens there will not be additional funding for this project, then I think that is a very wise statement and it would render the amendment unnecessary.

Mr. Chairman, I ask unanimous consent to withdraw the amendment, and I appreciate the commitment from the gentleman from Pennsylvania.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Are there any further amendments?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 218, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from New Jersey (Mr. ANDREWS);

The amendment offered by the gentleman from California (Mr. ROGAN).

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

AMENDMENT OFFERED BY MR. ANDREWS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 289, noes 141, not voting 4, as follows:

[Roll No. 248]

AYES—289

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Cannon
Capps
Capuano
Cardin
Carson
Chenoweth
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Deal
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Graham
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Portman
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryan (WI)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sherman
Shimkus
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Waters
Watt (NC)
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wilson
Wise
Woolsey
Wu
Wynn
Young (AK)

NOES—141

Aderholt
Archer
Armey
Baker
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Biggert
Bilbray
Bliley
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
DeLay
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Everett
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Goode
Goodlatte
Goss
Granger
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hobson
Hoekstra
Horn
Houghton
Hunter
Hyde
Isakson
Istook
Johnson (CT)
Kasich
Kingston
Knollenberg
Kolbe
Kuykendall
Largent
Lewis (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McIntosh
Mica
Miller (FL)
Miller, Gary
Morella
Nethercutt
Northup
Packard

Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Pryce (OH)
Ramstad
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun (KS)
Sanford
Saxton
Scarborough
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simpson
Skeen
Smith (MI)
Smith (TX)
Souder
Spence
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Wicker
Wolf
Young (FL)

NOT VOTING—4

Brown (CA)
DeFazio
Fletcher
Gilchrest

□ 1430

Messrs. MILLER of Florida, HASTINGS of Washington, ADERHOLT, KINGSTON, KASICH, HAYES, BRYANT, SMITH of Michigan, and SHADEGG changed their vote from ''aye'' to ''no.''

Messrs. HILL of Montana, FORBES, YOUNG of Alaska, DEMINT, DUNCAN, SALMON, GEORGE MILLER of California, DICKEY, FOSSELLA, STEARNS, MOLLOHAN and METCALF and Mrs. EMERSON changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1430

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 218, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. ROGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROGAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 190, not voting 3, as follows:

[Roll No. 249]

AYES—241

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Chenoweth
Clayton
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Doggett
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCarthy (MO)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—190

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Clay
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Dixon
Dooley
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—3

Brown (CA)
DeFazio
Gilchrest

□ 1438

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any further amendments to the bill?

AMENDMENT OFFERED BY MR. SMITH OF MICHIGAN

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

The Clerk read as follows:

Amendment offered by Mr. SMITH of Michigan:

At the end of the bill, insert the following new section:

SECTION ____. Amend paragraph ''Capital investment Grants'' by striking ''$2,451,000,000'' and inserting ''$1,470,600,000''. On page 26, line 15, strike ''$980,400,000'' and insert ''$0''.

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

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

There was no objection.

POINT OF ORDER

Mr. WOLF. Mr. Chairman, I rise to make a point of order against the amendment because the author seeks to amend a paragraph that has already been read under the 5-minute rule.

The House Rules and Manual clearly state in Section 872 that: ''When a paragraph or section has been passed it is not in order to return thereto.''

This amendment comes too late, and I ask for a ruling from the Chair, but in deference to the gentleman from Michigan (Mr. SMITH), Mr. Chairman, I ask that he be given several minutes to explain his amendment.

PARLIAMENTARY INQUIRY

Mr. SABO. Mr. Chairman, parliamentary inquiry. Did I understand my friend from Virginia (Mr. WOLF) to raise a point of order against the amendment but requests unanimous consent that the gentleman from Michigan (Mr. SMITH) might have 2 minutes to explain his amendment before a ruling by the Chair?

The CHAIRMAN. The Chair would ask the gentleman from Virginia (Mr. WOLF) has he made a point of order or has he simply reserved a point of order?

Mr. WOLF. Mr. Chairman, I will reserve a point of order in deference to the gentleman, and then I will make the point of order after the gentleman has an opportunity to explain.

The CHAIRMAN. The point of order is reserved, and the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Chairman, this is an amendment that the gentleman from Ohio (Mr. CHABOT) and I had introduced. I understand that TEA–21 might be a reason for claiming it out of order. In addition, it amends page 26 of the bill.

Let me just briefly tell the body our concern with spending millions of dollars for new fixed-rail starts. This amendment, if passed, would have saved $980 million. What happens is, these new subway systems, these new fixed-rail systems are not paying their way. They are extremely expensive.

I am going to say this very quickly and very briefly. It is an issue that should concern us all. I understand that most of these new starts are Republican projects, but a Department of Transportation study has found that subsidies for building and operating mass transit rail programs cost between $4,800 and $17,000 annually for each rider.

Then, after we build the system, we continue to subsidize them. We have increased the Federal Government's cost share because local communities are not interested in putting in 50 percent of the cost. I think it is an issue that we need to consider. We need to look about us as we are threatened with spending the Social Security surplus money. It is a special challenge to each one of us to make sure we be very frugal. There is not a single mass transit rail system in the U.S. that covers its operating cost with fares.

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

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Are there any further amendments to the bill?

If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOLEY) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 218, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

□ 1445

The CHAIRMAN. The question is on passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 429, nays 3, not voting 3, as follows:

[Roll No. 250]

YEAS—429

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Chenoweth
Paul
Royce

NOT VOTING—3

Brown (CA)
DeFazio
Gilchrest

□ 1503

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 33, CONSTITUTIONAL AMENDMENT AUTHORIZING CONGRESS TO PROHIBIT PHYSICAL DESECRATION OF THE FLAG OF THE UNITED STATES

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 217 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 217

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 33) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment in the nature of a substitute, if offered by Representative Conyers of Michigan or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose 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 the purpose of debate only.

Mr. Speaker, this is a fair and appropriate rule for consideration of a constitutional amendment. This is not something we do every day. The rule provides the minority with two bites at the apple by making in order a substitute as well as the motion to recommit. It should engender no opposition, and I urge all Members to support this rule.

Mr. Speaker, the United States flag is a cherished symbol of the very best our Nation represents. It signifies the lasting ideals that have come to define our Nation, ideals that men and women have risked and often lost their lives for; ideals like freedom.

There are some well-intentioned, honorable Americans who will assert that it is precisely this freedom that allows us to defile our flag. I politely disagree with those folks. The flag may be just a symbol, but burning it flies in the face of the respect that we have for our liberties, our Constitution, and our history as a Nation. Worst of all, it strikes a devastating blow to our national unity, and our unity is what makes us great. While we all come from different backgrounds and may worship different gods, we can all come together as Americans under our flag. We can disagree on the most challenging issues in our great democracy and have great debate, but at the end of the day we know that our flag is still flying and it represents all of us together, united. The soldier serving overseas understands it in the same way that the World War II vet saluting ''Old Glory'' on Memorial Day does. It is an unspoken pride and it comes from the heart. It is not something easily explained. It is something easily understood.

Today, we have the opportunity to affirm our commitment to our uniquely American values and to uphold the will of the American people. I say that because 49 States, including my home State of Florida, have asked us to take action to protect the flag. This will require amending the Constitution, an action which is not to be taken lightly. But it is an action that our Founding Fathers deemed appropriate on issues of integral national importance, and I believe this is one of them. This, I believe, is what the American people are asking us to do, for those individuals who have fought to preserve our freedom and for those individuals who are interested in the future of our country.

I urge support for this rule, and I urge thoughtful consideration on the final vote on the matter before us.

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

Mr. MOAKLEY. Mr. Speaker, I thank my dear friend the gentleman from Florida (Mr. GOSS) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from Florida (Mr. GOSS) in cosponsoring this resolution to prohibit desecration of the flag.

Mr. Speaker, as one who served in World War II, I served not only to defend our flag but also, and probably even more importantly, I served to defend the ideas for which the flag stands.

Still, I do not believe that people should be allowed to desecrate the flag. I think there are far better ways to express unhappiness than by engaging in an act that so many American citizens find offensive.

Mr. Speaker, every time I meet with American Legion veterans, they tell me their number one priority is protecting the flag that they fought so hard to defend. I think this is the least this country can do for these men and the many other Americans who risked their lives for the United States to grant that wish to them.

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

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a man whose experience on behalf of his Nation is well-known to those who know him. We are very proud to have him be the author and lead speaker on this.

Mr. CUNNINGHAM. Mr. Speaker, first of all, I would say that even though I am the author of this amendment, I am not the author of this amendment. I was just flying close wing on Congressman Solomon, a Marine Corps who always hates to hear that the Navy owns the Marine Corps. Jerry Solomon since 1990 has persevered on this particular issue. When he retired, he asked myself and his replacement to push the issue, to bring it before the American people and have a constructive dialogue.

In 1989, in a 5–4 decision, the Supreme Court wiped out 200 years of tradition. In 1990, there was another vote but just for a resolution. The Supreme Court acted again with the same five individuals. The Supreme Court has told us that this is the only way to proceed, and many legal scholars agree.

Mr. Speaker, I would say from the onset, some of my colleagues have a difference of opinion on this issue. This has won by over 300 votes every time it has come up and we will pass this here today with over 300 votes. But I would chastise anybody that would characterize an opponent of this particular issue as nonpatriotic. As a matter of fact, I would stand side by side with that individual, because people have different beliefs on this issue. Fortunately, they are in a minority of those.

Secondly, that 85 percent of the American people feel that those individuals are wrong that oppose this particular amendment. Forty-nine States have asked us to pass this amendment, and their legislatures and the governors. The 50th State has actually passed this in the House and the Senate but not in the same year, and they plan to do it.

Some people will say that this is an unnecessary Federal statute, but yet the Supreme Court told us that this is necessary.

I would ask my colleagues not to bring a circus event, of bringing bandanas, underwear, those kinds of things with the American flag on them. That is not what we are talking about here. We are talking about the desecration of an American flag.

There would be those people that say it abridges the first amendment. Legal scholars again disagree, that this is expressive conduct, not actual speech; that no one is prevented from expressing themselves on an idea such as the flag through speech, or any other manner, except for the desecration of a flag.

We are not talking about burning handkerchiefs or underwear as some of my colleagues have brought forward or other things. We are talking about the American flag. This amendment is supported by 120 different organizations. The Flag Alliance has put together a