

other oils, including toxic petroleum oil. Specifically, H.R. 436 requires Federal agencies charged with regulation of the transportation, storage, discharge, release, emission, or disposal of oil to establish a separate class for animal fats and vegetable oils and to consider the differences in characteristics of these edible oils and other types of oils.

While an agency may consider the characteristics of animal fats and vegetable oil and determine that for a particular regulation no differentiation is required, the agency may only do that where there are no differences in the characteristics that are relevant to that regulation. For example, in the case of regulations dealing with oil spill response, common sense dictates that the non-toxic, biodegradable, and nonpersistent characteristics of animal fats and vegetable oils be recognized and reflected in the oil spill response regulations. It seems clear to everybody except Federal regulators that the Oil Pollution Act was designed to reduce the risk of, improve the response to, and minimize the impact of catastrophic oil spills like the one in Prince William Sound, Alaska—not to regulate edible agricultural products.

In fact, vegetable oils have been used to help clean up beaches fowled with petroleum, and vegetable oils are also being explored as substitute lubricants for machinery in environmentally sensitive areas. This not only demonstrates the significant difference between vegetable oils and petroleum oils, it highlights the fact that animal fats and vegetable oils do not pose the same risk to human health and the environment, and should not be treated the same way.

The financial responsibility relief provided in H.R. 436, as amended, applies only to exclusive shippers of animal fats and vegetable oils, and it brings industry insurance and bonding requirements back into line with the value of the product. Like the rest of H.R. 436, nothing in this section exempts edible oils from all regulatory requirements. The net effect will be to place transporters of edible oils on par with other shipments of nontoxic products, and it will allow U.S. agricultural oils to be more competitive in world markets.

Although the House has already acted three times on this issue in the 104th Congress, H.R. 436 should be adopted as a stand-alone measure because similar language was adopted twice in the House and once in the Senate during the 103rd Congress, only to see the underlying bills die at the end of 1994. I know of no objection to the substance of H.R. 436 from any Member of this body, or from the administration. H.R. 436 passed on voice votes in both the Commerce and Agriculture Committees, and in the House on October 10. In fact, judging from the bipartisan mix of co-sponsors, H.R. 436 enjoys broad support and is absolutely non-controversial.

Again, Mr. Speaker, I want to thank all of the Members—from both sides of the aisle—who have worked hard to see H.R. 436 enacted, for their input and cooperation on this issue. It is time to finally solve this problem.

I urge my colleagues on both sides of the aisle to support H.R. 436.

Mr. SHUSTER. Mr. Speaker, I rise in support of H.R. 436, the Edible Oil Regulatory Reform Act, as amended by the Senate. The legislation passed the House, as part of the Corrections Day Calendar, on October 10, 1995. The Senate passed the bill with minor amendments on November 2, 1995.

The bill embodies the overwhelming sentiment that Congress can and should interject common sense into various Federal regulations.

H.R. 436, requires that Federal regulations differentiate between animal fats and vegetable oils on the one hand, and petroleum products on the other. It does not exempt animal fats and vegetable oils from any regulatory requirement. The bill simply requires Federal regulators to consider the different physical, biological, and chemical properties of these oils as opposed to petroleum based oils.

The Transportation and Infrastructure Committee has already passed language very similar to H.R. 436 in two separate contexts: section 413 of H.R. 1361, the Coast Guard Authorization Act for fiscal year 1996, and section 506 of H.R. 961, the Clean Water Amendments of 1995. Both bills subsequently passed the House of Representatives by wide margins.

Over the last several years, the Committee has gathered testimony and other data indicating that the need for this legislation stems primarily from the current or proposed regulations under the Oil Pollution Act of 1990 and the Clean Water Act—statutes which are under the jurisdiction of the Transportation and Infrastructure Committee.

When Congress passed the Oil Pollution Act of 1990, in the wake of the *Exxon Valdez* oil spill, the focus was on crude oil and other petroleum products, not on animal fats or vegetable oils. Although the definition of oil under both the Oil Pollution Act and the Clean Water Act can be read to include these products, regulating them under standards developed for petroleum oils make no sense. This is a prime example of the kind of regulation run amok that has given rise to the corrections calendar.

This is a common sense reform. It does not say that animal fat and vegetable oil should be exempt from regulation. It merely requires Federal agencies to take a second look at these substances and regulate them according to their relative threat to the environment.

We believe substances that are biodegradable, nonpersistent in the environment, and are essentially components of human and wildlife diets should not be treated the same as crude oil. It's that simple. In addition, these products are shipped in much smaller quantities than petroleum based products and they have a safety record that is the envy of the marine industry. Only 4 tenths of 1 percent of the spills from 1986–1992 were from animal fats or vegetable oils.

I would also add a note of thanks to the bill's primary sponsors, Representative EWING and Representative DANNER, and other supporters, for their efforts. Because it was drafted in a generic, agency-wide manner, H.R. 436 was initially referred to the Commerce and Agriculture Committees. All of us know, however, that the primary purpose of the bill is to address problems under the Oil Pollution Act and the Clean Water Act, which are under the jurisdiction of the Transportation and Infrastructure Committee. Therefore, I also want to thank the leadership of both Committees for their cooperation in getting this important legislation to the House floor, through the other body, and—I hope—on its way to the President.

I urge my colleagues to support the bill.

Mr. DE LA GARZA. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BILBRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 436, and the Senate amendments thereto.

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

There was no objection.

#### ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2126

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

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

Mr. METCALF. Mr. Speaker, I rise to ask unanimous consent to address the House for 30 seconds, and to revise and extend my remarks.

Mr. Speaker, pursuant to the provisions of rule 28, clause 1(c), I am announcing that tomorrow I will offer a motion to instruct the House conferees on the bill, H.R. 2126, to insist on sections 8102 and 8111 of the House-passed bill.

The text of the motion is as follows:

Mr. METCALF moves that the managers on the part of the House at the conference on the disagreeing votes of the two houses on the bill H.R. 2126 be instructed to insist on sections numbered 8102 and 8111 of H.R. 2126 as passed by the House restricting the deployment of United States Armed Forces in the former Yugoslavia.

□ 1900

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BUNN of Oregon). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### IN MEMORY OF YITZHAK RABIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, I am deeply saddened by the tragic assassination of Israel's Prime Minister Yitzhak Rabin. I offer my sympathies to the Rabin family, to the Israeli people, and to all who mourn the loss of this great man.

Yitzhak Rabin was an Israeli patriot and courageous leader whose life will

be forever intertwined with the history of Israel. As a general, he led the heroic effort to secure Israel's existence. As a statesman, he made the historic decision to seek peace for his nation. Only a man who so fully understood the struggle to create a secure and democratic Israel could seize the moment to pursue peace.

It is tragically fitting that Prime Minister Rabin's last act was to speak in support of the peace process—a difficult yet vital process to which he devoted the past 2 years of his life.

I can add little to the words Yitzhak Rabin spoke on his last day. He said: "I was a military man for 27 years. I waged war as long as there was no chance for peace. I believe there is now a chance for peace, a great chance, and we must take advantage of it for those who are standing here, and for those who are not here—and they are many. I have always believed that the majority of the people want peace and are ready to take a chance for peace."

Yitzhak Rabin has done as much as anyone to build the Jewish state, defend it in time of need, and foster relationships with Israel's neighbors so that future generations will know peace instead of war. We mourn the loss of Yitzhak Rabin and pray that his life's work may continue.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Ms. ROS-LEHTINEN] is recognized for 5 minutes.

[Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

#### CALLING FOR ABOLITION OF ELECTORAL COLLEGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, 1 year from now, 1 year from this week, the entire Nation will be watching the results of the 1996 presidential election. As 1992 had a lot of suspense to it, including three candidates, 1996 could be a real roller coaster ride.

That is why I am introducing legislation today that would amend the Constitution of the United States to do away with the Electoral College and the winner-take-all system that says that a presidential candidate who wins even by 1 percent of the votes in a State therefore takes all the electoral votes in that State.

The reason I am calling to do away with the Electoral College is because I think 1 year from today we should not have the kind of possible suspenseful outcome that could happen. Because, Mr. Speaker, 1 year from today, as I read the newspapers and as I look at the tea leaves, we could have as many as four presidential candidates on the ballot.

We could have the Democratic nominee, presumably William Clinton. We

could have the Republican nominee. We could have the Independent United We Stand nominee, Ross Perot or someone else. I have heard talk of Jesse Jackson running as an Independent candidate. And who knows who else that may be running and winning a significant number of votes? As the system stands, if there is no one that is a clear winner in the Electoral College, then that election comes to the House of Representatives.

In 1992, if that had been the outcome, I suspect that the Republican candidate would have been concerned about coming into the House of Representatives, which was controlled by the Democratic Party. And so in 1996 it is fair to say the Democratic candidate may have some hesitation about coming to the House of Representatives controlled by the Republican Party. But I will tell you who really ought to be upset, would be an Independent candidate who has to come to a House that they do not have any votes, Republican or Democrat, in.

Why do we not end this anachronism, this vestige of the past, this Electoral College, by simply saying that the candidate that gets over 40 percent of the vote, the popular vote, is the winner. And indeed, if no candidate gets 40 percent of the vote, then the top two vote-getters have a runoff until one wins. That is what the American people deserve.

Some will say, well, if you do away with the Electoral College, this winner-take-all system whereby, if a presidential candidate gets 1 more vote in the State of West Virginia than the other candidates, that presidential candidate takes all 5 of our State's electoral votes, or if they get 1 more vote of the popular vote in the State of California, they get all 54 of those electoral votes, some say that small States may lose out on this. I do not buy that.

First of all, to be honest with you, presidential candidates do not drop in a great deal on us small States. They may fly through occasionally, have a tarmac press conference at the airport, but they are not spending a lot of time. They are going after the big populous States.

But the second thing is this. Why is it that if I vote and I vote for the winning candidate in West Virginia, my vote in effect is multiplied times five? My vote equals five electoral votes. But somebody with the winning candidate in California, their vote is multiplied by 54, the number of electors from California.

So for these reasons, I think it is essential that we make sure that the American public feels secure about the election process, and understands that it cannot be taken away and that the person who gets the most votes is the person who ends up being elected President; not the person getting the most votes, perhaps getting outdone and politically outmaneuvered in the House in a later election.

That is why I hope that we can pass this constitutional amendment to do away with the Electoral College once and for all. This is a college that ought to lose its certification.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

[Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa [Mr. FALEOMAVAEGA] is recognized for 5 minutes.

[Mr. FALEOMAVAEGA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mrs. SEASTRAND] is recognized for 5 minutes.

[Mrs. SEASTRAND addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

#### TOLEDO COMMUNITY REMEMBERS AND PAYS TRIBUTE TO YITZHAK RABIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, last evening on November 6, the greater Toledo community gathered at Temple Shomer Emunim to pay tribute to the heroic life of Israeli Prime Minister Yitzhak Rabin. Our citizenry humbly assembled—Jew, Muslim, Hindu, Christian, people of all faiths and denominations—to stand together as free people, of diverse heritage, to light candles of commemoration and of peace. Our people wished to demonstrate that here in the United States—a Nation dedicated to justice, human betterment, and "E Pluribus Unum"—One from many—we stand at one with people of peace, wherever they reside.

We witness through our unity as well as our deep sorrow that the hope for peace for which Prime Minister Rabin laid down his life will enlarge the resolve of the entire world to bring its human and spiritual resources to bear on the Middle East peace process. May the cause for which he so nobly shed his blood be sanctified.

The heartfelt remarks of Rabbi Alan Sokobin, cochair community relations of the Jewish Federation of Greater Toledo, delivered with eloquence, offered deep comfort and inspiration. Let them be inserted in this RECORD as historical evidence of the international understanding of our Toledo community and the deep desire of all our people for reconciliation.