In order to avoid the chaos and uncertainty that would envelop the transportation industry if the ICC were to close on January first without having in place a process for the transfer of functions.

The motor carrier provisions in the ICC Termination Act of 1995 continue the economic deregulation of this industry which began in 1980, and was followed by various other deregulation initiatives, including three major bills just last Congress. H.R. 2539 will abolish the ICC and eliminate many of the Commission's remaining motor carrier functions that are no longer appropriate in today's current competitive motor carrier industry.

Functions and responsibilities which do remain are transferred to either the Department of Transportation—which primarily will oversee registration and licensing—or to the Surface Transportation Board—which will be responsible primarily for the limited remaining rate regulation and tariff filings, final resolution of undercharge claims, and approval and oversight of agreements for antitrust immunity. Much of the regulation that remains has been streamlined and reformed.

While we have provided for continued deregulation in this bill, many of us had hoped to have gone further. However, this legislation does contain many compromises, as is usually necessary to move forward such a complicated measure. Continued oversight of remaining motor carrier regulation is still required, and the Surface Transportation Subcommittee will closely monitor the industry and the need to retain these remaining regulatory requirements in the future.

Mr. Speaker, I urge my House colleagues to provide for an orderly shut-down of the Interstate Commerce Commission by approving this conference report today.

The SPEAKER pro tempore. The conference report on H.R. 2539 and Senate Concurrent Resolution 37 are adopted.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report and Senate concurrent resolution just agreed to.

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

There was no objection.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE WORKS IN BIPARTISAN MANNER

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

Mr. OBERSTAR. Mr. Speaker, I take this moment to compliment our chairman, the gentleman from Pennsylvania [Mr. SHUSTER], of the Committee on Transportation and Infrastructure on the legislation just passed which is now on its way to the White House and to a certain signature into law.

Mr. Speaker, this completes a very long and very labored process of completing the economic deregulation of rail and of trucking transportation and of sunsetting the Nation's oldest regulatory body, the Interstate Commerce Commission.

We were able to come to this resolution today because the Committee on Transportation and Infrastructure is a committee that works because its members work together. When we work together, we accomplish good things for this country and for its economy.

Mr. Speaker, that is kind of a good note on almost which to conclude this part of the session. There was a time in the past when Bob Michel and Tip O'Neill would join in singing songs as we approach the Christmas season. This body is not in a mood to do that. But at least we can say that on the Committee on transportation and Infrastructure, we are singing from the same page today, and for that I compliment our chairman, the gentleman from Pennsylvania [Mr. SHUSTER], the gentlewoman from New York [Ms. MOLINARI], who is chair of the Subcommittee on Railroads, the gentleman from Wisconsin [Mr. PETRI], chairman of the Subcommittee on Surface Transportation, and the members on my side, the gentleman from Illinois [Mr. LIPINSKI] and the gentleman from West Virginia [Mr. WISE], on the splendid job of working together.

Mr. Speaker, I would like at this time to discuss in greater detail the legislation we have just passed by unanimous consent. To get to this point we have undertaken long and difficult negotiations, which finally resulted in a successful resolution of many complex and controversial issues. The process worked. We labored, discussed, negotiated, compromised, and in the end came together on a product that we all can support. For the Committee on Transportation and Infrastructure, this conference agreement is another testament to the fact we can do the best job for the Nation by working together on a bipartisan basis.

I am particularly appreciative of the efforts of Chairman SHUSTER. He spent many hours dealing with the complex and technical issues involved in this legislation. He listened with an open mind to all parties, and showed his dedication to the overall public interest by developing a creative compromise which protected the basic interests of all parties, but did not give any party all that it wanted.

Special recognition also goes to our Rail and Surface Subcommittees, including Rail Subcommittee Chairwoman MOLINARI and ranking Democratic member, BOB WISE; former ranking Democratic member, BILL LIPINSKI; Surface Subcommittee Chairman TOM PETRI; and ranking Democratic member, NICK RAHALL.

Mr. Speaker, as a result of the compromise we have reached, rail labor, rail management, shippers, motor and water carriers, and ICC reformers all support the conference report. In addition, with the compromise on rail labor protection, I expect that the President will sign the bill.

This conference agreement includes many important provisions ensuring continuation of critical safety and economic regulation of motor carriers and railroads, and, as a result of the concurrent resolution we just passed, the conference report will treat railroad employees fairly. As amended by the resolution, the conference agreement will reflect the House provisions which were a fair compromise between the competing needs of management and labor.

However, I wish to make it clear that I could not have supported the conference report without the amendment made by the concurrent resolution. The original conference agreement was highly unfair to rail employees.

The original conference agreement represented a picking and choosing of provisions from the House-passed bill. There was a serious imbalance between the provisions selected and those that were dropped. The original conference agreement kept all the concessions labor made in the bill, but dropped the one benefit labor received in return; protection of collective bargaining agreements.

Specifically in the House-passed bill, labor gave up a wide range of labor protection involving severance pay for employees who lose their jobs in mergers. The House bill reduced or eliminated severance pay in transactions involving line sales to noncarriers, line sales to class III carriers, line sales to class II carriers, mergers between class III carriers, and mergers between class II and class III mergers. The original conference agreement accepted these reductions in employee protection.

Let me provide a few examples:

Under current law if the Maryland Midland Railway Co.—a class III carrier, merges with Shenandoah Valley Railroad which is also a class III carrier, the railroad employees would receive 6 years of labor protection. Under the original conference agreement the employees would get no labor protection at all. That's a big concession on the part of labor, and one they agreed to only in return for protection of collective bargaining agreements.

Another example, under current law if the Wisconsin Central Railroad—a class II carrier, acquired a line from the Dakota, Minnesota, & Eastern Railroad, with 50 employees working on that line, those 50 displaced employees would receive 6 years of labor protection. Under the original conference agreement they would receive only 1 year of labor protection. Again, a significant concession on the part of labor.

A final example, under current law if RailTex, a holding company of class III railroads, sets up a new noncarrier subsidiary and acquires a branch line from Conrail, it could be required to pay up to 6 years of labor protection to any displaced employees. Under the original conference agreement, those same employees would get no labor protection. I reiterate—no labor protection at all. Labor agreed to this and much more.

In return, for these concessions what did railroad employees ask for and receive in the House bill? They received a right that every other American worker has—to bargain collectively with their employers and have those collective bargaining contracts upheld in court.

But the original conference agreement didn't give them these rights. Instead, it gave the carrier applying for the merger the choice of whether to accept rights of employees under collective bargaining agreements or ask ICC to throw the agreements out. That was unacceptable.

I simply could not support a bill which in essence took away the basic rights of employees to bargain collectively simply in an effort

to make a merger move ahead a little faster or be a little more profitable at the expense of the employees.

Overriding freely negotiated collective bargaining agreements has been a practice the ICC has used many times in order to effectuate a merger. The result of those actions has been detrimental to rail employees.

For example:

Employees of the Chicago & Northwestern Railroad have negotiated a collective bargaining agreement which gives them priority to keep the jobs they now hold. To gain these job rights, the employees made substantial concessions to the company in other provisions of the agreement. Now following a merger between C&N and the Union Pacific, the ICC has been asked to set aside the collective bargaining agreement to enable UP to ignore the employees' collective bargaining rights and furlough 1,000 C&N employees or to move them to new lower paying jobs in other cities. Why should a Government agency be able to set aside job protection rights which were freely negotiated between management and labor?

Another example—in the mid-1980's, Springfield Terminal Co., A class III railroad, took over two class II railroads, the Maine Central and the Boston & Maine Railroad.

Both the Maine Central and the Boston & Maine Railroad employees were covered by national collective bargaining agreements which provided, in part, for seniority and safety training standards. Springfield Terminal's collective bargaining agreement had substandard seniority and no safety training standards.

When the ICC approved the transaction, it replaced the national collective bargaining agreements, at management's request, with the substandard Springfield Terminal agreement. As a result, the seniority system was turned upside down and junior employees became senior employees.

In addition, safety standards were compromised even to the point that a janitor became an untrained locomotive engineer. Some of the safety compromises even resulted in injuries and death.

Had the original conference report been adopted without change these abuses would have proliferated. Under the original conference agreement, ICC would have continued to hold broad authority to override collective bargaining agreements.

After the original conference agreement was filed we held extensive discussions with our Republican colleagues on the labor provisions. Yesterday we agreed to a modification of the conference agreement, which restored the entire House-passed provisions—both the concessions labor made and the benefits it received.

The revised conference agreement has now been passed by both bodies.

Under the revised conference agreement, railroad employees will receive the right that every other American worker has—to bargain collectively with their employers and have their collective bargaining contracts upheld in court. I am pleased that the revised conference agreement upholds fundamental rights of employees to bargain collectively. The revised conference agreement is fair to rail employees and I support it.

Mr. Speaker, apart from labor issues, I am supportive of the conference report because it strikes a good balance between continued deregulation of the rail and motor industries, and the preservation of the safety and economic regulatory powers needed to protect shippers against abuses which will not be remedied by competition.

The provisions in the conference report dealing with railroads, eliminate and modify many current railroad economic regulatory requirements. All remaining ICC rail oversight responsibilities are transferred to a new Surface Transportation Board at the Department of Transportation. The conference agreement repeals requirements that freight rail carriers file their rates with the Federal Government, repeals prohibitions against a rail carrier transporting commodities which it produces or owns, and repeals requirements that railroads obtain Federal regulatory approval to issue securities, or to assume certain financial liabilities with respect to other securities.

At the same time, the conference report maintains some critical regulatory authority that both the rail industry and shippers agree is necessary. These include maximum rate standards which protect captive shippers from unreasonably high rates; requirements that a rail carrier provide transportation upon reasonable request—better known as the common carrier obligation; and requirements that rail carriers maintain, and make available to shippers, schedules of their rates, with the Federal Government retaining authority to review and order changes in these schedules to protect captive shippers.

Additionally, to permit further deregulation in appropriate cases, the Board will have authority to exempt railroads or rail services from regulatory requirements.

With regard to motor carriers, the conference report continues the deregulation that has progressed over the last 15 years by eliminating virtually all remaining tariff filings, deregulating significant portions of the household goods traffic, eliminating the possibility of future undercharge claims, and eliminating the Federal role in resolving routine commercial disputes.

The bill retains key provisions of current law which establish uniform commercial rules such as billing practices and credit rules. The bill also enables small regional carriers to compete with national carriers by providing for limited grants of antitrust immunity for carriers who pool their traffic and develop standardized guides.

In addition, the bill provides household-goods shippers with access to arbitration for disputed claims. This option will encourage equitable resolution of damage claims, eliminate Federal Government involvement in individual disputes, and minimize reliance on the courts.

The bill also clarifies that carriers may limit their liability, provided that they give all terms and conditions to the shippers on request, and that carrier organizations may not discuss liability limits. I know that many shippers have serious concerns about this provision. That's why the conference report includes a 12-month study of loss and damage liability. We will monitor the effects and determine whether adjustments are necessary.

In conclusion, Mr. Speaker, the revised conference agreement is a balanced bill and a fair compromise. I urge the President to sign it promptly, sot that there will be no lapse in implementation of responsibilities now entrusted to the ICC.

Mr. PETRI. Mr. Speaker, will the gentleman yield?

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

Mr. PETRI. Mr. Speaker, I think it is particularly noteworthy at a time when passions have tended to run particularly high on other issues before this Congress, that members of the Subcommittee on Surface Transportation on both sides of the aisle have been able to work together repeatedly on major issues involving significant policy changes. They could have been overwhelmed by this acrimony, but we have resisted that.

Mr. Speaker, it is due in no small part to the leadership of the gentleman from Minnesota [Mr. OBERSTAR] and to that of the other ranking members on the subcommittees of the conference. I would like to wish the gentleman the best for the season.

PROVIDING DEFICIT REDUCTION AND ACHIEVING A BALANCED BUDGET BY FISCAL YEAR 2002

Mr. TAYLOR of Mississippi. Mr. Speaker, it was my understanding that the Chair was going to rule on my privileged resolution today.

The SPEAKER pro tempore. Is there a resolution?

Mr. TAYLOR of Mississippi. Mr. Speaker, it was a resolution that called into question privileges of the House and this body as a whole.

The SPEAKER pro tempore. Is the gentleman calling up the resolution at this point?

Mr. TAYLOR of Mississippi. Mr. Speaker, it was my understanding that it was the Chair's desire to call up the resolution at this time.

The SPEAKER pro tempore. It is now the gentleman's privilege to call up the noticed resolution House Resolution 321 if the gentleman chooses to do so.

Mr. TAYLOR of Mississippi. Mr. Speaker, if the Chair is prepared to rule, I offer a resolution (H. Res. 321) directing that the Committee on Rules report a resolution providing for the consideration of H.R. 2530 provide for deficit reduction and achieve a balanced budget by fiscal year 2002, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 321

Whereas clause 1 of rule IX of the Rules of the House of Representatives states that ''Questions of privilege shall be, first, those affecting the rights of the House collectively'';

Whereas article 1, section 9, clause 7 of the Constitution states that: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by law;

Whereas today, December 21, 1995, marks the 81st day that this Congress has been delinquent in fulfilling its statutory responsibility of enacting a budget into law; and

Whereas by failing to enact a budget into law this body has failed to fulfill one of its most basic constitutionally mandated duties, that of appropriating the necessary