

and they'll tell you this is the hottest property in the world. No tax incentives needed. Now, if you want to give that away in the middle of the night when you're trying to balance the budget, when you're out here hacking and hewing away at programs that it is tough to go home and explain if you're going to do that, then I think you're not playing fair with your constituents because what you say is the big guys with the lobbyists, the big guys with the lawyers, they can slide in under the process, they don't have to work in the daylight, they don't have to work out on the open floor. They can work inside of one Senator's mind about a problem that existed, a problem that existed 5 years ago, a problem that has been overwhelmed by world oil economics, a problem that has been overwhelmed by technology.

Mr. Speaker, the reason they are going there today is because they could not see the oil 5 years ago. This has no impact on State revenues because the States do not get any share of these revenues. They are not the A.G. revenues. This is simply a gift from the American taxpayers to foreign oil companies and domestic oil companies that do not need it. Vote for the motion to instruct.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California [Mr. MILLER].

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

Mr. YOUNG of Alaska. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 161, not voting 12, as follows:

[Roll No. 565]

YEAS—261

Abercrombie	Brown (OH)	Crapo
Ackerman	Brownback	Cremeans
Andrews	Bryant (TX)	Danner
Baesler	Bunn	Deal
Baker (CA)	Camp	DeFazio
Baldacci	Canady	DeLauro
Barcia	Cardin	Dellums
Barr	Castle	Deutsch
Barrett (WI)	Chabot	Dicks
Bass	Chenoweth	Dingell
Becerra	Clay	Dixon
Bellenson	Clayton	Doggett
Bereuter	Clement	Doyle
Berman	Clyburn	Dunn
Bevill	Coble	Durbin
Bilirakis	Coburn	Ehlers
Bishop	Collins (IL)	Ehrlich
Blute	Condit	Engel
Boehrlert	Conyers	Ensign
Bonior	Costello	Eshoo
Borski	Coyne	Evens
Brown (CA)	Cramer	Ewing
Brown (FL)	Crane	Farr

Fattah	LaHood	Reed	Miller (FL)	Richardson	Taylor (MS)
Fawell	Lantos	Regula	Molinari	Roberts	Taylor (NC)
Fazio	Lazio	Riggs	Mollohan	Rogers	Tejeda
Filner	Leach	Rivers	Montgomery	Roth	Thomas
Flanagan	Levin	Roemer	Moorhead	Salmon	Thornberry
Foglietta	Lewis (GA)	Rohrabacher	Myrick	Saxton	Tiahrt
Foley	Lincoln	Ros-Lehtinen	Nethercutt	Schaefer	Torres
Forbes	Lipinski	Rose	Norwood	Schiff	Trafficant
Ford	LoBiondo	Roybal-Allard	Nussle	Seastrand	Vucanovich
Fowler	Lofgren	Royce	Ortiz	Shadegg	Waldholtz
Fox	Lofgren	Rush	Orton	Shuster	Walker
Frank (MA)	Longley	Sabo	Oxley	Skeen	Walsh
Franks (NJ)	Lowe	Sanford	Packard	Skelton	Wamp
Frelinghuysen	Luther	Sawyer	Parker	Smith (TX)	Watts (OK)
Frisa	Maloney	Scarborough	Paxon	Smith (WA)	Weldon (FL)
Funderburk	Manton	Schroeder	Pombo	Solomon	Whitfield
Furse	Markey	Schumer	Poshard	Spence	Wicker
Ganske	Martini	Scott	Pryce	Stenholm	Wilson
Gejdenson	Mascara	Sensenbrenner	Quillen	Stockman	Young (AK)
Gephardt	Matsui	Serrano	Quinn	Stump	Zeliff
Gibbons	McCarthy	Shaw	Radanovich	Tauzin	
Gilchrist	McCollum	Shays			
Gillmor	McDermott	Sisisky			
Gilman	McHale	Skaggs	Bateman	Edwards	Reynolds
Goodlatte	McHugh	Slaughter	Boucher	Hilliard	Roukema
Goodling	McInnis	Smith (MI)	Collins (MI)	Moakley	Sanders
Gordon	McIntosh	Smith (NJ)	Cox	Myers	Volkmer
Goss	McKinney	Souder			
Graham	McNulty	Spratt			
Gutierrez	Meehan	Stark			
Hall (OH)	Meek	Stearns			
Hamilton	Menendez	Stokes			
Harman	Metcalfe	Studds			
Hastert	Mfume	Stupak			
Hastings (FL)	Mica	Talent			
Hefner	Miller (CA)	Tanner			
Hilleary	Mineta	Tate			
Hinchee	Minge	Thompson			
Hobson	Mink	Thornton			
Hoekstra	Moran	Thurman			
Holden	Morella	Torkildsen			
Horn	Murtha	Torricelli			
Hoyer	Nadler	Towns			
Hutchinson	Neal	Tucker			
Hyde	Neumann	Upton			
Inglis	Ney	Velazquez			
Jacobs	Oberstar	Vento			
Johnson (CT)	Obey	Visclosky			
Johnson (SD)	Olver	Ward			
Johnston	Owens	Waters			
Jones	Pallone	Watt (NC)			
Kanjorski	Pastor	Waxman			
Kaptur	Payne (NJ)	Weldon (PA)			
Kasich	Payne (VA)	Weller			
Kelly	Pelosi	White			
Kennedy (MA)	Peterson (FL)	Williams			
Kennedy (RI)	Peterson (MN)	Wise			
Kennelly	Petri	Wolf			
Kildee	Pickett	Woolsey			
King	Pomeroy	Wyden			
Kleczka	Porter	Wynn			
Klink	Portman	Yates			
Klug	Rahall	Young (FL)			
LaFalce	Ramstad	Zimmer			
	Rangel				

NAYS—161

Allard	Cubin	Hayworth
Archer	Cunningham	Hefley
Armey	Davis	Heineman
Bachus	de la Garza	Herge
Baker (LA)	DeLay	Hoke
Ballenger	Diaz-Balart	Hostettler
Barrett (NE)	Dickey	Houghton
Bartlett	Dooley	Hunter
Barton	Doolittle	Istook
Bentsen	Dornan	Jackson-Lee
Bilbray	Dreier	Jefferson
Bliley	Duncan	Johnson, E.B.
Boehner	Emerson	Johnson, Sam
Bonilla	English	Kim
Bono	Everett	Kingston
Brewster	Fields (LA)	Knollenberg
Browder	Fields (TX)	Kolbe
Bryant (TN)	Flake	Largent
Bunning	Franks (CT)	Latham
Burr	Frost	LaTourette
Burton	Galleghy	Laughlin
Buyer	Gekas	Lewis (CA)
Callahan	Geren	Lewis (KY)
Calvert	Gonzalez	Lightfoot
Chambliss	Green	Linder
Chapman	Greenwood	Livingston
Christensen	Gunderson	Lucas
Chrysler	Gutknecht	Manzullo
Clinger	Hall (TX)	Martinez
Coleman	Hancock	McCrery
Collins (GA)	Hansen	McDade
Combest	Hastings (WA)	McKeon
Cooley	Hayes	Meyers

NOT VOTING—12

□ 1346

Messrs. FIELDS of Louisiana, TAYLOR of Mississippi, WHITFIELD, and SALMON changed their vote from "yea" to "nay."

Messrs. DICKS, BARCIA, WELLER, BAESLER, LONGLEY, FAWELL, GRAHAM, POMEROY, ENSIGN, CREMEANS, MCINNIS, HILLEARY, CRAPO, WELDON of Pennsylvania, CASTLE, FRELINGHUYSEN, BLUTE, MCCOLLUM, and HORN, and Mrs. CHENOWETH changed their vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. ROUKEMA. Mr. Speaker, on rollcall No. 565, a motion to instruct conferees on the Senate provision regarding deep water oil drilling on the Alaskan North Slope oil, I was unavoidably detained in my office.

Had I been present, I would have voted "yes."

The SPEAKER pro tempore (Mr. MCINNIS). Without objection, the Chair appoints the following conferees on S. 395: On House amendment No. 1: Messrs. YOUNG of Alaska, CALVERT, BLILEY, MILLER of California, and DINGELL.

On House amendment No. 2: Messrs. YOUNG of Alaska, CALVERT, THOMAS, ROTH, BLILEY, COBLE, MILLER of California, HAMILTON, DINGELL, and MINETA.

On House amendment No. 3: Messrs. SPENCE, KASICH, and DELLUMS.

On House amendment No. 4: Mr. COBLE, Mrs. FOWLER, and Mr. MINETA.

On House amendment No. 5: Messrs. YOUNG of Alaska, CALVERT, and MILLER of California.

There was no objection.

□ 1345

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the

bill, H.R. 2002, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 194 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of bill, H.R. 2002.

□ 1349

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 further consideration of the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, with Mr. BEREUTER in the chair. The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Monday, July 24, 1995, title III was open for amendment at any point.

Are there further amendments to title III?

AMENDMENT OFFERED BY MR. WOLF

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

The Clerk read as follows:

Amendment offered by Mr. WOLF: On page 53, after line 13, insert the following:

(c) The repeal made by this section shall not abrogate any rights of mass transit employees to bargain collectively or otherwise negotiate or discuss terms and conditions of employment, as those rights exist under State or Federal law, other than 49 U.S.C. section 5333(b), on the date of enactment of this act.

Mr. COLEMAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Texas [Mr. COLEMAN] reserves a point of order.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes and the time be equally divided.

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

Mr. COLEMAN. Reserving the right to object, Mr. Chairman, the legislative language in the bill was accorded 40 minutes. It seems appropriate to me that we could indeed limit this to about 15 minutes. I object, if we cannot limit it to 7½ minutes on each side.

The CHAIRMAN. Objection is heard.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, 10 minutes on each side.

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

There was no objection.

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

If Members could just listen, because we are changing something that people have raised an issue on. Many Members are concerned about the reduction in transit funding, and I am concerned. We have tried to assist transit authorities faced with increased operating costs who have said that without some change in section 13(c), they will have no choice but to reduce service or increase fares. This perfecting amendment to anyone who has raised this issue is being offered to help address the concerns of some Members about the effect of repeal of 13(c) on transit workers' bargaining rights.

I want to make clear that this perfecting amendment, under this amendment no rights existing under any Federal or existing State law will be affected. I urge Members to read the amendment.

Let me read it. It says:

The repeal made by this Section shall not abrogate any rights of mass transit employees to bargain collectively or otherwise negotiate or discuss terms and conditions of employment, as those rights exist under State or Federal law.

It makes clear that collective bargaining rights are not repealed by the committee's action on 13(c). They are not repealed.

Why is this amendment important? We have all heard from our local transit operators in support of 13(c) repeal. Who will be helped by our vote for this amendment? We will be helping senior citizens on fixed incomes use mass transit to visit the doctor. We will be helping school children in the inner city to take the subway or bus to school. We will be helping the working poor who own no car and whose only means of transportation is mass transit.

This amendment will protect transit service for the single mom with two children on a limited income who relies on transit to get to work to provide for her family. By giving transit operators some flexibility to meet the cost of operating their systems, this amendment will also be helping to protect the jobs of transit workers because, without this amendment, more transit workers will lose their jobs.

Without changes to 13(c), all of these people, our constituents, could be faced with paying higher fares or waiting longer for the bus because service has been reduced.

Let me provide a real-life example. Over the last several years, the Committee on Appropriations has funded a demonstration program called Joblinks. The Joblinks Program provides transit services to welfare mothers to get to their jobs in hopes of getting them off welfare. The recipient in this case, Triangle Transit in North Carolina, after 6 months of delay and mounting cost of litigation caused by 13(c), withdrew the request for Federal funds.

That means welfare parents in North Carolina will not be able to participate and get jobs, as Members in this body say they want them to. The results of 13(c) in this case actually harm the poor. Defeat the attempt to get the welfare mothers into the work force and off welfare.

But the impacts of reductions in transit operator assistance can be lessened with repeal of 13(c). Nothing could be further from the truth that this amendment will help everyone. The amendment I send to the desk this afternoon is in large measure an amendment to clarify an issue that has become clouded in the 13(c) debate.

Time and again, opponents of 13(c) have suggested section 343 of this bill will abrogate all existing rights, and it does not.

I urge every Member who came here last night to talk about their concerns about 13(c) and about their transits and want more transits operating to vote for this. Before you vote, come over and look at all the transits in the country that support repealing 13(c). From Alabama, California, Connecticut, the District of Columbia, Florida, Illinois, the Regional Transportation Authority, Indiana, Iowa, Missouri, Nevada, New Jersey, and New York, the New York City Department of Transportation, the New York City Metropolitan Transportation Authority, the Buffalo-Niagara Frontier Transportation Authority. It goes on and on and on.

Frankly, frankly, if we do not repeal 13(c), then all of you who come and run around and talk about, I want more operating subsidy for my transit, you frankly will have been talking out of both sides.

This is the way to help the transit people. This is the way to help the poor people in the inner city. This is the way to keep fares down whereby people can continue to ride.

Repeal of 13(c) will not impact on existing employee bargaining rights. It would not impact on existing bargaining rights. Some people in North Carolina have spoken to me. It would not repeal the Taylor law in New York. It would not abrogate anything in Wisconsin. It would not change anything in Texas. The vast majority of the State have provided for public employees and transit workers to deal in collecting bargaining.

Mr. Chairman, I close with this: As I made the comment last night, I opposed the amendment of the gentleman from Pennsylvania [Mr. FOGLIETTA] because he wanted to take the money out of the FAA. Last night as we were debating that issue, the computer in Chicago shut down. So we made the right decision there. But I have told them that they should go to the Senate and get the Senate to increase operating subsidies, and I will fight for more operating subsidies to help you in the inner city.

But, my goodness, you want to go over to the Senate and fight for more