

minute and to revise and extend her remarks.)

Mrs. KELLY. Mr. Speaker, later today this body will consider the BESTEA bill. This bill provides the necessary resources to improve America's aging and decrepit infrastructure.

While today we will hear discussions of roads and transit and funding formulas, I want to point out a lesser-known feature of this important bill, environmental enhancements. BESTEA significantly increases funding for the Congestion Mitigation and Air Quality program, for the transportation enhancements program, and for the recreational trails program. The measure creates new transit enhancement programs and encourages alternative modes of transportation such as biking. In fact, BESTEA even works to improve compliance with the Clean Air Act.

Mr. Speaker, this bill proves we can balance America's economic and environmental needs. For the environment, for highway safety, for job growth and for infrastructure improvements, I am a strong supporter of this bill; and I hope my colleagues will join me with their support.

#### LET US HAVE FAIR COMPETITION IN THE ELECTRIC POWER INDUSTRY

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

Mr. KUCINICH. Mr. Speaker, with all the talk about the supposed benefits of competition in the electric power industry, I say let us have really fair electric competition.

Many consumers now enjoy the benefits of a municipally owned electric system, such as low rates and high standards and open governance and direct corporate democracy. Private power marketers should have to be as democratic and open as public power. This means they should;

First, comply with State and local open meeting laws;

Second, provide for a publicly elected board of directors;

Third, permit the public election of all chief executive officers;

Fourth, hold public hearings on budgets;

Fifth, require compliance with State and local government conflict of interest regulations; and

Sixth, not deduct advertising expenses from their income taxes.

Really competitive power marketers would put into practice the high democratic standards of public power.

#### MUGGED BY REALITY

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, the intellectual evolution in the typical American's political life

usually takes several years. Now, most people start out relatively liberal; but they eventually see the error of their ways and become more conservative upon realizing that left-wing programs simply do not work. In the famous phrase, they are mugged by reality.

But there is one way to speed up the process. It is an event that almost 100 percent will guarantee success. Take a liberal, subject him to an IRS audit and presto, you soon hear some very conservative thoughts coming out of their mouths. All of a sudden, their beloved Federal Government is no longer seen as their friend. All of a sudden, the Federal Government now looks like the last place to look for fairness. All of a sudden, dealing with a massive Federal bureaucracy is not such a wonderful, wholesome experience after all; and all of a sudden, what looks so great in the abstract starts to look silly, illogical, out of touch and quite menacing indeed when reality hits.

Mr. Speaker, it is an obvious truth that if liberals were audited by the IRS, the Democrat Party would cease to exist almost overnight.

#### VOTE YES ON H.R. 1151, CREDIT UNION ACCESS BILL

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

Mr. KANJORSKI. Mr. Speaker, today one out of four Americans will have an opportunity to keep their eye on the House of Representatives as we will have an opportunity to take up H.R. 1151, the Credit Union Access Bill which will allow 70 million Americans to exercise their right of choice for financial services in this country.

I want to compliment the 207 sponsors and cosponsors on both sides of the aisle of this legislation. I further want to compliment the bipartisan spirit of the Speaker, the minority leader and minority whip, Mr. BONIOR, who sponsored the bill, the chairman of the Committee on Rules and, most particularly, the chairman and the ranking member of the Committee on Banking and Financial Services who, working together, have shown what a bipartisan effort can do in the House of Representatives when the job has to get done.

Today, as we pass under suspension H.R. 1151 and send it on to the Senate, we will be performing an act that is truly American in the best spirit of the cooperative movement of the credit union movement of America. All I ask is all my colleagues on both sides of the aisle to express their aid and assistance for the credit union movement by voting yes on H.R. 1151.

#### PROVIDING FOR CONSIDERATION OF H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call

up House Resolution 405 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 405

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed two hours and 30 minutes, with two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendment recommended by the Committee on Ways and Means now printed in the bill and the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the first time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from South Boston, MA (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. DREIER asked and was given permission to revise and extend his remarks and include extraneous material.)

□ 1030

Mr. DREIER. Mr. Speaker, this rule makes in order H.R. 2400, the Building Efficient Surface Transportation and Equity Act, better known as BESTEA, under a balanced but structured rule providing 2½ hours of general debate with 2 hours divided between the chairman and ranking minority member of the Committee on Transportation and Infrastructure and 30 minutes divided between the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill and makes in order an amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be considered as read. The rule waives all points of order against consideration of the amendment in the nature of a substitute, as modified.

Only those amendments printed in part 2 of the committee report are made in order and all points of order against the amendments are waived.

The amendment made in order under part 2 of the report shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Further, Mr. Speaker, the rule allows the Chairman of the Committee of the Whole to postpone votes and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides for one notion to recommit, with or without introductions.

Mr. Speaker, H.R. 2400 recognizes that the United States has essentially concluded the 40-year interstate highway construction era. It transitions the Federal Government into a new role, that of maintaining the interstate system and overseeing national priorities while supporting State and local transportation programs.

BESTEA improves on ISTEA by simplifying programs, updating formulae, giving States more flexibility, and guaranteeing States a greater share of their contributions to the Highway Trust Fund. It expands funding for priority corridors and provides \$570 million for new border infrastructure and safety improvements to more efficiently handle the NAFTA-related

trade. Mr. Speaker, the smooth movement of goods and people is increasingly critical to American competitiveness in this period of expanding global trade.

BESTEA ensures that all gas tax revenues are spent on transportation by removing the Highway Trust Fund from the unified Federal budget. Furthermore, it reaffirms the commitment of this Congress to federalist principles, upholding the rights of States to set and enforce their own traffic safety codes, while providing financial rewards to encourage States to adopt a range of measures to reduce drunken driving.

Every Member of this body agrees on the importance of reducing drunken driving. The compromise language included in H.R. 2400 ensures that States will redouble their efforts to get drunk drivers off the road, while recognizing that each State should have the latitude to adopt the approach that suits that State best.

Mr. Speaker, this fair and balanced rule allows the House to work its will on the most important questions surrounding Federal transportation programs. For example, H.R. 2400 allocates more money than ever before to Member-sponsored priority projects. Under this rule, Members will have the opportunity to decide whether to eliminate these projects, saving the taxpayers over \$11 billion, and allowing the States to determine transportation priorities.

Mr. Speaker, perhaps no issue in public debate is more controversial than that of racial and gender preferences. The House will consider whether to end the use of such preferences in Federal highway contracting and to return affirmative action to its original intent, an outreach to people of all races and genders designed to promote equal opportunity for all.

Most important, Mr. Speaker, the House will have the opportunity to recognize that with the completion of the interstate system, the proper role of the Federal Government is now limited to maintaining that system and responding to a discrete range of national concerns.

The turnback amendment sponsored by the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget, and made in order by this rule, if adopted, will continue the Federal role in matters of national significance but return to State and local governments the authority to determine and to fund their own transportation priorities.

The Kasich amendment recognizes the tremendous waste in the current system, where the States collect the gasoline tax and remit it to us here in Washington, which takes some off the top for Federal bureaucracy, some for other States, and some for projects that are not State priorities, all just to return the money to the States that collected it in the first place. If they replace the Federal tax on a penny-for-

penny basis, 32 States will have more money for transportation programs and six States will break even.

But because leaving the money with the States in the first place is so much more efficient, not all States will have to replace the Federal gas tax on a penny-for-penny basis. Like my home State of California, for example, most States along with it will be able to reduce taxes overall while increasing spending on transportation, because the waste in the Washington bureaucracy would be totally eliminated. In fact, economists estimate that about 20 percent of the purchasing power of gas tax revenues is lost in the round trip to Washington and back.

If Members join me in support of the turnback amendment, that 20 percent can be returned to motorists in the form of tax cuts or used to increase investment in transportation or other worthwhile spending. The turnback amendment recognizes that the only way to finally resolve the problem of donor States and to ensure efficient expenditure of gas tax revenues is to let each State run its own program without interference from Washington.

Mr. Speaker, with that I urge my colleagues to join me in supporting this very fair and balanced rule, which makes in order a bill that significantly enhances existing transportation programs and gives the House the opportunity to debate important improvements as well as alternatives to these programs.

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

Mr. MOAKLEY. Mr. Speaker I thank the gentleman from California (Mr. DREIER) my dear friend and the great acting chairman of the Committee on Rules, for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I really want to congratulate my colleagues, the gentleman from Pennsylvania (Chairman SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, for their very hard work on this very, very difficult bill. Despite the months and months of clamorings, despite the vastly different transportation needs of 50 States, Mr. Speaker, they have finally managed to come up with a bill that satisfies a vast majority of Members, and for that they really deserve our thanks.

I am sure that there are very few Members who would not change a thing or two in this bill if they could, but all things considered, it is about the best we are going to get and I urge all of my colleagues to support it.

Mr. Speaker, as far as I am concerned, it is coming not a moment too soon. The Intermodal Surface Transportation Efficiency Act of 1991 expired on September 30, 1997. The few available Federal dollars in the pipeline may very well run out on May 1, and it is critical that we not leave the States with enormous half-finished transportation projects on their hands.

So, Mr. Speaker, this bill reauthorizes our transportation programs to the tune of some \$217 billion in contract authority for the Highway Trust Fund. Of that funding, Mr. Speaker, \$36 billion is for transit and \$181 billion is for highways and for highway safety.

Mr. Speaker, many people take American infrastructure for granted. They get in their automobile, they drive to work, they drive to school without even thinking about it. But those roads they drive on and those bridges they cross do not last forever, especially in the Northeast, and we need to do our very best to make sure they stay as safe and as accessible as possible.

So anybody who is horrified at the amount of transportation funding included in this bill needs to remember that this is how we get our produce to market, our computer chips to the docks to be sent overseas, our Gillette products and Reebok sneakers to the malls. A good transportation system creates jobs, it keeps America safe, and it advances our country's economy.

So, Mr. Speaker, the bill we are considering today is a 6-year bill. It retains the basic structure from ISTEA, including its very good environmental programs and its intense commitment to safety. It also encourages equal opportunities by keeping the Disadvantaged Business Enterprise Program for women and for minority-owned construction firms, and I am very happy to say that this bill applies Federal labor standards and employee protections like the Davis-Bacon Act for people working on highway and transit projects.

In my opinion, Mr. Speaker, the safety programs in this bill are very well worth it. Every year some 40,000 people die in motor vehicle-related deaths in this country. And if this bill improves highway safety enough just to lower that number by one, I feel it is worth it.

Once again, Mr. Speaker, I thank the gentleman from Pennsylvania (Chairman SHUSTER), I thank the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, for their very, very hard work on this matter, and I urge my colleagues to support the rule and support the bill.

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

Mr. DREIER. Mr. Speaker, I suspect that we will have a few Members who will want to participate in the debate on the rule, but at this time we do not have anyone here, so I will reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Committee on Transportation and Infrastructure.

Mr. MCGOVERN. Mr. Speaker, I rise to express my strong support for the Building Efficient Surface Transportation and Equity Act. This bill is good for the environment, it is good for labor, it is good for the opportunity it

provides to women and minorities, it is good for the economy, good for our cities and our more rural regions, and most important, Mr. Speaker, this bill is good for our communities, our families and our children.

Our Nation's infrastructure is desperate for capital improvements to make commerce flow more efficiently and to make roads and bridges safer for the families who use them daily. The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) have worked tirelessly to design legislation that truly meets our Nation's needs, and I applaud them for their hard work and their great success.

Mr. Speaker, this bipartisan legislation is what good government is all about: meeting the needs of our Nation's families and overall economy. While Europe and the Pacific Rim nations invest trillions into their infrastructure, we cannot rest. We must invest in our infrastructure if we have any hope of competing in the global economy. I urge my colleagues to support the rule and final passage of BESTEA.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, the question before us today is not whether we want to improve transportation infrastructure. The answer to that question is clearly "yes." The question before us today is this: Should Congress increase spending by \$26 billion on any program without paying for it? I believe the answer to that question is "absolutely not."

Mr. Speaker, it is fiscal irresponsibility at its worst. Do not trust my judgment. Let us see what fiscally conservative groups said about this question. The National Taxpayers Union said, "Unlike the Boston Tea Party, Congress' ISTEA party," this bill, "will leave taxpayers with a huge fiscal hangover."

To my Republican colleagues who have attacked Democrat spending habits for years, the National Taxpayers Union, their friend, also said, "If the trend continues, the free-spending Democratic Congresses of the early nineties could look like misers compared to this one."

The Wall Street Journal said just yesterday that this bill is highway robbery and that all in all the highway bill is the lowest moment since Republicans regained Congress, a highway bill that has become one of the great log rolling parties of all time.

The Citizens Against Government Waste said that, "If Congress persists in this attempt to break the highway spending caps imposed on the budget deal from less than a year ago, the balanced budget deal is dead."

Mr. Speaker, if a principle is worth fighting for, it should be worth fighting for two days in a row. Yesterday, from this very well, our Republican colleagues said it was essential to have

offsets to pay for our supplemental emergency appropriation bill and cover flooding damage in this country. Yet today, the same Republican leadership will force this House to pass a highway bill that does not pay for one dime of the \$26 billion in new spending.

I guess the Republican leadership is saying that yesterday fiscal responsibility was important, today it is not.

□ 1045

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Everett, Pennsylvania (Mr. SHUSTER), the very distinguished chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I would like to respond just briefly to our friend who previously spoke in the well. First of all, this bill does not spend a penny more than the revenue paid into the Transportation Trust Fund by the American people, the traveling public from their gas taxes, not a penny more. In fact, over the 6 years of the bill, we spend approximately \$3 billion less than the revenue paid in gas taxes.

We do not spend any of the money that is currently in the Transportation Trust Fund, the \$23 billion in the Highway Trust Fund, not a penny of it. In fact, we have agreed that the portion of that fund, which is not necessary to provide liquidity, will not be spent and will be turned back. That is approximately \$10 billion in reduction in the national debt.

Further, we have agreed that we will not count the interest paid on that balance in those trust funds, which means over 6 years that is approximately \$15 billion in foregone debt. So with those two provisions, and I must tell my colleagues, many of us swallowed hard in these negotiations to give up those two principles, but because of that, it means that when we count the reduction in the national debt on the interest, and we count the reduction by foregoing the \$10 billion balance in the trust fund, that is \$25 billion. That accounts virtually for the increased spending by reducing the national debt.

Let me emphasize again, however, setting all that aside, the cold hard fact remains that we are simply spending the revenue coming in. This is honesty in budgeting. If we are not going to spend the revenue coming in, then we should reduce the taxes.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciate where we are today. Let me thank the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) for a bill that has worked its way through the process in a manner that recognizes that we do need to repair our bridges and highways in

America. Not only do we face in cities and rural communities crumbling infrastructure, but every one of us knows that congestion abounds in our cities, our counties, our hamlets and our States.

This BESTEA legislation recognizes that over a 6-year period it is important to rebuild America. Houston Mayor, Bob Lanier, chaired the Committee to Rebuild America. We fully recognize the importance of making sure that this crumbling infrastructure does not do damage to the trade and economic vitality of our Nation. This bill takes that into consideration. Particularly in the manager's amendment, the provision that the DOT to develop a strategic plan for highway research and technology development, this allows the Department of Transportation to have development and transportation plan for the nation.

In my city of Houston in particular we are looking at new opportunities for transit ways, for commuter rail, for people movers, and we look forward in the years to come to redesigning our effort and possibly moving forward to end the congestion in our city. This transportation bill allows those considerations to occur regarding rail, even though we know that it will require an additional application process.

We are moving in the right direction, but, Mr. Speaker, I am greatly concerned, because there seems to be an effort that is misdirected in eliminating the DBE program, which flies in the face of constitutional law that allows, under Adarand, the opportunity for reaching out, for goals, for the need to diversify in contracting with Federal monies, and to allow contractors who are women and minorities to participate in a full and open process. I am not so sure where this amendment came from, Mr. Speaker, but I would ask my colleagues to vote it down. Even after we vote for the rule we will not support the amendment eliminating the DBE program of the DOT.

Mr. Chairman, I rise today on the rule for H.R. 2400. I want to commend Representatives SHUSTER and OBERSTAR for their work on this complex and highly important piece of legislation. I generally support the Rule, but it allows certain amendments and disallows others that may be vital to the bill itself.

It is vital to pass the amendment offered by Congressman DAVIS (D-Ill.) to increase from \$42 million to \$150 million per year the bill's authorization for the new Welfare-to-Work transportation program. This is a common sense program that will finance services that transport current and former welfare recipients to and from jobs, and job-related activities. If we really want to help people make this kind of transition then this is the kind of support we should be giving them.

It bothers me that there is an amendment being offered to end the Disadvantaged Business Enterprises program. This is a program that has allowed full opportunity for women and minorities to participate in the contracting for small businesses after years of being denied that right.

The DOT's equal opportunity program benefits all Americans by promoting the formation

of small businesses, creating new jobs, fostering economic growth and stimulating innovation.

If Congress decides not to reauthorize the DBE program, it will create a major disruption in the national economy. Thousands of small businesses may go out of business, costing tens of thousands of jobs.

In the past, when state or local governments cut similar DBE programs, opportunities for women and minority-owned firms dried up. Prime contractors, in effect, told disadvantaged business owners, "We'll call when we need a minority."

By refusing to authorize the DBE program, Congress will be creating a huge pot hole in the road to equal opportunity.

Mr. Speaker, this Rule is the result of hard work and should be supported. Thank you.

Mr. DREIER. Mr. Speaker, I yield 5 minutes to the gentleman from Sanibel, Florida, (Mr. GOSS), the distinguished chairman of the House Permanent Select Committee on Intelligence and the chairman of the Subcommittee on Budget and Legislative Process.

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

Mr. GOSS. Mr. Speaker, I thank the gentleman from greater San Dimas, California, for yielding me the time. I rise in support of this fair-structured rule. It is a good process that makes in order amendments from both side of the aisle.

Today we seek to balance two important goals: Maintaining, enhancing our Nation's roads and highways on the one hand, while remaining committed to last year's balanced budget agreement on the other. We all know we need more infrastructure, and we all know we need more fiscal responsibility how to deal with it.

Additional concern of the folks I represent in Florida is not a new one: Providing equity to donor States through the transportation funding formula. I would like to commend the gentleman from Pennsylvania (Mr. SHUSTER) for addressing the equity issue. BESTEA does represent an improvement in terms of rate of return. We are pleased to see that.

Under the current formula, Florida should receive 90 cents back on the dollar as opposed to 83 cents or less currently set in law. That is progress. I think it is equity. But I have got to say I am disappointed that this long-awaited reform has to come at the expense of fiscal discipline. Instead of prioritizing our resources and making the tough choices, this bill creates a larger pie for everyone. It is one way of doing things, sort of a classic Washington response.

We do not have enough money to do everything we want. We make a bigger pie, spend anyway, and hope that things work out. What is worse, I think, is that the bill provides no offsets. We have an extra 26 billion over last year's budget caps. I do not think it is fiscally responsible. It is not acceptable to those who wish to balance the budget to add 26 billion.

Just yesterday, we committed to offsets for our supplemental emergency spending. It was a long, long debate and we had a lot of discussion about it. But I think the principle of setting for offsets is extremely important.

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

Mr. GOSS. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, this legislation requires that not one penny of this can be spent unless we bring back offsets agreed to in the conference with the House and the Senate. It was felt by our leadership that we might as well do this in conference once because the Senate will have different priorities than we do. We need to negotiate the differences. So let me emphasize, not one penny of this can be spent unless we bring back offsets from conference.

Mr. GOSS. Reclaiming my time, Mr. Speaker, I thank the gentleman for the explanation. I understand that. My concern is that we have not yet delineated those offsets.

As the chairman of the Subcommittee on Legislative and Budget Process, I am also concerned about the bill's provision moving the Highway Trust Fund off budget. We have to be extremely careful about placing more money outside the parameters of the congressional budget process.

Frankly, instead of piecemeal reforms that will provide less control over spending, I think we should work toward comprehensive budget process reform that makes sense. I am pleased to be working with the gentleman from New York (Mr. SOLOMON), the gentleman from Ohio (Mr. KASICH), the gentleman from Iowa (Mr. NUSSLE), and a great many others, the gentleman from Texas (Mr. BARTON), to make the question of budget reform a goal that we can accomplish this year.

There are other real concerns that I am sure Members will touch on as well. I do not pretend to judge the merits of each demonstration project, but I think it is doubtful that well over 1,400 projects are deserving of Federal attention. To put this number in some kind of a perspective, the last ISTEBA bill, 1991, contained only 539 demo projects, I am told. No transportation bill contained any demo projects until 1982. So we got along without them for quite a while. In fact, the committee's own rules state that it shall not be in order for any bill providing general legislation in relation to roads to contain any specific provision for any road.

Mr. Speaker, I can contend it is time that we abandon demonstration projects and let the States, the local folks decide what their State transportation priorities are. That is why I intend to support the chairman of the Committee on the Budget, the gentleman from Ohio (Mr. KASICH), in his turn-back amendment later today. I think the idea makes good sense, cut the gas tax, keep just enough to maintain our interstates, and let the individual States decide and manage their own transportation priorities.

The wisdom of Members of Congress goes far, but I do not think it extends to the intricate details of planning highway and bridge and interchange improvements and construction. I think those decisions should be made by the professionals at the State departments of transportation. I am disappointed I cannot support the hard work of the gentleman from Pennsylvania (Mr. SHUSTER) and others. I know they have worked hard and brought forth what is a very good bill in their eyes.

I am concerned about the fiscal constraints problem, the demo problem, some of the other points I have mentioned. I do urge a yes vote on this rule so we can have a debate, and I urge fiscal discipline and loyalty to the principle of fiscal discipline when we get to the final vote.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, when I came to Congress my State got back about 70 cents for every dollar it sent to Washington for highways. Through the years working with Mr. Petri and others we have been able to raise that to just about a dollar. This bill continues that new one-to-one relationship roughly, and for that I am very pleased.

But this bill has three problems that lead me to conclude I cannot support it. First of all, the bill increases spending by 44 percent over the last bill. I simply do not think we have the money.

Secondly, yesterday this House made a great thing of insisting that the emergency appropriation for Iraq and Bosnia and natural disasters be fully offset to the tune of about \$3 billion. Today we are being asked to vote for a bill that is 13 times that large in terms of the amount by which it exceeds the amount that the budget allowed for it last year, and yet we have no idea whatsoever what other priorities are going to have to be cut back in order to pay for it.

Highways are a very high priority with me. But they are not the only priority. It seems to me irresponsible, to say the least, for the House to vote on this before we know where the money is going to come from. In my view, this House ought to turn down this bill until the budget resolution is out here so that Congress can make its priority choices and decide how much more funding it wants in education, how much more funding it wants in health care, how much more funding it wants in Medicaid, or how much less it may want in some of these areas.

Until we know that, I think it is spectacularly irresponsible for us to proceed to vote for this bill. And even though I am a zealous supporter of highway construction, and I guess in my days in the State legislature I was probably a pretty good imitation of the gentleman from Pennsylvania (Mr. SHUSTER), under these circumstances I simply cannot support this bill.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Bolivar, Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, it is a privilege to be able to stand here in support of this bill. I think this bill moves highway funding in the right direction. Certainly I want to say in response to my friend, the gentleman from Wisconsin (Mr. OBEY), that I do not know what the third point was, but in response to the first two, this bill does increase spending for highways by about 40 percent. But the way it does this is by spending the Highway Trust Fund on transportation. That is the way this should have been done all the time.

We would not be talking about spending more money on highways than we had planned for in the past if we had been doing what the American people thought we were doing all the time, which was spending their gas tax money for the purpose they thought it was going to be spent for. In terms of the offsets, we wouldn't have to be considering offsets if a year ago we had moved to move this transportation fund off budget. It is important, I think, to create and continue the credibility that the gas tax system has by spending the money for what Americans think the money is going to be spent for, by balancing the budget in a true and fair way, and the way to do that is to move this trust fund off budget, treat it as a trust fund, and of course that results in more money being spent on our infrastructure because that is exactly how people thought that money was going to be spent in the past.

Of course in response to the questions on demonstration projects, the projects that have some input by the Members of Congress only reflect about 5 percent of the money being spent on total, on transportation. Those projects still have to be approved as part of the State-wide plan. Eighty-five percent of the dollars spent are spent by the departments of transportation in the various States.

□ 1100

Seven percent is spent by the administration in one way or another; and only five percent receive real input from the Members of Congress, who know their districts better than anybody else.

I urge adoption of the rule and adoption of the plan.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL), a member of the committee.

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time.

Mr. Speaker, I urge my colleagues to adopt this rule, especially on my side of the aisle; and I urge them to set aside partisan considerations and any special agendas and support the rule.

The consideration of legislation to reauthorize ISTEA simply cannot wait.

It is the 11th hour. We face a May 1 deadline, upon which the ability of States to obligate Federal highway dollars will expire. This comes at a critical time, especially in many States where the start of the construction season must begin earlier than in other parts of the country.

A vote against this rule will unravel the delicate balance that the gentleman from Pennsylvania (Mr. SHUSTER) has achieved; and I commend his leadership, as well as the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), in achieving this delicate balance.

If we defeat this rule, it kills the bill. I cannot even imagine what the alternative would be. So I urge my colleagues to keep their eye on the ball here.

To those who believe ISTEA spends too much, I say, under the rule, they will have their chance to vent their concerns through the amendments offered by the gentleman from Ohio and the gentleman from South Carolina. They will have their shot through these two amendments.

To those who are concerned with the proposed amendment of my good friend and colleague, the gentlewoman from New York (Mrs. LOWEY), I say to them that they will have their chance in conference to vent their concerns and their support for this amendment at that time.

We may debate the issue today and during general debate or during consideration of this rule, but I urge support of the rule so that the process may go forward so that we will have consideration during the conference committee.

And to those of my colleagues who are concerned that this rule makes in order the amendment of the gentlewoman from New Jersey (Mrs. ROUKEMA) to eliminate the DBE program, I say that they will have the commitment from the bipartisan leadership of the Committee on Transportation and Infrastructure that will stand with them in opposing this amendment. Republican and Democrat alike, we in the leadership on the committee will urge a no vote on that amendment.

So I urge adoption of this rule.

My colleagues, do not have it said that we have worked to defeat the most important legislation facing our Nation today, because the eyes of the Nation are upon us. Every motorist who sat in congestion this morning knows that, every driver subject to road rage. A vote on this rule is a defining moment. I urge its adoption.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Scottsdale, Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from California for yielding me the time; and I rise in strong support of the rule and the self-executing amendment contained therein.

Mr. Speaker, I would urge all my colleagues and their staffs and the American people to listen closely, especially

the veterans who have served this country. Because contained within this rule is an amendment that sends a very strong message to our Nation's veterans, a message that needs to be reaffirmed loudly and clearly, that I do this morning in the well of the House and that, more importantly, we do in the legislative language of this rule. Because we need to say to America's veterans that we will not take money from their programs to pay for transportation spending.

The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, AMVETS, Paralyzed Veterans of America, Vietnam Veterans of America, the Blinded Veterans Association, the Jewish War Veterans, the Military Order of the Purple Heart, and the Non-Commissioned Officers Association have all spoken very clearly; and, my colleagues, we should heed their call to resist the temptation to raid veterans' programs to fund this bill.

Now, I appreciate the willingness of the chairman to accept this amendment and include it as part of the rule. I appreciate the willingness of my friend from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure, to hear these concerns.

And the reason we must express them today from this well and in this rule is because, sadly, the other body, the Senate, it seems, ignored veterans' concerns when it passed its version of the bill. The Senate-passed bill would apparently spend all the veterans' money on surface transportation projects.

Now, it is my view that in passing this rule and the amendment contained herein, this House will send a message to the other body that we are opposed to that. So it is important to give our Committee on Transportation and Infrastructure chairman and other members of the conference a clear signal when they go into consultations with the other body so that they stand firm and we stand firm protecting veterans' programs.

Again, I would like to thank the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, for his help in making this amendment in order.

Let me also pause at this time, Mr. Speaker, to thank the dean of our Arizona delegation, the gentleman from Arizona (Mr. STUMP), chairman of the Committee on Veterans' Affairs, who 53 years ago today was landing in the Pacific possessions defending America's freedom in World War II, for his leadership; and also one of our new colleagues, the gentleman from New Mexico (Mr. REDMOND), for his help in joining with me to offer this amendment, again, to echo the comments of my good friend from the other side of the aisle from West Virginia.

This is an important rule, an important piece of legislation. Please vote yes on this rule and the amendment contained therein.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, well, my colleagues, today is April Fool's Day. How fitting and how truly outrageous that we are here today considering a rule that silences this Chamber and prevents debate on our amendment that will save hundreds of lives every year.

The amendment that I had hoped to offer, along with our colleagues, the gentleman from Florida (Mr. CANADY), the gentleman from Virginia (Mr. MORAN), the gentleman from Delaware (Mr. CASTLE), the gentleman from Tennessee (Mr. CLEMENT), and the gentleman from New York (Mr. GILMAN), and over 100 cosponsors, was not a radical proposal. It would have simply established .08 BAC as the national DWI standard. It was identical to a measure adopted overwhelmingly by the Senate during consideration of the highway bill last month.

More than 17,000 Americans were killed last year by drunk drivers. More than 3,700 of these fatalities and countless other injuries occurred in crashes involving persons with BAC levels below .10. Virtually every medical, law enforcement, and highway safety organization supports the .08 standard. The United States lags behind other industrialized nations in adopting .08 laws, despite the overwhelming evidence that drivers are seriously impaired at .08.

Here in the United States, 15 States have already adopted .08 laws; and studies show that as many as 600 lives would be saved each year if every State adopted the .08 standard. And yet, this life-saving measure was blocked by the Committee on Rules. How shameful.

In my 10 years of service in this institution, I have never been so disgusted. The liquor and restaurant industries gave millions in campaign contributions last year, and today they got what they paid for. The liquor industry owns this House lock, stock, and barrel.

Every 30 minutes an American is killed by a drunk driver, and yet the House leadership could not even give Members half that time to debate our amendment. Somehow, though, they managed to find time for 60 minutes of debate on a partisan measure that failed the Senate overwhelmingly. What a sham.

The House leadership has opened their doors and pockets to the liquor lobby and slammed them in the face of the mothers and fathers who have lost children to drunk drivers. The liquor lobby has bottled up our bill and demonstrated loud and clear that they put profits ahead of people's lives.

Today we had an opportunity, my colleagues, to follow the Senate lead and save lives. We were poised at a crucial moment in the fight to make our Nation's roads safer from drunk drivers. The rule defeats all that.

I urge Members to oppose this gag rule.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Middleton, New York (Mr. GILMAN), the very distinguished chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to express concern about the rule which fails to make the .08 blood alcohol content amendment in order during consideration of ISTEA reauthorization.

I commend the gentlewoman from New York (Mrs. LOWEY) for bringing this measure to the attention of the House. This amendment establishes a National DWI standard of .08 blood alcohol concentration and was approved by the Senate by a 62-32 vote earlier in March.

Fifteen States have already adopted .08 BAC laws, and their experiences show that 600 lives would be saved in our Nation each year if every State adopted this tough and necessary DWI standard. The tragedy of a fatality that results in drunk driving has touched too many families throughout our Nation. Seventeen thousand Americans were killed by drunk drivers just in last year alone.

In response to opponents of the .08 BAC due to States rights concerns, please bear in mind that President Reagan's remarks during the signing of a bill establishing the age of 21 as the national minimum drinking age stated, "This problem is bigger than the individual States. It is a grave national problem, and it touches all of our lives. With the problem so clear-cut and the proven solution at hand, we have no misgivings about the judicious use of Federal power. I'm convinced it will help persuade State legislators to act in the national interest to save our children's lives."

That was President Reagan who succinctly emphasized the importance of the measure. It is clear that President Reagan understood the need for the Federal Government to protect our youth across the Nation. I am confident that he would feel no less obligated to do the same if he was still president.

Bear in mind that the .08 amendment leaves it up to the States to decide what penalty should apply for DWI convictions. Those who stand to lose the most by the blood alcohol content standards higher than .08 are our children.

In closing, let me urge our colleagues that this rule, which I reluctantly support, would have been far stronger by including the Lowey-Gilman amendment; and I am urging my colleagues to provide a future opportunity for further consideration of this worthy proposal.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in strong opposition to this rule; and I do so not in criticism of the chairman and ranking member of the Committee on Transportation and Infrastructure. They have attempted to do their job in high priority.

My concern today deals with the total amount of spending and the waiving of the budget process in a way that I have never seen in the 19 years I have served in this House of Representatives. We Democrats used to waive budget decisions and were criticized for doing it. But it was wrong when we did it. It is wrong when they do it today. And never have we seen it done as it is being done today.

Where is the budget resolution? I want to have a warning, and I want all of my colleagues who believe this is a free shot today to listen to what I am about to say. We are using real bullets in this bill. Passing the highway bill as it is passed today jeopardizes a lot of other programs.

Agriculture, for example, has priorities; and they are the first casualty of this bill. The Committees on Agriculture in the House and Senate have worked with the administration to reach a compromise on the Ag Research Conference, using savings from food stamp administration to pay for agriculture research, nutrition programs, rural development, and crop insurance.

Now we are hearing the leadership of the Congress has determined that the agriculture research bill will not come to a vote because those monies have been reserved to pay for the highway bill. Now, if my colleagues care about problems of crop insurance, if my colleagues care about problems of nutrition programs, if my colleagues care about rural development programs, if my colleagues care about crop insurance concerns, please understand this is not a free shot.

Paying for these programs under the caps of the budget that we have bipartisanly agreed to will be extremely difficult if the first bill outside the budget resolution comes to the floor of the House and is passed without anyone thinking they are going to have to pay for it with real dollars.

Mr. DREIER. Mr. Speaker, may I inquire how much time we have remaining on both sides?

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from California (Mr. DREIER) has 9½ minutes remaining, and the gentleman from Massachusetts (Mr. MOAKLEY) has 12½ minutes remaining.

□ 1115

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, this rule should be rejected. It excuses a massive failure of leadership, and it is an April fool's joke on the American people. We

are breaking the historic budget agreement to eliminate our Nation's deficit when the ink is hardly dry.

An agreement that was widely praised on both sides of the aisle and around the country is now being repudiated. We are spending at least \$33 billion more in this particular bill than that historic agreement allowed in the budget.

We are also using the Highway Trust Fund concept as a smoke screen for a spending spree that even leaves the most conservative critics in despair. The fact of the matter is that we have spent on transportation, more particularly highways, during the period of this trust fund, \$152 billion that is not accounted for in the trust fund. It is because this money, including interest, has come out of the general fund. This is according to a GAO report.

We are also violating all budget rules. Previous speakers have alluded to that. It makes no sense to have a budget resolution process and then neglect it.

Finally, we are passing legislation that disregards the responsibility that we all have of balancing the various needs of the Federal Government and the American society as we identify our priorities. We are simply identifying transportation as the first and only priority. We are neglecting what this does and many other very important programs.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

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

Mr. SPRATT. Mr. Speaker, I support more funding for highway and mass transit. My district needs it, and my constituents want it. And the committee has kindly provided some funds for my district. But we have provided a substantial plus-up in transportation spending already.

In the Balanced Budget Agreement of 1997, transportation was the only function of the budget funded at a higher level than the President requested. In the appropriation process, we went even further. In highway programs alone, we appropriated \$23.3 billion in fiscal 1998. That is \$2.3 billion above the level appropriated in fiscal year 1997. In terms of outlays, it is \$3.5 billion more than fiscal year 1997, an increase of 19 percent.

This bill goes far beyond even those increased levels. BESTEA is \$40 billion above the Balanced Budget Agreement of 1997, and outlays is \$26 billion. If we pass this bill, transportation will trump the rest of the budget. We will have to pare back priorities that we have already committed to and preclude ourselves from doing initiatives in other areas.

What does that mean? Education will take a hit. Housing is in jeopardy, NIH and biomedical research, other infrastructure, the Corps of Engineers.

Exactly what offsets we will make we do not know, because this bill does not identify them. It says elliptically that no funds can be obligated under this law until offsets have been identified. I take it this decision will be made in conference by the conferees on this bill, not by the Committee on Budget in a budget resolution, not the Committee on Appropriations in the 302(b) allocation process.

This is a radical departure from our established procedures. This bill violates the Balanced Budget Agreement by being \$40 billion above the agreed-upon amount. It violates the Congressional Budget Act by presenting this bill before a budget resolution has been passed and by exceeding the allocations made last year. It violates the Budget Enforcement Act by presenting or creating \$9.3 billion in mandatory spending, which is not without identifying the offsets.

What I call for, Mr. Speaker, is a vote against the rule and return to established procedures, to the disciplines that have brought us at long last to a balanced budget.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Stamford, Connecticut (Mr. SHAYS).

Mr. MOAKLEY. Mr. Speaker, I yield 1 additional minute to the gentleman from Connecticut.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Connecticut is recognized for 3 minutes.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding to me.

I know there are men and women of goodwill on both sides of this issue. I have a feeling that, I end up sounding a bit self-righteous because I have lot of convictions.

I just want to say from the outset that someone said to me, you may feel strongly you are right, but you are not always right. Maybe this is one of those times.

But I believe with all my heart and soul this is a core debate for this Republican Congress. Are we truly going to get our country's financial house in order and balance the budget? It is a core issue. Are we are going to talk about spending surpluses before surpluses even exist?

Last year, many of us felt the budget agreement was too generous. The Budget Committee allowed the Committee on Transportation and Infrastructure, for instance, to get \$9 billion more. Then the Appropriations Committee decided to give the Committee on Transportation and Infrastructure another \$11 billion. Last year we gave the committee \$20 billion more during a 5-year period.

We have a bill that is coming before us that is going to spend, according to CBO \$33 billion above and beyond the budget agreement. I know Republicans are not going to let it be paid for out of the defense side of the budget. Democrats, particularly the President, are not going to let transportation be paid

out of the social side of the budget. So maybe it comes out of some theoretical savings that we have in entitlements, or maybe it just does not get paid for.

Mr. Speaker, I believe if we do have a surplus, it should go for social security or deficit reduction like my side has advocated. I think if we have new programs, they should be paid for out of old programs. I believe, if we have new taxes, we should cut taxes somewhere else for no net increase.

I am hard-pressed to know how this \$33 billion budget buster fits in with this Republican majority and what I have been about for 11 years in trying to get my country's financial house in order.

I particularly object to the fact that the Committee on Rules did not provide in order a bipartisan amendment which would have allowed us to debate this issue and bring the transportation bill in line with the budget agreement.

I am particularly disappointed the Committee on Rules did not put in order an amendment that would have allowed us to vote on whether the transportation bill would be in accordance with our budget agreement. In other words, if our amendment had been in order and passed, we would take \$33 billion out of this \$217 billion bill.

Mr. Speaker, I hope and pray that this Republican majority finds its center again. I believe we are losing it. I believe we need to work overtime to get it back. I honestly have to say to my colleagues I think we will be judged harshly if we don't. I oppose the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Speaker, I yield to no Member of this institution in my love for infrastructure. I think we all appreciate the fact that this bill gives us a great opportunity to take something home to the people who send us here.

But my problem with it is that it is, frankly, too big. This is not just a vote about bridges and highways. This is, in fact, the budget vote for this Congress. This is a vote that is going to shape the Federal budget not just this year but for the next 5 years.

We have already passed the deficit reduction package in the first year of this Congress. Most of the cuts occur in the outyears. Most of the outlays in this bill occur in the outyears. The Budget crunch is out ahead of us.

Those of us on this side of the aisle who want another 100,000 teachers in the classroom so we can reduce classroom size, or who want to expand Medicare to people who are 55 to 65 and have lost their jobs and their health benefits and those on the other side of the aisle who think they may want some tax cuts in the future are, at this point, being told by the people bringing us this bill that their priorities do not count that they have no lace in the debate.

If we want to protect social security by allowing the surplus to be held in

abeyance until we come up with that fix, we can count on that surplus being spent if this bill passes. In fact, this is a vote that will, in fact, put us in a position to have no discretionary dollars to spend on any of our priorities on either side of the aisle in the next 3 to 5 years.

Mr. Speaker, make no mistake about it. By skipping the budget process, by not facing up to these dilemmas, these needs for offsets publicly, up front, we are delaying till the end of this process the responsibility we should have taken by now.

We are not willing to have a priorities debate in front of ourselves, let alone the American people and that decision is an abomination. I appreciate the people who bring this bill to us. They do it in all good faith. But they do it in a way that is detrimental to the future of this institution and the American people despite their sincere belief that the Highway bill should take precedent over every other spending program.

Mr. DREIER. Mr. Speaker, I yield 1 minute to my very good friend, the gentleman from Knoxville, Tennessee (Mr. DUNCAN), the chairman of the Subcommittee on Aviation.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of this rule and this bill.

I particularly want to commend the chairman, the gentleman from Pennsylvania (Mr. SHUSTER), for his hard work on this bill. It is a real tribute to his perseverance and his dedication to and love for his country.

I want to also commend the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for his work.

A misimpression is being conveyed on this bill. Many people seem to think that all of this spending is being done in 1 year. This is a 6-year bill. When we divide 6 into the total involved here, it comes out to slightly less than 2 percent of Federal spending over this period. Let me repeat that, Mr. Speaker, slightly less than 2 percent of Federal spending over this 6-year period.

I believe we can poll any group in this country and well over 90 percent of the people in this country would agree that 2 percent is not too much for Federal Government to spend on our Nation's highways, roads, bridges, and transit needs. This is a very conservative bill, Mr. Speaker. It is one that all Members can and should support.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. LEWIS), the minority whip.

Mr. LEWIS of Georgia. Mr. Speaker, I rise against this rule. Under today's budget constraint, \$218 billion is simply too much. It is too much asphalt, too much money to take away from our children, the elderly, our veterans, and the needy.

This bill busts the budget by \$26 billion. Money does not grow on trees. It

must come from somewhere. This bill will force us to cut valuable government programs like Head Start, school lunches, low income housing, health care, veterans, and environmental protection.

This bill is not the bridge to the 21st century. It is not a bridge to our future. We are moving down the wrong highway. Are we prepared as a great Nation to choose concrete over children, bridges over books, pavement over people?

Do not get me wrong. We need Federal transportation programs, but \$218 billion is simply too much. Beginning with the Democratic budget in 1993, we have put our fiscal house in order. Now we have a balanced budget. We have money for schools. We have money for children. We have money for veterans, the elderly, and the needy. This bill will end all of that. It puts our fiscal house in disarray. It busts the bank.

Because this bill does not pay for itself, it makes no hard choices. It is easy to vote for a \$20 million road project in our district. But how do we tell little children there is no money for schools, no money for books, no money for teachers?

Mr. Speaker, I urge my colleagues to reject this rule. I am not willing, I am not prepared to sacrifice education, health care, the environment, and community development to \$218 billion worth of asphalt and urban sprawl. It is simply too much.

□ 1130

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Los Alamos, New Mexico (Mr. REDMOND) who worked long and hard to make sure that veterans will not be detrimentally impacted by this bill.

Mr. REDMOND. Mr. Speaker, this vote this morning is concerning keeping our word, our word to those who pay taxes into the Highway Trust Fund for the highways and the bridges that Americans deserve, but it is also about keeping our word to the veterans of the United States of America.

I am proud to represent in the State of New Mexico the survivors of the Bataan death march, a road of a different kind. These were men that laid down their lives, and their brothers were killed during the time of the Bataan death march, and we need to remember that these men received promises from this government to take care of their medical needs, and to be utilizing money for roads from the veterans' fund is unconscionable, but it is equally unconscionable to be charging Americans at the gas pump for taxes and not delivering the roads.

So, Mr. Speaker, I rise in support of the rule, the rule that will enable us to keep our word both to those who have supported our veterans and also those who have supported our roads.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Del Mar (Mr. CUNNINGHAM), my very good friend and fellow Californian.

Mr. CUNNINGHAM. Mr. Speaker, I rise in favor of this rule. Like all the bills that we have, I do not know of a single bill that we have that there are parts that we do not like. I like the section that we just talked about, protecting the veterans, and I think the case that can be made in order is a very good one. The chairman may disagree with that.

But I was disappointed at one area, and the gentlewoman from New York (Mrs. LOWEY) has an amendment that would draw down drunk drivers down to .8 percent and put penalties. It is a stick. There are measures in the bill that is a carrot and a stick, but I think in the case of drunk drivers we need more stick than we do carrot, and I am disappointed that that is not allowed. It is in the Senate version, and I would ask the chairman and the ranking minority to support that in conference even though it is not in our bill.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Minnesota (Mr. OBERSTAR) ranking member of the Committee on Transportation and Infrastructure.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Minnesota (Mr. OBERSTAR) is recognized for 3 minutes.

Mr. OBERSTAR. Mr. Speaker, I thank the ranking member of the Committee on Rules for this time.

Listening to all these previous speakers who came up with one or another complaint about this legislation, one would think Chicken Little was right, the sky is falling all around us, or the budget. Or one might think that this bill is some sort of budgetary Pac Man chewing its way through the budget, nibbling up everything else for every other function. To say that we cannot do anything for education or we cannot do anything for veterans because of this bill is absolute hogwash. Look at the budget and the billions of dollars that are in that budget for every other function of government.

To say that we are taking \$26 billion is wrong. It is \$25.4; let us be right, let us get the numbers right. Even if my colleagues figure out that a decimal point does not go over a halfway point they can slip it over to the first. Let us be exact about it, \$25.4 billion. That is \$4 billion a year over the budget agreement over the period of this bill.

Do my colleagues mean they cannot find \$4 billion in a \$1.7 trillion federal budget? Out of a \$7 trillion national economy? That transportation accounts for over 10 percent of our total gross domestic product, approaching \$778 billion, the transportation sector alone? It is the engine driving the national economy.

For 30 years, my colleagues, for 30 years surpluses have been building up in the Highway Trust Fund, being used to fund other functions of government. Transportation going to come to the floor over the last 30 years and say, "Oh, my God, you can increase spending for this that or the other function

because it means we won't build more roads and bridges." No. And over that period of 30 years \$29 billion have been built up in the surplus in the Highway Trust Fund, and now that surplus is just going to go poof, off into the ether, to reduce the Federal debt somehow, and we do not even get to spend out the interest on capital into the Highway Trust Fund in the next 6 years of this legislation.

As my colleagues know, the Congress, this Congress, this body right here made an agreement with the driving public of America in 1956 and said we will create a trust fund into which taxes on gasoline will be paid, and from that trust fund we will create a guaranteed dedicated revenue stream to build these projects. And bills would come to the House floor every 5 years and pass on a voice vote because the public had confidence that we meant what we said, that we struck a bargain and we are living by that bargain. And now we have got that surplus built up, and that surplus is just going to go away. That is nonsense.

Vote for this rule, vote for this bill, vote for the future of America.

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

Mr. Speaker, that was a spectacular speech, but I am sure we will hear an even better one now from the distinguished chairman of the Committee on Rules. Pending that I would like to make a unanimous consent request.

#### GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on general debate for this rule, H. Res. 405.

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

There was no objection.

Mr. DREIER. Mr. Speaker, I yield the balance of my time to the gentleman from Glens Falls, New York (Mr. SOLOMON), the chairman of the Committee on Rules.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for 4½ minutes.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from California for yielding this time to me.

After the last speech by my good friend, the gentleman from Minnesota (Mr. OBERSTAR), I should just move the previous question because I think he has sold this House, and rightfully so. In doing so I want to commend the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) and all of the other members of the committee that worked so diligently on this.

As my colleagues know, Mr. Speaker, I take no back seat for anyone as far as fiscal responsibility in this House. And as my colleagues know, 5 years ago I wrote a book. It is called "The Balanced Budget, A Republican Plan," and it shows how to go about balancing the

budget not in 7, 6, 5, 4, 3 or 2, but in 1 year, and we followed it up with a 2,000 page bill that shows how to deduct over \$900 billion in spending. Well, the Republican and the Democratic Members of this House adopted much of this, and today I am so very, very proud that after 20 years that I, JERRY SOLOMON, can say we have got a balanced budget in this House.

Now it comes to the trust funds. There is nothing more outrageous to the American people, nothing, than taxing them for a certain purpose and then this Congress absconding with the money, and that is what we have been doing for years in the Social Security Trust Fund, in the Medicare Trust Fund, in the Highway Trust Fund. That is illegal.

Of course we have done it legally, but it is illegal to the American people because the motorists have paid these taxes year after year after year, these surpluses have built up, and then we have used the surpluses to offset and say we have a balanced budget. Well, we are not going to do that any more; we are going to take those moneys that were raised for this purpose and we are going to spend it all across this country.

Mr. Speaker, I represent the Northeast. It is the Rust Belt. I represent an area in the Catskill Mountains, the Hudson Valley and the Adirondacks where we still have old post roads where they used to drive horses and carriages over them, and we have bridges that are falling down and people are being killed. Not too many years ago a whole wide road washed out and killed dozens of people.

The infrastructure of this country is going down the drain, and if we do not have a strong infrastructure, how can we continue to have a good economy? We cannot, and that is why every Member, especially conservatives like me, ought to come over here and live up to their fiscal responsibility and vote for this rule and vote for the bill.

Mr. EVANS. Mr. Speaker, I rise in strong support of the amendment to H.R. 2400 which expresses the Sense of Congress that offsets to spending above the Congressional Budget Office baseline, as described in section 1001 of the bill, should not be taken from veterans programs. This amendment will be considered as adopted upon approval of the rule governing consideration of H.R. 2400.

This important amendment makes it clear that offsets for increases in spending authorized by the Building Efficient Surface Transportation and Equity Act should not include any provision making a change in programs or benefits administered by the Secretary of Veterans Affairs.

There seems to be a widespread misconception about restricting or denying a benefit to which a qualifying veteran is entitled to receive as a means of finding "savings" to offset the costs of other legislation. This misconception is seductively simple—if a veteran is not now in receipt of an entitlement which he or she would qualify to receive if they had applied for this benefit, then eliminating this benefit does that veteran no harm.

Would the Members of the House and Senate who are eligible for, but not yet in receipt of, a retirement pension believe they would not be harmed if their anticipated retirement benefit was reduced or eliminated because they had not yet applied to receive it? There would be shrieks and howls about such an injustice. We would be told the Members had "earned" their pension. Veterans also have earned the benefits which they are entitled to receive.

Let me also make it clear that I strongly support passage of H.R. 2400. We clearly need to have a modern, efficient and reliable transportation infrastructure. This has always been important and is certainly no less important today with the increasing globalization of the economy and economic competition. We can do this, however, while continuing to honor our commitments to veterans.

Mr. DREIER. Mr. Speaker, I urge strong support of the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. DREIER. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 357, nays 61, not voting 12, as follows:

[Roll No. 90]

YEAS—357

Abercrombie	Capps	Eshoo
Ackerman	Carson	Evans
Aderholt	Chabot	Everett
Allen	Chambliss	Ewing
Andrews	Chenoweth	Farr
Archer	Clay	Fattah
Armey	Clement	Fawell
Bachus	Clyburn	Filner
Baesler	Coble	Foley
Baker	Coburn	Forbes
Baldacci	Collins	Fossella
Ballenger	Combest	Fowler
Barcia	Condit	Fox
Barr	Cook	Frank (MA)
Bartlett	Cooksey	Franks (NJ)
Barton	Costello	Frelinghuysen
Bass	Coyne	Frost
Bateman	Crane	Furse
Bereuter	Crapo	Galleghy
Berman	Cubin	Ganske
Berry	Cummings	Gejdenson
Bilbray	Cunningham	Gekas
Bilirakis	Danner	Gibbons
Bishop	Davis (IL)	Gillmor
Blagojevich	Davis (VA)	Gilman
Bliley	Deal	Goode
Blumenauer	DeFazio	Goodlatte
Blunt	DeGette	Goodling
Boehlert	Delahunt	Gooden
Boehner	DeLauro	Goss
Bonilla	DeLay	Granger
Bonior	Diaz-Balart	Green
Borski	Dickey	Greenwood
Boswell	Dicks	Gutierrez
Boucher	Dingell	Gutknecht
Boyd	Dixon	Hall (OH)
Brady	Doggett	Hall (TX)
Brown (CA)	Doolittle	Hamilton
Brown (FL)	Doyle	Hansen
Bryant	Dreier	Hastert
Bunning	Duncan	Hastings (WA)
Burr	Dunn	Hayworth
Burton	Ehlers	Hefley
Buyer	Ehrlich	Hefner
Callahan	Emerson	Hergert
Calvert	Engel	Hill
Camp	English	Hilleary
Campbell	Ensign	Hilliard

Hinchey	McInnis
Hinojosa	McIntosh
Hobson	McIntyre
Hoekstra	McKeon
Holden	McKinney
Hoolley	McNulty
Horn	Meehan
Hostettler	Meeks (NY)
Houghton	Menendez
Hulshof	Metcalf
Hunter	Mica
Hutchinson	Millender-
Hyde	McDonald
Istook	Miller (CA)
Jackson (IL)	Mink
Jackson-Lee	Moakley
(TX)	Mollohan
Jenkins	Moran (KS)
John	Murtha
Johnson (CT)	Nadler
Johnson (WI)	Neal
Johnson, E.B.	Nethercutt
Johnson, Sam	Neumann
Jones	Ney
Kanjorski	Northup
Kaptur	Norwood
Kasich	Nussle
Kelly	Oberstar
Kennedy (RI)	Olver
Kennelly	Ortiz
Kildee	Owens
Kilpatrick	Oxley
Kim	Packard
King (NY)	Pallone
Kingston	Pappas
Kleczka	Parker
Klink	Pascrell
Knollenberg	Pastor
Kolbe	Paul
Kucinich	Paxon
LaHood	Pease
Lampson	Peterson (MN)
Lantos	Peterson (PA)
Largent	Petri
Latham	Pickering
LaTourette	Pickett
Lazio	Pitts
Leach	Pombo
Levin	Portman
Lewis (CA)	Poshard
Lewis (KY)	Pryce (OH)
Linder	Quinn
Lipinski	Radanovich
Livingston	Rahall
LoBiondo	Ramstad
Lofgren	Redmond
Lucas	Regula
Maloney (CT)	Reyes
Manton	Riley
Manzullo	Rivers
Markey	Rodriguez
Martinez	Roemer
Mascara	Rogan
Matsui	Rogers
McCarthy (MO)	Rohrabacher
McCarthy (NY)	Ros-Lehtinen
McCollum	Rothman
McCrery	Roukema
McDade	Rush
McGovern	Ryun
McHale	Sanchez
McHugh	Sanders

NAYS—61

Barrett (NE)	Harman
Barrett (WI)	Hastings (FL)
Becerra	Hoyer
Bentsen	Inglis
Brown (OH)	Kind (WI)
Canady	LaFalce
Cardin	Lewis (GA)
Castle	Lowe
Christensen	Luther
Clayton	Maloney (NY)
Conyers	McDermott
Cramer	Meek (FL)
Davis (FL)	Miller (FL)
Deutsch	Minge
Dooley	Moran (VA)
Edwards	Morella
Etheridge	Myrick
Fazio	Obey
Ford	Pelosi
Gephardt	Pomeroy
Graham	Porter

NOT VOTING—12

Cannon	Gilchrest	Jefferson
Cox	Gonzalez	Kennedy (MA)

Sandlin	Klug	Rangel	Royce
Sawyer	Payne	Riggs	Waters
Saxton			
Scarborough			
Schaefer, Dan			
Schaffer, Bob			
Scott			
Sensenbrenner			
Serrano			
Sessions			
Shaw			
Sherman			
Shimkus			
Shuster			
Sisisky			
Skeen			
Skelton			
Slaughter			
Smith (MI)			
Smith (NJ)			
Smith (OR)			
Smith (TX)			
Smith, Linda			
Snowbarger			
Snyder			
Solomon			
Souder			
Spence			
Stabenow			
Stark			
Stearns			
Stokes			
Strickland			
Stump			
Stupak			
Sununu			
Talent			
Tauscher			
Tauzin			
Taylor (MS)			
Taylor (NC)			
Thomas			
Thompson			
Thornberry			
Thune			
Thurman			
Tiahrt			
Tierney			
Towns			
Trafficant			
Turner			
Upton			
Velazquez			
Vento			
Visclosky			
Walsh			
Wamp			
Watkins			
Watts (OK)			
Waxman			
Weldon (FL)			
Weldon (PA)			
Weller			
Weygand			
White			
Whitfield			
Wicker			
Wise			
Woolsey			
Wynn			
Young (AK)			

□ 1200

Messrs. HASTINGS of Florida, CRAMER, WATT of North Carolina, SCHUMER, Mrs. MEEK of Florida, and Messrs. INGLIS of South Carolina, SALMON, TORRES, GRAHAM, and SANFORD changed their vote from "yea" to "nay."

Mr. RODRIGUEZ and Mrs. THURMAN changed their 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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2183

Mr. DICKEY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2183.

The SPEAKER pro tempore. Is there objection to the gentleman from Arkansas?

There was no objection.

CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE AND CONDITIONAL ADJOURNMENT OF THE HOUSE FOR THE EASTER RECESS

Mr. ARMEY. Mr. Speaker, I offered a privileged concurrent resolution (H. Con. Res. 257) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 257

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Wednesday, April 1, 1998, it stand adjourned until 12:30 p.m. on Tuesday, April 21, 1998, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, April 2, 1998, Friday, April 3, 1998, Saturday, April 4, 1998, or Sunday, April 5, 1998, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, April 20, 1998, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore (Mr. HEFLEY). The concurrent resolution is not debatable.

The question is on the concurrent resolution.

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