

WICKER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2641), to amend title 28, United States Code, to provide for appointment of the U.S. marshals by the Director of the U.S. Marshals Service, pursuant to House Resolution 418, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. BISHOP. 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.

The vote was taken by electronic device, and there were—yeas 351, nays 72, not voting 10, as follows:

[Roll No. 141]

YEAS—351

Abercrombie	Burr	Doggett
Ackerman	Burton	Dooley
Allard	Buyer	Doolittle
Andrews	Callahan	Dornan
Archer	Calvert	Doyle
Armey	Camp	Dreier
Bachus	Campbell	Dunn
Baesler	Canady	Durbin
Baker (CA)	Cardin	Edwards
Baker (LA)	Castle	Ehlers
Baldacci	Chabot	Ehrlich
Ballenger	Chambliss	Emerson
Barcia	Chapman	English
Barr	Chenoweth	Ensign
Barrett (NE)	Christensen	Evans
Bartlett	Chryslers	Everett
Barton	Clement	Ewing
Bass	Clinger	Farr
Bateman	Coble	Fawell
Becerra	Coburn	Fazio
Beilenson	Collins (GA)	Fields (TX)
Bentsen	Combest	Flanagan
Bereuter	Condit	Foley
Bevill	Cooley	Fowler
Bilbray	Cox	Fox
Bilirakis	Cramer	Frank (MA)
Bliley	Crane	Franks (CT)
Blute	Crapo	Franks (NJ)
Boehlert	Cremins	Frelinghuysen
Boehner	Cubin	Frisa
Bonilla	Cunningham	Frost
Bono	Danner	Funderburk
Borski	Davis	Furse
Boucher	de la Garza	Gallegly
Brewster	Deal	Ganske
Browder	DeLauro	Gekas
Brown (CA)	DeLay	Geren
Brown (OH)	Deutsch	Gilchrest
Brownback	Diaz-Balart	Gillmor
Bryant (TN)	Dickey	Gilman
Bunn	Dicks	Gonzalez
Bunning	Dixon	Goodlatte

Goodling	Martinez	Saxton
Gordon	Martini	Scarborough
Graham	Mascara	Schaefer
Greene (UT)	Matsui	Schiff
Greenwood	McCarthy	Schroeder
Gunderson	McCollum	Schumer
Gutiérrez	McCrery	Scott
Gutknecht	McDade	Seastrand
Hall (OH)	McHale	Sensenbrenner
Hall (TX)	McHugh	Serrano
Hamilton	McInnis	Shadegg
Hancock	McIntosh	Shaw
Hansen	McKeon	Shays
Harman	Meehan	Shuster
Hastert	Menendez	Sisisky
Hastings (WA)	Metcalfe	Skaggs
Hayes	Meyers	Skeen
Hayworth	Mica	Skelton
Hefley	Millender-McDonald	Slaughter
Heineman	Miller (CA)	Smith (MI)
Herger	Miller (FL)	Smith (NJ)
Hilleary	Minge	Smith (TX)
Hobson	Mink	Smith (WA)
Hoekstra	Moakley	Solomon
Hoke	Montgomery	Souder
Horn	Moorhead	Spence
Hostettler	Moran	Spratt
Houghton	Morella	Stearns
Hoyer	Myrick	Stenholm
Hunter	Nadler	Stockman
Hutchinson	Nethercutt	Studds
Hyde	Neumann	Stump
Inglis	Ney	Stupak
Istook	Norwood	Talent
Johnson (CT)	Nussle	Tanner
Johnson (SD)	Oberstar	Tate
Johnson, Sam	Ortiz	Tauzin
Johnston	Orton	Taylor (MS)
Jones	Oxley	Taylor (NC)
Kasich	Packard	Tejeda
Kelly	Pallone	Thomas
Kennedy (RI)	Parker	Thornberry
Kennelly	Pastor	Thornton
Kim	Paxon	Thurman
King	Payne (VA)	Tiahrt
Kingston	Pelosi	Torkildsen
Klug	Peterson (MN)	Torres
Knollenberg	Petri	Torricelli
Kolbe	Pickett	Trafigant
LaFalce	Pombo	Upton
LaHood	Pomeroy	Velazquez
Lantos	Porter	Vento
Largent	Portman	Volkmer
Latham	Pryce	Vucanovich
LaTourette	Quillen	Walsh
Laughlin	Quinn	Wamp
Lazio	Radanovich	Ward
Leach	Ramstad	Watt (NC)
Levin	Reed	Watts (OK)
Lewis (CA)	Regula	Waxman
Lewis (KY)	Richardson	Weldon (FL)
Lightfoot	Riggs	Weldon (PA)
Lincoln	Rivers	Weller
Linder	Roberts	Whitfield
Lipinski	Rogers	Wicker
Livingston	Rohrabacher	Wilson
LoBiondo	Ros-Lehtinen	Wise
Lofgren	Rose	Wolf
Longley	Roth	Woolsey
Lowe	Roukema	Yates
Lucas	Roybal-Allard	Young (AK)
Luther	Royce	Young (FL)
Maloney	Sabo	Zeliff
Manton	Salmon	Zimmer
Manzullo	Sanford	
Markley		

NAYS—72

Barrett (WI)	Filner	Kennedy (MA)
Bishop	Flake	Kildee
Bonior	Foglietta	Klink
Brown (FL)	Forbes	Lewis (GA)
Clayton	Ford	McDermott
Clyburn	Gejdenson	McKinney
Coleman	Gephardt	McNulty
Collins (IL)	Gibbons	Meek
Collins (MI)	Green (TX)	Mollohan
Conyers	Hastings (FL)	Murtha
Costello	Hefner	Neal
Coyne	Hilliard	Obey
Cummings	Hinchee	Olver
DeFazio	Holden	Owens
Dellums	Jackson (IL)	Payne (NJ)
Dingell	Jackson-Lee	Peterson (FL)
Duncan	(TX)	Poshard
Engel	Jacobs	Rahall
Eshoo	Jefferson	Rangel
Fattah	Johnson, E. B.	Roemer
Fields (LA)	Kanjorski	Rush

Sanders	Thompson	Williams
Sawyer	Towns	Wynn
Stark	Visclosky	
Stokes	Waters	

NOT VOTING—10

Berman	Kaptur	Walker
Bryant (TX)	Kleczka	White
Clay	Molinar	
Goss	Myers	

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Mr. HOYER and Mr. TORRES changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: “A bill to amend title 28, United States Code, to provide for appointment of United States marshals by the Attorney General.”

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2641, the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2149, OCEAN SHIPPING REFORM ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 419 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 419

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. 2149) to reduce regulation, promote efficiencies, and encourage competition in the international ocean transportation system of the United States, to eliminate the Federal Maritime Commission, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. Before consideration of any other amendment it shall be in order to consider the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, if offered by Representative Shuster of Pennsylvania or his designee. That amendment shall be considered as read, may amend portions of the bill not yet read for amendment, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Points of order against that amendment for

failure to comply with clause 7 of rule XVI are waived. If that amendment is adopted, the bill, as amended, shall be considered as the original bill for the purpose of further amendment. The bill, as amended, shall be considered by title rather than by section. The first section and each title shall be considered as read. During further consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The amendment printed in part 2 of the report of the Committee on Rules shall be considered as read, may amend portions of the bill not yet read for amendment, shall not be subject to an amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. 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. 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. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

AMENDMENT OFFERED BY MR. QUILLEN

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent that the pending resolution be amended in the form of the amendment at the desk.

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

The Clerk read as follows:

Amendment offered by Mr. QUILLEN: Page 3, line 12, strike "an amendment" and insert in lieu thereof "amendment (except pro forma amendments)".

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

Mr. MOAKLEY. Mr. Speaker, reserving the right to object, and I will not object, I want to inform my dear friend from Tennessee that this side has read the amendment and we perfectly concur with it and we have no objection to the unanimous-consent request.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The amendment is agreed to.

Mr. QUILLEN. Mr. Speaker, House Resolution 419 is an open rule, providing 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Transportation.

The rule provides for the consideration of a manager's amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution.

The amendment may amend portions of the bill not yet read for amendment and is debatable for 10 minutes equally divided between the proponent and an opponent. It shall not be subject to amendment or to a demand for division of the question. If adopted, the amendment is considered as part of the base text for further amendment purposes.

Additionally, the germaneness rule is waived against the manager's amendment printed in part 1 of the report.

The rule provides that the bill, as amended, shall be considered by title

rather than by section, and that the first section and each title shall be considered as read.

Members who have preprinted their amendments in the RECORD prior to their consideration will be given priority in recognition to offer their amendments.

The rule further provides that the amendment printed in part 2 of the report may amend portions of the bill not yet read for amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, I have always believed that the merchant marine was vital to national security and very necessary for the economic well being of this country. They have played a vital role in every major conflict this country has been in. I am a strong champion for any bill that aids our ocean shippers. That is why I am a strong supporter of H.R. 2149, the Ocean Shipping Reform Act.

H.R. 2149 is a bipartisan plan to deregulate the last area of regulated transportation and the bill would permit carriers and shippers to develop transportation arrangements to meet their specific needs.

Mr. Speaker, as strongly as I support the Ocean Shipping Reform Act, I oppose the Oberstar amendment and urge its defeat.

Mr. Speaker, this is an open rule for a good bill. I urge all Members to support the rule and the bill.

Mr. Speaker, I include the following material for the RECORD.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,¹ 103D CONGRESS V. 104TH CONGRESS

[As of May 1, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open ²	46	44	64	60
Modified Closed ³	49	47	26	24
Closed ⁴	9	9	17	16
Total	104	100	107	100

¹ This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

² An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

³ A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

⁴ A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of May 1, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350-71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255-172 (1/25/95).
H. Res. 51 (1/31/95)	O	H.J. Res. 1	Balanced Budget Amdt	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 60 (2/6/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 61 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 62 (2/8/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PO: 229-100; A: 227-127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PO: 230-191; A: 229-188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282-144 (2/22/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of May 1, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252-175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253-165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271-151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257-155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234-191 A: 247-181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242-190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217-211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423-1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228-204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253-172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414-4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252-170 A: 255-168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233-176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225-191 A: 233-183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223-180 A: 245-155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232-196 A: 236-191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221-178 A: 217-175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258-170 A: 271-152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236-194 A: 234-192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235-193 D: 192-238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230-194 A: 229-195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242-185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232-192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217-202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230-189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409-1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255-156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323-104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414-0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388-2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241-173 A: 375-39-1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304-118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344-66-1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth.	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231-194 A: 227-192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235-184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228-191 A: 235-185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237-190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241-181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216-210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220-200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223-182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220-185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229-176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239-181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	C	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223-183 A: 228-184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	PQ: 230-188 A: 229-189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228-182 A: 244-168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235-175 (3/7/96).
H. Res. 380 (3/12/96)	MC	H.R. 2703	Effective Death Penalty	A: 251-157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	PQ: 233-152 A: voice vote (3/21/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 234-187 A: 237-183 (3/21/96).
H. Res. 388 (3/20/96)	C	H.R. 125	Gun Crime Enforcement	A: 244-166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232-180 A: 232-177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229-186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232-168 A: 234-162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	O	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219-203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from Tennessee, Mr. QUILLEN, for yielding me the customary half hour, and I yield myself such time as I may consume.

Mr. Speaker, I am pleased that this bill is being considered under an open rule, but I am sorry to hear that it was not the subject of a single congressional hearing in the House.

Mr. Speaker, this rule provides for the consideration of a bill that's in serious need of an amendment.

Lucky for thousands of American workers, it's an open rule and we have a good chance of making the necessary improvements.

Because unless we fix this bill, it will lead to increased prices for consumers by eliminating the public disclosure of shipping rates. It will prevent small shippers from competing with the largest, most powerful shippers and remove the enforcement of contracts with workers.

Mr. Speaker, a lot of people depend on these jobs including longshoremen, warehousing workers, trucking employees, and rail employees in addition to the thousands of people who work in and around port communities. If this bill is not fixed, their wages could go down, or they could lose their jobs.

Like the bill, Mr. OBERSTAR's amendment will lighten some of the regulatory burden and eliminate the Federal Maritime Commission. However, the Oberstar amendment will also ensure a level playing field for all shippers; continue worker protections, and keep costs down for consumers.

I have always supported the Federal Maritime Commission. I believe they have done excellent work, and served the country well. I am pleased that although the time may have come to transfer their responsibilities elsewhere the good work they started on behalf of American workers and American consumers can continue.

Mr. Speaker, I urge my colleagues to support this rule and to vote to improve this bill with the Oberstar amendment.

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

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. COBLE].

Mr. COBLE. Mr. Speaker, I thank the gentleman from Tennessee for yielding me this time.

Mr. Speaker, I have no problem coming to this floor to engage in open debate. This is, after all, our reason for being, to debate issues openly and notoriously in the hope of improving it. I do, however, Mr. Speaker, have problems when Members assure me that they are with me, then, as a result of what I call political intimidation, conclude that they are not only not with me but against me.

Oh, I am not angry. I am not that thin-skinned. I am disappointed, because we changed our position in reliance upon their assurances that they were supportive of this good legislation only to learn at the last minute that their support had vanished like the morning dew.

This bill, I say to my colleagues, promotes a sound fiscal approach by dismantling the Federal Maritime Commission and saving taxpayers approximately \$20 million per year. The Federal Maritime Commission, my friends, is a vestige of the Federal bureaucracy whose usefulness, if any, has been served.

Just yesterday, at the House Committee on Rules meeting, the gentleman from Massachusetts [Mr. MOAKLEY] asked the gentleman from Minnesota [Mr. OBERSTAR] why he was

going about his dismantling FMC, and here I am paraphrasing, and the gentleman from Minnesota replied to the gentleman from Massachusetts, its time has come.

And, folks, the time has come. It is time for us to move along and this is an excellent way to dismantle big Government.

This bill, secondly, promotes and encourages competition. It has the support, and, Mr. Speaker, I hope the Members are listening to this, it has the support of these groups: The American Farm Bureau. And I would say to the gentleman from Tennessee that I am told that they represent 4.5 million farm families.

□ 1445

The National Retail Federation, the American Forest and Paper Association, the American Automobile Association, Sea-Land Service, American President Lines, the two largest carriers in this country, the National Broiler Council, the National Turkey Federation, and I could go on and on.

But as evidenced by the aforementioned support, Mr. Speaker, this bill affects America. The title, Ocean Shipping Reform Act, might imply to the uninformed that this affects only ports and only coastal communities. This bill, Mr. Speaker and my friends, affects people, individuals and corporations across this land who produce goods and/or services, Americans who live in New England, who live in Dixie, who live on the Great Plains, the Pacific Northwest, the scenic Southwest. Americans all will benefit, directly or indirectly, with the passage of this bill without any amendments.

This bill could be labeled, Mr. Speaker, America's bill. It is a good bill. I urge passage of this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 7 minutes to the gentleman from Minnesota [Mr. OBERSTAR], the ranking minority member.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY], for yielding me the time.

Mr. Speaker, I do support this rule. I appreciate very much your comments about the amendment that I will offer in accordance with the rule. It is an open rule. It does provide us with 1 hour of general debate, makes in order my amendment. That is fair.

The rule inadvertently made a mistake on debate on my amendment. That has been corrected, and I appreciate that gesture on the part of the floor manager for the Republican side.

I have come to this floor many times in support of deregulation of aviation, of trucking, of bus, of railroad industries, and I stand here in support of deregulation of ocean shipping with some adjustments.

The goals in most of the provisions of H.R. 2149, the bill we will be considering this afternoon, are basically good goals and good provisions. They eliminate the Federal Maritime Commis-

sion, prohibit ocean carrier conferences from restricting the rights of individual carriers to make contracts with shippers, eliminate the requirement that tariffs have to be filed with a government agency. But it does not go far enough, or perhaps it goes too far.

My first concern is that the bill allows carriers and conferences, 85 percent of whom fly a foreign flag, to enter into secret contracts with shippers. Under existing law, the essential terms of those contracts must be disclosed. That is what we do in the airline industry today. Nothing wrong with that.

Allowing secret contracts would lead to contracts that would discriminate against small shippers and disadvantage smaller carriers and smaller ports. They have raised concerns about this legislation. That is why I have an amendment to require these be open contracts, as current law requires.

Secret agreements would also permit foreign carriers to set the market price for U.S. exports, while U.S. carriers would have no ability to learn the essential terms of the secret contracts and offer competitive rates.

My other concern focuses on the agency that will take over the residual functions of the Federal Maritime Commission. The bill would vest that authority to the Secretary of Transportation.

Well, I may trust this Secretary. I do not necessarily want to have confidence in every Secretary. I do not believe that major authority should be placed in a department that is subject to the ever-changing political winds or whims of any particular Secretary. My amendment would address those concerns by requiring public disclosure of the essential terms of carrier conference contracts.

Second, it will vest the remaining enforcement responsibilities of the Federal Maritime Commission in the Surface Transportation Board, an independent transportation agency that already oversees water carriers transporting goods to certain destinations.

My amendment leaves in place the objectives, major objectives of this legislation. The Federal Maritime Commission is eliminated. Restrictions on the contents of contracts between shippers and carriers would be eliminated. Laws related to unfair trade practices of foreign carriers and foreign governments would be strengthened.

But I must say, my colleagues, and I am sorry that I do not see the gentleman on the floor right now, the chairman of the subcommittee, who said certain people were subjected to political intimidation. I am sure that those words were directed to our side of the aisle and possibly to this Member, and I just wanted to ask the gentleman, since when do citizens of this country not have the right, provided in our Constitution, to petition their government for redress of grievances? Since when do we say to people who will be adversely affected by legislation, you have no voice, you have no

way to express yourself, you have no opportunity to come before the body of this country that makes policy and express your dismay and ask for redress of grievances?

That is not political intimidation. That is the right of every citizen of this country to walk into our offices and to say, "I do not like the way things are happening, I do not like this law, I do not like this bill. Please correct it for me." We do that time and again, and that is right and that is fair, and my amendment is not being subjected to any kind of secret process. It is being debated right here openly on that floor, and I resent that kind of language. It is inappropriate.

We did have hearings on the concept of deregulation. There was a bill drafted by the committee at the conclusion, and a markup was held. There were no hearings on that bill, and I am not faulting that process. I am just saying that people have come since then and said 8 months later, after this bill was considered in committee, "We find fault with the bill. We do not think that it is appropriate to proceed in this manner. We want redress of our grievances." Small ports, small shippers, maritime labor, who have concerns.

Those concerns are going to be addressed in my amendment in an open, fair debate, no political intimidation. That is sheer nonsense and inappropriate and I resent it.

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], the distinguished chairman of the Committee on Transportation.

Mr. SHUSTER. Mr. Speaker, I did not realize we would be debating the substance of this bill in the rule, but since my good friend from Minnesota is, then I think that I need to respond.

I cannot tell you how deeply disappointed I am that I believed we had a deal. We had a very delicate compromise in which everybody gave up something: the shippers, the carriers, all interested parties.

In fact, while the shippers were very much opposed to retaining antitrust immunity, this is in the bill. They swallowed hard. On the other hand, in exchange for their swallowing hard, private contracts were permitted, private contracts which are at the heart of the Staggers Act, in the railroad industry, are permitted with rail; private contracts between shippers and carriers which are permitted in the trucking industry.

Indeed, one of the essential parts of deregulation is to permit private contracts between shippers and carriers, and indeed, that was part of the deal. In fact I must particularly remind my good friend from Minnesota, who indeed is a good friend, in fact I am reminded of something that somebody told me earlier today about a chaplain saying the prayer in the Louisiana State legislature when he prayed, "O Lord, help us make our words sweet today because we might have to eat them tomorrow."

Well, I must remind my good friend from Minnesota that this legislation was passed overwhelmingly by voice vote out of our committee; that my good friend from Minnesota said and I quote him:

I am a strong supporter of the legislation that we consider today, as are my fellow committee Democrats. The basis for this legislation has been the strong bipartisan, cooperative manner in which the bill has been developed.

Then he went on to say:

The bill accomplishes preservation of the committee carrier system, which is important to the carriers, but it also injects a very healthy and significant dose of flexibility and competitive opportunity.

And then he said:

Most importantly, Mr. Chairman, prior to the bipartisanship that we developed on the committee on this bill, it enjoys the support of carriers, of labor, and of the shipping community, without which we could not move the legislation. We'd have a room full of people buzzing around and all sorts of conflicts. But because we've come to this—as we are fond of saying in this committee over and over again—a delicate balance, we've got a good compromise of different interests.

Indeed, just less than a month ago my dear friend from Minnesota, in a speech, also said:

Our committee has reported the Ocean Shipping Reform Act of 1995 to the House and proposed that we deregulate the ocean transportation industry in ways that are similar to what we have already done in the trucking, rail, and airline industries. We would eliminate tariff filings and allow for confidential service contracts.

Let me repeat that: "We would eliminate tariff filings and allow for confidential service contracts." That was part of the deal. That was the compromise. Now to be told a few days ago that, "Well, we really did not mean it when we make a deal, we do not stick to the deal, but at the last minute we try to change the deal," I find that extremely disappointing.

My good friend went on to say:

As we deregulate transportation industries carefully over the years, each time the result has been lower rates and greater cargo and passengers movement.

So if we decrease the cost of international shipping through deregulation of the ocean transportation system, and at the same time expand our port access infrastructure, everyone can and will win.

So I cannot tell you how deeply disappointed I am that after we crafted a very, very delicate compromise, after management, labor, carriers, shippers, all came to the table, all gave up something and we passed this out by voice vote, with nary a "nay" expressed, with, as my good friend from Minnesota says, strong bipartisan support from the Democrats and the Republicans, now at the last minute to be told that "Well, the deal really was not a deal, now we want changes."

So I am very disappointed by this, and if the gentleman has time on his own time, I would be happy to address him. My time has expired, I understand.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, I want to start out by commending the gentleman from Pennsylvania, Chairman SHUSTER, and the ranking member, the gentleman from Minnesota, Mr. OBERSTAR, and the gentleman from North Carolina, Mr. COBLE, the subcommittee chairman, who worked hard. He is a friend of mine.

I was the ranking member at the time this bill was approved, and I remember much the things now being rehashed except to say that there was always one little asterisk in this whole process, and that was labor's concern over the secret opportunities of these contracts and certain antitrust considerations right from the beginning.

□ 1500

We went along, and there was supposedly a mild-mannered agreement, gentleman's agreement, but there was never total confirmation of support from those people who were concerned.

I will yield to the gentleman when I conclude this because I would like to make this statement:

The Oberstar amendment and the original bill are not far apart. The Federal Maritime Commission has done a great job; it will be eliminated, as will all of the other salient points that are brought up in the legislation before us. Where the bill currently stands and the Oberstar amendment currently fits deals with the issue of repealing the requirement that the essential terms of contracts between ocean carriers and shippers be disclosed to the public. They would not be allowed to be disclosed to the public, and on the surface it does not seem to be a problem. That is the way it was some time ago, especially when we look at the way rail and highway shipping industries operate. But unlike rail and highway industries, in ocean shipping most of the carriers are a part of conferences that are immune from U.S. antitrust laws.

This combination, I say to my colleagues, of antitrust immunity and secret contracts, in our opinion, and in the opinion of many in the industry now, would greatly compromise the competitive balance between ocean carriers and shippers.

I am of the conclusion, as is the gentleman from Minnesota [Mr. OBERSTAR] and many others in labor, that the only way to fully protect small carriers and shippers as well as small- to mid-sized ports is to preserve the requirements in existing law for disclosure of the essential terms of ocean shipping contracts. With that, that is the issue that separates us.

But I started out, I said I wanted to compliment the gentleman from Pennsylvania [Mr. SHUSTER]. Three of my amendments are included in this bill and are included in the Oberstar substitute as well which would broaden the authority of the Secretary of Transportation to take action against

foreign governments and entities that take actions that are unfair, predatory, or anticompetitive, and disadvantageous to all carriers. The original Traficant language in the bill was criticized because it focused solely on the impact on U.S. carriers. It has been broadened, and it affects both domestic and foreign carriers.

The second amendment clarifies the manner in which regulations shall be issued by the Secretary on making determinations that prices charged by carriers are unfair, predatory, and anticompetitive. It ensures that, if a carrier is investigated by the Secretary and found not to have violated the law, the information will not be made public. Congress would have access to the information.

Finally, it would require the Secretary of Transportation to report to the Congress annually on any action taken to enforce U.S. laws prohibiting unfair, predatory, and anticompetitive foreign trade practices and the effect of U.S. maritime labor on the actions of foreign governments and carriers.

I do not know about all the small detail between the two heavyweights on our committee, but we have been truly a bipartisan committee from the day that I have first been elected and served on this committee. I do not know of any two finer Members that serve. But I do know this as the ranking member at the time, not knowing the words that were repeated by the ranking member, the gentleman from Minnesota [Mr. OBERSTAR], but there was always that element of doubt and concern from labor over that issue of disclosure/nondisclosure. With that, I would urge all to support the Oberstar amendment.

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

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

Mr. SHUSTER. My good friend said in the committee, and I am quoting him now: Mr. Chairman, I am in strong support of this legislation. The bill was developed in a bipartisan manner, et cetera.

Mr. Speaker, I would further say I am sure my good friend would not want to mislead the body and certainly would not do that on purpose. I am sure the gentleman would not intentionally mislead the body.

Talk about antitrust immunity here in ocean shipping, well antitrust immunity continues to exist in rail and trucking as well, and in fact in rail and in trucking the right to enter into these private contracts exists.

So the Staggers Act, which has been extraordinarily successful in revitalizing the rail industry, has the very provision in it that we have in this bill and which was supported not only in the committee by the gentleman and the Democratic side, but in a speech less than a month ago by my good friend from Minnesota.

So I find it extraordinary that we have this disagreement.

Mr. TRAFICANT. Reclaiming my time, if we went back into the archives and looked at all the memorializations of any speeches made by every Member, I am sure we would find some unusual trespasses.

Let me say this before I would yield. There is one thing that I do recall, and there was one great concern over this bill. That is the issue that was brought forth in the Oberstar language. I think it is at the right place where the deliberative body here shall make that decision, in the Congress here, the whole House, and I support the Oberstar language. I think it clarifies it, it stabilizes it, and in fact solidifies what we do here today for small ports, small business and for labor.

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

Mr. TRAFICANT. I yield to the distinguished gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I am sure the chairman would not want to mislead people either into thinking that labor was at the table, as he said, because in the list of witnesses on the one hearing we had, there was no representation from labor. There was no testimony from labor. So they were not part of the deal. Those maritime interests that are concerned about this issue were not part of any deal.

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

Mr. TRAFICANT. Reclaiming my time, Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania.

Mr. SHUSTER. I would say to my friend I was quoting my friend from Minnesota who said, and I quote, on this bill it enjoys the support of carriers, of labor, of labor, and of the shipping community. I was quoting my good friend from Minnesota.

Mr. QUILLEN. Mr. Speaker, I advise the gentleman from Massachusetts [Mr. MOAKLEY] that I have no further requests for time at this time.

Mr. MOAKLEY. I would like to inform the gentleman from Tennessee that I do not have any requests for time either, and I yield back the balance of my time.

Mr. QUILLEN. 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. SHUSTER. 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.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 142]

YEAS—422

Abercrombie	Dicks	Istook
Ackerman	Dingell	Jackson (IL)
Allard	Dixon	Jackson-Lee
Andrews	Doggett	(TX)
Archer	Dooley	Jacobs
Armey	Doolittle	Jefferson
Bachus	Dornan	Johnson (CT)
Baesler	Doyle	Johnson (SD)
Baker (CA)	Dreier	Johnson, E. B.
Baker (LA)	Duncan	Johnson, Sam
Baldacci	Dunn	Johnston
Ballenger	Durbin	Jones
Barcia	Edwards	Kanjorski
Barr	Ehlers	Kasich
Barrett (NE)	Ehrlich	Kelly
Barrett (WI)	Emerson	Kennedy (MA)
Bartlett	Engel	Kennedy (RI)
Barton	English	Kennelly
Bass	Ensign	Kildee
Bateman	Eshoo	Kim
Becerra	Evans	King
Beilenson	Everett	Kingston
Bentsen	Farr	Klecza
Bereuter	Fattah	Klink
Bevill	Fawell	Klug
Bilbray	Fazio	Knollenberg
Billakis	Fields (LA)	Kolbe
Bishop	Fields (TX)	LaFalce
Bliley	Filner	LaHood
Blute	Flake	Lantos
Boehlert	Flanagan	Largent
Boehner	Foglietta	Latham
Bonilla	Foley	LaTourette
Bonior	Forbes	Laughlin
Bono	Ford	Lazio
Borski	Fowler	Leach
Boucher	Fox	Levin
Brewster	Frank (MA)	Lewis (CA)
Browder	Franks (CT)	Lewis (GA)
Brown (CA)	Franks (NJ)	Lewis (KY)
Brown (FL)	Frelinghuysen	Lightfoot
Brown (OH)	Frisa	Lincoln
Brownback	Frost	Linder
Bryant (TN)	Funderburk	Lipinski
Bunn	Furse	Livingston
Bunning	Gallegly	LoBiondo
Burr	Ganske	Lofgren
Burton	Gejdenson	Longley
Buyer	Gekas	Lowey
Callahan	Gephardt	Lucas
Calvert	Geren	Luther
Camp	Gibbons	Maloney
Campbell	Gilchrest	Manton
Canady	Gillmor	Manzullo
Cardin	Gilman	Markley
Castle	Gonzalez	Martinez
Chabot	Goodlatte	Martini
Chambliss	Goodling	Mascara
Chapman	Gordon	Matsui
Chenoweth	Graham	McCollum
Christensen	Green (TX)	McCrery
Chrysler	Greene (UT)	McDade
Clayton	Greenwood	McDermott
Clement	Gunderson	McHale
Clinger	Gutierrez	McHugh
Clyburn	Gutknecht	McInnis
Coble	Hall (OH)	McIntosh
Coburn	Hall (TX)	McKeon
Coleman	Hamilton	McKinney
Collins (GA)	Hancock	Meehan
Collins (IL)	Hansen	Meek
Collins (MI)	Harman	Menendez
Combest	Hastert	Metcalf
Condit	Hastings (FL)	Meyers
Conyers	Hastings (WA)	Mica
Cooley	Hayes	Millender-
Costello	Hayworth	McDonald
Cox	Hefley	Miller (CA)
Coyne	Hefner	Miller (FL)
Cramer	Heineman	Minge
Crane	Herger	Mink
Crapo	Hilleary	Moakley
Creameans	Hilliard	Mollohan
Cubin	Hinchey	Montgomery
Cummings	Hobson	Moorhead
Cunningham	Hoekstra	Moran
Davis	Hoke	Morella
de la Garza	Holden	Murtha
Deal	Horn	Myrick
DeFazio	Hostettler	Nadler
DeLauro	Houghton	Neal
DeLay	Hoyer	Nethercutt
Dellums	Hunter	Neumann
Deutsch	Hutchinson	Ney
Diaz-Balart	Hyde	Norwood
Dickey	Inglis	Nussle

Oberstar	Rush	Taylor (NC)
Obey	Sabo	Tejeda
Olver	Salmon	Thomas
Ortiz	Sanders	Thompson
Orton	Sanford	Thornberry
Owens	Sawyer	Thornton
Oxley	Saxton	Thurman
Packard	Scarborough	Tiahrt
Pallone	Schaefer	Torkildsen
Parker	Schiff	Torres
Pastor	Schroeder	Torricelli
Paxon	Schumer	Towns
Payne (NJ)	Scott	Traficant
Payne (VA)	Seastrand	Upton
Pelosi	Sensenbrenner	Velazquez
Peterson (FL)	Serrano	Vento
Peterson (MN)	Shadegg	Visclosky
Petri	Shaw	Volkmer
Pickett	Shays	Vucanovich
Pombo	Shuster	Walker
Pomeroy	Sisisky	Walsh
Porter	Skaggs	Wamp
Portman	Skeen	Ward
Poshard	Skelton	Waters
Pryce	Slaughter	Watt (NC)
Quillen	Smith (MI)	Watts (OK)
Quinn	Smith (NJ)	Waxman
Radanovich	Smith (TX)	Weldon (FL)
Rahall	Smith (WA)	Weldon (PA)
Ramstad	Solomon	Weller
Rangel	Souder	White
Reed	Spence	Whitfield
Regula	Spratt	Wicker
Richardson	Stark	Williams
Riggs	Stearns	Wilson
Rivers	Stenholm	Wise
Roberts	Stockman	Wolf
Roemer	Stokes	Woolsey
Rogers	Studds	Wynn
Rohrabacher	Stump	Yates
Ros-Lehtinen	Stupak	Young (AK)
Rose	Talent	Young (FL)
Roth	Tanner	Zeliff
Roukema	Tate	Zimmer
Roybal-Allard	Tauzin	
Royce	Taylor (MS)	

NOT VOTING—11

Berman	Ewing	McNulty
Bryant (TX)	Goss	Molinar
Clay	Kaptur	Myers
Danner	McCarthy	

□ 1526

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MCCARTHY. Mr. Speaker, during roll-call vote No. 142 on House Resolution 419 I was unavoidably detained. Had I been present, I would have voted "yes".

PERSONAL EXPLANATION

Mr. WATT of North Carolina. Mr. Speaker, on Tuesday, April 30, I was unavoidably detained and missed roll-call vote No. 138. Had I been present, I would have voted "yes" on rollcall vote No. 138.

□ 1530

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2796

Mr. GORDON. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2796.

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

There was no objection.

ANNOUNCEMENT OF PROCEDURES AND DEADLINE FOR PRINTING OF AMENDMENTS ON H.R. 3230, DEFENSE AUTHORIZATION BILL

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

Mr. SOLOMON. Mr. Speaker, the Committee on Rules is planning to meet on Thursday, May 9 to hear testimony on Friday, May 10 to grant a rule which may restrict amendments for consideration of H.R. 3230, the fiscal 1997 defense authorization bill.

The important part is, any Member contemplating an amendment to this bill should submit 55 copies of the amendment and a brief explanation to the Rules Committee in room 312 in the Capitol no later than 12 noon on Wednesday, May 8.

OCEAN SHIPPING REFORM ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 419 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2149.

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IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2149) to reduce regulation, promote efficiencies, and encourage competition in the international ocean transportation system of the United States, to eliminate the Federal Maritime Commission, and for other purposes, with Mr. REGULA in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Minnesota [Mr. OBERSTAR] each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER].

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

Mr. Chairman, it is not often that we can bring to the floor a piece of legislation that can boost the entire United States economy but this legislation, the Ocean Shipping Reform Act, can do just that.

Mr. Chairman, while it is true that by abolishing the Federal Maritime Commission, which this bill does, we can save about \$20 million a year in the Federal expenditures, that really does not tell the story. The real story here is that by abolishing the Federal Maritime Commission, by eliminating the tariff filings, we can stimulate this segment of American transportation to the point that we can save for America close to \$2 billion a year in increased

productivity through increased competition.

Yes, this abolishes the Federal Maritime Commission. Yes, it eliminates tariff filings, although it requires that such filings be made public. But it also provides for private contracts. This is at the heart of the bill, because if we are going to retain antitrust immunity, which this bill does, and which the shippers were very much opposed to but in the spirit of compromise agreed to, if we are going to retain antitrust immunity, then it is crucial that the carriers and the shippers be able to enter into private contracts.

This is not a new idea. This is an idea which has been proven, and it has been proven through the Staggers Act, which was the Rail Reform Act. The railroads have the ability with their shippers to enter into private contracts, and we all know the great success story of the revitalization of the railroad industry. The trucking industry has the ability to enter into private contracts with shippers and carriers. The aviation industry has the ability to enter into private contracts with shippers and carriers.

Indeed, every mode of transportation in America, freight transportation, has the ability to enter into these private contracts except for ocean carriage, and that is one of the fundamental reforms that we make today. We say that as all the other modes may do, now shippers and the carriers in ocean shipping can also enter into private carriage. It is a critical, fundamental part of the compromise of this legislation.

Beyond that, we are told by the U.S. Department of Agriculture that the shipping cartels fix prices and that is what we have had up to this point in ocean shipping, cartels fixing prices enforced by the Federal Maritime Commission. We are told by the Department of Agriculture that that price-fixing amounted to an 18-percent surcharge on the total ocean transportation cost of agricultural products.

And so indeed by injecting this competition, we are going to be able to make agriculture more productive. Indeed, we are going to be able to make virtually all modes that rely on ocean shipping more productive.

It is important to emphasize, Mr. Chairman, the United States is the only country in the world that maintains an agency to regulate and enforce Government ocean shipping controls. The time has come to eliminate the Federal Maritime Commission.

There are several points that served as a basis for the delicate compromise on this legislation, a compromise which had strong bipartisan support, indeed was passed out of committee by voice vote with nary a negative expression against this legislation. Republicans and Democrats alike cosponsored this legislation and passed it overwhelmingly, if not unanimously, out of the committee by voice vote.

The agreement was very simple. The shippers agreed that the ocean carriers